

AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, June 13, 2019
Rolling Hills Zoo, 625 N Hedville Rd
Salina, Kansas

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE April 25, 2019 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. Agency and State Fiscal Status (Brad Loveless)**
 - 2. 2019 Legislature (Chris Tymeson)**
 - B. General Discussion**
 - 1. 2020-2021 Turkey Regulations (Kent Fricke)**
 - C. Workshop Session**
 - 1. Coast Guard Navigation Rules (Dan Hesket)**
 - 2. Electronic Licensing Update (Mike Miller)**
 - 3. Disabled Vet Fee Discussion (Mike Miller)**
 - 4. T&E Regulations (Ed Miller)**
 - 5. Otter Season and Units (Matt Peek)**
 - 6. Fishing Regulations (Doug Nygren)**
 - 7. E-bicycles (Linda Lanterman)**
 - 8. Park Regulations (Linda Lanterman)**
- 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 115-25-7 Antelope; open season, bag limit and permits (Matt Peek)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on June 13, 2019, to reconvene June 14, 2019, 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 15, 2019, University of Kansas Edwards Campus – Best Conference Center, 12600 Quivira Rd, Overland Park, KS.

fundKansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, April 25, 2019
Colby Community Building
Colby, Kansas

Subject to
Commission
Approval

The April 25, 2019 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at the Colby Community Building in Colby, Kansas. Chairman Lauber and Commissioners Emerick Cross, Gary Hayzlett, Aaron Rider, Troy Sporer and Harrison Williams were present. Commissioner Tom Dill could not 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 – No changes (Agenda – Exhibit B).

IV. APPROVAL OF THE March 28, 2019 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Josh Sowers, landowner, farmer/rancher near Bird City – Bring to your attention over-population of deer in my area, damaging crops and pasturelands. Recent legislation that attempted to address some of permitting process that failed. Live on a place with my father and brother that has 400 deer, 70-80 on each of our properties along with our neighbors. In research, deer eat 10 pounds of forage a day, cow eats roughly 30; three deer per one cow and those 70-80 deer equates to 20 head of cows roaming on my place. Normally, people would call the sheriff and take care of it, but this is just wildlife and it is allowed to keep on going. Not directing accusations at anyone and I don't envy your jobs. Disappointed in discontinued ability to transfer landowner tags, could have recouped some loss; understand there were problems with outfitters. If deer eating 10 pounds a day; I live on creek bottom and they live on alfalfa and sleep in my cottonwoods, eating \$47 a day, 650 pounds for that herd, and at current alfalfa prices, costing me \$8,500 a year in lost tonnage. That doesn't include corn, other crops, broken fences or wrecked vehicles. Propose some fixes. Realize this is a localized problem, almost exclusively mule deer and realize these are prized in the state. If possible, give landowner, for two to three years, five buck permits to do with as I please and if I don't get them sold that is my fault. I recognize the state is able to generate income off selling these tags to out-of-staters, but I would need them for free. As a landowner getting no retribution for damage being done. I want to be heard that there are problem areas and we should be able to address those problems areas. Not opposed to wildlife

and appreciate income brought into local economy. We have hundreds of deer and 50 bucks and no quality, but just a lot of deer. People stop and ask to hunt, but they are only after the bucks and that is not going to fix anything. Hope state recognizes the acute problem in these areas and appreciate contact on what we can do about it. Commissioner Sporer suggested I come after speaking with him. Just want to go on record. Chairman Lauber – Transferrable tags won't help population because everyone wants bucks not does, so no management to it. Do you allow hunting and encourage the taking of does? Sowers – Yes, but how do you encourage someone just looking for antlers. Chairman Lauber – Don't only let people who just want antlers, encourage them to shoot does. Sowers – They are allowed to shoot one or two does. Chairman Lauber – Have you looked into depredation permits? Sowers - Don't fully understand those depredation permits. Until numbers were dramatically reduced, like 40 to 50 at one time, I don't see how it will help. Chairman Lauber – I don't know if there is a maximum number of depredation permits. You are talking about incredible consumption, but I question whether deer eat a third as much as a cow, but I believe they are an issue for you. Our people will go out and determine amount of damage; permits are used strictly to control unnecessary populations. In an area where mule deer are so popular you won't win any popularity contests, but we want to work with the landowner. Secretary Loveless – We do have a challenge because mule deer are limited, and you have a hot spot. Depredation permits are not limited, based on judgement, conversation and assessment of damage. Out-of-staters want horns, but majority of locals will take does so on the right track talking to locals. We will try to address your concerns. Sowers – Contacted Pratt office and spoke to several people, then Commissioner Sporer who told me to show up here. Chairman Lauber – Thank you for coming.

Ken Higley, Rawlins County Sheriff – In our area whitetail is leveled off, but mule deer numbers are way up. Could open more out-of-state hunting but make permit so they have to take a doe before getting buck. If wanting more trophy deer that is a 4-point or better buck. I travel the highway in December for two weeks, five miles west of Atwood for a two-mile stretch, had 40-50 mule deer, mostly does, right next to Highway 36. I ran my lights and drove back and forth not to scare deer off but to deter people from those areas and make them more aware. In many places in Rawlins County, seeing 20 or more mule deer in groups on county roads. Hanging out to get last bit of wheat before snow. Make 200 permits available in Rawlins County and make them get a doe first. I am a landowner and a deer hunter, and we have always allowed people to hunt. Most people don't have anywhere to hunt anymore other than on public ground. My neighbor doesn't allow anyone to hunt, so first day of season the deer are over on his property. Some of farmers are going to get mad enough, kill them and drag them off and bury them. Hate to see a disease come in here too. Have a good congregation, see them get taken by hunting and used to eat rather than die with disease. Sell those permits, if want a buck, take a doe first. Chairman Lauber – Appreciate you using lights to protect drivers and deer. It has been suggested in whitetail country that you have to take a doe before you take a buck but a lot of administrative issues with that. The problem with mule deer is people resent hunting of mule deer does. Mike Miller – We have not had any deer antlerless deer tags in three years because of mule deer numbers declining. This is the first time we have heard of large mule deer doe numbers. Higley – Come move them I don't care just need to thin out the does. Deer are not afraid, and they cause damage to vehicles. Chairman Lauber – May view you as a crossing guard. We need to take a look at that. Secretary Loveless – Is there a way to get contact information? Kemmis – Sign-up sheet on the table. Levi Jaster – That area is core area for mule deer in the state and have cut tags east of there because of severe declines. Unfortunately, Rawlins County is core area for chronic wasting disease (CWD), not just due to density, but prevalence. Hauling deer out is not an

option. Prefer to use control permit option to take care of it. If landowner can't do it themselves, they can assign to a couple of people to help out. Sometimes you can find someone to take the meat. We are constantly evaluating populations and have seen growth in mule deer populations in northwest Kansas. Biggest thing is getting in touch with district biologists, they assess damage for permits, or get in touch with me in Emporia. I monitor deer/vehicle accidents and watch for growth in that. Upped number of whitetail deer permits to assist with some of those damage problems, also to help with CWD. Start with control permit process. Higley – Watch accident reports. That has gone down because of the way truckers or pickups are outfitting their trucks with big bumpers. I see up to five fresh kills a day. But cars are the ones being involved. We are not getting accident reports for deer dead on the highway, trucks are hitting them and going on, no damage so not reporting. Sowers – If we are experiencing decline and have a local problem, not opposed to wildlife. Pay us damages on localized basis, at least state is reimbursing us for the problem. Need restitution, state is able to sell them and make money, but we are raising them for free. If meat could be charity, don't want logistical nightmare or something like that. You have more permitting experience. Recover damages, not slaughter them all. Chairman Lauber – Controlling numbers and preventing damage is the best approach. If we start compensating every down fence would be deer damage and we would be constantly mitigating for damage. Too bad we can't trap and transplant, but risky in high CWD area. Best answer is to prevent the problem. Sowers – I am in Cheyenne County, not heard about CWD there. Chairman Lauber – We monitor carefully, and we need to reduce numbers where heavily concentrated. Sowers – Do cover crops, which are food plots on a field scale and an attractant. By the time we get there with our cows after the November 1 off-grass deadline, all of the green is gone and that costs me. If you could pay out because we raise them, we own property quarter mile from the creek, if you could pay \$20 an acre for each year. Mike Miller – Have you leased to deer hunters? Sowers – I would like to explore that because I have big land payments to make and would like to generate some extra income. Feel the Walk-In hunting program brings in riffraff and we carry the liability problem. I would like to explore leasing but need to self-educate how to go about it; they ask if we can get buck tags and we say no so they say just for turkey, so back to square one. As landowner, frustration in my inability to transfer a landowner tag.

Chairman Lauber – I fish for trout in Lake Shawnee. The local reporter said Monday, April 15 was last day of trout season. Since trout will die I thought we could still harvest trout and never realized we shut off the season, may be reasons we do that, but regulations not clear to me. Can you harvest a stocked trout after April 15? I used to think you could, but regulation says trout season ends. Doug Nygren – That is not the case. You have to have a trout permit to fish during the season, but after the season you no longer need the trout permit, but can still take trout. If local people interpreting that different we need to have a talk with them. Chairman Lauber – That was my thought and I hate to see those fish die out through the summer. Nygren – Trout season is drafted to generate revenue to support the stocking of the trout but can continue to fish for them after that. Chairman Lauber – Send me an email on that. Secretary Loveless – I misinterpreted the signage the same way at Melvern. Miller – We can make it clearer in our regulations. Once trout season ends creel limits are still in place, but permit is no longer required. Chairman Lauber – When I looked it wasn't clear. Nygren – Summary may not be clear, but clearer in the full regulations.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Brad Loveless, secretary, presented this update to the Commission. – We are in session break. Legislature will come back May 1. At end of session, no state budget was approved, so when they come back that will be top priority. There were some monies removed for our infrastructure projects in 2019, \$100,000 in land acquisition; \$50,000 in river access; \$325,000 in wetland acquisition and development; \$700,000 in trails. In 2020 budget they removed \$75,000 from river access; \$325,000 again from wetland acquisition and development so still dealing with that. When they come back we will lobby for reinstatement of those monies. In the veto session the law enforcement supplemental request for \$1.125 million has still not been approved, both House and Senate cut it, but both have promised they would review it again. Our EDIF apportionment was the same as last year. Cabin revenues were up, best revenue year, up \$1.26 million, up by \$100,000 from FY 2017, currently down some which is what happens when poor weather. State park revenue was up 4.4 percent; they have been trying to build up a reserve and are doing a good job. The Wildlife Fee Fund (WFF) is down 13 percent. Jury still out on out 365-day license will affect those numbers and so far, spring turkey permit revenue is about even to last year. Trying to keep \$18 million to \$20 million balance at end of fiscal year in WFF. Talked with Steve Adams who manages grant funds, he indicated Pittman Robertson funds (PR) were expected to be down 16 percent, due to revenue of sales of outdoor items. Dingle-Johnson expected to be up a little.

2. 2019 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission – Legislature is on break; start back next Wednesday, big items out there on veto session like budget and Medicare expansion. Had a slow session, six bills on our website. SB 49, department initiative, made it through Senate, passed House committee and sat on House floor. At end of session sent to Budget Appropriations Committee, which is called blessing a bill, which makes it still alive, but don't expect it will be worked, will be a vehicle for something else. SB 50 – Also last year's bill, increases caps on license fees, as Brad mentioned WFF down 13 percent right now. Commission sets those fees in regulation. Bill did not get a hearing. HB 2099 – Would transfer Law Enforcement officers into Kansas Police and Fire (KPF) out of KPERs, necessary for long-term health of the agency. The bill had a hearing in the House but did not get worked above the line and stricken from the calendar. HB 2162 – Deals with recreational rail trails, there was a hearing and talk of intersession meeting; not sure how that will shape up. HB 2167 – Was deer transferable permits. Started in House and passed by one vote and had hearing in the Senate but was tabled, was un-tabled and became a substitute bill related to industrial commercial hemp and it doesn't deal with deer permits anymore. HB 2397 – deals with dangerous regulated animals and in the past there have bills introduced to tighten restrictions or loosen them. This one would tighten possession of certain animals and add wolves and non-human primates to list of dangerous regulated animals. Focusing on budget now. Chairman Lauber – In 2005 and 2006, on dangerous animals, Simian Society was active on protecting public rights to possess primates. Was that opposition in this issue? Tymeson – The bill didn't get a hearing. Came from HSUS Kansas chapter but did not see actual introduction of the bill but I expect they will testify if it gets a hearing.

