

**AGENDA**  
**KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM**  
**COMMISSION MEETING AND PUBLIC HEARING**  
Thursday, June 21, 2018  
Great Plains Nature Center  
6232 E 29<sup>th</sup> St N, Wichita, Kansas

Off-site airgun demo 9:00 am, Bullseye Shooting Range, 1455 N. Terrace.

- I. CALL TO ORDER AT 1:00 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE April 26, 2018 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
  - A. Secretary's Remarks**
    - 1. Agency and State Fiscal Status (Robin Jennison)**
    - 2. 2018 Legislature (Chris Tymeson)**
  - B. General Discussion**
    - 1. 2019-2020 Turkey Regulations (Kent Fricke)**
    - 2. Status of Feral Hog Control (Curran Salter, USDA Wildlife Services)**
    - 3. Unmanned Aerial Vehicles (Susan Steffen, Rich Schultheis, Vince Wonderlich)**
    - 4. Electronic Licensing Update (Todd Workman)**
    - 5. Dedication of National Water Trail (David Breth and Jessica Mounts, KAWS)**
  - C. Workshop Session**
    - 1. KAR 115-20-7. Migratory doves; legal equipment, taking methods, and possession. (Richard Schultheis)**
    - 2. Park Regulations (Linda Lanterman)**
    - 3. Fishing Regulations (Doug Nygren)**
    - 4. Coast Guard Navigation Rules (Dan Hesket)**
- VII. RECESS AT 5:00 p.m.**

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

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

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

**XI. DEPARTMENT REPORT**

**D. Public Hearing**

1. **KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (Levi Jaster)**
2. **KAR 115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms. (Stuart Schrag)**
3. **KAR 115-4-6b. Elk; management units. (Matt Peek)**

**XII. OLD BUSINESS**

**XIII. OTHER BUSINESS**

**A. Future Meeting Locations and Dates**

**XIV. ADJOURNMENT**

If necessary, the Commission will recess on June 21, 2018, to reconvene June 22, 2018, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment.

If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter, call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911.

The next commission meeting is scheduled for Thursday, August 2, 2018 at Gyp Hills Guest Ranch, 3393 SW Woodward Rd, Medicine Lodge, KS.

**Kansas Department of Wildlife, Parks & Tourism  
Commission Meeting Minutes  
Thursday, April 26, 2018  
Memorial Building, Alliance Room (3<sup>rd</sup> Floor)  
101 S. Lincoln, Chanute, Kansas**

Subject to  
Commission  
Approval

The April 26, 2018 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1 p.m. at the Memorial Building Alliance Room, Chanute. Chairman Lauber and Commissioners Emerick Cross, Tom Dill, Gary Hayzlett, Aaron Rider and Harrison Williams were present. Ward Cassidy was unable to attend.

**II. INTRODUCTION OF COMMISSIONERS AND GUESTS**

The Commissioners and department staff introduced themselves (Attendance Roster – Exhibit A).

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

Sheila Kemmis – Added additional general discussion after workshop session and if time allows will those items. (Agenda – Exhibit B).

**IV. APPROVAL OF THE March 22, 2018 MEETING MINUTES**

Commissioner Gary Hayzlett moved to approve the minutes, Commissioner Harrison Williams second. *Approved* (Minutes – Exhibit C).

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

Welcome to Chanute – Jeff Cantrell, City Manager – Glad you are here, excellent recommendation. Thank you for coming, it has been awhile since you have been here, welcome back. The museum (Osa and Martin Johnson Safari Museum) is open today, if you have time during break. Want to thank you for your renewed commitment from your department to remain in Chanute and we remain committed to you. Future projects will be discussed in correlation with your office and traffic needs; we are studying an intersection project that would help augment some of your traffic flow. If there is anything we can do while you are here, let me know.

*No comments from public.*

Chairman Lauber – At the next meeting, the executive director of the Governor's One Shot turkey hunt, Janet Post, wants to come and make a heartfelt plea that we open the season on the previous weekend. She will make a good argument that this is for the best interest of turkey hunt. I suggest this may cause our harvest matrix to come back in line a little bit. Not to be discussed today, but want you to think about it. Encouraged her to come and discuss it and may add it as an agenda item, will leave that up to department. As I understand, this year because the way the calendar fell, it is later than usual, and that has had some affect on it. We will discuss in Wichita. Tymeson – The normal regulatory cycle discussion is in June so it will be an agenda item and Janet can come and talk at that time.

## **VI. DEPARTMENT REPORT**

### **A. Secretary's Remarks**

1. Agency and State Fiscal Status – Robin Jennison, secretary, presented this update to the Commission (Exhibit D). Janet Post with Governor's One Shot did visit with me as well and I discussed with Keith and he talked to department's pertinent people and will be ready for that discussion. We had a good March compared to last year. On park fee fund (PFF) with three months to go, we raised more in those nine months than we raised in 2011 entire year, and it continues to show the robust nature of revenues. Sitting 14 percent above last year at this time and with three months left may hold that. Graph that represents PFF balances, dive last year was because late in the year had EDIF revenues reduced by \$500,000 and PFF had to cover that balance. This is first month we are above FY 16 and FY 17 balances; interesting to see if we can stay above graph line from FY 16. In the Wildlife Fee Fund (WFF), last month Todd may have referenced the anemic FY 17 numbers and problems with getting revenue in and accounted for. Back on track this year as historically, similar annual track. We anticipate similar response in revenues, because of nonresident deer draws, as in last several years. The cabin fee fund (CFF), year-to-date last year was \$877,000, about \$100,000 ahead this year. Last document can be found on Legislature website under research department. They just had revenue estimate, the number used to finish out the legislative session. We spent last several years coming out of the recession, and consensus estimators were always behind, or over anticipating revenue. Now similar to 1990s, a growing economy, and they typically underestimate revenues year to year. Modified revenue for this current fiscal year, last estimate made in November, and this is closer to what is taking place, raised 3 percent. There were times in the 1990s that we had 4.5 percent to 5 percent in growth revenues. Trying to represent historically what has been happening and change in tax policy that took place last year. The next paragraph shows FY 19 only going up one percent; suggest they will exceed that significantly. This report comes out once a month. Chairman Lauber – I am interested in \$217 million increase, talked about it in the paper, assume expanding economy is going to bring taxes with it. If no additional tax change, will we get some of this money? Jennison – Likely not, but not lose what we currently get. We are not spending enough money promoting this state, we use EDIF (lottery money) and there are a growing number of legislators who appreciate what this agency has accomplished over the last eight years in promoting the state. Anticipate we may see increase in EDIF to promote the state maybe next year, a possibility. Chairman Lauber – This increase was predicted, but cacophony of descent caused you not to hear it.

2. 2018 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission (Exhibit E). Legislature returns today with floor action and conference committee reports; may work this weekend, but adjourn May 4, in 8 days. Error in school finance bill, fix for \$80 million they need to get through. Not passed senate budget yet. Some conference committee reports that have to be discussed and have to go back through House and Senate and two bills we are watching on that. SB 24, designated channel catfish as state fish, no action, but passed in another bill. SB 25, dynamic pricing on cabins passed out of Senate, went to House and languished in committee there. SB 77, naming bison herd kept at Mined Land Wildlife Area as the Bob Grant Bison Herd, passed in companion House bill, just had grand opening for that. SB 162, dangerous regulated animals, no action. SB 240, land purchase in Sherman County, amended into House bill and signed by Governor in June 2017. SB 301 would require hunting guides to register with the department and pay a \$100 fee, passed Senate but don't know if it will see any more action, it is a conferenceable item so will keep an eye on it. SB 307 on amusement rides, impact on agritourism, gone through conference committee report for the House and awaits Senate action. SB 330 was our proposal to raise cap fees; many of our fees are at their cap, bill was stricken from the calendar and is dead for this year. SB 331 designates two new

state parks, Flint Hills Trail State Park and Little Jerusalem State Park, will be go through conference committee this afternoon, if passes go to Governor for signature. SB 381 was one of a couple bills that were onerous related to rail trails. On way here, we drove along Prairie Spirit Rail Trail and enjoyed watching the trail. There were several bills in the legislature where people tried to impose new restrictions on rail trails on activities and liabilities of those who run them, but didn't go anywhere. SB 447, the department requested permission to purchase land in Kingman County adjacent to Byron Walker wildlife area, did not go anywhere. HB 2193, was boater education bill, would phase it in just like hunter education, bill didn't go anywhere. HB 2207 would require anyone hunting, shooting, fishing, furharvesting or pursing any bird or animal on private land to have written permission, didn't go anywhere. HB 2208 transferable deer permit bill, didn't go anywhere. HB 2583, a bill on noxious weeds, one last year and this year, it did pass. HB 2276 was corresponding bill on dangerous regulated animals. HB 2363 was a bill on disposition of surplus property and named property of ours to sell, didn't go anywhere. HB 2452 would amend statutes relating to conservation easements, had a hearing but didn't go anywhere. HB 2460 dealt with firearms safety education in the schools, a proposal that if you were going to have firearms education in schools, grades 1 to 8 use Eddie Eagle and 7-12 would use KDWPT hunter education, put into another bill dealing with guns, some speculation if it will be dealt with or not. HB 2510 was another rail trail bill and didn't go anywhere. HB 2526 is an onerous bill on regulatory process that will require multiple hearings on certain bills and will slow down process, which will be difficult for regulatory process to set seasons. Waiting for action in the Senate, may go to conference committee where we might be able to modify it in relation to our regulations. HB 2558 dealt with controlled shooting area seasons, extends them a month from the end of March to end of April. HB 2650, designates four new state symbols, names limestone, galena, jelinite amber and channel catfish as state symbols and was signed by the Governor. HB 2660 changes property tax rate on vessels (boats), which we lowered a few years ago, bill didn't go anywhere. HB 2743 was another bill on transferable deer permits, had a hearing but didn't go anywhere. HB 2764 deals with Kansas Police and Firemen (KPF) retirement and transfers law enforcement individuals in public lands, parks and law enforcement to a different retirement system out of KPERS to KPF, came out of committee was amended, went to House floor and there are bigger issues with that bill as other entities want to add their people to KPF at a significantly larger price tag, don't know if anything is going to happen with that yet. A couple of things still alive and we are watching for the next eight days. Commissioner Rider – Is this first or second year of cycle? Tymeson – Second, anything after Friday is dead and will start fresh next January. Chairman Lauber – On surplus property, which of our properties were listed? Tymeson – Places like Cheyenne Bottoms, a random bill put forth by a legislator. There were other pieces of property from other departments, like the Department of Labor headquarters for one. I don't think anyone identified the properties just put them down. Chairman Lauber – Guides would have registered with us if that went through? Tymeson – Correct, we would be required to keep track and put on the website whether they were a certified guide or not. It passed the Senate and is still conferenceable item meaning it could end up in another bill, but has to be germane to that bill. Chairman Lauber – Are we against or neutral? Tymeson – Neutral. Chairman Lauber – In Norton County, issue with confined hog operation to which KLA has taken a position, do we have a dog in that fight? Tymeson – Not that I am aware of.

## B. General Discussion

1. Tourism Update – Linda Craghead, assistant secretary, Parks and Tourism divisions, presented this update to the Commission (Exhibit F). Three new publications that the division of tourism has done, state park guide, outdoor guide and Kansas magazine that comes out quarterly. We publish outdoor guide and state park guide annually; if you have suggestions for changes please let us know. We recently had an opportunity to go to New York City on a media blitz to

meet with members of the media to market our communities on unearned media that we don't have to pay for. Through our relationship with Meridith Publications, that recently bought Time Incorporated, we had opportunity to meet with a lot of different publications. With us we had the City of Chanute, because publishers are not interested in things everybody knows about they want to find unique stories and twists on places for people to go. If haven't been to the museum, Martin and Osa Johnson Safari Museum, it is in the old depot. Some of publications that were there were Midwest Living, Time Magazine, Family Traveler, Better Homes and Gardens, Martha Stewart Living to name a few, actually about 23 different publishers we met with. Robin received note the other day, people don't understand why we do what we do and what services we provide to the state. We help communities come together to do something they can't do on their own; we have responsibility to represent all 105 counties, all 600 plus communities so the opportunity to do this went out to all of those. Eight communities chose to participate and had to pay for their own travel and accommodations. Chris talked about the Flint Hills Trail and RDG is our partner in design and they recently received the Midwest Landscape Architects top award for trail design, given recently in Kansas City. Excited about the notoriety the trail is already getting. The Trail and Little Jerusalem hopefully will pass Senate today and will be available for the Governor to sign. City of Ottawa has already approached us about opportunity to have the Governor sign the bill at the crossroads of our two trails. We'll keep Commissioners informed. Michael Pearce works for the tourism team and serves as outdoor content manager and working with eco-tourism destinations; we have had two tour groups in already, one already from Canada and one booked from Europe, and others on the horizon to see greater and lesser prairie chickens. He is working in western corridor from Scott City to Sharon Springs and communities along that route, working hard on that and doing a great job. Chairman Lauber – A few years ago visited New York City with my wife and went to Battery Park where we saw young kids fishing and they knew where Kansas was and about blue catfish.

2. Park Regulations – Linda Craghead, assistant secretary parks and tourism, presented this report to the Commission (Exhibit G). No changes at this time we want to make sure we keep on the agenda as we anticipate two new parks being added.

3. Fishing Regulations – Doug Nygren, fisheries division director, presented this report to the Commission (Exhibit H). Discussion on regulation changes for next calendar year. Not a long list of changes. At Lovewell Reservoir: add a 10-inch minimum length limit and a 20/day creel limit on crappie; Glen Elder Reservoir: add a 10-inch minimum length limit on crappie; Sterling City Lake: add a 21-inch minimum length limit and a 2/day creel limit on saugeye. I want to spend a little time on Jewell State Fishing Lake, want to add a 6- to 9-inch slot length limit on bluegill, redear sunfish, green sunfish, and their hybrids and add a 5/day creel limit (single species or in combination) for any of these species greater than 9 inches and unlimited creel number for fish under 6 inches. If you're wondering why we would propose regulations on pan fish; we are in the middle of a research project looking at what we can do to improve food availability for game fish and one of the things we are looking at is bluegill and other sunfish populations. Last fall we electrofished 34 lakes, collected 7,000 bluegill and only 16 were greater than eight inches in length and none were over ten inches, which is considered a trophy; 4.2 percent were greater than 6.8 inches and people in surveys tell us that is the size they consider keeping, in reality we know they keep them at about six inches. Bluegill also provides food for other animals such as birds, mammals and fish and anglers use them for bait and take them home to eat them. Total annual mortality averages about 60 percent; growth rates are good, in five years you can expect a bluegill to reach 6.8 inch length that the public considers a keeper. When you don't have any angling presence, there are some ponds at KU that have unfished populations and we can compare them to fished populations. As soon as the fish reaches age four, or six inches in length, they are gone from the fisheries. As a result biologists are looking at setting some regulations to enhance the quality of pan fish, particularly bluegill in small impoundment

state fishing lakes, not proposing for any reservoirs. We have a proposal for Jewell, but there are at least two other lakes we are thinking about trying this slot length limit out on. This is something we have never done before, never tried to set special regulations on sunfish species (Exhibit I). Ottawa State Fishing Lake: remove the 18-inch minimum length limit on saugeye; Woodson State Fishing Lake (which is under renovation right now): change to a 10-inch minimum length limit and a 10/day creel limit on crappie to try and establish that population; Hollyrood City Lake: change to a 5/day creel limit on channel catfish; Windom City Pond: change to a 2/day creel limit on channel catfish; Louisburg City Lake: change to a 13- to 18-inch slot length limit on largemouth bass; Kanopolis Reservoir: add a 35-inch minimum length limit on blue catfish, trying to establish population there; and Great Bend Stone Lake: change to an 18-inch minimum length limit on smallmouth bass. Chairman Lauber – On bluegill issue, we don't have a shortage of little bluegill? Nygren – Correct. Chairman Lauber – Have to figure out a way to get them through that slot limit and we think that is with angler mortality? Nygren – From 6- to 8-inch size it would be angler mortality that is taking that. Not be able to take bait of that size in the slot at that lake, but can take smaller fish. Chairman Lauber – Not having problem with bluegill reproduction? Nygren – No, it's all about mortality of fish recruited into a fishery. We have Don Gabelhouse's old stock categorization process and if a bluegill reaches three inches we consider it part of the population, but at 6 inches is where people start considering them a preferred species and taking them home. Combination of being preyed upon, used for bait and eaten by anglers when big enough results in very few bluegill of quality size. There are people who like to fish for bluegill. Like to experiment on a few lakes to see if we can move the needle. Chairman Lauber – Do bluegill naturally get bigger in northern parts of the country? Nygren - No, they live longer the farther north you go and grow larger faster and die younger as you move south like a lot of other warm-water fish. Chairman Lauber – Read outdoor magazines and from time to time I see some big bluegill and I am trying to figure out if there is a reason we can't get them there. Nygren – We can get them there if we just give them a chance to grow, when losing 60 percent of a population annually at age five you have nothing left. Other 2019 proposed fishing regulation changes: change 115-25-14 to include two new trout stocking locations, Eisenhower State Park Pond and Coffeyville LeClere Lake will be added to the list of Type 1 Waters, from November 1 through April 15 and all anglers fishing would have to have a trout permit. Last year established concept of Youth/Mentor Fishing Ponds where we want children to fish with friends and family, but we don't want adults coming in and keeping fish. We have Pratt and Demon Lake in Dodge City, and have five new locations for 2019 at Wilson State Park Pond, Kanopolis State Park Pond, Melvern Mentoring Pond, Fall River State Park Pond and Elk City State Park Pond; a continuation of that effort where a child can have a great experience. We will do extra on stockings and management to make fish as catchable as possible. Change 115-7-1, fishing; legal equipment, methods of take, and other provisions: law enforcement division has come to us looking at ways to curb illegal activities associated with paddlefish caviar, stealing their eggs. With the regulations we have and surrounding states' regulations, we have the easiest route to poach them and not get caught. In Missouri it is illegal for the public to even have paddlefish eggs of any kind and in Oklahoma there are restrictions on the amount, so we are setting ourselves up as a target. Had a poaching ring caught in southeast Kansas/southwest Missouri a couple of years ago and have pictures of paddlefish females cut wide open in a disposal site in Oswego. They just took the eggs. We know it is going on and if we make it illegal for people to have the eggs in their possession, it is easier for law enforcement to deal with the issue of poaching. Right now they can say they caught the fish legally and have the eggs because of that legal harvest. We are drafting regulations so we're not a soft target compared to surrounding states. Biologically it doesn't have anything to do with the limited paddlefish population, especially since most of our paddlefish only come to Kansas to spawn and go elsewhere, with the exception of a few populations. Chairman Lauber – Your recommendation to have same thing Missouri has? Nygren – That is one option, looking at that with law enforcement now and at next workshop come back with more firm recommendations.

Commissioner Cross – Are those eggs high quality, palatable and valuable? Nygren – They are valuable. Sean, what are they going for? Sean Lynott – One thousand dollars a paddlefish. Nygren – The state of Oklahoma has a caviar operation, you take paddlefish in, they butcher it for you and they keep the eggs, sell them and take the proceeds and put back into paddlefish management. Chairman Lauber – Montana does the same thing. Nygren - A couple of million dollars a year for Oklahoma; a lot of money and incentive for people to want to do this illegally, we have had international poachers. Chairman Lauber – While not a stable population, some between Burlington and Oklahoma border; if it doesn't create too much effort on law enforcement it is a nice gesture for neighboring states because it can be a problem. Part of the reason paddlefish are so valuable is because poaching in Caspian Sea has eliminated all of the sturgeon and they are trying to find economic substitutes and moving to paddlefish. Nygren – Chris Steffen is working on three possible changes to the ANS regulations and wants to add marbled crayfish to prohibited species list; also have new technology that might make it possible to get rid of invasive species, Trojan Y technology and if we do that we would like to possibly move common carp off list of species that can be sold as bait, targeting those specifically in order to eradicate them and would not want those moved around, which would include koi as well. Another law enforcement-related issue, people on eBay are selling skoal-can-sized boxes that are electrofishing units that are effective on bringing up catfish species; people are dropping them off the front of their boats bringing catfish to the surface and poaching them. The devices can be purchased for less than \$100, difficult to catch somebody doing it because they cut the line if approached by law enforcement. We think there are people in Kansas doing this, because we allow bowfishing or catfish. They stun the catfish, and when they come to the surface they can shoot them with an arrow and if they get checked at the boat ramp it is legal to bowfish for catfish, but not legal to bring them up with an electrofishing unit. We want to discuss whether we continue to allow bowfishing for catfish, we have probably less than a dozen people who are interested in bowfishing and time to reconsider if allowing poachers illegal activity. These run off 12-volt battery, runs off boat battery. Lynott – Ordered one. Nygren – Will bring to next meeting.

*Break*

### C. Workshop Session

1. Webless Migratory Bird Regulations – Rich Schultheis, migratory game bird biologist, presented this report to the Commission (Exhibit J). This is the second workshop on webless migratory bird regulations; there are some follow-up issues as a result of some changes we made last year to doves. Staff is recommending revoking KAR 115-20-7, which contains taking methods, legal equipment and possession of migratory doves and was adopted in 2009, during process of establishing our exotic dove season. When we removed exotic doves from regulations we can now defer to federal regulations that are in place for take of migratory doves, thus this regulation is no longer necessary. Revocation of 115-20-7 would result in no changes the federal regulation on migratory doves other then requirement that doves are only taken in flight that we have. Commissioner Dill – Are crows part of federal migratory? Schultheis – Yes, there are federal regulations as far as crows are concerned. Commissioner Dill – They are basically here year-round and they are a nuisance and I would like to shoot them. Chairman Lauber – Exotic doves can be harvested all year but during certain times have to have a wing on them. Schultheis – During regular dove season when you can have migratory or exotic species, if you are above possession limit would need to have defined characteristics. Chairman Lauber – On August 30, I shoot some exotic doves, I have to leave wings on them? Tymeson – No, outside the season. Chairman Lauber – Even though the potential for improper harvest could be there? I don't have to identify they are exotic doves? Tymeson – Correct. Schultheis – That is a

pretty limited opportunity we would expect to see. Chairman Lauber – That is federal regulation? Schultheis – That is our state regulation.

2. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley – Levi Jaster, big game research biologist, presented this report to the Commission (Exhibit K). This is regulation sets military subunit seasons, changes are usually due to deployment and to avoid conflict of military operations and hunting seasons. This is third time we have seen these and we will vote on them in June. Smoky Hill firearm season will be set for Nov. 20 through Dec. 1. Fort Riley will have additional days for authorized individuals that allows them to archery hunt and have additional days for designated persons, youth or disabled season, that would put pre-rut antlerless season in October and they adjust days for firearm season also to take advantage of Thanksgiving weekend. At Fort Leavenworth they adjust their firearm deer season to take advantage of Thanksgiving weekend and other weekends and they also extend their firearm season for the taking of antlerless deer longer than the surrounding unit. Fort Leavenworth also allows the use of the full five antlerless whitetail deer permits whereas the surrounding unit would only allow one. In no case do they get extra firearm season days, adjusted seasons are the same length as regular firearm season statewide, but days are shifted to where they fall. Commissioner Dill – Do we get statistical harvest information from each of these installations? Jaster – I get some information from Fort Riley, in contact with Fort Leavenworth to get some of theirs, nothing from Smoky Hill, but could request that; would have to check if they are collecting it or not. Commissioner Dill – It would be interesting.

3. Public Land Regulations – Stuart Schrag, director, Public Lands Division, presented this report to the Commission (Exhibit L). Talking about changes to the Public Land reference document under KAR 115-8-1; under age restrictions, adding wording designating “weekends and holidays only” to Hillsdale Wildlife Area in Region 2, open to anybody during the week to allow more access. Under boating restrictions, no motorized boats, add Neosho Wildlife Area, stating motorized watercraft permitted only during the waterfowl season, and no motorized watercraft allowed in pools 4A and 4B and no out-of-water propeller-driven watercraft permitted any time, which mirrors the regulation that covers Cheyenne Bottoms. Under no gasoline engine powered boats, add Tuttle Creek Wildlife Area Olsburg Marsh in Region 2 to provide various types of waterfowl access. Under Daily Hunt Permits, for Region 1 add Talmo Marsh and for Region 2 add Blue Valley Wildlife Area. The two wildlife areas in iWIHA program are under daily hunt permit section. Chairman Lauber – Doesn’t mean go devil? Schrag – Means no airboats.

4. KAR 115-4-6b. Elk; management units – Matt Peek, research game biologist, presented this report to the Commission (Exhibit M). Map of existing units in briefing book, Unit 1 is buffer area around Cimarron National Grasslands and is closed to elk hunting at this time; Unit 2 is buffer area around and including Fort Riley and is more restricted than the remainder of the state, which is Unit 3. Our proposal is a result of some damage concerns in the northern part of Unit 2 therefore we would like to move northern boundary southward, which would place an area currently in northern part of Unit 2 into Unit 3. This would allow those elk to be under more liberal hunting regulations and be hunted by general residents with over-the-counter elk permits. Commissioner Rider – How big is that area you are cutting down? Peek – Area between dotted line and Leonardville is five miles. Chairman Lauber – Do you think in next 10-20 years, do you think Unit 3 will have more harvest? Peek – That is currently the trend. Elk are expanding and finding their way onto some big properties where landowners like and welcome them and are protective of them. I don’t see that trend reversing. In the regulation you will be voting on this evening, we keep giving landowners in the remainder part of state more opportunity to keep the elk herd where they want them, but nothing to say large landowners couldn’t increase them on their own property too. Chairman Lauber – Did Kansas have a sizeable elk population 200 years

ago? Peek – Yes, elk were very abundant in the mid-1800s. Commissioner Hayzlett – Where we used to see whitetail in the river bottoms, not seeing very many, but surprisingly seeing some mule deer there. Do elk and whitetail have any conflict there? Peek – I don't think so, elk are more grazers where deer are more browsers, so I don't think there is a whole lot of competition in Kansas. There could be in western states because they are more limited and larger elk could possibly outcompete mule deer for limited forage or water, but not in Kansas. Chairman Lauber – Does Kansas have 1,000 elk? Peek – No closer to 500. Chairman Lauber – We have 150 more or less at Fort Riley? Peek – Closer to 300, somewhere close to 100 in western area around Hamilton County and we know of various other herds in northeast, central and northwest Kansas, a minimum of 500 maybe a little over that.

5. Coast Guard Navigation Rules – Dan Hesket, assistant director, Law Enforcement Division, presented this update to the Commission (Exhibit N). Continuation from previous commission meetings. It is the adoption of CFR Part 83 Title 33, which pertains to navigation rules for inland waters. By authority granted under statute 32-1119 k, it allows the Secretary of the department to adopt CFRs into regulation pertaining to Coast Guard required laws and regulations. Basically there are 38 rules that govern how a vessel should act to avoid collisions when the possibility exists, as well as defining the proper lighting and sounding procedures. The reason this came about was a result of a ruling from the U.S. Coast Guard when they did an audit back in August 2017, which found us as noncompliant regarding our piloting rules. Basically the federal laws are preemptive, which means a state can't create a law that is less restrictive, but can be more restrictive. We do have a regulation where we have adopted CFRs under 115-30-6 in the past.