B. General Discussion

1. Fishing Regulations – Doug Nygren, Fisheries Division director, presented this regulation to the Commission (Exhibit D). This is first discussion on fishing changes for next year. Request to protect blue catfish population developing at Wilson reservoir; proposal to put a

slot length limit in place. Already have slot length limit at Milford and El Dorado; numbers different on each of those and this one would also be different. Proposal would be creel of two-a-day, a slot to protect fish from 32 to 40 inches with one over 40 inches. Talk with staff to consolidate slots to be the same but may not be able to do that. Want fish to grow larger and reach trophy sizes; another situation where this could become another Milford, in terms of quality of blue catfish fishery, if we can pass this regulation. A new city lake in our program is Agra City Lake where we want to add a five-a-day creel and 15-inch length limit on largemouth bass, which is already state regulation so would not be a special regulation. Asking for special regulation to add 15-inch minimum and five-a-day creel on channel catfish on this 10-acre lake. Sterling City Lake would like us to change to a 21-inch length limit on saugeye. Commissioner Williams – Where is Agra City Lake? Lynn Davignon – A small community with 200 people a few miles east of Phillipsburg on Highway 36. Nygren - It is about a 10-acre lake. Commissioner Sporer – It is an old lake that Wildlife and Parks has taken over management? Nygren – We have a CFAP agreement to manage the fisheries. It is not new. Davignon – It is an old impoundment, they got a grant to build a boat ramp. Nygren – Under our community fisheries assistance program if a community signs up that makes them eligible to receive funds for our grants as well as stocking and fishery management expertise from our biologists. Great partnership with these communities. Under 115-25-14 the City and park department of Salina has been having problems with illegal activity related to the trout program; issue with people coming to get the limit, going home then coming back and getting another limit. They asked us to consider reducing creel to two-a-day on Salina Lakewood Lake. 115-7-3 has to do with taking of baitfish or minnows and moving from one body of water to another. Currently it is legal to move, from non-infested waters, green sunfish and bluegill, but all other fish are illegal to move from one lake to another. Chris Steffen, our aquatic nuisance species coordinator is asking you to consider adding crayfish, leeches, salamanders, frogs and mussels to the list of animals that cannot be moved. One reason is the unintentional transfer of water that may contain pathogens and zebra mussels. We recently inspected a bait store that was selling red swamp crayfish and when we traced it down we found the source in a pond near Andover where they are now established. If someone went to that pond to get crayfish, they could help spread another nuisance species that has just shown up. Pathogens passed by salamanders and amphibians with diseases going around and we don't want those moved around the state. Not sure how this will be viewed by anglers, not sure how many are collecting those species and moving them, but it happens some. Chairman Lauber – Crayfish might be a problem. We used to seine crawdads and use for bait at kids. You can move crayfish in a dry bucket, but that doesn't help if you have invasive crayfish. Can see that being area where we might get some push back. Nygren – Not prevent people from collecting those animals and using where they catch them, but movement from one place to another. We can have more workshops on this. Commissioner Rider – Do we have a problem with invasive crayfish? Nygren – Worried about rusty crayfish and the new red swamp crayfish, which is known to be detrimental to native crayfish; it is the one you eat when in New Orleans. The landowner claims he has seen them downstream in creek below his pond. We are trying to eradicate depending on spread. Chairman Lauber – Which one breeds itself? Nygren – That is rusty crayfish. Secretary Loveless – Another issue is moving zebra mussels on hard shell creatures. Chairman Lauber – We need to move forward, would feel better if crayfish wasn't listed but understand why you put them in there. Unfortunately, general public will wait until after regulations are passed rather than come before. Nygren – Thank law enforcement for helping us trace landowner that had these red swamp crayfish in his pond and got the full story of how they got there. He had an acquaintance that had a bunch of them and he thought they would be great in the pond and he could sell them for bait. It was the bait inspection program that found them in a bait shop and

they are not legal. Hopefully we can stop it before it gets out of control. Chairman Lauber – No more crayfish at bait shops? Nygren – No, there are still legal crayfish that can be bought. Just prohibiting movement of wild ones from one location to another. One more item that didn't make it onto this briefing item; paddlefishing in Kansas is usually fish coming out of Oklahoma, but we now have a nice population on Verdigris River so we're looking at opening new place to snag paddlefish. We have a great example of a success story at John Redmond, we have been stocking about 5,000 12-inch paddlefish per year and fish are doing well. We know they are not going to stay in the reservoir and we have created a decent paddle fishery below John Redmond at Burlington Dam and at dam in Iola as well. My paddlefish committee is interested in expanding to Tuttle, Perry and Pomona with the idea of creating more river locations. Dependent on waterflows to bring fish from other states. This will allow us to have less dependence on nonresident paddlefish and more resident paddlefish available for our anglers. The committee is working on how we would implement regulations to protect these populations to get them going. Rather than having specific locations looking at possibility of opening up entire rivers to snagging and working with law enforcement to preclude illegal activity. Right now, we have an area open to snagging during paddlefish season, but reason season ends on May 15 is because of catfish and having non-target species caught. Regulation will likely be a barbless hook regulation using same permitting system we have now. We will hold more workshops. The fish we have been getting that are going into John Redmond were raised by the U.S. Fish and Wildlife Service in the federal hatchery system. We are going to try and expand our allotment from 5,000 a year to 20,000 a year to accommodate three new areas. Chairman Lauber – I always thought the fish in John Redmond end up in Grand Lake, but they will stay in rivers between series of low head dams? Nygren – Absolutely. We stocked paddlefish in Tuttle years ago, they were pith tagged and some we caught in Salina, some in South Dakota; they are highly migratory fish. We do have a resident population in the Neosho River and those are the ones being caught at Burlington and Iola. Some of those fish are going on downstream, which is not a bad thing because in big rivers they are threatened from Asian carp and other things. If some fish go downstream and contribute to paddle fishery in Missouri, Kansas or Mississippi Rivers is not bad either. A portion will stay near the reservoirs and maybe above the reservoirs. Chairman Lauber – Will these fish go under log jam up to the riffles? Nygren – We don't know yet. Paddlefish require a minimum of 500 cubic feet of flow and for spawning run it has to be a sustained flow so that would be one limiting factor. We are not relying on natural reproduction, looking at commitment to annual stocking. Commissioner Rider – What is their growth rate? Nygren – In the hatchery system we can raise them to 12 inches; as long as over six inches have pretty good success. To get them to legal size I would have to check with staff; to get to 20-pound range it is going to take four to five years. Stocked paddlefish above the Kaw in Oklahoma to try to reestablish fish in the Ark River, stopped in 1992 and those fish are over 100 pounds and know they are ours because they were pith tagged. This is a long-lived fish. This is truly a big game fishing opportunity and nice to not be so dependent upon flows bringing them out of other states. Secretary Loveless – Oklahoma is a destination place. Currently an effort on Kansas River systems to create sustainable river. Part of the conversations with the Corps on appropriate releases and this should be part of the conversation.

2. Park Regulations – Linda Lanterman, Parks Division director, presented this regulation to the Commission (Exhibit E). Good to see Mike Miller sitting up here as Assistant Secretary. I want to introduce Greg Mills as the manager of Historic Lake Scott State Park and Little Jerusalem. Greg Mills – Making a lot of headway, parking lot construction starts next week and staff at Lake Scott and Little Jerusalem are going to be finishing 1,200-foot

interpretive trail. The Nature Conservancy went with a company out of Colorado and they are building rim trail, about 3,500 feet. We have limestone fence with cedar rail posts and should be able to install gates with the Westar Green Team the first week of May. There will be a lot of progress in the next month. Not sure when park will open. Lanterman – Interviewing for position there next month. We are going to rescind the \$50 backcountry pass, which was for Little Jerusalem, with new position we have been given we will schedule tours and use special event permits. We have a lot of school districts coming into state parks, which is a good thing, and we don't want to hinder them. Many of the school districts started having fishing teams and we want to give free passage to school district vehicles. Parents and spectators that come will still have to have a permit. For the Christian and private schools, we will offer a special event permit for their vehicles; they will just have to let us know when they are coming because they won't have a school district vehicle tag.

3. Portable Blinds on Public Lands – Stuart Schrag, Public Lands Division director, present this regulation to the Commission (Exhibit F). On KAR 115-8-2, based on concerns from last meeting and the proposal to allow portable stands to be left unattended overnight. Conducted additional research, and another concern that came up at last meeting was on public safety and whether occupied. Consulted with additional management and field staff internally, surrounding states and eight states that are part of MAFWA, which Kansas is a part of, and got quite an education. Regulations vary state-to-state; on specific issue of leaving a portable blind unattended overnight, 50/50 draw. I found that states similar to Kansas, with minimal public land available for hunting access, require daily removal. Regarding identifying or marking blinds to identify whether occupied or not, Kentucky was only state that required hunter orange vest or hat to be placed on top of the blind, visible in all directions. My opinion on that is that people would hang hat or vest there and never take it down to keep people away from it. If we were to amend regulation to allow overnight blinds it could increase likelihood of someone trying to monopolize specific property. Based on research it is my recommendation to make no changes and not allow portable blinds to be left unattended overnight. If it was a quad-pod, tripod treestand with a blind enclosure at the top; that blind enclosure would be required to be removed or torn down daily. Some of these collapse just as easily as a portable blind does, with spring loaded tent stakes. Any type of blind that is affixed to a trailer and would have to be transported or placed with a motorized vehicle will continue to be prohibited because we do not allow off road vehicle use in wildlife areas. Chairman Lauber – We tried to do this to be accommodating and create more opportunity and that shows the benefit of public comments, unintended consequences arose so this is the best choice.

Break

C. Workshop Session

1. Coast Guard Navigation Rules – Dan Heskett, Law Enforcement Division assistant director, presented this update to the Commission (Exhibit G). Proposal is to adopt by CFR, Title 33, Part 83 of code of federal regulation as our regulation. It pertains to inland navigation rules. Tymeson – Continuing to work on this, have 50 pages of research and about 50 pages to go. Commissioner Sporer – Will anything change in the regulations? Heskett – Our language is in bits and pieces and that does not comply with federal regulations. It really doesn't change the rules, will clean up and compress regulation down a little and make it more palatable for the

boaters. It is 38 rules and not all of them will pertain because it is in lengths. We will pare down rule by rule. Chairman Lauber – We as boaters will not notice any difference? Heskett – No.