## B. General Discussion (continued – Only if time allows)

4. White-nosed Syndrome - Samantha Pounds, wildlife biologist, Ecological Services Section, presented this update to the Commission (PP Exhibit O). White-nose was recently detected in Kansas bats. It is an emergent disease that affects hibernating bats, caused by a fungus called *pseudogymnoascus destructon* (Pd) and is primarily spread from bat to bat contact, but can also be spread by cavers or researchers moving from cave to cave. It invades the skin and causes wing damage and can cause white fungal growth around muzzle, ears and forearms. It can be detected in UV light and shows up as an orange fluorescent color. It causes unusual behavior; bats leaving their hibernacula early when it is cold and food is scarce, causing them to fly irregularly and to hang out at the entrance of caves during winter months, which causes them to use up fat reserves. White-nose syndrome (WNS) has been confirmed in 32 states and five Canadian provinces and there are two additional states with fungus detected. It was first detected in New York in a cave in 2006 and 2007 and spread to northeast and westward. It was detected in Washington and theories of how it spread so far are speculation but include bats hitching rides in campers from infected states. Since discovery, millions of bats have been dying, in some populations 90 to 95 percent have been lost. Not all bat species are affected equally, some are more susceptible to it such as the little brown bat or the northern long-eared bat. WNS does not pose a threat to humans, pets, livestock and other wildlife and fish. Since discovery there has been thousands of researchers, as well as cave explorers who have been around this fungus and not exhibited any symptoms. Some of the ecological and economical importance of bats is that they consume insects on average and save U.S. farmers \$3 billion a year on pesticides. In cave and karsts ecosystems, the guano (bat poop) from bats falls on cave floor and macro organisms eat it, then they are eaten by cave dwelling insects that are then eaten by other animals such as fish and salamanders. In 2014, we began surveying for WNS as well as fungus Pd. Emporia State University was given money from Ecological Services Section to perform surveys, and repeated surveys in 2016, went back to a few positive caves and took soil samples and those tests came back negative. We follow USGS National Wildlife Health Center protocols and techniques

specifically used for studying bats with white nosed syndrome. When we enter a cave we record how many species of bats and abundance, cave conditions such as temperature and relative humidity; optimal growth of fungus is between 12.5 degrees to 15.9 degrees Celsius, also detected growing in caves as high as 20 degrees Celsius. Most caves in Kansas in that optimal growth range. We have several options when taking samples, we use bat swabs, a sterile Q-tip which we roll over the muzzle and the forearm three times each, place in a vial and record data. If enough bats present or we can't reach them we take soil or environmental samples, scrape surface off cave floor or wall or can also take guano samples if we run out of other options. After we exit a cave we follow decontamination protocol established by the U.S. Fish and Wildlife Service (USFWS), we wear Tyvek suits and disinfect our gear with Clorox bleach solution or Clorox wipes. Once we clean helmets and other gear we throw that over to a clean zone. Sometimes we come out of caves wet or with mud and feces and change our clothes completely to prevent spread. For the 2018 survey, we have gone to four "historic bat" caves in Allen and Cherokee counties, as well as six rocky outcrops in Bourbon and Montgomery counties. These sites were silted in and we weren't able to access the caves or there were no visible bats. We kayaked down Shoal Creek to access caves. Pittsburg State University surveyed Crawford County for WNS and fungus and those results came back negative. Schermerhorn Cave in Cherokee County was also surveyed; as well as 14 caves in Barber and Comanche counties, with seven not being tested. If we saw anything suspicious we would pull a bat to sample and submit it to the lab. We also surveyed a barn in Kiowa County. Schermerhorn Cave is near Southeast Nature Center in Galena, and we found three tri-colored bats roosting at the entrance, which is abnormal behavior. We found two dead, one still alive and inside we found 17 other tri-colored bats. The two dead bats were submitted to the lab in Madison, Wisconsin and those tested positive for WNS, 11 were positive for the fungus. Also, tested numerous environmental samples that included soil and cave wall swabs that also tested positive for Pd. In Barber County, there are privately owned caves we have access to, in two of three caves we found clinical WNS, which is white muzzle growth as well as ears and forearms. We have not sent out a news release, but we did find a cave myotis with clinical WNS. We only found four bats in one cave and we did not test them as they looked healthy when we flashed UV light on them. The caves in Comanche county are also privately owned; four caves were surveyed for WNS and Pd and one cave came back negative and waiting for results on other three. Swabbed as many bats as we could and the wall of a barn in Kiowa County, as well as took guano samples; waiting for results. We are working with education centers on public outreach on bats, threats they face as well as ecological and economic importance they play within our state. Held two events were held at Kansas Wetland Education Center in Great Bend and Southeast Kansas Nature Center in Galena, they had fun activities for kids to do. In addition to bat events, Alaine from Prairie Center in Olathe has gone to several schools and discussed bats and bat boxes and importance of bats. Dodge City High School also had an event where we incorporated this information. Most recently working with Skyline High School in Pratt, students interested in pollinator gardens and found that bats are important pollinators too; confused that we don't have pollinating bats in Kansas, but pollinator garden can attract insects that bats eat. We are working to get something set up with them. Moving forward continuing to survey Kansas bats, continue to monitor populations as well as monitoring the spread of Pd and WNS. Kansas is turning point from eastern to western species. Many eastern species have died and people in the west are looking to leading edge, which is Kansas, for what is going to happen as it progresses westward. We plan to continue public outreach and hope to work with other entities outside of our nature centers to educate on why we need bats and continue encourage landowners to reduce spread of WNS by reducing number of people entering caves and following decontamination protocols.

Commissioner Williams – How do you know the irregular flight of a bat? Pounds – Bats are better flyers than birds, bats have membranes on their wings and can turn on a dime, so if they are running into things that is not normal, or if they are flying and fluttering down that is out of ordinary. Chairman Lauber – In Kansas are most of bats non-cave dwellers? Pounds – We have a

mixture, there are 15 species of bats within the state. In other states, it is found in tree dwelling species such as hoary bat and eastern red bats. Chairman Lauber – If in a cave could do something to the cave itself? Pounds – Yes, the USFWS is interested in doing test trials; like a vaccine that is jelly solution wiped on bats. Bats are social, depending on the species and they speculate they can clean the jelly off which would give them immunity. Vaccines don't pass on to their children. Another one is creating a box around entrance of cave to give a spritz treatment; in process of exploring all of that. Chairman Lauber – Doesn't cause a tummy ache, but itches and causes them to wake up and uses stored up energy, leave to find something to eat and everything is cold? Pounds – Don't think it makes them itchy, but a complex physiology process that causes them to arouse from hibernation. Commissioner Cross – Is it transmitted from bat to bat? Pounds – Yes. Commissioner Cross – Passed onto offspring? Pounds - Bats split in spring and females go to maternity roost and if they are carrying the fungus they can pass it on; they won't be susceptible until winter because the fungus is cold-loving, which is why it is so detrimental in the winter. If they can make it through the winter they should be in the clear for that year to live and reproduce. Jennison – Can you age a bat? Pounds – Yes. Jennison – We talked about France not being susceptible. Is there correlation between bats with WNS and their age? Pounds – I don't think so, if conditions are optimal and a congregation of bats that can move great distances, if they come from cave that has fungus any bat can get it. Generally they report trends prior to a population being hit hard they report an increase in number of bats, after surge start to see decrease due to impacts. Chairman Lauber – Pollinator bats are bats that eat fruit, not insectivores? Pounds – Yes, when you think of fruit bats you think of South America and there are some in Asia and Australia as well, some eat fruit, consume seeds and deposit that or ones that eat nectar pick up pollen and go to next plant, similar to bees transporting pollen. Commissioner Cross – If colony gets white-nose syndrome will it decimate it or what does it do? Pounds – It really depends on the species, some aren't as susceptible. Reporting in the east, as WNS has moved through, they are seeing stabilization in populations, not decreasing anymore; some bats have more resistance to the fungus, or may not be hit as hard, it depends on species. Little browns are hit hard and grey myotis, which is federally endangered and endangered in Kansas, not hit as hard as other species.

5. Woodson SFL Restoration – Sean Lynott, regional fisheries supervisor, presented this update to the Commission (Exhibit P). Woodson is an old state fishing lake, completed in 1930s, a CCC project. Clear water surrounded by hard woods. Home to 22-inch record black crappie weighing 4.63 pounds, caught in 1957. We raise fish in the rearing pond there and get a 98 percent return on fingerlings stocked there. The project has help from other personnel, from hatchery and law enforcement staff, as well. This rearing pond is under Justin Morrison who provided this information. Emergency spillway is all hand-laid rock, stem wall placed to keep rock in place to keep from shifting. It has held up fairly well. Had scouring at bottom of one of stem walls, like 2007 flood event, blew out a little bit of hand laid stone so we knew we had problems. In 2016, we had two major rain events in September when 10-12 inches fell in 48 hours and second was in 12 hours, but less rain. It was undercut and blown out and hand laid rock was pushed up against the dam. High bank was 30- to 35-feet tall. Contacted engineering department to facilitate repair work after inspecting tower noticed problem with valve. After started inspection outlet pipe showed holes and worried about erosion downstream at dam if we used it, so we installed a siphon line, used 18-inch line, cost about \$75,000, took about a month to take the water down, will use again in another lake. Started work on emergency spillway, \$1.4 million project funded through FEMA, 30 days from completion. Scale on spillway, 25 feet tall, huge structures with riprap at lower end to curb velocity; goes through wing wall into baffled spillway to spread water out more. Need to get bars or screen on the intake pipe, needs to be relined too, like outlet. Valve needs to be repacked and hope to close the valve this fall. Lake is 49 feet deep and lowered and decided to do renovation on entire lake, so opened to salvage. Took away length and creel with traditional fishing efforts, then opened up to typical salvage,

any means possible to get fish. We had carp and gizzard shad in the lake, which also pushed us to renovation. Leave a little water at upper end of lake and will make sure no fish there then plan to start restocking this fall. Some fishing piers are being rip-rapped and topped off with gravel and boat ramp extended. Justin has been speedy on habitat work, over 200 cubes to place into the lake, staking a dozen to 15 each time. John Johnson, we thank him too, for his skillset of operating heavy equipment and building brush piles. All habitat locations will be recorded with GPS and provided on our website and on bathymetric maps for the anglers; used 30- to 40-foot long trees which should survive a decade. Start restocking this fall, haven't talked about how we want to open to the public, maybe keep closed for two years and have grand opening or open January 1 and ease into it. Chairman Lauber – Were there big flatheads in there? Leonard always tried to keep them out. Lynott – Leonard was good at growing big fish even if he didn't want them and there was one weekend when we opened it to open salvage, people were pulling out 1,200 pounds of flatheads, several fish in 40- to 50-pound range. Commissioner Williams – When was trophy crappie fish caught? Lynott – 1957. Chairman Lauber – It was the lady who had concession there for many years, Hazel Fay. I was not sure there were any flatheads in there, Leonard used to want bigger catfish, but not flatheads. Lynott – Probably not the species we would chose to put back in there, and we won't, but they will end up back in there. Chairman Lauber – The people you mentioned working there are good people, Justin and John are great. I grew up near there. I know people who trapped beavers this year in Big Sandy and was different than in the past, marked improvements because beavers left when lake was drained. Lynott – Think you are right.

6. Neosho Wetland Project Update – Travis Ratliff, assistant manager Neosho Wildlife Area, presented this update to the Commission (Exhibit Q). This project has been a challenge, manager Monte Manbeck started process in 2007. Goal of this project was to maximize beneficial habitat. We had a lot of topography changes and water was deep, when you think about a duck, five foot of water not much good to him. Decided to make what we had the best we could so we looked at typography; engineering firm shot 42,060 elevation points and looked at contour lines and best place for levees to obtain 18- to 24-inch depth. We have built 2.2 miles of levee, which are 100 foot wide; we borrowed dirt from high ground to obtain depth. To get water in the marsh we used to back pump down unsafe ramp into the river and hook up pipe and pump water out of river, into the creek and then pump from creek into the marsh; we had to check pump every eight hours and it takes two months to pump the marsh. The new pump will allow us to manipulate how much water we take at a time, has a  $\frac{3}{4}$  mile pipeline that delivers direct directly to the individual pools, the old pump would only pump all or nothing and this pump will allow 2,000- to 12,500-gallons per minute, which is the top of our water right. Numerous circumstances where vandalism has occurred or water rose and we had to get tractor moved, it was an old pump with 250 hp motor, spent a day setting pump, another day filling the creek and would have to fill a pool high enough to flood into the refuge and would take a month; now can pump 12,000 a minute directly to the refuge. Old parking system and boat ramps were historic and we constructed a new parking area and it has two new boat ramps and holds 54 parking stalls big enough for trucks and trailers. Most boats on area seen at one time is 27, so twice as many spots as needed. Our refuge was gated off September 1 through March 31, and to get to where it was gated you drove through Pool 2 and Pool 4 which is only 174 acres, so we were losing half of hunt able acres to road traffic, every seven minutes someone would drive through, go to gate, turn around and drive back out. The last time we were fully operational in 2015, we closed for season split and the next day after closing I drove through and there were 30,000 mallards sitting in the road ditch at pool 4, which tells us it is directly correlated to road traffic. We closed that road and have two new boat ramps there and Pool 4 was sub-divided for non-motorized boats only, not even trolling motor can be used. We are trying to make the best habitat possible with what little we have, we have 1,100 floatable acres compared to Cheyenne Bottoms that has 15,000; but hunter numbers are not that different. Levees and water delivery ditches were

overgrown, 60 years old and needed an update. Pool 2A is now a boating or water-delivery canal. With new pump and removing higher elevations, we have better habitat, can get water there quicker with same amount of surface acres that uses less water and makes duck hunting better. Completed 2 miles of levee last year, needed drought to complete, but did not get it. The 2B levee used to be part of our refuge so through this project gained 90 acres of huntable water, providing more access. Looking at typography elevations it was same elevation as Pool 2 and north end of Pool 2 was a foot higher. About 40 percent complete with that levee in August and had 12 inches of rain in 10 days, refuge filled up and 850 acres of water had to go through a 36-inch pipe, so delayed process. Pool 4 used to be over waders and unhuntable, divided into two pools and can wade entire wetland and never go over knee deep, perfect habitat for ducks. Last year was first year it was full, had ducks daily. Ducks Unlimited (DU) was a huge partner in getting this project done, helped get new pump station completed. They had an evening of conservation and got eight donors who gave \$10,000 each, DU turned that \$80,000 into a quarter-million and placed cairn right as you drive into the area with donors names and greenwing (youth DU sponsors) legacy sponsors. The area was dedicated November 18 and ended up inside for event because of weather. Recently completed, refuge was 850 acres and emergency spillway did not work properly and we replaced that; but have not had rain to fill up the refuge; project completed by local contractors out of Fort Scott. To minimize erosion had 600-foot head wall of concrete down the middle. In addition, added new refuge structure, old one was a 36-inch tube that dumped into another wetland pool, which would flood out our habitat, it went through Pool 5. This system allows easier manageability of refuge so we can create shorebird habitat, nongame species, and provide food and wintering habitat for migrating waterfowl. Within new levees installed structures from the refuge to the pools so we can open valve to send water without having to pump it and save man-hours and money. South unit was acquired in 1980s, levees have been drove on and not tall enough to fill water through that entire pool we over top our levee, the plan is to borrow high ground, rebuild and repair all of our levees at south unit and put all new structures in; this unit is very popular and highly controversial, will be renovated completely and more be reliable on flooding every year. We were approached by local DU committee in St. Paul who want to build a memorial marsh, in beginning stages of building a new wetland up along the highway and again plan to borrow dirt from high ground. Through partnership we can build that marsh for very little money and make more habitat available. Stuart Schrag – This is a state-of-the-art wetland complex when it comes to efficiency and optimizing habitat. Back in February, at state DU convention in Kansas City, Monty was presented with DU Wetland Manager of the Year award; while he took award, Travis and Jason Deal deserve a lot of recognition for the passion they have with this project, wanted to publically acknowledge and thank them for their efforts. Ratliff – Project has been controversial because we have not had wetland acres the last couple of years. Engineers told us to expect 3-5 years of no duck hunting and the last two years we have managed to harvest almost 2,000 ducks a year while still providing hunting opportunity throughout renovation project. Bulk of work is complete and two years ahead of schedule and under budget; going good and hope to have ready to go this fall.