2. Unmanned Aerial Vehicles (UAV) Survey Results – Susan Steffen, human dimensions specialist, presented this update to the Commission (Exhibit H, PowerPoint – Exhibit I). I am a social scientist/biologist in the Emporia office and have been with the agency for 10 years. We study people as well as fish and other animals. Give update of task force and go through some survey results. We have an internal agency drone task force, I represent fisheries, get together each month or every six weeks to talk about agency and public drone use. Provide guidelines to integrate drones and how public can use drones. We don't regulate the air space, but we do manage some areas. Now have website and have posted frequently asked questions and for agency employees, on internal website, have guidelines and standard operating procedures. Gave copies of full report to commissioners, can get from website (Exhibit J). Several drones purchased, by end of May there will be 15 KDWPT staff trained in imagery, mapping, collection and data analysis; have 30 trained pilots. The upcoming course will make it easier to analyze information and be better able to read the data. Suspect another pilot certification class later in the year for agency people. How does the public perceive the use of drones by agency people and the public? I have done several surveys in the past, try to prevent doing internally when I expect subject matter to be controversial, so we sent out a request for proposals and companies responded; did this survey on a bid to DJ Case and Associates. They do a lot of work in natural resource arena. When I first joined the task force, as a certified pilot, I didn't fully understand rules and regulations, there are privacy issues and some negative and positive impacts. How will drone users impact other users of our areas, those are some of things we wanted to understand from survey. Also, did literature review of what is going on across the U.S. in application of drones. It was an internet-based survey conducted through Toluna who buys names. This survey was done on Kansas adults, not just hunters and anglers. Company did some weighting to make it more applicable to represent population as a whole. In the 130-page report, 14 percent of Kansas adults own a drone, about 300,000. During average year how often do you operate or fly a drone? Those that own a drone 3-8 times a year, about every other month, not a frequent activity. People who said they don't own a drone, not zero. How much do you know about drones? Forty percent said they knew some about current regulations, but mostly a little or nothing at all. As a certified pilot, regulations are complicated, and I am uncomfortable, hope to use frequently asked questions to help with that. In 12 months how often did you visit one of our managed areas? About 55 percent say they have, fairly high. Asked if camper, walker, etc. to determine drone owners by hobby interests, and respondent can mark more than one answer. Extreme example is disc golfer, five percent marked yes, of those people 40 percent own a drone, compared to relative abundance, correlates with drone ownership and interests. Campers represent 22 percent own a drone and 35 percent of general public, in raw numbers, a lot more campers that participate, but not as many own a drone. Wanted to know level of support or opposition to these activities, listed top categories; search and rescue, combat fires, inspect infrastructure, surveying and mapping, scientific research, managing wildlife, photography and video, and for fun. The highest level of support is supported for those activities, decreases as you enter fun activities. If drones used on KDWPT lands, visit more/less/same? Wanted to know if needed designated lands, can regulate relative area, don't control air space, but can operate about a mile. For most part, most said they would not change their visitation if used more; some would visit more if conducting search and rescue or to combat fires, positive impact; flying for fun was no change. For first three categories they said they would visit more, about 25 percent saw as a security blanket. How much would each bother you? Feeling less privacy; disturb wildlife, loss

of wild places, concern for safety, hearing drones or seeing drones. Not bother was highest percentage is seeing drones; 40 percent concern for safety wouldn't bother them, hearing drones would bother 35 percent. Highest percentage of those bothered would be feeling less privacy; disturbing wildlife and loss of wild places. More in wildlife and natural aspect than themselves. Throughout report there are insight boxes; like commissioners and fellow staff to know that these are chief concerns and need to take these into consideration. Concerns about privacy, disturbances to wildlife and loss of wild places. Asked for acceptable distances and have some of that information available in the report. How would your feelings change toward use in KDWPT-managed areas? If trained person flying the drone, over 50 percent said they would think about that in a positive way; for recreationists, they would be bothered by that. Drones are more accessible and cheaper. Should be taken seriously, 50 percent would be bothered by recreationists. Report authors recommended to us that policy should be made clear, clearly displayed and what violations could be. As we find our way through using drones and introducing them to our managed areas we want to use these survey results to decide where we put those areas and how we operate when in the public, especially for our own use. I leave an opportunity for open-ended comments in surveys, reflective of what you have seen within the report. Link in survey to FAQs and online report. We have some drones and staff is using them, Sean Nickelson went out and watched while using dredge at Cimarron. Rich Schultheis took survey showing ducks on the marsh at Jamestown. Commissioner Williams – On insight page, third bullet point, explain loss of wild places? Steffen – Subjective interpretation, as a sociologist I would apply it as people go out in the field to get away from technology. Secretary Loveless – Not a lot of public lands in Kansas, and this is expanding recreational group, are there courses set up where you can offer a challenge for people; are there such things out there we might want to consider? Steffen – I am sure there are, saw drone obstacle courses on ESPN, so there may be an opportunity.

3. Electronic Licensing Update – Mike Miller, Assistant Secretary of Wildlife, Fisheries and Boating, presented this update to the Commission (Exhibit K). Continuing to move forward with plans to implement electronic licensing and had meeting yesterday with the department's contractor. Right now, people expect that licenses bought online can be legally kept on their phone. Working on that and will iron out details of that. Aspira continuing to work on application, had update yesterday and looking at eventually going to e-tag for carcass tags on big game and turkey and would replace electronic registration we have right now. Hope to get to point where you go to permit, put in date of kill and county and take a picture and receive a confirmation number and use to transport an animal to identify the animal as yours. Some folks may not want an e-license and still want paper, but we will begin transition. People forget to print out permits and expect receipt to account for license and right now it does not. Commissioner Rider – Expect by late summer? Tymeson – Trying to get through process, AG and D of A. Miller – Contractor would be ready to go sometime this summer once we get regulations. Commissioner Rider – Will have to go through whole process, general discussion, workshop and public hearing? Tymeson – No, we are in workshop now, hope to publish in August. Commissioner Williams – Regarding preference points, is there a way to implement that where general public would give you a credit card number and bill every year for preference point? Miller – Like an auto-renewal? Commissioner Williams – Yes. Miller – We have not thought of that but will discuss it. Good idea. Commissioner Hayzlett – Concern from disabled vet, worried about license expiring and it has something to do with his driver's license. He tried to explain it to me, why can't we get disabled license to run concurrently with driver's license. Miller – Happy to contact him. We may require copy of driver's license when they apply to

renew and if expiring he may feel that may kick him out. When we make them reapply every year we are reaffirming their status as a resident, because only valid for residents. Commissioner Cross – Had a complaint, gentlemen felt he got cheated out of a month, renewed his license a month early. Miller – The way the regulation reads, when you buy the 365-day license it is good day you bought it; he received reminder that his current license was going to expire in a month and he bought it assuming his license would continue from when his expired. That could be an issue, we'll look at regulation and discuss it further. Secretary Loveless – Not our intent, but we can clean it up. Miller - Georgia did a promotion and gave a price break before their current license expired to avoid churn. Our intent was not to have them lose a month.

4. Fee Discussion – Mike Miller, Assistant Secretary of Wildlife, Fisheries and Boating, presented this update to the Commission (Exhibit L). Still falling short on revenue for Kansas disabled veterans. Proposing decreasing cost of vet license by half. We get the same amount money appropriated every year and we transfer that money every time we process the licenses. We still receive the same amount of federal aid if we reduce to these fees. Another goal would be to convert those vets that are 65 and older to a lifetime senior license. If we can pass this, current money would be sufficient. A little more to provide senior lifetime passes, \$42.50; current 65 and older get half price annual licenses; about 492 qualify. It would help us down the road because we would not have to process those applications every year and it would be more convenient for them, as well. We think we could do that that first year and then additional cost would be negligible as we transitioned every year with those reaching that age. Chairman Lauber – Is the theory at age 65 they are not going to move out of state and gain the system? Miller – The lifetime license is valid whether you move out of state or not. Chairman Lauber – We wanted annual evidence of residency? Miller – We do on annuals, but on lifetime, regular and senior, they don't have to stay in the state; it is a small number. Federal aid is another issue on that as federal rules and regulations change every year. Because this has been a negative public relations issue. If they buy a license as we have money we refund to them. Inconvenient the way it works right now. Commissioner Sporer – Do you have to choose a box, fish or hunt box? Some states do a shopping cart and get all licenses and pay. Is that available? Miller – This is a paper application and they would check either fishing, hunting or combo annually; that was stipulated in legislative mandate. Jim Millensifer – Prairie chicken tag still required? Miller – Yes for research purposes and to get more information about hunters who hunt prairie chickens

5. E-bicycles – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit M). E-bicycles are power-assist bicycle and want to allow in state parks with a permit. More people are using them and want to welcome them in state park system.

6. T&E Regulations – Chris Tymeson, legal counsel, presented this regulation to the Commission (Exhibit N). Neither Ed or Chris Berens could be here. We are doing five-year review of T&E species. There are several steps to process; first one was that a committee was formed to review petitions and they make recommendations. Those recommendations were presented at the last meeting. There is now an internal process where those recommendations go to Brad and at the next commission meeting we will come back with the department's recommendations. Secretary Loveless – There is also public meeting portion of that? Tymeson – Yes, public meetings and each of these commission meetings are considered public meetings. We won't vote on these regulations until November. Chairman Lauber – There is a mussel called a Wabash pigtoe that has been delisted. Does that mean it has been extirpated or has it turned

around? Tymeson – That I do not have the answer for. Secretary Loveless – We will check and get back to you.

7. KAR 115-25-9a, Deer; open season, bag limit, and permits; additional consideration; Fort Riley – Levi Jaster, big game biologist, presented this regulation to the Commission (Exhibit O). Potential dates for seasons on military installations that have requested later time to set dates to prepare and schedule with training. Smoky Hill Air National Guard adjusts firearm season. Fort Riley requests additional days for troops going on or returning from deployment and additional youth hunting instead of pre-rut season and adjust firearm dates to give better opportunity to troops. Fort Leavenworth also adjusts their firearm season and January season. Fort Riley and Smoky Hill only have one antlerless permit while Fort Leavenworth allows up to full five. No one gets more days as far as firearm season, but just change days it occurs on. Voting at June meeting.

Secretary Loveless – Status of Wabash pigtoe has improved and that is why it is getting delisted.

8. Antelope Regulations (KAR 115-25-7) – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit P). No changes recommended for season structure or dates. Permit allocations are also the same as what they have been for the last two years with the exception of Unit 18 where we are reducing total permit numbers from 20 to 16 due to multiple years of low recruitment, low fawn numbers each year. Units 2 and 17 are good and they support the bulk of the harvest, which last year was the third highest total harvest on record, 236. Part of that is because we had highest archery harvest on record, 63. Indicators we use on quality are based on horn size and age using tooth aging seems to indicate current harvest level is sustainable without depleting quality. Chairman Lauber – If apply and are unsuccessful you automatically get a preference point? Peek – Yes. Chairman Lauber – Unlike deer, which has a statewide season, landowner/tenant has to be in the unit you are applying for? Peek – Correct.

9. Otter Season and Units - Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit Q). There a couple of regulations that reference otter harvest; 115-5-3 removes otters from furbearer and coyote management units which are statewide for those species; 115-5-3a is new regulation that establishes otter management units (map handout – Exhibit R), based on major river systems. In the eastern three-fifths of the state we have 12 four to eight county units; then western unit where there are no perennial-type (free flowing annual) streams, water is lacking there and will never have very many otters. In 115-25-11 bag limits are established. In two southeast units, Marais des Cygnes and Lower Neosho, is five otters, which was original proposal; then next tier of units, surrounding those we are retaining two-otter limit; in western unit and west of two-otter limit, reducing to one, not many harvested there so no negative impacts expected. One other proposed change in 115-25-11, changing opening season time from noon to 12:01 am, basically a calendar day. Trappers consistently asked for that change. Chairman Lauber – Assume otters migrated in from Missouri? Peek – We had a small reintroduction from 1982 to 1985 and otters became established on Flint Hills Wildlife Refuge, but most in east from Missouri that had largest reintroduction. Some coming up lower Ark and Verdigris from Oklahoma and some from Nebraska on the Republican, not sure where they came from because not from their reintroduction; possibly through Kansas and up to Nebraska or from northern Nebraska. Chairman Lauber – Do otters tend to relocate with breeding and young males leave? Peek – Capable of disbursing large distances, not real common, and expand up river systems and that is what we have seen in Verdigris and Lower Ark. Same in Kansas River,

harvest is highest the farther east you go. They do expand; individuals will make long distance movements, but population will slowly expand due to shorter range dispersals. Commissioner Williams – An example of how far? Peek – From research, 25 kilometers a day, according to some literature. Chairman Lauber – Wasn't even sure we had some until a few years ago. Are they doing well? Peek – Doing very well, Missouri beside us and they were considered some of best habitat with stream crayfish densities and fish populations; reintroductions there put them in prime habitat in Missouri and some of that right next to Kansas. Large amounts of water and where you have strip pits are ideal habitat. Secretary Loveless – We measure reintroduction success by people starting to complain, now true for otters. Positive process and proud as an agency to see this happen. Constituents came in, Matt fielded questions, showed science behind this, biologically and socially, and melded it together with a reasonable approach. Public and landowners were heard; positive process and Matt managed it well. Commissioner Cross – How much does a pelt go for? Peek – Market is \$25 to \$35. Not harvested just for pelt, that is only part of it, people trap for a lot of different reasons, being outside, assisting landowners with damage control and it is a lifestyle for most of them. Most trappers also have gardens, raise their own meat and cut firewood, a self-sufficient lifestyle; fur is main thing being used but a lot more reasons they are doing it. Secretary Loveless – You mentioned they are not the target often, right? Peek – Yes, especially when they first show up in an area they are caught by beaver trappers. All of those that come from western areas of the state have shown up in that situation and that is why we propose minimum one-otter bag limit because of incidental take when beaver trapping. They get to keep otter pelt and we get information on where it was taken. Chairman Lauber - When we first opened an otter season the price for pelts was over \$100; Chinese were buying a lot of otters. Have we filled the demand or have any idea? Peek – Asians were using otters to make religious garments and were using some endangered species until the Dahli Lama told them to quit using otters and that market went away overnight; otters averaging over a \$100 went down to \$25 to \$30, so no longer a market for that.