Jennison – We have a new office here at Chanute and we have time for commissioners to tour that new office, a better location than in the past.

**VII. RECESS AT 3:28 p.m.**

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

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

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

*None*

## **XI. DEPARTMENT REPORT**

### **D. Public Hearing**

*Notice and Submission Forms and Attorney General letter dated February 28, 2018 (Exhibit R).*

1. KAR 115-25-7. Antelope; open season, bag limit, and permits – Matt Peek, research wildlife biologist, presented this report to the Commission (Exhibit S). Standard regulation, no recommended changes for season structure, dates or permitting. Proposing 9-day archery season from September 22-30, 2018 and reopens after firearm and muzzleloader seasons conclude, October 13 through October 31; archery permits are valid in all three units to residents and nonresidents. Firearm season is 4-day season that runs October 5-8, 2018 and is open to residents only; proposing in Unit 2, 122 permits, in Unit 17, 44 permits and in Unit 18, 14 permits. Muzzleloader season dates are October 1-8 and the first four days of that season are muzzleloader only and the second four days overlap with firearm season and are limited to residents only; proposing 34 permits in Unit 2, 10 permits in Unit 17 and six permits in Unit 18. There permit allocations are the same as last year.

**Commissioner Tom Dill moved to approve KAR 115-25-7 as presented to the Commission. Commissioner Harrison Williams second.**

**The roll call vote on to approve was as follows (Exhibit T):**

<b>Commissioner Cassidy</b>	<b>Absent</b>
<b>Commissioner Cross</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</b>
<b>Commissioner Rider</b>	<b>Yes</b>
<b>Commissioner Williams</b>	<b>Yes</b>
<b>Commissioner Lauber</b>	<b>Yes</b>

**The motion as presented on 25-7 passed 6-0.**

2. KAR 115-25-8. Elk; open season, bag limit, and permits – Matt Peek, research game biologist, presented this report to the Commission (Exhibit U). Changed minimally since 2010 when unlimited permits were offered away from Fort Riley, but do have change in season dates to recommend. Off of Fort Riley seasons generally coincide with the same equipment restrictions as deer when the seasons overlap, but elk season is longer running through March 15 to allow for damage issues to be resolved. One change we are proposing is to establish a new August 1 through August 31 firearm season off of Fort Riley to allow landowners to use legal hunting to better address crop damage concerns. On Fort Riley, archery and muzzleloader season is held during the month of September, then October, November and December are considered one month segments when any weapon may be used. We are proposing 12 either-sex elk permits be authorized and valid during all seasons, included three one-month segments, and 18 antlerless elk permits and are valid during any season except only one-third of those permits are valid during each one-month segment. We propose an unlimited number of hunt-own-land antlerless only and either-sex permits authorized in Units 2 and 3 and an unlimited number of over-the-counter antlerless-only and either-sex permits in Unit 3. Chairman Lauber – The off the Fort unit

was Unit 1? Peek – Unit 3. Chairman Lauber – That is firearm? Peek – Unit 3 is the big unit that includes the whole state, excluding Fort Riley and Cimarron and that unit has over-the-counter permits available to landowners as well as general residents. In Unit 2, the area around Fort Riley, over-the-counter permits are only available to landowners. Chairman Lauber – All firearm or your choice? Peek – They have the same equipment restrictions as deer, so archery season for elk is basically the same as deer, with exception of elk season opens before deer season and closes after deer season closes. During those times it is firearm season.

**Commissioner Gary Hayzlett moved to approve KAR 115-25-8 as presented to the Commission. Commissioner Aaron Rider second.**

**The roll call vote on to approve was as follows (Exhibit V):**

<b>Commissioner Cassidy</b>	<b>Absent</b>
<b>Commissioner Cross</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</b>
<b>Commissioner Rider</b>	<b>Yes</b>
<b>Commissioner Williams</b>	<b>Yes</b>
<b>Commissioner Lauber</b>	<b>Yes</b>

**The motion on 25-8 as presented passed 6-0.**

3. Waterfowl Regulations – Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit W). The U.S. Fish and Wildlife Service (USFWS) annually develops frameworks within which states are able to establish migratory game bird hunting seasons; these establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state-specific migratory game bird seasons. Briefing book item was provided and the only change from last year is increase in daily bag on northern pintails from one per day to two. Staff recommendations can be found in briefing item and are similar to previous years with only a few minor changes. Commissioner Rider – Some people say we are setting seasons too early, hearing anything on that? Bidrowski – Started two years ago, with federal frameworks that we had to have season selections in by May 1 instead of end of August. Commissioner Rider – Haven't seen any biological changes? Bidrowski – Do lose a little flexibility. Since 1996 have used AHM (adaptive harvest management) strategy to establish hunting season and produced off of predictor models rather than observation. Predictor models are over 50 years of data from population surveys and harvest surveys to determine what future populations will be, use long-range forecast to develop AHM. Commissioner Rider – Like pintail, don't look at harvest data from last year? Bidrowski – Pintails are one of four species that have their own species-specific seasons along with scaup, wood ducks and canvasbacks; based on breeding pond counts, what latitude they find the majority of the birds at and they put trigger points in there so it does fluctuate more than others, but similar predictor models are used for mid-continent mallards, not direct observation, but what future forecast would be. Chairman Lauber – Are they generally a season behind? Bidrowski – Yes, we are no longer using current year May pond survey data. Chairman Lauber – So there's nothing we can do about it, but I understand where Aaron in his part of the country would get a lot of question; why set now. Bidrowski – We do have some flexibility, but basically setting a year behind; states opposed this in an Environmental Impact Statement in 2012, but it is mostly for USFWS to get through their legal process in time. Commissioner Rider – You have a government agency saying it is a little burdensome. Bidrowski – It does have analytic burdens associated with it. Commissioner Rider – As I am

reading staff recommendations, all of the zones close from January 7-11, correct? Bidrowski – That is correct for duck season; common with the exception of one year since we created the southeast zone. It is a five-day season closure; a slow time where we could experience heavy ice or not, is a coin flip. We are limited to the 74-day season and there some efforts now to reduce some of AHM packages, but still a 2-3 years out. That split is our compromise to have November days and as many January days as we can. Those are five week days that we close the season. Chairman Lauber – How many days does it take to consider it a split? Bidrowski – Just one day. Commissioner Rider – In southeast zone so got a lot of feedback, several of them are looking at moving that split back to what we had before, towards November, that is what I am hearing the most. Bidrowski – Received less comments this year than previous years, try to reach a compromise on standardization of season in southeast zone and comments I receive are polarized, particularly in extreme southeast where there is different hunting experience, as well as hunters wanting more January days versus people on the fringes of southeast zone who want more November days. November is peak migration for the southeast and most hunted times as well. We know we are going to have ice in early part of January in most years, so five-day closure works well. Chairman Lauber – Where I get feedback is extreme north part of southeast zone, they want to be not included in zone or zone to include them. More want early days. I have gotten less feedback since we have been doing it this way than any other way. Aaron is in the middle of duck central and hears more comments. Bidrowski – We are looking at five week days, which is the trade off for the split, one year we backdated the season and had no split, started on a Thursday and ran through the year. This year we did have heavy ice for majority of that, but depends on your hunting preference. Commissioner Rider – I don't know that I want to start on a Thursday, doesn't benefit a lot of the working guys and gals, want to start on a weekend. I am concerned about having everything closed that one week, if looking to provide as much opportunity as possible; being able to go from zone to zone from whenever we start to the end of January is what we want. Chairman Lauber – Your concern is somebody could go to another zone and find an open season statewide. Commissioner Rider – Right. Chairman Lauber - I never thought about that, people moving around and hunting different seasons. Bidrowski – Waterfowl hunters a lot more mobile than in the past, in southeast zone, is least mobile area, most seem to be more tied to private land. Chairman Lauber – Suggest we vote and pass what you have now, but to address Aaron's concern between now and next year and see if we want to shuffle dates so there is duck hunting in the state; find out if staff has an opinion. Bidrowski – Can consider that, it is about providing opportunity and can look at November versus January days. Hoping with new HMA process hope to provide additional days to fill in the gaps.

**Commissioner Gary Hayzlett moved to approve waterfowl regulations as presented to the Commission. Commissioner Harrison Williams second.**

Commissioner Rider – I move to amend that recommendation in southeast zone be put at November 10-11 and run November 17 through the last Saturday, January 27. I was going to put a split in there, run November 10 and 11 and move split there that you have in January. Bidrowski – Split would start November 17 and run through January 27? Commissioner Rider – That is correct. Bidrowski – We have had a similar season structure. Chairman Rider – We did in 2013 or 2014. Bidrowski – It was 2014, ran November 8 and 9 and November 15 through 25. Commissioner Rider - For feedback I have had, people in southeast zone, and looking at region and what it was designed for; some of warmer temperatures in November, in last few years migration is getting later and later and birds are stuck in South Dakota and Nebraska. We would like to maximize the opportunity for the late season. Chairman Lauber – You think of things from extreme southeast part and I think of north part. A previous commissioner and his group referred to early migrants as junk ducks. For people who like to hunt gadwalls and wood ducks they are a very early migrant. In most places when split is occurring, in northern part, it is all

froze up anyway. Before we go any further someone is going to have to second this amendment and see if it passes.

**Commissioner Aaron Rider moved to amend waterfowl regulations as presented to the Commission. Commissioner Tom Dill second.**

Commissioner Dill – It does open up where they can travel different zones for those five days to hunt? Bidrowski – It does. It is a hunter preference issue and hunters are polarized on November and January days depending on hunting preference and hunting location. There are more hunting opportunities those five days in November than there will be the first part of January.

**The roll call vote on to approve the amendment was as follows (Exhibit X):**

<b>Commissioner Cassidy</b>	Absent
<b>Commissioner Cross</b>	Yes
<b>Commissioner Dill</b>	Yes
<b>Commissioner Hayzlett</b>	No
<b>Commissioner Rider</b>	Yes
<b>Commissioner Williams</b>	No
<b>Commissioner Lauber</b>	No

**The motion failed in tie vote of 3-3.**

Commissioner Dill – You will try to address that issue next year? Bidrowski – Yes, we do look at it yearly and provide the most opportunity we can. Commissioner Rider – How far out do you think the possible additional days could be, two years or five years? Bidrowski – I am hoping it will implemented the same time we have zone changes, for the 2021 season which will be set in 2020. It is something that keeps getting pushed back as we work through these objectives. A big component of what they call double looping, it is trying to incorporate in more hunter satisfaction.

**The roll call vote on to approve original waterfowl regulations was as follows (Exhibit X):**

<b>Commissioner Cassidy</b>	Absent
<b>Commissioner Cross</b>	Yes
<b>Commissioner Dill</b>	Yes
<b>Commissioner Hayzlett</b>	Yes
<b>Commissioner Rider</b>	No
<b>Commissioner Williams</b>	Yes
<b>Commissioner Lauber</b>	Yes

**The motion as presented passed 5-1.**

Commissioner Dill – Since we seem to be having shorter meetings during the day, and I was the one a few years ago who wanted to move meeting to 1:00, my suggestion is to move back to 1:30 if recessing and 5:00 and starting up again at 6:30. Chairman Lauber – Mr. Secretary, what do you think? Jennison – It is more what the commission thinks, but I don't have a problem with that. Keith Sexson – It depends, when you get off agenda items, which can take up a long time, it varies from place to place and subject to subject, but 1:30 is not unreasonable. Chairman Lauber

– In the last few meetings would have been plenty of time; I remember when we had to hold stuff over and like to give extra time in the afternoon. I don't care that way one way or the other. Schedule the next few at 1:30. Tymeson – June is already published, so that will have to be 1:00, but we could for August. Commissioner Dill – I thought we could try it and have less down time. Chairman Lauber – We will plan August for 1:30.

Chairman Lauber – The last few months I have been asked more about feral hogs, in my opinion the state of Kansas has been doing a good job of managing the hogs. I would be interested in someone from the department giving a rundown of what they think we have as far as number of hogs and what our plan going forward is. Sexson – Matt can do that.

## **XII. OLD BUSINESS**

## **XIII. OTHER BUSINESS**

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

June 21, 2018 – Wichita (designation of national water trail), Great Plains Nature Center.

August 2, 2018 – Medicine Lodge, Gyp Hills Guest Ranch

October 25, 2018 – Colby, Colby Community Building

## **XIV. ADJOURNMENT**

Adjourned at 6:59 pm.

# **Secretary's Remarks**

**Agency and State Fiscal Status**  
**No briefing book items – possible handout at meeting**

6 June 2018  
Legislative Update

2017-18 Bills

SB24 – This bill would designate the channel catfish as the state fish of Kansas.

SB25 – This bill would remove the requirement for a public hearing to set fees for cabins owned or operated by the Kansas Department of Wildlife, Parks and Tourism. This bill passed the Senate 26-14 and was referred to the House Committee on Agriculture before being referred to the Committee on Commerce, Labor and Economic Development. This bill was tabled in committee.

SB26 – This bill would increase the cap on the vessel registration fee. This bill passed on Senate Final Action 36-4. It was referred to the House Committee on Transportation. This bill was signed by the Governor on April 5, 2017.

SB77 – This bill would name the bison herd kept on the Mined Land Wildlife Area in Crawford County, the "Bob Grant Bison Herd," in memory of Grant, who served 20 years in the Kansas Legislature. This bill had a hearing on January 31, 2017 and has been placed on the Consent Calendar. The companion bill, HB2098, passed during last year's session and was signed by the Governor on May 10, 2017. This bill was stricken from the calendar.

SB162 - This bill would amend the statutes concerning dangerous regulated animals, adding nonhuman primates and wolves (excluding hybrids) to the list. It would also remove the grandfather clauses, which allowed persons in possession of such animals before the original law went into effect to keep them. And the proposed amendment would prohibit any dangerous regulated animals to be in proximity to members of the public, no matter the size of the animal. This bill was referred to the Committee on Agriculture and Natural Resources.

SB240 -- This bill authorizes the Department of Wildlife, Parks and Tourism to purchase a tract of land in Sherman County from Pheasants Forever. The land is adjacent to the Sherman County Wildlife Area and would be managed as a public hunting area. The bill had a hearing on April 4, 2017 and was recommended to be passed by the Committee on Ways and Means. It is on Senate General Orders. The contents of this bill were amended into HB2407 during last year's session, and that bill was signed by the Governor on June 23, 2017. This bill was stricken from the calendar and is dead for the session.

SB301 – This bill would require anyone providing hunting guiding or outfitting services to annually register with the Kansas Department of Wildlife, Parks and Tourism. The annual registration fee would be \$100. Landowners providing hunting guiding or outfitting services exclusively on their own land would be exempt. The bill proposes that failing to register will be a class C nonperson misdemeanor. This bill was referred to the Senate Committee on Agriculture and Natural Resources. This bill had a hearing on February 7, 2018. The committee recommended the bill be passed as amended and the Senate passed the bill 31-9. The bill was then referred to House Agriculture.

SB307 - This bill would amend statutes concerning amusement rides to include home-owned amusement rides and agritourism activities. It would also establish registration and permitting of home-owned amusement rides and agritourism activities and require such business to have liability insurance. This bill was referred to the Senate Committee on Federal and State Affairs. This bill passed the Senate 36-0 as amended and was referred to the House Committee on Federal and State Affairs. This bill had a hearing on March 13, 2018. It was amended, adding definitions of amusement rides, changing the term home-owned to limited-use and including registered agritourism activities. The House Committee on Federal and State Affairs recommended the bill be passed as amended. This bill passed the the Senate 36-0 and passed the House 113-11. It is now in Conference Committee. The House passed the CCR 114-6 and 37-1 in the Senate. The bill was signed by the Governor on May 8, 2018.

SB330 - This bill would amend fee limitations for certain Kansas Department of Wildlife, Parks and Tourism licenses, permits, stamps and other issuances. The bill was referred to the Senate Committee on Agriculture and Natural Resources. This bill had a hearing February 7, 2018 and passed out of Committee. This bill was stricken from the calendar and is dead for the session.

SB331 - This bill would designate the Flint Hills Trail in Miami, Franklin, Osage, Lyon, Morris and Dickinson counties, and Little Jerusalem Badlands in Logan Country as Kansas state parks. This bill was referred the Senate Committee on Agriculture and Natural Resources. This bill passed the Senate 26-14 and was referred to the House Committee on Agriculture. This bill passed the Senate 26-14 and passed the House 99-24. It is now in Conference Committee. The House passed the CCR 96-23 and 27-12 in the Senate. The bill was signed by the Governor on May 8, 2018.

SB381 – This bill would amend the Kansas recreational trails act by adding criminal penalties for certain conduct and adding duties for the responsible party for the trail and the attorney general. The bill was referred to Senate Judiciary.

SB447 – This bill would allow the Department to purchase a tract of land in Kingman County, KS. The bill was scheduled for a hearing late in the session and the hearing was subsequently cancelled.

HB2068 – This bill deals with Child Support orders and registration of vehicles and vessels. This bill had a hearing on February 9, 2017.

HB2098 – This bill would name the bison herd in Crawford County, the "Bob Grant Bison Herd," a companion bill to SB77. This bill had a hearing on January 26, 2017 and passed the House 115-0. The bill passed the Senate 39-0 and was signed by the Governor on May 10, 2017.

HB2191 – This bill relates to licenses, permits, stamps and other issuances of the Kansas Department of Wildlife, Parks and Tourism and would amend wording to clarify that if a license or permit is suspended, only a physical license would have to be surrendered. This bill passed the House 122-0 and was referred to the Senate Committee on Agriculture and Natural Resources.

This bill passed the Senate 40-0 and is enrolled to signed by the Governor. This bill was signed by the Governor on April 7, 2017.

HB2192 – This bill would rename Lake Scott State Park to Historic Lake Scott State Park in recognition of the significant history of the property. This bill had a hearing on January 31, 2017. This bill passed the House 122-0 and was referred to the Senate Committee on Agriculture and Natural Resources. This bill was signed by the Governor on March 28, 2017.

HB2193 – This bill would require anyone born on or after January 1, 1997 to complete an approved Boating Safety course before operating a motorboat or sailboat on public waters. The current law requires those born on or after January 1, 1989 to complete an approved Boater Safety course, but it doesn't apply to anyone 21 or older. This bill had a hearing on January 31, 2017.

HB2199 – This bill would authorize the board of county commissioners of any county to regulate conservation easements on property located within the county.

HB2207 – This bill would require anyone hunting, shooting, fishing, furharvesting or pursing any bird or animal on private land to have written permission from the owner or person in possession of such land or body of water. It would also prohibit any person from pursuing a wounded bird or animal on private land without written permission. This bill had a hearing on February 15, 2017. The House Committee on Agriculture passed a substitute bill that would delete language in the current statute allowing licensed hunters to pursue wounded game on land without landowner permission. The requirement for written permission by anyone hunting, shooting, fishing or trapping on private land was not included in the substitute bill.

HB2208 – This bill would establish a transferable regular landowner or tenant hunt-on-your-own-land big game permit, which could be transferred to a nonresident solely for the purpose of hunting white-tailed deer. This bill had a hearing on February 14, 2017.

HB2276 – This is the companion bill to SB162 concerning dangerous regulated animals. This bill was referred to the House Committee on Federal and State Affairs. This bill had a hearing scheduled for March 22, 2017.

HB2363 – This bill concerns the disposition of state surplus real property; authorizing the Department of Administration on behalf of various state agencies to sell certain real property. The list of properties includes public lands owned by the Kansas Department of Wildlife, Parks and Tourism. This bill was referred to the House Committee on Appropriations.

HB2407 – This bill would require prior consent of the Secretary of Administration and the Attorney General before any land could be transferred to the State of Kansas through any probate proceeding. The provisions of SB240, which authorizes the Department of Wildlife, Parks and Tourism to purchase a tract of land in Sherman County from Pheasants Forever, was amended into this bill. The bill, as amended, passed out of the Senate Committee on Ways and Means on May 4, 2017, and was signed by the Governor on June 23, 2017.

HB2452 – This bill would amend K.S.A. 58-3811, relating to conservation easements. It would limit the life of a conservation easement to the duration of a project if that easement is required as a condition for the issuance of a permit pursuant to section 404 of the federal Clean Water Act. For the purposes of this subsection, "life of the project" means that a conservation easement created as a condition of a permit pursuant to section 404 of the federal clean water act, 33 U.S.C. § 1344, either: (A) No longer accomplishes the purpose that such conservation easement was designed to serve due to impracticability or impossibility; (B) is no longer beneficial to the public; (C) has satisfied performance standards and has satisfied the requirements of a long-term management plan; or (D) no longer requires a long-term management plan to ensure the sustainability of a mitigation project. This bill had a hearing on Thursday, January 18, 2018.

HB2460 – This bill would establish a standardized firearm safety education program for students enrolled in kindergarten and grades one through eight, which shall be based on the Eddie Eagle GunSafe program offered by the National Rifle Association or any successor program. For students enrolled in grades nine through 12, the program shall be based on the Hunter Education in our Schools program offered by the Kansas Department of Wildlife, Parks and Tourism or any successor program. This bill had a hearing on February 6, 2018.

HB2510 – This bill relates to the applicability of conditions for operating recreational trails. The bill was referred to House agriculture.

HB2558 – This bill would extend the game bird hunting season allowed on licensed controlled shooting areas. Currently the season is Sept. 1-March 31. If approved, this bill would establish a season of Sept. 1-April 30. This bill Passed the House 121-0 and was referred to the Senate Committee on Agriculture and Natural Resources. This bill passed the Senate 39-0 and was signed by the governor on April 4, 2018.

HB2650 - This bill would designate the state rock as limestone, the state mineral as galena and the state gemstone as jelite amber. This bill was referred to the House Committee on Federal and State Affairs. This bill had a hearing on March 6, 2018 and the channel catfish was added as a candidate for the state fish and the amended bill passed out of committee and is now on House General Orders. This bill passed the House 114-5 and was sent to the Senate Committee on Federal and State Affairs. The bill was amended to specify the limestone as Greenhorn limestone and it passed the Senate 38-0. The House concurred with the Senate amendments 114-11 and the bill was approved by the Governor on April 4, 2018.

HB2660 - This bill would change property tax rates on vehicles valued at \$100,000 or more to 22 percent and on vessels (boats) with an appraised market value of \$50,000 or more to 5.5 percent. Currently vessels are taxed at 5 percent of appraised value. This bill was referred to the House Committee on Taxation.

HB2743 - This bill would require the Kansas Department of Wildlife, Parks and Tourism to administer the transfer of regular landowner or tenant hunt-on-your-own big game permits from the original recipient to a resident or nonresident of Kansas solely for the purpose of hunting white-tailed deer. Transfers shall not occur until all nonresident hunting permits have been filled

in the unit where the landowner or tenant hunt-on-your-own-land permit was issued. This bill did not pass out of the House Committee on Agriculture.

HB2750 - This bill relates to exempting certain rides from the Kansas amusement ride act. The bill was referred to House federal and state affairs.

HB2764 - This bill would affiliate the Kansas police and firemen's retirement system by the KDWPT. The bill was recommended favorably for passage by the committee and was above the line in the House but was passed over by the House and retains a place on the calendar.

# **General Discussion**

## **VI. DEPARTMENT REPORT**

### **B. General Discussion**

#### **1. 2019 Turkey Regulations [KAR 15-25-(5-6)]**

##### **Background**

The 2018 spring turkey season was open from April 1 to May 31 and included three seasons: Youth / Disabled, Archery, and Regular. The fall 2017 season ran from October 1 to January 31, but was closed during the regular firearm deer season (November 29-December 10). Hunting is regulated within the same six turkey management units during both the spring and fall seasons (Figure 1). The six hunt units align with the management units the department uses to monitor turkey populations and hunter activity, which allows both population and harvest data to guide harvest and season recommendations.

The department sold spring turkey permits to more than 38,000 hunters and fall turkey permits to less than 9,000 hunters. Those individuals purchased 60,545 carcass tags for the spring 2018 season and 8,741 tags for the 2017 fall season (Table 1). Nonresidents accounted for 39.0 percent of Kansas' spring 2018 hunters and 21.7 percent of the fall 2017 hunters. Harvest has averaged around 32,000 and 2,000 turkeys over the last several spring and fall seasons, respectively (Table 1).

##### **Population Status and Productivity**

In recent years, the Kansas turkey population has stabilized and begun to trend downward (Figure 2). Despite reduced turkey abundances since the mid-2000s, the statewide population remains relatively strong (Figure 2). The vegetative conditions were generally good entering the 2018 nesting season across most of the state. Recent precipitation events (especially in 2016 and 2017) in the eastern and north-central portions of the state have coincided with the peak hatching period for turkeys, which has likely been detrimental to production.

##### **Discussion**

The department uses an adaptive harvest management strategy to guide staff recommendations on wild turkey bag limits for both the spring and fall seasons. The strategy aims to maintain a high level of hunter success in each hunt unit and provides a consistent method of developing staff recommendations. The strategy includes a hierarchy of bag limit combinations and uses established thresholds to determine when each combination will be recommended. The data from the spring 2018 season has not yet been analyzed. Thus, it is not known if any of the established triggers have been hit this year. The staff recommendations for the 2019 turkey bag limits will be presented at the next commission meeting. Recall that recent commission action reduced bag limits during fall 2014 and 2015 seasons, and changed the spring 2015 and 2016 season structure.

Table 1. Kansas wild turkey permit sales, total harvest, and hunter success for each of the last 5 seasons, 2013-2018.

Year	Spring			Fall		
	Permits & Game Tags	Total Harvest	Success <sup>a</sup> (%)	Permits & Game Tags	Total Harvest	Success <sup>a</sup> (%)
2013	73,581	33,925	57	13,780	4,152 (42%)	40
2014	71,903	31,988	55	13,064	2,862 (37%)	33
2015	74,609	36,758	55	12,134	2,093 (36%)	26
2016	71,320	30,298	47	8,741	1,471 (22%)	26
2017	65,818	30,441	51	NA	NA	NA
2018	60,545	NA	NA	--	--	--

<sup>a</sup> Success was the percentage of active hunters harvesting  $\geq 1$  bird.

<sup>b</sup> Percentage of harvest composed of females.

NA = not available

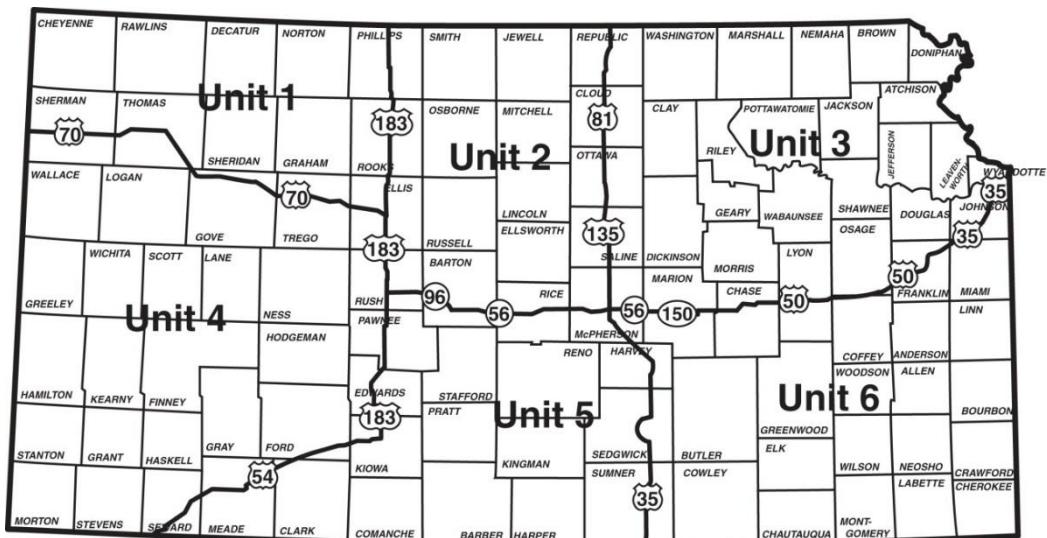


Figure 1. The map depicts the hunting units for Kansas' 2018 turkey seasons. A spring turkey permit could be purchased over-the-counter for Units 1, 2, 3, 5, and 6, as well as a game tag. Five hundred spring permits were issued for Unit 4 through a pre-season drawing and they were also valid in adjacent units. A single fall turkey permit can be purchased over-the-counter for Units 1, 2, 3, 5, and 6. No fall turkey hunting is currently authorized in Unit 4.