VII. RECESS AT 4:08 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

VI. DEPARTMENT REPORT

D. Public Hearing

Notice and Submission Forms, Attorney General letters dated February 13 and KLRD letter dated April 19 (Exhibit S).

1. KAR 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions. - Matt Peek, biologist, presented this report to the Commission (Exhibit T). Proposed change is to establish location where measurement is to be taken on body-grip traps and foot-

hold traps and fact that measurement should be taken across the jaws at a 90-degree angle. This doesn't change intent of existing regulation it just clarifies existing language.

Commissioner Gary Hayzlett moved to approve KAR 115-5-1 as presented to the Commission. Commissioner Harrison Williams second.

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

Commissioner Cross	Yes
Commissioner Dill	Absent
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 5-1 passed 6-0.

2. KAR 115-5-2. Furbearers and coyotes; possession, disposal, and general provisions - Matt Peek, biologist, presented this report to the Commission (Exhibit V). Removing requirement for furharvesters to turn in lower canine teeth of otters they harvest.

Commissioner Harrison Williams moved to approve KAR 115-5-2 as presented to the Commission. Commissioner Aaron Rider second.

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

Commissioner Cross	Yes
Commissioner Dill	Absent
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 5-2 passed 6-0.

3. KAR 115-5-4. Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting hours, and general provisions - Matt Peek, biologist, presented this report to the Commission (Exhibit X). Tag is currently not valid until the next calendar day and removal of the carcass tag from the permits invalidates the permit. Those stipulations are outdated as a result of internet license sales, so we need to remove them from regulation.

Commissioner Gary Hayzlett moved to approve KAR 115-5-4 as presented to the Commission. Commissioner Harrison Williams second.

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

Commissioner Cross	Yes
Commissioner Dill	Absent
Commissioner Hayzlett	Yes

Commissioner Rider	Yes
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 5-4 passed 6-0.

4. KAR 115-6-1. Fur dealer license; application, authority, possession of furs, records, and revocation – Matt Peek, biologist, presented this report to the Commission (Exhibit Z). Current regulation says, may only purchase a swift fox if they have a pelt tag from the state they were harvested, and some states don't require pelt tagging. New language adds, they can't be purchased unless they have a pelt tag except for any legally harvested swift fox pelt from a state that does not require a pelt tag.

Commissioner Aaron Rider moved to pass KAR 115-6-1 as presented to the Commission. Commissioner Harrison Williams second.

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

Commissioner Cross	Yes
Commissioner Dill	Absent
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 6-1 passed 6-0.

5. KAR 115-13-4. Field trial permit; furbearers and coyotes – Matt Peek, biologist, presented this report to the Commission (Exhibit BB). This regulation currently requires a map of the specific areas where the field trial is to occur, and we want to modify requirement so only the headquarters and county of the event needs to be identified.

Commissioner Harrison Williams moved to approve KAR 115-13-4 as presented to the Commission. Commissioner Gary Hayzlett second.

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

Commissioner Cross	Yes
Commissioner Dill	Absent
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 13-4 passed 6-0.

6. KAR 115-8-1. Department lands and waters: hunting, furharvesting, and discharge of

firearms – Stuart Schrag, Public Lands Division director, presented this report to the Commission (Exhibit DD). Proposed changes to public land reference document under 115-8-1, subsection (e) of public reference document: under age restriction, Region 1, Jamestown Wildlife Area (WA), Ringneck and Puddler marshes, mentor areas for all species and all seasons; we want to remove Puddler Marsh and open that to general public. Under non-toxic shot, designated dove fields, under Region 1, Glen Elder, Jamestown and Ottawa we want to remove from designated dove fields for non-toxic shot only because of minimal use. Under boating restrictions, no motorized boats Region 1 under Jamestown WA; currently Pintail, Puddler and Buffalo Creek marshes and we would like to add Gamekeeper West marsh at Jamestown and also include Talmo marsh, northeast of Concordia. Under refuges, subsection (a) Refuge Area Closed to All Activities Year-round, under Region 3, we would like to include Byron Walker WA, it has been a designated refuge around the headquarters and is posted, but with new highway expansion we want to move signage so it's more readily identifiable.

Commissioner Aaron Rider moved to approve KAR 115-8-1 as presented to the Commission. Commissioner Troy Sporer second.

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

Commissioner Cross	Yes
Commissioner Dill	Absent
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 8-1 passed 6-0.

7. KAR 115-20-7. Migratory doves; legal equipment, taking methods, and possession – Richard Schultheis, migratory game bird biologist, presented this regulation to the Commission (Exhibit FF). The proposed change would be to remove language pertaining to pellet and BB guns that includes them as legal equipment for taking migratory doves. Commissioner Rider – Talked about taking a kid out with a BB gun, clarify that. Schultheis – The issue is potential conflict with federal regulation. As it currently stands in our regulation it would a permitted method of take. Because migratory birds they have federal regulations, as well, for most migratory bird species, we defer entirely to federal regulation. For doves we created this regulation because, at that time, we were dealing with Eurasian collared doves. We have since changed that and this regulation only pertains to migratory doves. With that change this would bring us in compliance with federal regulations, which do not permit use of air guns for taking of migratory doves. Commissioner Rider – Not much of a choice when it comes to that because trying to get in compliance with federal regs? Schultheis – Yes, that is a good way of looking at this.

Commissioner Aaron Rider moved to approve KAR 115-20-7 as presented to the Commission. Commissioner Harrison Williams second.

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

Commissioner Cross	Yes
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Commissioner Dill	Absent
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 20-7 passed 6-0.

8. Waterfowl Regulations – Tom Bidrowski, migratory gamebird program manager, presented this regulation to the Commission (Exhibit HH). The U.S. Fish and Wildlife Service (USFWS) annually develop frameworks from which states are able to establish migratory game bird hunting seasons. These frameworks 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 item was prepared regarding development of Kansas’ 2019-20 waterfowl seasons. Included are the anticipated U.S. Fish and Wildlife Service season frameworks, background material and staff recommendations. Chairman Lauber – We have had workshop discussions on this and know the issues. Commissioner Sporer – We talked at last meeting about moving that low plains late one week ahead to cover New Year’s; any more thoughts on that? Bidrowski – We have considered and reviewed it and thought at this time it would be best to stay with traditional season recommendation because of some of the downfall effects it would have on other seasons and historical migrations and hunter data we have on file. We will be reviewing not only zones but hunter preference data later this fall. Commissioner Rider – Do we have hunter data on the duck season and goose opener? Bidrowski – Yes, we have asked that in a number of our surveys, 2014-2015 had a high preference for that. Commissioner Rider – I respectfully have a little different recommendation than Tom. Would like to see a zone open all the way through the season to give more hunters access. Understand ice but greater numbers of waterfowl during those times and have other opportunities of dry fields and things along those lines, which tips that into a later season, more high plains southeast zone. Chairman Lauber – Difficult to figure out how to accomplish that. Commissioner Rider – I have an easy way to accomplish that. Chairman Lauber – Explain that. Commissioner Rider – My preference would be to move the split early in November; have two-day opening then five-day break and then run southeast zone all the way through so you wouldn’t have those five days of shut down in January. Chairman Lauber – More opportunity, based on ice conditions, to have more early migrants in southeast zone, particularly in areas that tend to freeze more. Like more early days available. Commissioner Sporer – As I stated in the last meeting, migrations have changed, and birds are coming later and that is why we have to keep talking about changing things. Come later and I don’t think freezing water has anything to do with it, birds are staying up north longer and waiting for weather to push them down and the later the seasons the better. Chairman Lauber – Yes, but low plains zone has wood ducks and other ducks that come in that get pushed out when it gets cold. In a great portion of southeast zone, you run a chance of being totally froze in on most waters, except down in extreme southeast area. I wish southeast zone was small spot around where Aaron hunts, a lot of people hunt that area and it is clearly what they prefer, but rest of southeast zone tends to freeze up. There is some opportunity in the early part where a lot of people will continue to hunt in November, it is a good time to hunt. The weather is good, and it gives us more opportunity for broad spectrum of hunting public land. This is the year we start considering zones. Bidrowski – Correct, zone discussions will kick off in August. Chairman

Lauber – How small can we make the southeast zone? Bidrowski – As small as preference of the hunters, what we get back from data collected. Chairman Lauber – Do you feel this recommendation for ducks, ganders and coots represents, without a doubt, the preference of the hunters in the survey? Bidrowski – Kansas is a diverse state, not only in waterfowl habits but in hunter preferences. After considerable discussion and review of migration data, harvest data and hunter data we arrived at these recommendations. Season selections have to be to the Fish and Wildlife Service by May 1 if we are going to offer a hunting season this fall. Secretary Loveless – I offer the promise that zones will be reviewed and have opportunity for you and your neighbors to vote and give us your opinion. Commissioner Sporer – You mentioned at last meeting, Wichita people were for or against southeast zone? Bidrowski – It goes back to hunter preferences and waterfowl habitat. There is some along south-central border who would prefer, similar to southeast, particularly places on the Ninnescah River and those shooting wetlands in the southeast prefer something closer to late season dates. There is preference whether dry land hunter, river hunter or wetland or pothole hunter; a lot of preferences to be considered. We are trying to provide the greatest opportunity for all for participation and harvest. Commissioner Sporer – How popular field is hunting today? Bidrowski – It is limited and has competition from goose and duck hunters and competition for private lands is strict so is limiting resource compared to some of our water resources, at least access to them are. Commissioner Sporer – That is one reason to think about pushing dates farther ahead in the season as you can see limiting opportunities. Chairman Lauber – Field hunting opportunity is more difficult for large numbers of hunters to access. Bidrowski – Correct, it is a different gear set for a lot of them because access is more difficult than water resources. If you look at participation it is highly skewed to early part of season as well as harvest. Mallards make up about 40-60 percent of harvest, depending on given year. Places in early zones like McPherson and Cheyenne Bottoms at least 60 percent of their harvest is blue-winged teal and most of that is done by third week in October. Commissioner Sporer – You have season dates set and that makes sense. Just talking about southeast Kansas where the ducks don't come so soon and deep-water reservoirs that never freeze. Chairman Lauber - You are talking about during the late, not the teal season, where teal comprises most of the bag. Bidrowski – Correct. Chairman Lauber – Which would improve in numerosity if you moved the season dates early. Bidrowski – That portion of it will, they are species more prone to harvest. I ask hunters, when 60,000 mallards sitting out on a place like Cedar Bluff is that the same opportunity as when there are 5,000 teal at Marais des Cygne or Neosho or any other areas in southeast? Commissioner Sporer – It is good discussion.

Commissioner Harrison Williams moved to approve waterfowl as presented to the Commission. Commissioner Troy Sporer second.

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

Commissioner Cross	Yes
Commissioner Dill	Absent
Commissioner Hayzlett	Yes
Commissioner Rider	No
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on waterfowl passed 5-1.

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

June 13, 2019 – Salina – Rolling Hills Zoo

August 15, 2019 – Kansas City, Johnson County area

September 19, 2019 – Great Bend, Wetlands Education Center (teal hunt, AM)

November 14, 2019 – Scott City, William Carpenter 4-H Building

XIV. ADJOURNMENT

Adjourned at 6:55 pm.