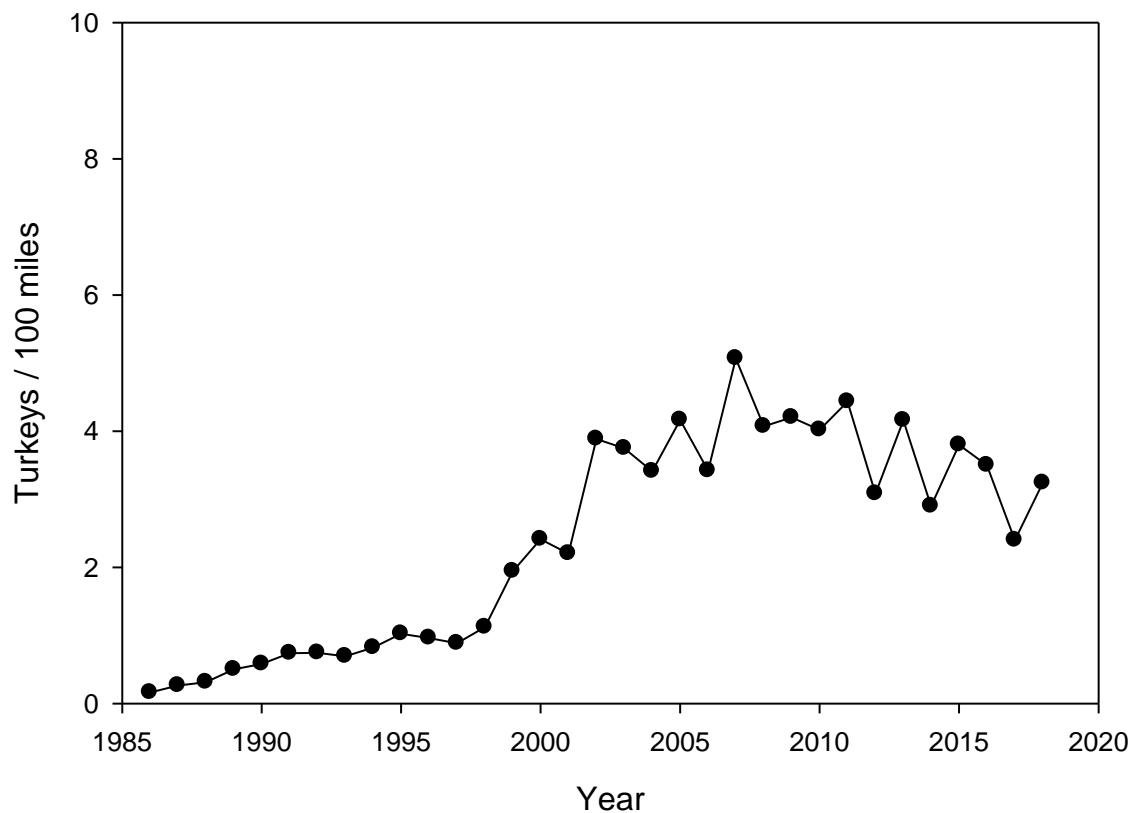


Figure 2. Statewide spring rural mail carrier index (birds/100 miles traveled) to wild turkey populations from 1986-2018.

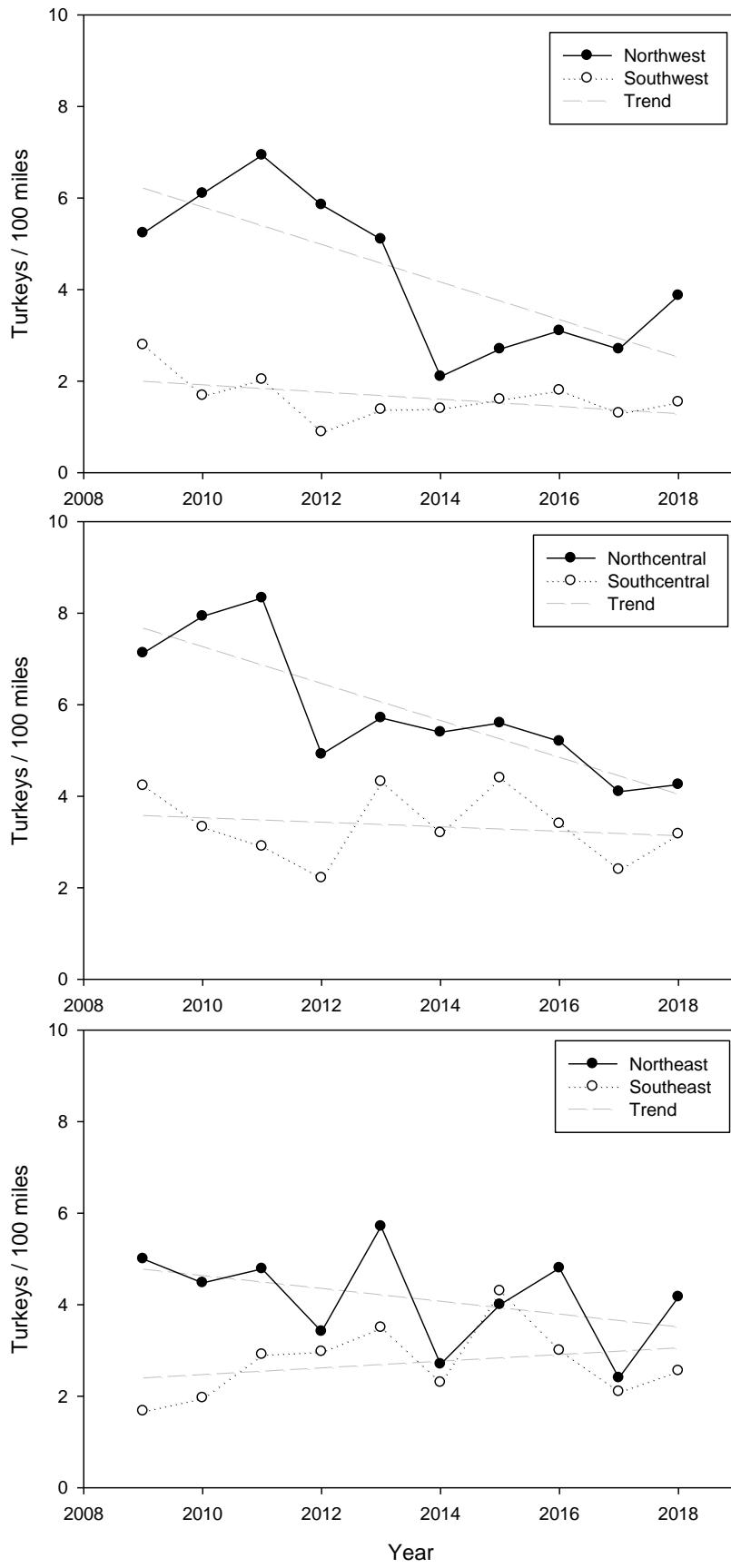


Figure 3. Western, central, and eastern spring rural mail carrier index (turkeys/100miles traveled) to wild turkey populations for the last 10 years (2009-2018).

**Status of Feral Hog Control**  
**No briefing book items – possible handout at meeting**

**Unmanned Aerial Vehicles**  
**No briefing book items – possible handout at meeting**

**Electronic Licensing Update**  
**No briefing book items – possible handout at meeting**

**Dedication of National Water Trail**  
**No briefing book items – possible handout at meeting**

# **Workshop Session**

**Kansas Department of Wildlife, Parks & Tourism**  
**Webless Migratory Game Bird Briefing Item**  
June 21, 2018

**Background**

The taking methods, legal equipment, and possession of migratory doves (Mourning and White-Winged Doves) in Kansas are currently regulated by KAR 115-20-7. This regulation was initially adopted in 2009 in conjunction with the establishment of seasons for exotic dove species (Eurasian Collared and Ringed Turtle Doves). A 2012 amendment added the requirement that doves can only be taken while in flight. The regulation included exotic doves until 2017, when changes were made to exotic dove seasons and legal methods of take. The taking methods, legal equipment, and possession of migratory doves (Mourning and White-Winged) are also subject to federal regulations regarding migratory birds (50 CFR 20). With the removal of exotic doves from KAR 115-20-7, there is the potential to revoke this regulation and defer to federal regulations. The federal regulations, however, do not require that doves are only taken while in flight.

**Recommendation**

Staff recommendation is to revoke KAR 115-20-7 and defer to federal regulations regarding the taking methods, legal equipment, and possession of migratory doves (Mourning Doves and White-Winged Doves).

**2018-19 Webless Migratory Game Bird Bag Limits and Season Dates**

<b>Species</b>	<b>Bag/Possession Limits</b>	<b>Season Dates</b>
Crow	none	November 10 - March 10
Migratory Dove	15/45	September 1 - November 29
Exotic Dove	none	year-round
Sandhill Crane	3/9	November 7 - January 3
Snipe	8/24	September 1 - December 16
Rail	25/75	September 1 - November 9
Woodcock	3/9	October 13 - November 26

## **Park Regulations**

This is a placeholder to keep this item open for possible changes this year, however there are no changes at this time.

## **2019 Reference Document Proposed Changes for Special Length and Creel Limits:**

- Lovewell Reservoir -- add a 10-inch minimum length limit and a 20/day creel limit on crappie.
- Glen Elder Reservoir -- add a 10-inch minimum length limit on crappie.
- Sterling City Lake -- add a 21-inch minimum length limit and a 2/day creel limit on saugeye.
- Jewell State Fishing Lake -- add a 6- to 9-inch slot length limit on bluegill, redear sunfish, green sunfish, and their hybrids. In addition, add a 5/day creel limit (single species or in combination) for any of these species greater than 9 inches and no creel limit for fish under 6 inches.
- Lenexa - Lake Lenexa -- add a 6- to 9-inch slot length limit on bluegill, redear sunfish, green sunfish, and their hybrids. In addition, add a 5/day creel limit (single species or in combination) for any of these species greater than 9 inches and no creel limit for fish under 6 inches.
- Miami State Fishing Lake -- add a 6- to 9-inch slot length limit on bluegill, redear sunfish, green sunfish, and their hybrids. In addition, add a 5/day creel limit (single species or in combination) for any of these species greater than 9 inches and no creel limit for fish under 6 inches.
- Pottawatomie State Fishing Lake No. 2 -- add a 6- to 9-inch slot length limit on bluegill, redear sunfish, green sunfish, and their hybrids. In addition, add a 5/day creel limit (single species or in combination) for any of these species greater than 9 inches and unlimited creel number for fish under 6 inches.
- Ottawa State Fishing Lake -- remove the 18-inch minimum length limit on saugeye.
- Woodson State Fishing Lake – change to a 10-inch minimum length limit and a 10/day creel limit on crappie.
- Holyrood City Lake -- change to a 5/day creel limit on channel catfish.
- Windom City Pond -- change to a 2/day creel limit on channel catfish.
- Louisburg City Lake -- change to a 13- to 18-inch slot length limit on largemouth bass.
- Kanopolis Reservoir -- add a 35-inch minimum length limit on blue catfish.
- Great Bend Stone Lake -- change to an 18-inch minimum length limit on smallmouth bass.

## **Other 2019 Proposed Fishing Regulation Changes.**

### **Change 115-25-14 to include two new trout stocking locations.**

Eisenhower State Park Pond and Coffeyville LeClere Lake will be added to the list of Type 1 Waters, which requires a trout permit for all anglers 16 and older who want to fish at these locations from November 1 through April 15.

### **Youth/Mentor Fishing Pond - Regulation**

"Licensed adults may fish only if accompanied by a person younger than sixteen (16) years of age who is actively engaged in fishing. All other existing use and harvest regulations at each location still apply.

**Proposed New Locations for 2019:**

Wilson State Park Pond  
Kanopolis State Park Pond  
Melvern Mentoring Pond  
Fall River State Park Pond  
Elk City State Park Pond

**Change 115-7-1. Fishing; legal equipment, methods of take, and other provisions.**

Looking at ways to curb illegal activities associated with the possession of paddlefish eggs.

**Change 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions.**

Add Marbled Crayfish (*Procambarus virginalis*) to the prohibited species list. They are a hybrid species that reproduces clonally so a single crayfish can start a new population. There is limited information about the species in the wild in North America but it is a serious invader in other parts of the world. In the U.S. it is a very popular aquarium inhabitant and it is very easy for anyone to purchase them.

**Change 115-17-2. Commercial sale of fish bait.**

Remove common carp (*Cyprinus carpio*), including koi, from the list of species that may be sold for bait in Kansas. As the "Trojan Male" technology improves, there may be an opportunity to begin serious efforts to eliminate common carp from some of our Kansas waters. Allowing them to be sold and moved around as bait would be counterproductive to this effort. Our inspection records indicate this will impact less than 5 percent of the 200 bait shops in Kansas.

**Change 115-7-2. (g) Fishing; general provisions.**

Propose to ban bow and arrow fishing and crossbow and arrow fishing on rivers and streams for blue catfish, channel catfish, and flathead catfish. We want to continue allowing these activities on impoundments where no size limit exists for any of these three species of catfish.

**Change 115-7-3. Fish; taking and use of baitfish or minnows.**

Currently baitfish may be taken for noncommercial purposes by using a dip or cast net with mesh size not larger than  $\frac{1}{2}$  inch. We propose increasing the mesh size.

## **Coast Guard Navigation Rules**

Commissioners, KDWPT Staff and the public,

Kansas Department of Wildlife, Parks and Tourism (KDWPT) provides the Recreational Boating Safety Program for the State of Kansas. To provide boating infrastructures, law enforcement, public education, aids to navigation, search and rescue and administrative duties, the KDWPT relies heavily on Recreational Boating Safety federal dollars administered through the United States Coast Guard, Recreational Boating Safety Division.

Every three years, the U.S. Coast Guard conducts an on-site visit with the Boating Law Administrators of the states to look over the components required within the agreement between the state and the federal government and to inform the state of any inadequacies or deficiencies discovered that relate to changes in Code of Federal Regulations or problems with program implementation.

On August 8-9, 2017, an on-site review of our program was conducted. Though most of our program was found in compliance, one issue requires an action plan to be addressed in front of this commission.

Language from the letter dated on August 16, 2017 from the United States Coast Guard states, "Deficiencies in the following areas were noted that require corrective action by the state:

State Boating Laws and Regulations – The Kansas Boating Statutes addressing navigation must contain terminology consistent with the Inland Navigation Rules (NAVRULES) found in Title 33 CFR Part 83. This may be accomplished by adopting 33 CFR Part 83 by reference."

Today, this is the proposal brought forth in front of this commission.

By authority granted to the Secretary of KDWPT in K.S.A. 32-1119 (k) The secretary is hereby authorized to adopt, in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto, rules and regulations required to carry out in the most effective manner, all of the provisions of this act and to alter, modify or supplement the equipment requirements contained in this section to the extent necessary to keep these requirements in conformity with the provisions of the federal navigation laws or with the navigation rules promulgated by the United States coast guard.

(l) The secretary is hereby authorized to establish and maintain, for the operation of vessels on the waters of this state, pilot rules in conformity with the pilot rules contained in the federal navigation laws or the navigation rules promulgated by the United States Coast Guard.

Major Dan Hesket

Copies of the following have been made available for your review:

August 16, 2017 USCG Site Visit Compliance Letter.

Corrective Action Plan response to the United States Coast Guard (USCG).

Title 33 CFR Part 83.

### References:

Sport Fish Restoration and Boating Trust Fund.

MOU between State of Kansas and USCG for Boating Safety Program

K.S.A. 32-1119

Title 33 CFR Part 83

Site Visit Letter on Compliance Issues, August 16, 2017, USCG.

Corrective Action Plan (CAP) letter to USCG in response to site visit conducted on August 8-9, 2017.



# **Public Hearing**

Document No. \_\_\_\_\_

KANSAS REGISTER  
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

Agency Address - 1020 S. Kansas Ave., Suite 200  
Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - April 19, 2018

**ITEMS SUBMITTED IN DUPLICATE**

CERTIFICATION

I hereby certify that I have reviewed the attached documents, and that they conform to all applicable Kansas Register publication guidelines and to the requirements of K.S.A. 75-431, as amended. I further certify that submission of these items for publication is a proper and lawful action of this agency, that funds are available to pay the publication fees and that such fees will be paid by this agency on receipt of billing.

Christopher J. Tymeson  
Liaison officer's typed name

Liaison officer's signature

Department Attorney  
Title

(785) 296-2281  
Phone

---

This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, June 21, 2018 at the Great Plains Nature Center, 6232 E. 29<sup>th</sup> St N, Wichita, Kansas to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:00 p.m., June 21 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. June 22 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to [sheila.kemmis@ks.gov](mailto:sheila.kemmis@ks.gov) if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

**K.A.R. 115-4-6b.** This permanent regulation establishes elk management units. The proposed changes would refine the boundaries of units 2 and 3 to better clarify elk management within the State.

**Economic Impact Summary:** The proposed amendments to the regulation are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-8-1.** This permanent regulation establishes provisions for hunting, furharvesting, and discharge of firearms on department lands and waters. The proposed amendments to the regulation update the reference document.

**Economic Impact Summary:** The proposed amendments to the regulation are not anticipated to have any appreciable negative economic impact on the department, small

businesses, other agencies, or the public.

**K.A.R. 115-25-9a.** This exempt regulation establishes the open season, bag limit and permits for military subunits. The proposed version of the regulation merely updates the season dates to conform with the calendar.

**Economic Impact Summary:** The proposed version of the regulation is not anticipated to have any appreciable negative economic impact on the department, small businesses, other agencies, or the public.

Copies of the complete text of the regulation and its respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at [www.kdwpt.state.ks.us](http://www.kdwpt.state.ks.us), or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT  
ATTORNEY GENERAL

MEMORIAL HALL  
120 SW 10TH AVE., 2ND FLOOR  
TOPEKA, KS 66612-1597  
(785) 296-2215 • FAX (785) 296-6296  
[WWW.AG.KS.GOV](http://WWW.AG.KS.GOV)

February 28, 2018

Chris Tymeson  
Chief Legal Counsel  
Kansas Department of Wildlife, Parks and Tourism  
1020 S. Kansas Ave., Suite 200  
Topeka, KS 66612-1327

**RE: K.A.R. 115-4-6b; K.A.R. 115-8-1; K.A.R. 115-25-7; K.A.R. 115-25-8;  
K.A.R. 115-25-9a**

Dear Chris:

Pursuant to K.S.A. 2017 Supp. 77-420(b), we have reviewed the above-referenced regulations and have approved them for legality. The stamped regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL  
DEREK SCHMIDT

A handwritten signature in black ink, appearing to read "Sarah Fertig".

Sarah Fertig  
Assistant Attorney General

Enclosures

Cc: Sen. Vicki Schmidt, Chair, Joint Committee on Rules and Regulations  
Rep. Ron Highland, Vice Chair, Joint Committee on Rules and Regulations  
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on Rules and Regulations  
Raney Gilliland, Legislative Research, State Capitol, Room 68-W  
Natalie Scott, Office of Revisor, State Capitol, Room 24-E

STATE OF KANSAS

RANEY L. GILLILAND  
Director  
MELISSA S. RENICK  
Assistant Director for Research  
J. G. SCOTT  
Assistant Director for Fiscal Affairs  
AMY DECKARD  
Assistant Director for Information Management



STAFF  
LEGISLATIVE COORDINATING COUNCIL  
INTERIM COMMITTEES  
STANDING COMMITTEES  
LEGISLATIVE INQUIRIES

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 60-West — State Capitol Building — 300 SW Tenth Avenue — Topeka, Kansas 66612-1504  
PHONE (785) 296-3181 • FAX (785) 296-3824 • TTY (785) 296-3677  
INTERNET: <http://www.kslegislature.org/kird> E-MAIL: [kslleges@kird.ks.gov](mailto:kslleges@kird.ks.gov)

April 30, 2018

Robin Jennison, Secretary  
Kansas Wildlife, Parks and Tourism Commission  
1020 S. Kansas Avenue, Room 200  
Topeka, KS 66612

Dear Secretary Jennison:

At its meeting on April 24, 2018, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning KAR 115-4-6b, elk; management units; KAR 115-8-1, department lands and waters: hunting, fur harvesting, and discharge of firearms, KAR 115-25-9a, deer; open season, bag limit, and permits; additional considerations; military subunits. After discussion, the Committee had no comments.

Prior to filing with the Secretary of State, review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Please indicate your agency's website address in the filing notice where proposed regulations can be located. In addition, if your agency accepts written comments by e-mail include this information in the public notice. Further, e-mail requests for public accommodation should be included as a part of the notice. Finally, verify that the adoption by reference of any materials included in the regulations is properly completed as prescribed in the Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations.

Please make this letter a part of the public record on these regulations. The Committee will review the regulations the agency ultimately adopts, and reserves any expression of legislative concern to that review.

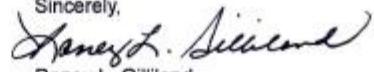
To assist in that final review:

Please inform the Joint Committee and me, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes that have been made following the public hearing. Please notify the Joint Committee and me, in writing, when your agency has adopted the regulations as permanent; delayed implementation of the regulations; or decided not to adopt any of the regulations.

Also, please indicate separately to the Joint Committee and me, any changes made to the proposed regulations reviewed by the Committee.

Based upon direction from the Committee, failure to respond to each and every comment contained in this letter may result in the request that a spokesperson from your agency appear before the Committee to explain the agency's failure to reply.

Sincerely,



Raney L. Gilliland  
Director

RLG/dmb

**115-4-6b. Elk; management units.** Each of the following subsections shall designate an elk management unit: (a) Cimarron; unit 1: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on county road CR-24 to its junction with state highway K-51, then north on state highway K-51 to its junction with road U, then west on state highway K-51 to its junction with road 9, then north on road 9 to its junction with road V, then west on road V to its junction with the Colorado-Kansas state line, then south along the Colorado-Kansas border to its junction with the Oklahoma-Kansas border, and then east along the Oklahoma-Kansas border to its junction with county road CR-24, except federal and state sanctuaries.

(b) Republican-Tuttle; unit 2: That part of Kansas bounded by a line from the federal highway US-77 and interstate highway I-70 junction, then northeast along interstate highway I-70 to its junction with state highway K-177, then north ~~on~~ along state highway K-177 to its junction with state highway ~~K-13~~ K-24, then ~~northeast on state highway K-13 to its junction with the Pottawatomie Riley county line, then north along the Pottawatomie Riley county line to its junction with state highway K-16, then west on state highway K-16 to its junction with 22<sup>nd</sup> road, then west along 22<sup>nd</sup> road~~ west along state highway K-24 to its junction with state highway K-77, then north along state highway K-77 to its junction with barton road, then west along barton road to its junction with state highway 24, then west along state highway 24 to its junction with state highway 15, then south along state highway K-15 to its junction with state highway K-18, then east on ~~along~~ state highway K-18 to its junction with state highway K-77, and then south along state highway K-77 to its junction with interstate highway I-70, except federal and state sanctuaries.

Fort Riley; subunit 2a: The following described area shall be designated a subunit of unit 2, and, with approval of Fort Riley command, the area shall be open for the taking of elk during the elk season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Each person hunting in this subunit shall be in possession of any permits and licenses required by Fort Riley.

(c) Kansas; unit 3: statewide except for the areas described in units 1 and 2.

(Authorized by K.S.A. 2017 Supp. 32-807; implementing K.S.A. 2017 Supp. 32-807 and K.S.A. 2010 2017 Supp. 32-937; effective April 8, 2011; amended P-\_\_\_\_\_.)

## ECONOMIC IMPACT STATEMENT

**K.A.R. 115-4-6b.** Elk; management units.

**DESCRIPTION:** This permanent regulation will refine elk management units within the state of Kansas to better clarify management of elk populations throughout the State of Kansas.

**FEDERAL MANDATE:** None.

**ECONOMIC IMPACT:** The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

**ALTERNATIVES CONSIDERED:** Other than the proposed regulation and to continue using deer management units, no other alternatives were considered.

**115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms.**

(a) Subject to provisions and restrictions as established by posted notice or as specified in the document adopted by reference in subsection (e), the following activities shall be allowed on department lands and waters:

(1) Hunting during open seasons for hunting on lands and waters designated for public hunting;

(2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;

(3) target practice in areas designated as open for target practice; and

(4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a), the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles.

(e) The department's "KDWPT public lands division special use restrictions," dated March 23, 2017 February 13, 2018, is hereby adopted by reference. (Authorized by and implementing K.S.A. 2016 2017 Supp. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010; amended Nov. 14, 2011; amended Jan. 1, 2013; amended July 26, 2013; amended July 18, 2014; amended April 22, 2016; amended May 19, 2017; amended P-\_\_\_\_\_.)

## **ECONOMIC IMPACT STATEMENT**

**K.A.R. 115-8-1.** Department lands and waters; hunting, furharvesting, and discharge of firearms.

**DESCRIPTION:** 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.

**FEDERAL MANDATE:** None.

**ECONOMIC IMPACT:** The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

**ALTERNATIVES CONSIDERED:** None.

# Kansas Department of Wildlife, Parks and Tourism

## KDWPT Public Lands Division Special Use Restrictions

Dated: 13 February, 2018

### **I.) Access Restrictions**

The following properties have access restrictions (curfews) during specific times during a 24 hour period.

#### **Region 1**

- Hain WA & SFL-no vehicle access during waterfowl seasons
- Greeley WA- Closed to all activities February 1 through August 31
- Pratt Backwater Channel-open 6 a.m. through 10 p.m.
- Sandsage Bison Range & WA-any pasture where Bison are present

#### **Region 2**

- Benedictine WA-use of parking lot ½ hour after sunset to ½ hour before sunrise restricted to individuals authorized by permit
- Pillsbury Crossing WA-open 6 a.m. through 10 p.m.