Secretary's Remarks

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

2019 Bills:

SB49 - This is a KDWPPT-sponsored bill that would allow the Secretary of Kansas Wildlife, Parks and Tourism to set fees for cabins and campsites without the approval of the Kansas Wildlife, Parks and Tourism Commission. The Secretary would be allowed set an amount for each fee that encourages the use of such cabins and campsites and that enables the department to maintain and operate such cabins and campsites. This bill was referred to the Senate Committee on Agriculture and Natural Resources and a hearing was held for the bill on Wednesday, Feb. 20, 2019. This bill passed the Senate 29-11 on Feb. 27, 2019. The bill was then referred to the House Committee on Agriculture and had a hearing on Tuesday, March 12, 2019. The Committee recommended the bill be passed on March 15, 2019. The bill was then withdrawn from Calendar, and referred to the Committee on Appropriations, where it remains available for the 2020 Session.

SB50 -This is a KDWPPT-sponsored bill that would adjust fee limitations on certain Kansas Department of Wildlife, Parks and Tourism licenses, permits, stamps and other issues. Fees are approved by the KWPT Commission within limitations established in statute. This amendment would accommodate future incremental fee changes, if and when they become necessary. The bill was referred to the Senate Committee on Agriculture and Natural Resources, where it remains for the 2020 Session.

HB2062 - This bill would amend K.S.A. 58-3212, relating to recreation trails; applicability of conditions for operating such trails and time deadlines for completion. The bill was referred to the House Committee on Agriculture and had a hearing on Jan. 30, 2019, where it remains for the 2020 Session. There may also possibly be an interim committee and discussion on the topic.

HB2099 - This bill would have affiliated the Kansas Department of Wildlife, Parks and Tourism with the Kansas Police and Firemen's Retirement System for membership of certain law enforcement officers and employees. The bill was referred to the House Committee on Financial Institutions and Pensions and had a hearing on Feb. 6, 2019. The Committee recommended bill be passed on Feb. 12, 2019 and the bill was subsequently stricken from House Calendar when the House failed to take action prior to turnaround.

HB2167 - This bill would have required the Kansas Department of Wildlife, Parks and Tourism to establish a system to approve and administer the transfer of regular landowner or tenant hunt-on-your-own-land big game permits to a nonresident of the state of Kansas solely for the purpose of hunting white-tailed deer. The transfer would not have occurred until all nonresident permits were issued in the management unit where the landowner/tenant permit was issued. The Department opposed the bill for a multitude of reasons. This bill was referred to the House Committee on Commerce, Labor and Economic Development. A hearing was conducted on Tuesday, Feb. 19, 2019 and this bill passed as amended out of committee. The bill also passed on House Final Action 63-60 on Feb. 27, 2019. In the Senate, the bill was initially referred to the Senate Committee on Commerce, withdrawn from that Committee and re-referred the Senate Committee on Agriculture and Natural Resources. Hearings were conducted on Wednesday, March 13, 2019 to hear neutral and proponents of the bill; and on Thursday, March 14, 2019 to hear opponents of the bill. The Senate Committee then tabled the bill. Subsequently, the Senate

committee recommended that substitute bill be passed on March 22, 2019 using the original bill as a shell vehicle, containing provisions related to Commercial Industrial Hemp. The substitute bill passed as amended on Senate Emergency Final Action 39-0 on March 27, 2019 and was approved by the Governor on April 15, 2019.

HB2397 - This bill would amend statutes relating to dangerous regulated animals, adding nonhuman primates and wolves to the list of dangerous, regulated animals and additional requirements related to allowing animals on that list to be in proximity to members of the public. The bill was referred to the House Committee on Federal and State Affairs, where it remains for the 2020 Session.

General Discussion

VI. DEPARTMENT REPORT

B. General Discussion

1. 2020 Turkey Regulations [KAR 15-25-(5-6)]

Background

The 2019 spring turkey season was open from April 1 to May 31 and included three seasons: Youth / Disabled, Archery, and Regular. The fall 2018 season ran from October 1, 2018 to January 31, 2019 but was closed during the regular firearm deer season (Nov. 28 – Dec. 9, 2018). 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.

Population Status and Productivity

The Kansas turkey population has been in decline since the statewide population peaked in 2008 (Figure 2). Conditions were generally poor to fair entering the 2019 nesting season across most of the state. Widespread flooding and cool temperatures have likely had large, negative impacts on adult survival, nest success, and poult survival in the central and eastern portions of the state.

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 2019 season has not yet been analyzed, therefore it is not known if any of the established triggers have been exceeded this year.

Table 1. Kansas wild turkey permit sales, total harvest, and hunter success for each of the last 5 seasons, 2014-2019.

Year	Spring			Fall		
	Permits & Game Tags	Total Harvest	Success ^a (%)	Permits & Game Tags	Total Harvest ^b	Success ^a (%)
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	6,262	1,183 (36%)	25
2018	60,545	22,639	43	5,475	1,275 (35%)	30
2019	NA	NA	NA	--	--	--

^a Success was the percentage of active hunters harvesting ≥ 1 bird.

^b Percentage of harvest composed of females.

NA = not available

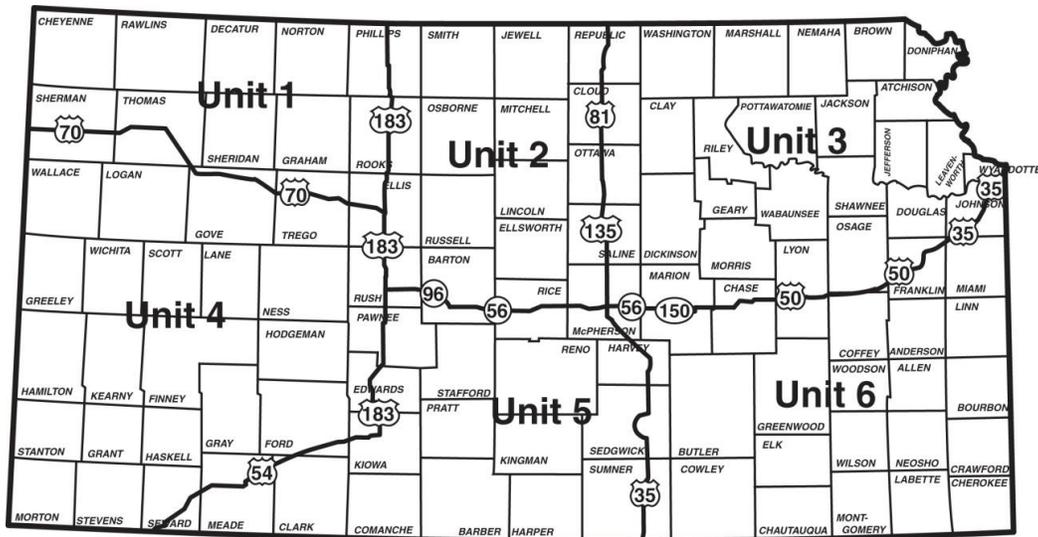


Figure 1. The map depicts the hunting units for Kansas turkey seasons. A spring turkey permit could be purchased over-the-counter for Units 1, 2, 3, 5, and 6, as well as a game tag. Five hundred spring permits were issued for Unit 4 through a pre-season drawing and they were also valid in adjacent units. 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.

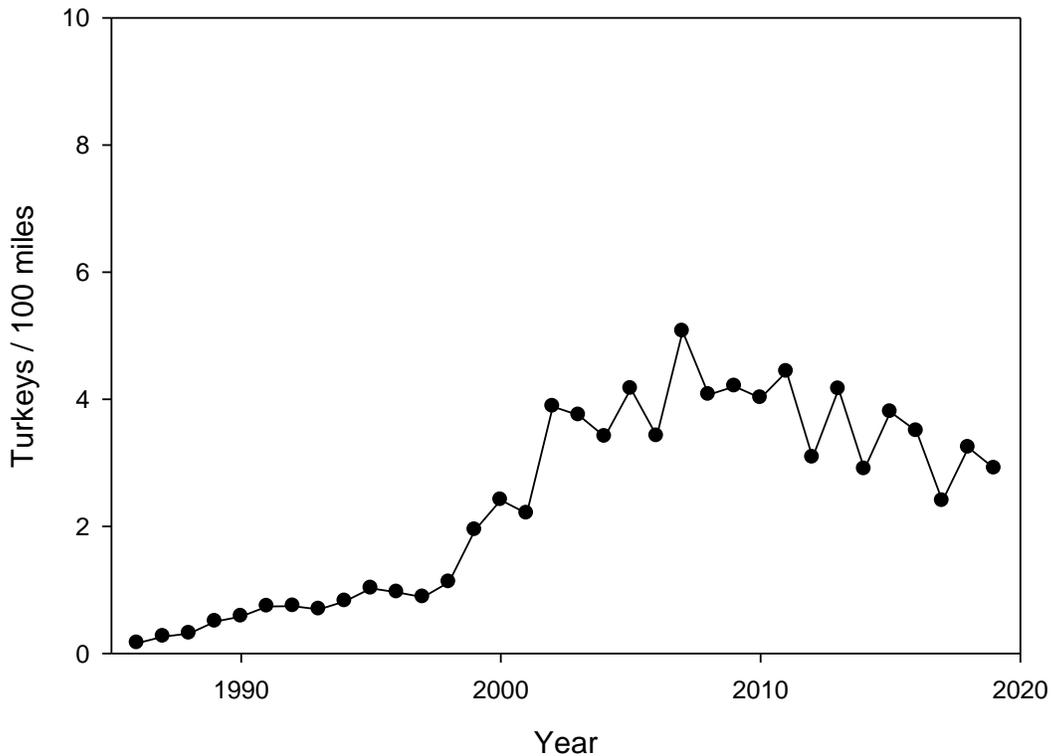


Figure 2. Statewide spring rural mail carrier index (birds/100 miles traveled) to wild turkey populations from 1986-2019.

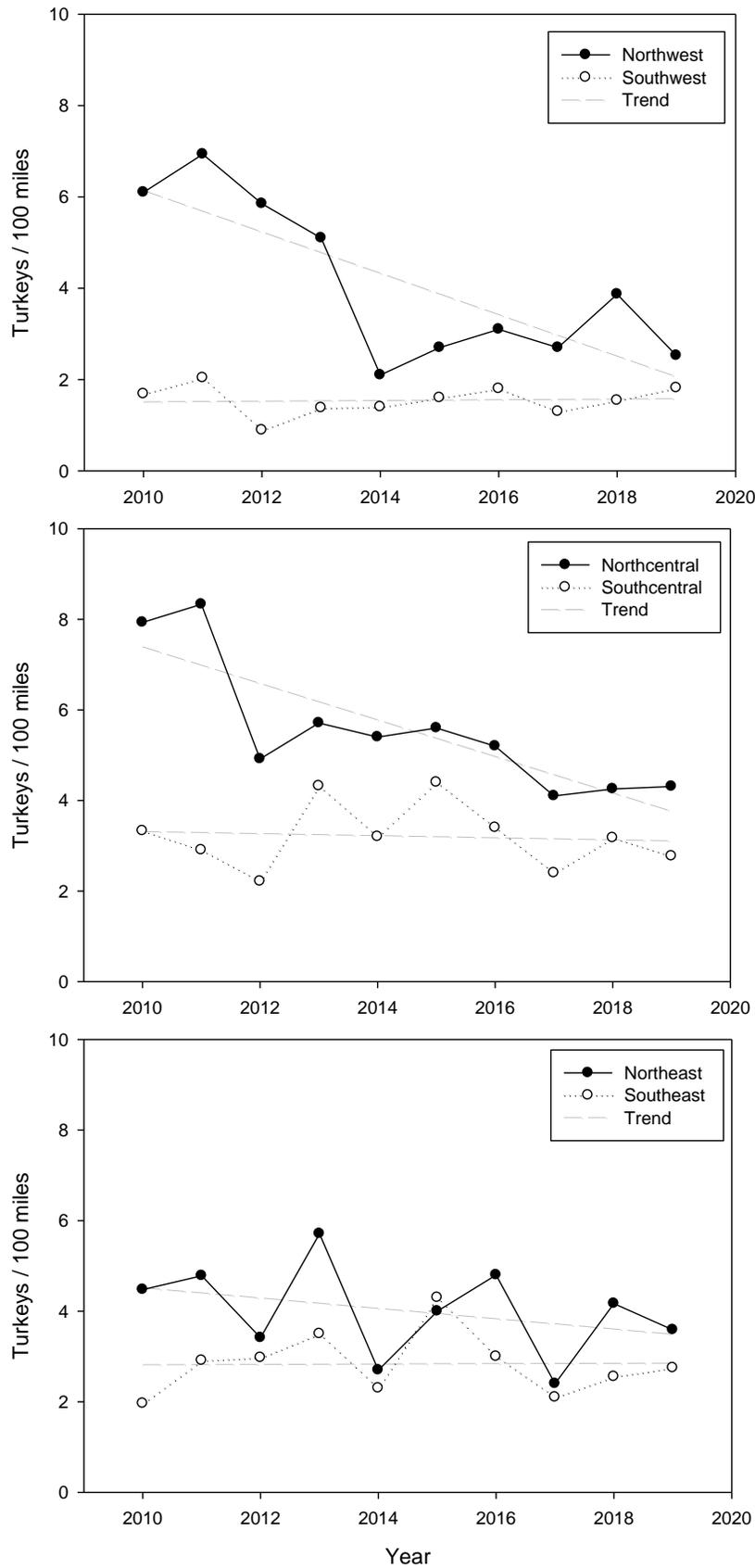


Figure 3. Western, central, and eastern spring rural mail carrier index (turkeys / 100 miles traveled) to wild turkey populations for the last 10 years (2010-2019).

Workshop Session

COMMISSION MEETING BRIEF

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.

Electronic Licensing Update

We are continuing to move forward with plans to implement electronic licensing and, in fact, Aspiria, the department's license contractor, has a demonstration ready for review. E-licensing is a part of a much larger app, which has been discussed and would ideally be a hunter or angler's portal to everything the agency provides online. One username or password and you're in – buy a license, review your account, sign up for auto-renew, check in to iSportsman, check into an iWIHA area, read fishing reports, register your deer and turkey (eventually moving to electronic tagging), and more.

Initially, this app will have a billfold where you can store PDFs of all your licenses and permits that qualify for e-licensing. It will also allow for updates and notices to be sent to anyone who has the app. If testing pans out, this should be ready to launch this summer. However, regulatory amendments that are necessary will probably require a September or later launch.

Disabled Veteran Hunting and Fishing License Fees

K.A.R. 115-2-1 Amount of fees.

The 2009 Kansas Legislature issued a legislative mandate for the department to provide any Kansas veteran who has at least a 30 percent service-related disability with a hunting, fishing or hunt/fish combo license at no cost to the veteran. The mandate also included hunting and fishing licenses and state park annual vehicle permits for current Kansas National Guard members. The Legislature approved annual appropriations of \$39,827 for disabled veteran licenses, \$36,342 for National Guard licenses and \$17,922 for National Guard park permits. Applications for these licenses and permits are required to establish applicants' status – and as they are approved and fulfilled, fees are transferred from the appropriated funding.

In recent years, demand for disabled veteran licenses has exceeded appropriation. Even with donations and the transfer of unused National Guard funding to the disabled veteran account, disabled veteran license applications have remained unfilled until the beginning of the new fiscal year (July 1) when new funding is appropriated.

It is important that fees be received for these licenses because the department receives funding through the Wildlife and Sport Fish Restoration Program (WSFR), which is derived from excise taxes placed on hunting and fishing equipment. WSFR funding is then allocated back to the states based, in part, on the number of hunters and anglers who purchase licenses in each state.

To better serve our veterans and ensure federal funding is not jeopardized, staff recommend fees of disabled veteran licenses be adjusted as shown below.

Disabled Veteran Sales 2018, Current Fees and Proposed Fee Changes

NG Combo	421	@ \$47.50	= \$18,630		
NG Res Fish	144	@ \$27.50	= \$3,600		
NG Res Hunt	11	@ \$27.50	= \$275		
NG Annual Park	461	@ \$27.50	= \$10,372.50		
Dis. Vet. Combo	1,068	@ \$47.50	= \$47,675	@ \$22.50 (+\$2.50)	= \$26,700
Dis. Vet. Fish	404	@ \$27.50	= \$10,085	@ \$12.50 (+\$2.50)	= \$6,060
Dis. Vet. Hunt	23	@ \$27.50	= \$575	@ \$12.50 (+\$2.50)	= \$345
Dis. Vet. Sr. Combo	379	@ \$25	= \$8,490	convert to Senior Lifetime Pass	
Dis. Vet. Sr. Fish	104	@ \$15	= \$1,300	convert to Senior Lifetime Pass	
Dis. Vet. Sr. Hunt	9	@ \$1	= \$113	convert to Senior Lifetime Pass	
	3,024		\$101,115		\$33,105

First year converting Seniors to lifetimes: 492 x \$42.50 = \$20,910

\$54,015 – total cost for disabled vets first year.

Briefing: Five-Year Review of Species Listed in Kansas as Threatened, Endangered or Species in Need of Conservation (SINC)

1) Introduction

Every five years, Kansas Department of Wildlife, Parks and Tourism (KDWPT) staff conduct a review of the wildlife species listed in the state as Endangered (E), Threatened (T), or Species-in-need-of-conservation (SINC). These lists were first authorized by the Nongame and Endangered Species Conservation Act of 1975 and are in KDWPT Regulations 115-15-1 (Threatened and Endangered) and 115-15-2 (Species-in-need-of-conservation; SINC).

The current review process was initiated in early 2018 with a request for petitions to change a listing with supporting evidence. A Threatened and Endangered Species Task Committee (T&E Task Committee) then determined if the petition merited a full review. Three petitions were submitted to the KDWPT. The Task Committee determined that substantial evidence was presented to warrant a full review.

In completing the full review process, the T&E Task Committee evaluated the scientific literature and consulted experts for their input to assist with proper listing category determination. A numerical evaluation form was also completed by the experts and that score was used as a guideline for listing category. Final recommendations from the T&E Task Committee are listed below:

Common name	Current listing/Year	Petitioned listing change	Task Committee recommendation
Arkansas darter	Threatened / 1978	Downlist to SINC	SINC
Cylindrical Papershell	SINC / 1987	Uplist to Endangered	Endangered
Wabash Pigtoe	SINC / 1993	Delist from SINC	Not listed

If more details are needed, there is a repository of information regarding the three reviewed species available on the KDWPT website: <https://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife/2018-Five-Year-Review>

2) Brief species description and comments

Arkansas Darter (*Etheostoma cragini*).

The Arkansas Darter is a small (2.5-inch maximum length) bottom-dwelling fish that is in the same family as the Walleye and Sauger (Percidae). This darter inhabits aquatic vegetation in the shallow, slow-current portions of clear spring-fed streams without overhanging trees. It feeds primarily on aquatic insects. Spawning occurs from March to May when the males exhibit an orange underside. Eggs are deposited in sand substrate. Maximum longevity is three years but most of the spawning population is made up of yearlings. In Kansas, the Arkansas Darter resides in most drainages of the southcentral portion of the state and the Ozarkian streams of the extreme southeast.

The T&E Task Committee recommends downlisting to SINC for the following reasons:

- Distribution is widespread and more-fully documented than when first listed in 1978 (Total Number of sites documented through 1978:78 and post-1978:1,066)
- Has shown ability to recover quickly from drought
- Is tolerant of stressful conditions
- Most common darter in southcentral Kansas
- Fifth most common native species of fish found at survey sites in southcentral Kansas
- Expert panel supports downlisting from Threatened to SINC
- Numerical rating score guidelines suggest SINC listing
- Better long-term information on water supply in Kansas range of this fish
- T&E Task Committee voted (6-1) to downlist Arkansas Darter from T to SINC list

Cylindrical Papershell (*Anodontoidea ferussacianus*)

The Cylindrical Papershell is a relatively short-lived (10 years) freshwater mussel that was formerly documented in most rivers of northern Kansas. It is a thin-shelled, straw-colored mussel that can measure 3.5 inches in length. Currently, it is found in limited reaches of the Smoky Hill and Saline rivers. Mussel larvae (glochidia) require attachment to a fish host to metamorphose to the juvenile stage before dropping off. The Cylindrical Papershell has hooked glochidia that can attach to the fins of several host fish species. Once attached, glochidia metamorphose to the juvenile stage before dropping off.

The T&E Task Committee recommends uplisting the Cylindrical Papershell to Endangered for the following reasons:

- This mussel is very limited in its Kansas range, causing it to be vulnerable to extirpation
- Geographic isolation probably will result in loss of genetic variability
- Water-flow in occupied river reaches can be intermittent. Only known populations are persisting, but water quantity will probably be more limiting in the future
- Recent survey work (2011 and 2015) showed it to be rare and declining since the 1980s when it was reported as the most common mussel in the Smoky Hill River
- Because this mussel is at the southern edge of its range in Kansas, increasing water temperatures may be having a detrimental effect on the population
- The T&E Task Committee and the expert panel unanimously recommended E listing

Wabash Pigtoe (*Fusconaia flava*)

The Wabash Pigtoe is a smooth and heavy-shelled freshwater mussel found in the rivers of eastern Kansas. It can grow to 5 inches in length. The adult is sedentary. Dispersal occurs by fish that carry larval mussels (glochidia) until metamorphosis occurs and juvenile mussels drop off to pioneer new habitats. The female Wabash Pigtoe releases glochidia as packets (pelagic conglomerates) that host fish try to eat. In the process, some glochidia attach to the fish's gill filaments. Common host fishes include shiners, minnows, crappie and bluegill. The Wabash Pigtoe is most likely found in gravelly substrates near riffles.

The T&E Task Committee recommends delisting Wabash Pigtoe for the following reasons:

- Long-term trend data for this species in the Verdigris River shows dramatic density increase at eight sites (from 0.58/1-m² in 1991 to 5.18 in 2015)
- At some locations, it is the most numerous mussel species present
- Co-dominant mussel species at several river sites in southeast Kansas
- There is no longer any commercial exploitation of mussels. Current moratorium on take and no market demand for last two decades
- Host fishes are not a limiting factor for Wabash Pigtoe
- Due to robust numbers, it does not compare to other more uncommon mussels on the SINC list
- T&E Task Committee voted unanimously to remove it from SINC list

3) Housekeeping: Nomenclature changes

As more genetic information regarding relationships becomes available, coupled with efforts to standardize nomenclature, there are changes that occur in common and scientific names. To keep this effort simple and straight-forward, the T&E Task Committee uses the accepted nomenclature that is used by NatureServe.org. The following are the nomenclature changes recommended for the lists in K.A.R. 115-15-1 and 115-15-2.

15-15-1. Threatened and endangered species; general provisions.

(a) The following species shall be designated endangered within the boundaries of the state of Kansas.

- Invertebrates

Flat floater mussel, ~~Anodonta~~ *Utterbackia-suborbiculata* (Say, 1831)

Rabbitsfoot mussel, ~~Quadrula~~ *Thaliderma cylindrica* (Say, 1817)

- Birds

Least tern, ~~Sterna~~ *Sternula antillarum* (Lesson, 1847)

(b) The following species shall be designated threatened within the boundaries of the state of Kansas.

- Amphibians

Eastern ~~narrowmouth~~ toad, *Gastrophryne carolinensis* (Holbrook, 1836)
~~narrow-mouthed~~

- Reptiles

~~Broadhead~~ skink, ~~Eumeces~~ *laticeps* (Schneider, 1801) ~~Broad-headed~~ *Plestiodon*

Checkered ~~garter snake~~, *Thamnophis marcianus* (Baird and Girard, 1853)
~~gartersnake~~

- Birds

Snowy plover, *Charadrius alexandrinus nivosus* (Linnaeus, 1758)

115-15-2. Nongame species; general provisions. (a) The following species shall be designated nongame species in need of conservation within the boundaries of the state of Kansas.