#### **Region 3**

- Grand Osage WA – Access for special hunts at guard entrance only
- Maxwell Wildlife Refuge-access restricted to main road, area closed to all activities, except during special events

### **II.) Age Restrictions**

Portions of the following properties restrict hunting to specific age groups

#### **Region 1**

- Cedar Bluff WA – North Dam area, youth/mentor area – all species, all seasons, archery & shotgun equipment only
- Cedar Bluff WA – Threshing Machine Canyon (west) area, youth/mentor area – all species, all seasons
- Cheyenne Bottoms WA-Mitigation Marsh, youth/mentor-all species, all seasons
- Jamestown WA- Ringneck & Puddler Marshes, mentor area- all species, all seasons
- Glen Elder WA- Granite Creek area, youth/mentor area-all species, October 1-January 31

#### **Region 2**

- Hillsdale WA-Big Bull wetland area, youth/mentor area-all species, all seasons, weekends and holidays only
- Kansas River WA – Fitzgerald Tract, youth/mentor – all species, all seasons
- Melvern WA-designated area, youth/mentor hunting/fishing-all species, all
- Milford WA-West Broughton area, youth/mentor area hunting-all species, all seasons

-Perry WA-designated area, youth/mentor hunting-all species, all seasons  
seasons

**Region 3**

-Neosho WA- Pool 8, mentor waterfowl hunters on weekends and holidays, all other days open to general public

**III.) No alcohol**

**Region 1**

-Pratt Backwater Channels  
-Rooks SFL & WA

**Region 2**

-Atchison SFL  
-Benedictine WA  
-Brown SFL & WA  
-Buck Creek WA  
-Burr Oak WA  
-Dalbey WA  
-Douglas SFL & WA  
-Elwood WA  
-Jeffery Energy Center WA Area 2  
-Kansas River WA – K18 River Access  
-La Cygne Lake & WA  
-Leavenworth SFL  
-Lyon SFL & WA  
-Middle Creek Lake Area  
-Miami SFL  
-Osawatomie Dam and Parking Area  
-Osage SFL  
-Pillsbury Crossing WA  
-Pottawatomie SFL's 1 & 2  
-Rising Sun River Access  
-Shawnee SFL & WA

**Region 3**

-Black Kettle SFL  
-Butler SFL  
-Byron Walker Wildlife Area Archery Range  
-Cheney Reservoir at shooting range  
-Cowley SFL  
-Chase SFL & WA  
-Kingman SFL  
-Maxwell Wildlife Area at shooting range  
-McPherson SFL

- Montgomery SFL & WA
- Mined Land WA-Unit 1 only
- Shoal Creek WA

#### **Statewide**

- All Walk-In-Hunting Access properties

### **IV.) All Non-Toxic Shot**

#### **Region 1**

- Cheyenne Bottoms WA
- Jamestown WA
- Gurley Salt Marsh
- Isabel WA
- Playa Lakes (Heron, Stein, Wild Turkey)
- Talmo Marsh WA
- Texas Lake WA

#### **Region 2**

- Benedictine WA
- John Redmond Reservoir-Otter Creek WA
- Marais des Cygnes WA

#### **Region 3**

- Cherokee Lowlands WA
- McPherson Wetlands
- Neosho WA
- Slate Creek Wetlands

### **V.) Non Toxic Shot – designated dove fields**

#### **Region 1**

- Glen Elder WA
- Jamestown WA
- Ottawa SFL

#### **Region 2**

- Bolton WA
- Clinton WA
- Dalbey WA
- Elwood WA
- Hillsdale WA
- Kansas River WA
- Melvern WA
- Milford WA

- Oak Mills WA
- Perry WA
- Tuttle Creek WA

### **Region 3**

- Berentz-Dick WA
- Big Hill WA
- Cheney WA
- El Dorado WA
- Dove Flats WA
- Elk City WA
- Fall River WA
- Grand Osage WA
- Hollister WA
- Mined Land WA
- Spring River WA
- Toronto WA
- Woodson WA

## ***VI.) Boating Restrictions***

### ***a.) No Motorized Boats***

#### **Region 1**

- Cheyenne Bottoms WA-motorized watercraft permitted only during the waterfowl season. From 4/15 thorough 8/15, no boats permitted from 10 a.m. through 5 p.m. No out of water propeller driven watercraft permitted at any time.
- Jamestown WA- Pintail, Puddler, and Buffalo Creek Marshes

#### **Region 2**

- Milford WA-no motorized boats are allowed in any wetland areas except Mall Creek/Peterson Bottoms

#### **Region 3**

- Elk City WA-Widgeon, Simmons, Housemound Marshes
- Marais des Cygnes WA-no motorized boats except in Unit A (boat lane only) and Unit G
- Neosho WA-motorized watercraft permitted only during waterfowl season. Mo motorized watercraft in Pools 4A and 4B. No out of water propeller driven watercraft permitted at any time.

### ***b.) No Gasoline Engine Powered Boats***

#### **Region 1**

- Jamestown WA-Marsh Creek Marsh

**Region 2**

- Perry WA – all marshes, except East and West pools of Kyle Marsh
- Tuttle Creek WA-Olsburg Marsh

**c.) No Wake**

The following lakes require all motorized vessels to be operated at no wake speeds.

**Region 1**

- Jewell SFL
- Meade SFL
- Ottawa SFL
- Rooks SFL
- Scott SFL- in designated area
- Sheridan SFL

**Region 2**

- Marais des Cygnes WA
- Pottawatomie SFL #1
- Pottawatomie SFL #2

**Region 3**

- Black Kettle SFL
- Butler SFL
- Cowley SFL
- Kingman SFL
- McPherson SFL
- Wilson SFL
- Woodson SFL

**VII.) Closed to All Hunting**

Properties could be included in the STWD special hunts program.

**Region 1**

- Big Basin Prairie Preserve
- Ford SFL
- Kiowa SFL
- Pratt Backwater
- Saline SFL

**Region 2**

- Green WA-(8 mi. West of Topeka)
- Pillsbury Crossing WA
- Pottawatomie SFL # 2
- Rocky Ford Fishing Area

**Region 3**

- Maxwell Wildlife Refuge
- Montgomery SFL
- Neosho SFL

***VIII.) Equipment Restrictions (Hunting)***

***a.) Archery Only***

**Region 3**

- Cherokee Lowlands WA - deer and turkey only
- McPherson SFL-deer and turkey only
- Mined Land WA Unit 1, Unit 21, Unit 23, a portion of Unit 22 and Unit 47

***b.) No Center fire Rifles/Handguns***

**Region 2**

- Kansas River WA - Urich, Macvicar & K-18 tracts
- La Cygne WA

***c.) Shotgun & Archery Only***

**Region 1**

- Cedar Bluff WA – North Dam Youth/Mentor area
- Lovewell WA-designated area below the dam
- Ottawa SFL
- Sheridan SFL
- Sandsage Bison Range & WA-north pasture units only

**Region 2**

- Kansas River WA-no firearms deer hunting, Urich, Macvicar & K-18 tracts
- Osage SFL

**Region 3**

- Berentz/Dick WA
- Shoal Creek WA
- Wilson SFL

***d.) Shotgun, Archery & Rimfire Only***

**Region 2**

- Douglas SFL & WA
- Leavenworth SFL & WA
- Shawnee SFL & WA

e.) **Shotgun, Archery & Muzzleloader Only**

**Region 2**

- Elwood WA
- Jeffrey Energy Center WA Area #2 (except for special draw youth hunts)
- Middle Creek Lake Area
- Otter Creek WA at John Redmond Reservoir
- Rutlader WA

**IX.) Disabled Accessible Hunting**

The following properties have specific areas designated for disabled access hunting. Specific locations are posted at the wildlife area and can be found on the area brochures and web-sites. Special permit is required and available from the Area Manager.

**Region 1**

- Cheyenne Bottoms WA-disabled hunting blind restricted to disabled only use. Assistants allowed to hunt if they accompany disabled hunter.
- Glen Elder WA
- Lovewell WA
- Norton WA
- Webster WA
- Wilson WA

**Region 2**

- Clinton WA
- Milford WA
- Perry WA
- Tuttle Creek WA

**X.) No Shooting from Dikes or Levees**

**Region 1**

- Cheyenne Bottoms WA

**Region 2**

- Marais des Cygnes WA

**Region 3**

- Neosho WA-no shooting from designated dikes & levees

**XI.) No Swimming**

Waters in addition to the state fishing lakes that are closed to swimming.

**Region 1**

- Big Basin Prairie Preserve
- Pratt Backwater

-Sandsage Bison Range & WA Sandpit

**Region 2**

- Melvern WA-Quarry Pond
- Pillsbury Crossing WA

**Region 3**

- El Dorado WA-jumping bridge located at the Junction of the Walnut River and NE Chelsea Road
- Mined Land WA

**XII.) Refugees**

The following properties have portions of the area designated as a refuge during specific periods of the year, or year-round. Access and activity restrictions are for refuge management, special hunts, or special permits.

*a.) **Refuge Area Closed to All Activities Year Round***

**Region 1**

- Cedar Bluff WA (Operations Area East of Dam)
- Cheyenne Bottoms WA-Pool 1

**Region 2**

- Benedictine WA
- Jeffrey Energy Center-Area #3
- Marais des Cygnes WA
- Milford WA-Steve Lloyd refuge area

**Region 3**

- Fall River WA
- McPherson Wetlands - South Refuge
- Mined Land WA Bison Pen located on Unit 1

*b.) **Refuge Area Closed to Hunting Year Round Open to All Other Legal Activities***

**Region 1**

- Ottawa SFL
- Rooks SFL
- Sheridan SFL

**Region 2**

- Leavenworth SFL & WA

**Region 3**

- Kingman WA-waterfowl refuge

c.) **Refuge Area Closed to Hunting, Open to all other legal activities 11/1 to 1/31**

**Region 1**

- Cedar Bluff WA – Cove 1, designated water area
- Lovewell WA – designated water area

(d). **Refuge Area Closed to Hunting Year Round, Closed to all activities 9/1 – 3/31**

**Region 1**

- Lovewell WA – designated land area

**Region 3**

- Cheney WA
- Elk City WA
- Marion WA
- Neosho WA

f.) **Refuge Area Closed to All Activities 9/1 to 1/31**

**Region 1**

- Cedar Bluff WA – west refuge
- Smoky Hill WA
- Wilson WA

g.) **Refuge Area Closed to All Activities 10/1 through 1/15**

**Region 2**

- Clinton WA
- Hillsdale WA
- Melvern WA
- Perry WA

h.) **Refuge Area Closed to All Activities 10/1 to 1/31**

**Region 1**

- Brzon WA
- Jamestown WA
- Ottawa SFL

i.) **Refuge Area Closed to All Activities 10/1 – 3/31**

**Region 3**

- McPherson Valley Wetlands WA

j.) **Refuge Area Closed to All Activities 11/1 to 1/31**

**Region 1**

- Cedar Bluff WA – Church Camp Cove
- Glen Elder WA
- Norton WA
- Webster WA

**XIII. Seasonal Closures**

a.) **Access by Permit Only 10/1 through 3/31**

**Region 2**

- Benedictine WA

b.) **Access by Permit Only 4/1 through 5/31 and 9/1 through 1/31**

**Region 2**

- Buck Creek WA
- Noe WA

c.) **Open to Hunting Thursday, Saturday and Sunday 9/10 through 3/31**

**Region 2**

- Brown SFL

d.) **Open to Hunting Tuesday, Thursday and Saturday**

**Region 3**

- Berentz/Dick WA

e.) **Open to Upland Bird Hunting Tuesday, Thursday and Sunday**

**Region 2**

- Burr Oak WA
- Dalbey WA
- Elwood WA

f.) **Closed to fishing 9/15 through 4/15**

**Region 1**

- Lovewell WA Inlet canal

**Region 2**

- Marais des Cygnes WA (marshes only)

#### **XIV. Shooting Area (Ranges)**

The following properties have designated firearm or archery ranges. Shooting hours are posted at the facility and available on area brochures and web-sites.

##### **Region 1**

-Glen Elder WA

##### **Region 2**

-Shawnee SFL (firearms & archery)

##### **Region 3**

-Byron Walker WA (archery)  
-Cheney Reservoir & WA (firearms)  
-Hollister WA (firearms)  
-Maxwell Wildlife Refuge (firearms)

#### **XV. Daily Hunt Permits**

Daily hunt permits are required on the following properties:

##### **Region 1**

-Cheyenne Bottoms WA-In addition to daily hunt permit, trapping permit is required from the manager to trap  
-Glen Elder WA  
-Isabel WA  
-Jamestown WA - In addition to daily hunt permit, trapping permit is required from the manager to trap  
-Lovewell WA - In addition to daily hunt permit, trapping permit is required from the manager to trap  
-Talmo Marsh  
-Texas Lake WA

##### **Region 2**

-Benedictine Bottoms  
-Blue Valley WA  
-Bolton WA  
-Clinton WA  
-Dalbey WA  
-Douglas SFL  
-Elwood WA  
-Hillsdale WA  
-Jeffrey Energy Center WA Area # 2  
-Kansas River WA  
-La Cygne WA  
-Lyon SFL  
-Marais des Cygnes WA

- Melvern WA
- Milford WA
- Oak Mills WA
- Perry WA
- Tuttle Creek WA

**Region 3**

- Berentz/Dick WA
- Marion WA
- McPherson Wetlands
- Neosho WA
- Slate Creek Wetland

**Statewide**

- iWIHA

**XVI. Daily Use Permits**

Daily use permits are available electronically through I-Sportsman e-permit system for ALL activities.

**Region 2**

- Buck Creek WA
- Noe WA

**115-25-9a. Deer; open season, bag limit, and permits; additional considerations; military subunits.** (a) In addition to the season for designated persons specified in K.A.R. 115-25-9, in the Fort Riley subunit the season for designated persons shall also be October 6, 2018 through October 8, 2018.

(b) In the Fort Riley subunit, the open firearm season for the taking of deer shall be November 23, 2018 through November 25, 2018 and December 15, 2018 through December 23, 2018.

(c) In addition to the archery season specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall be September 1, 2018 through September 16, 2018 and January 2, 2019 through January 31, 2019 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

(d) In the Fort Riley subunit, the pre-rut white-tailed deer antlerless-only season specified in K.A.R. 115-25-9 shall be closed.

(e) In the Fort Leavenworth subunit, the open firearm season for the taking of deer shall be November 17, 2018 through November 18, 2018; November 22, 2018 through November 25, 2018; December 1, 2018 through December 2, 2018; December 8, 2018 through December 9, 2018; and December 15, 2018 through December 16, 2018.

(f) In the Fort Leavenworth subunit, the extended firearms season for the taking of antlerless only white-tailed deer shall be January 1, 2019 through January 13, 2019.

(g) In the Fort Leavenworth subunit, the extended archery season for the taking of antlerless only white-tailed deer shall be January 14, 2019 through January 31, 2019.

(h) In the Smokey Hill subunit, the open firearm season for the taking of deer

shall be November 20, 2018 through December 1, 2018.

(i) This regulation shall have no force and effect on and after March 1, 2019.

(Authorized by and implementing K.S.A. 2017 Supp. 32-807 and K.S.A. 2017 Supp. 32-937.)

## **ECONOMIC IMPACT STATEMENT**

**K.A.R. 115-25-9a.** Deer; open season, bag limit, and permits; additional considerations; military subunits.

**DESCRIPTION:** This exempt regulation establishes additional considerations for the 2018-2019 firearm, muzzleloader and archery deer seasons. The main items in the regulation set the deer seasons on Fort Riley, Fort Leavenworth, and Smokey Hill military reservation in order to better accommodate the changing training missions.

**FEDERAL MANDATES:** None

**ECONOMIC IMPACT:** No significant economic impact to the department, state agencies, small businesses or the public is anticipated.

**ALTERNATIVES CONSIDERED:** None.