- Invertebrates

Wartyback mussel, *Quadrula cyclonaias nodulata* (Rafinesque, 1820)

- Amphibians

Crawfish frog, *Lithobates areolate areolatus* (Baird and Girard, 1852)

- Reptiles

Rough earth snake earthsnake, *Virginia Haldea striatula*
(Linnaeus, 1766)

Western hognose Plains hog-nosed snake, *Heterodon nasicus* (Baird and Girard, 1852)

Eastern hognose hog-nosed snake, *Heterodon platirhinos*
(Latreille, 1801)

Chihuahuan night snake nightsnake, *Hypsiglena jani* (Duges, 1865)

Redbelly Redbellied snake, *Storeria occipitomaculata* (Storer, 1839)

Longnose Longnosed snake, *Rhinocheilus lecontei* (Baird and Girard, 1853)

Smooth earth snake earthsnake, *Virginia valeriae* (Baird and Girard, 1853)

Otter Furbearer Regulations

Background:

River otters have been increasing in number and distribution in Kansas since at least the early 1990s. In southeast Kansas, they are abundant, and there is strong demand for increased harvest opportunity in that area. However, they are still expanding in other areas of the state. These proposed regulation changes will allow us to increase harvest opportunity in southeast Kansas while maintaining a more limited harvest in the remainder of the state.

Discussion and Recommendations:

115-5-3. Furbearers, except otters, and coyotes; management units.

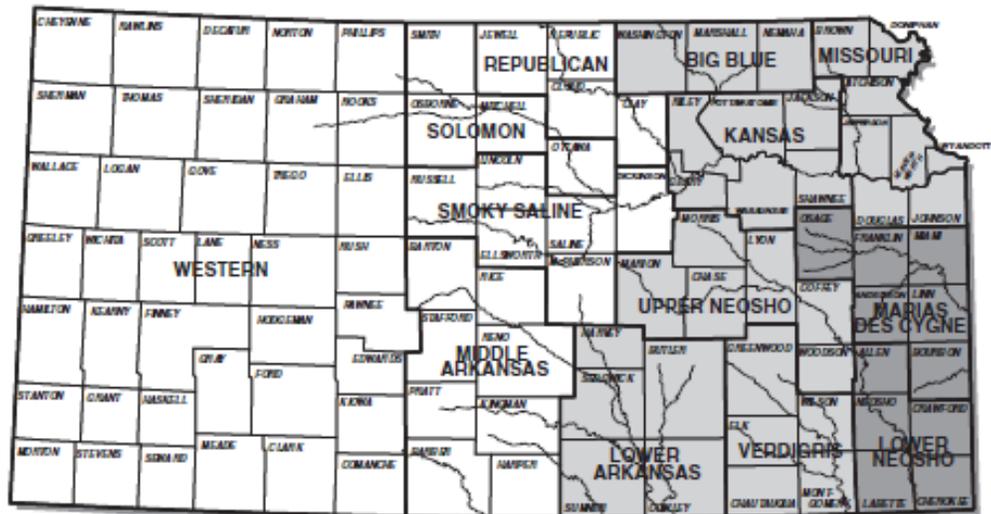
- We recommend excluding otters from regulation defining furbearer and coyote management units, which are statewide.

115-5-3a. Otters; management units.

- We recommend establishing this new regulation which will establish river otter management units based on the major river systems in Kansas.

K.A.R. 115-25-11. Furbearers; open seasons and bag limits.

- We recommend increasing the season bag limit of otters from 2 to 5. However, the unit bag limit will be either 1, 2 or 5, depending on the abundance of otters in that unit. Specifically, the recommended bag per unit is as follows: 1 otter - Western, Solomon, Smoky-Saline, Republican, and Middle Arkansas; 2 otters - Big Blue, Kansas, Upper Neosho, Lower Arkansas, Verdigris, and Missouri; and 5 otters - Lower Neosho and Marais Des Cygnes otter units.
- We recommend changing the season opening time from noon to 12:01 a.m. on opening day. The noon opener was established to alleviate issues with the calendar day (12:01 a.m.) opener related to houndsmen having to wait until late to hunt, and was considered a compromise between houndsmen and trappers when competition between the two groups was greater than it is today.



1 Otter Limit
 2 Otter Limit
 5 Otter Limit

2020 Reference Document Proposed Changes for Special Length and Creel Limits:

- Wilson Reservoir -- add a 32- to 40-inch slot length limit and 2/day creel limit with no more than 1/day 40 inches or larger creel limit on blue catfish.
- Agra City Lake -- add a 15-inch minimum length limit and a 5/day creel limit on channel catfish.
- Sterling City Lake -- change to a 21-inch minimum length limit on saugeye.
- John Redmond Reservoir -- add a 35-inch minimum length limit on blue catfish.
- Gridley City Lake -- remove the 18-inch minimum length limit and 2/day creel limit on largemouth bass (Reverts to statewide 15-inch length and 5/day creel limits).
- Mined Land Wildlife Area -- remove the 20-inch minimum length limit and 1/day creel limit on brown trout.
- Neodesha City Lake -- add a 15-inch minimum length limit and 5/day creel limit on channel catfish.

Other 2020 Proposed Fishing Regulation Changes.

Change 115-25-14 to decrease the daily creel limit on Rainbow Trout to 2/day at Salina-Lakewood Lake.

This proposal is a cooperative plan by Salina-Lakewood staff, CFAP coordinator, City officials, and local law enforcement. The plan is to discourage overharvest by some local anglers at the lake and assist law enforcement with dealing with those individuals.

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

Expand the restrictions on the movement of baitfish to include other aquatic bait (crayfish, leeches, salamanders, frogs, and mussels). The movement of water leads to the spread of ANS. While we have done a good job preventing the movement of most fish, movement of these other baits would likely include water, potentially from ANS waterbodies. This movement allows ANS or pathogens to quickly jump to new drainages or over barriers, which they would otherwise be unable to do.

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

We currently have restrictions on float materials used for floatlines and setlines that aid in the prevention of moving ANS. *“Float material for floatlines and setlines shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A “closed-cell” construction shall mean a solid body incapable of containing water.”* We currently do not have restrictions on float materials used for trotlines. Trotline floats are typically made of empty antifreeze, bleach, and soap containers. We propose that trotlines fall under the same float material restrictions as setlines and floatlines.

E-Bicycles (E-Bike)

E-Bikes are battery powered “assist” that comes with pedaling or in some cases a throttle, making pedaling easier while not eliminating the need to pedal. The battery does not make any sound.

"When you push the pedals on a pedal-assist e-bike, a small motor engages and gives you a boost, so you can zip up hills and cruise over tough terrain without gassing yourself. Called "pedalecs," they feel just like conventional bikes—but better, says Ed Benjamin, senior managing director at the consulting firm eCycleElectric. "You control your speed with your feet, like with a regular bike," he says. "You just feel really powerful and accelerate easily."

~ Bicycling News

Parks Regulations

The Parks Division is recommending that school district vehicles with school tags be allowed free entrance to all Kansas state parks. We believe this will encourage teachers to get children outdoors to enjoy our state parks, learn about nature and participate in outdoor recreation activities. This would also apply to school districts that have fishing teams. Parents and spectators who attend fishing events will still have to have daily vehicle permits. A special event vehicle permit will be available on request to Christian and private schools that don't have school district vehicles or tags.

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 18, 2019

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 13, 2019 at the Rolling Hills Zoo, 625 N. Hedville Rd., Salina, 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 the business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., June 13 at the location listed above. The meeting will recess at approximately 5:00 p.m. and 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 14 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 30-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 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. 115-25-7. This exempt regulation establishes open season, bag limits, and permits for antelope. The proposed version of the regulation merely updates the season dates from previous versions.

Economic Impact Summary: The sale of antelope permits will generate approximately \$31,000 to the department and approximately \$895,000 to the general economy of the state. Otherwise, no substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-25-9a. This exempt regulation establishes the open season, bag limits, permits, and additional considerations for the military subunits for deer. The proposed version of the regulation merely updates the season dates from previous versions.

Economic Impact Summary: The economic impact to all deer seasons is contained in K.A.R. 115-25-9. Otherwise, no substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

Copies of the complete text of each regulation and its respective economic impact statement may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at ksoutdoors.com, or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

February 13, 2019

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1507
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

Chris Tymeson
Kansas Department of Wildlife, Parks & Tourism
1020 S. Kansas Ave., Ste. 200
Topeka, KS 66612-1327

RE: K.A.R. 115-5-1, 115-5-2, 115-5-4, 115-6-1, 115-8-1, 115-13-4, 115-20-7, 115-25-8, 115-25-9, 115-25-9a and 115-25-11

Dear Mr. Tymeson:

Pursuant to K.S.A. 2018 Supp. 77-420(b), we have reviewed the above-referenced regulations and finding no issues of concern, have approved them. The stamped original regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Craig Paschang
Assistant Attorney General

CP:sb
Enclosures

cc: Rep. Ron Highland, Chair, Joint Committee on Rules and Regulations
Sen. Mary Pilcher-Cook, Vice Chair, Joint Committee on Rules and Regulations
Rep. John Carmichael, 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
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

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March 15, 2019

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

RE: K.A.R. 115-25-11 and K.A.R. 115-25-7

Dear Mr. Tymeson:

We have completed our review of the above-referenced regulations and approved them for legality. The original regulations with our approval stamp are enclosed.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Janet L. Arndt
Assistant Attorney General

JLA:sb

Enclosure: Original Regulations

cc: Rep. Ron Highland, Chair, Joint Committee on Rules and Regulations
Sen. Mary Pilcher-Cook, Vice Chair, Joint Committee on Rules and Regulations
Rep. John Carmichael, Ranking Minority Member, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Revisor of Statutes, State Capitol, Room 24-E

May 21, 2019

REPORT

To: Kansas Legislature
From: Joint Committee on Administrative Rules and Regulations
Re: Report on the May 14, 2019, Meeting of the Joint Committee on Administrative Rules and Regulations

At its meeting on May 14, 2019, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations listed below and provided its comments.

Wildlife, Parks and Tourism Commission

KAR 115-25-7, antelope; open season, bag limit, and permits; **KAR 115-25-9a**, deer; open season, bag limit, and permits; additional considerations; military subunits.

After discussion, the Committee reported no comments.

Kansas Bureau of Investigation

New Article 23, Kansas Asset Seizure and Forfeiture Repository: **KAR 10-23-1**, definitions; **KAR 10-23-2**, accuracy and completeness, duplicate reporting prohibited; **KAR 10-23-3**, means of reporting; **KAR 10-23-4**, seizure for forfeiture report; **KAR 10-23-5**, forfeiture fund report; **KAR 10-23-6**, point of contact.

After discussion, the Committee reported no comments.

Office of the Attorney General

New Article 18, Elder and Dependent Adult Abuse Prevention Council: **KAR 16-18-1**, definitions; **KAR 16-18-2**, membership, meetings; **KAR 16-18-3**, duties.

Request. The Committee requests information on the timing of the formation of the Elder and Dependent Adult Abuse Prevention Council and the dissolution of the current Senior Consumer Protection Advisory Council. The Committee recommends the agency monitor the work of the Elder and Dependent Adult Abuse Prevention Council and, if that council is found to be effective and efficient in the duties outlined in **KAR 16-18-3**, consider recommending legislation to establish the Elder and Dependent Adult Abuse Prevention Council in statute.

Kansas Department of Health and Environment

KAR 28-1-20, immunizations, schools, child care facilities, and preschool or child care programs operated by a school.

After discussion, the Committee reported no comments.

Repealing all of Article 55, PCB Facility Construction Permit Standards and Regulations: KAR 28-55-1, revocation (was applicability and definitions); KAR 28-55-2, revocation (was PCB facility construction permit application); KAR 28-55-3, revocation (was procedures for review of polychlorinated biphenyl [PCB] facility permit applications); KAR 28-55-4, revocation (was modification of transfer of permits); KAR 28-55-5, revocation (was standards for PCB facilities).

After discussion, the Committee reported no comments.

Kansas Board of Regents

KAR 88-28-6, fees.

The Committee expresses its appreciation for the agency's elimination of specific fees that had been charged to private and out-of-state postsecondary education institutions and its review of whether such fees were efficient to administer.

Board of Technical Professions

KAR 66-7-4, potentially disqualifying civil and criminal records, advisory opinion, fee.

After discussion, the Committee reported no comments.

AGENCY EXPECTATIONS

Prior to filing with the Secretary of State, agencies are expected to 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. Agencies are encouraged to include their website address in the filing notice where proposed rules and regulations can be located. In addition, if any agency accepts written comments by e-mail, it is expected the public notice will include this information, as are directions for e-mail requests for public accommodation. Finally, agencies are expected to verify the adoption by reference of any materials included in the regulations is properly completed as prescribed in the Department of Administration's current *Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations*.

This report should be part of the public record on these regulations. The Committee may review the regulations the agency ultimately adopts, and it reserves any expression of legislative concern to that review.

To assist in that final review, agencies are expected to inform the Committee and its Kansas Legislative Research Department (KLRD) staff, 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. Agencies are expected to notify the Committee and KLRD, in writing, when the agency has adopted the regulations as permanent, delayed implementation of the regulations, or decided not to adopt any of the regulations. Agencies are expected to indicate separately to the Committee and KLRD any changes made to the proposed regulations reviewed by the Committee.

Failure to respond to each and every comment contained in this report may result in a request that a spokesperson from the agency appear before the Committee to explain the agency's failure to reply. Any request to appear is based upon the direction to legislative staff from the Committee.

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 12, 2019 through October 14, 2019.

(b) In the Fort Riley subunit, the open firearm season for the taking of deer shall be November 29, 2019 through December 1, 2019 and December 14, 2019 through December 22, 2019.

(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, 2019 through September 15, 2019 and January 4, 2020 through January 31, 2020 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 16, 2019 through November 17, 2019; November 21, 2019 through November 24, 2019; November 30, 2019 through December 1, 2019; December 7, 2019 through December 8, 2019; and December 14, 2019 through December 15, 2019.

(f) In the Fort Leavenworth subunit, the extended firearms season for the taking of antlerless only white-tailed deer shall be January 1, 2020 through January 12, 2020.

(g) In the Fort Leavenworth subunit, the extended archery season for the taking of antlerless only white-tailed deer shall be January 13, 2020 through January 31, 2020.

(h) In the Smokey Hill subunit, the open firearm season for the taking of deer shall be November 26, 2019 through December 7, 2019.

(i) This regulation shall have no force and effect on and after March 1, 2020.

(Authorized by and implementing K.S.A. 2018 Supp. 32-807 and K.S.A. 2018 Supp. 32-937.)

**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-25-9a
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget

504-N

900 SW Jackson, Room
Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

This proposed version of the regulation sets deer seasons on military installations in the state.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)*

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying regulations dealing with deer seasons.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed amendments will not enhance or restrict business activities and growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments would have an economic effect on businesses surrounding the military installations and individuals who purchase permits to hunt deer on those installations. However, any economic impact would be included in K.A.R. 115-25-9, statewide deer seasons because permits are not available specifically for military installations and it is impossible to estimate the number of participants.

C. Businesses that would be directly affected by the proposed rule and regulation;

Any business that sells products or services to deer hunters, including sporting goods retailers, outfitters, grocery stores, service stations, hotels, etc.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

If there were no regulation and no deer season, there would be lost collateral economic impact to the state and deer numbers would increase, thereby causing negative human wildlife interactions.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal. Any data is included in the general deer regulation, K.A.R. 115-25-9.

F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no implementation or compliance costs with this proposal. Any data is included in the general deer regulation, K.A.R. 115-25-9.

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no implementation or compliance costs with this proposal. Any data is included in the general deer regulation, K.A.R. 115-25-9.

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

There are no implementation or compliance costs with this proposal. Any data and methodology is included in the general deer regulation, K.A.R. 115-25-9.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for

achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

115-25-7. Antelope; open season, bag limit, and permits. (a) The open season for the taking of antelope shall be as specified in this subsection. The unit designations in this subsection shall have the meanings specified in K.A.R. 115-4-6.

(1) Archery season.

(A) The archery season dates shall be September 21, 2019 through September 29, 2019 and October 12, 2019 through October 31, 2019.

(B) The taking of antelope during the established archery season shall be authorized for Smoky Hill, unit 2; West Arkansas, unit 17; and Cimarron, unit 18.

Unlimited archery permits for residents and nonresidents shall be authorized for the area.

(2) Firearm season.

(A) The firearm season dates shall be October 4, 2019 through October 7, 2019.

(B) The open units for the taking of antelope during the established firearm season and the number of permits authorized shall be as follows:

(i) Smoky Hill, unit 2: One hundred and twenty-two resident firearm permits shall be authorized for the unit.

(ii) West Arkansas, unit 17: Forty-four resident firearm permits shall be authorized for the unit.

(iii) Cimarron, unit 18: Twelve resident firearm permits shall be authorized for the unit.

(3) Muzzleloader-only season.

(A) The muzzleloader-only season dates shall be September 30, 2019 through October 7, 2019. Muzzleloader permits also shall be valid in the unit for which the permit is authorized during the established firearm season dates.

(B) The open units for the taking of antelope during the established muzzleloader-only season and the number of permits authorized shall be as follows:

(i) Smoky Hill, unit 2: Thirty-four resident muzzleloader permits shall be authorized for the unit.

(ii) West Arkansas, unit 17: Ten resident muzzleloader permits shall be authorized for the unit.

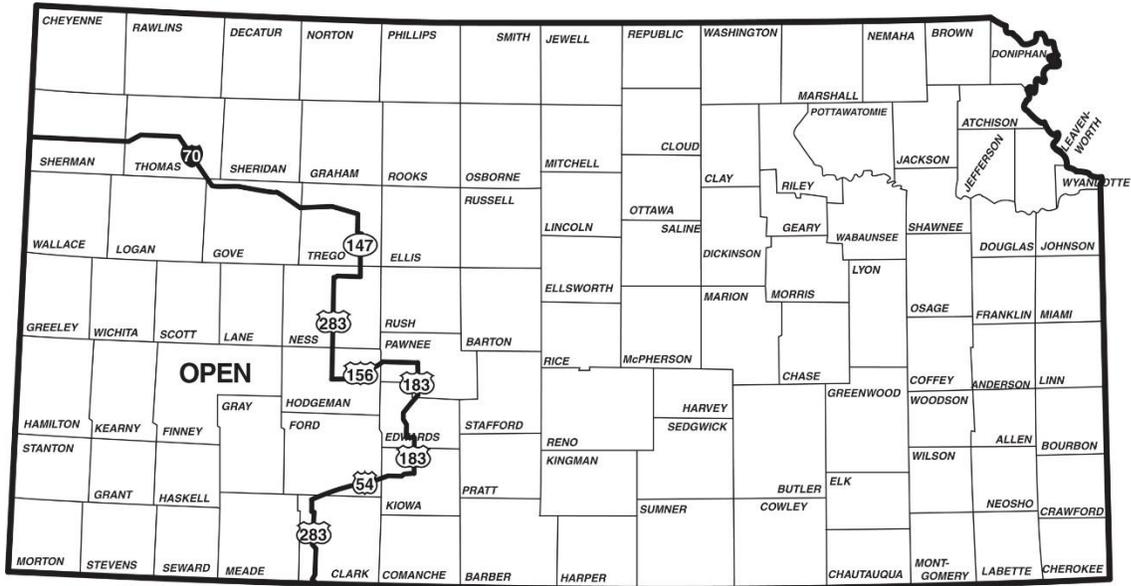
(iii) Cimarron, unit 18: Four resident muzzleloader permits shall be authorized for the unit.

(b) The bag limit for each archery, firearm, and muzzleloader permit shall be one antelope of either sex.

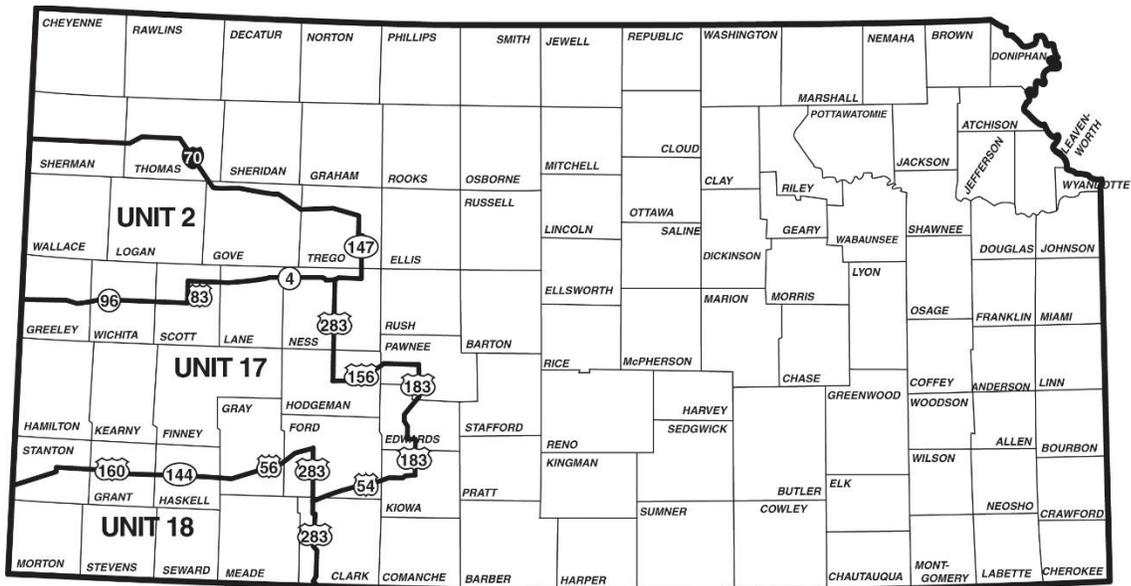
This regulation shall have no force and effect on and after March 1, 2020.

(Authorized by and implementing K.S.A. 2018 Supp. 32-807 and K.S.A. 2018 Supp. 32-937.)

Archery Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-25-7

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget

504-N

900 SW Jackson, Room

Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

This proposed version of the regulation sets the seasons for antelope hunting in Kansas.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

This is not a federal mandate. Oklahoma, Nebraska and Colorado all have varying regulations dealing with pronghorn hunting seasons and requirements. Missouri does not have a pronghorn season. The season structure is generally the same as last season.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed version of the regulation will not enhance or restrict business activities and growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed version of the regulation could have a collateral positive economic impact on grocery stores, hotels and motels, outfitters, service stations, etc.

C. Businesses that would be directly affected by the proposed rule and regulation;

Outfitters or landowners.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The proposed version of the regulation establishes various pronghorn seasons. Without the regulation, pronghorn populations will rise and negative human-wildlife conflicts will occur. Additionally, the corresponding positive economic impact to Kansas would not occur without the season.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no negative costs and impacts on businesses associated with this proposal.

F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

The sale of antelope hunting permits to the public generates approximately \$31,265 to the agency, all of which accrues to the wildlife fee fund, based on 2018 permit sales.

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

The sale of deer hunting permits to the public generates approximately \$31,265 to the agency, all of which accrues to the wildlife fee fund, based on 2018 permit sales.

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

The total number of antelope hunting permits sold was 554 in 2018. This generates approximately \$31,265 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable deer hunter (554) goes 11 days afield per year and spends approximately \$1616 per year, generating \$895,264 for the Kansas economy, based on economic studies provided by the USFWS.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

The agency held public hearings on this regulation on November 15, 2018 in Russell, where 11 members of the public signed the attendance roster, on December 13, 2018 in Wichita, where 5 members of the public signed the attendance roster, and on January 17, 2019 in Lawrence, where 4 members of the public signed the attendance roster. The agency will also hold a public meeting on March 28 in Topeka, KS.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.