

**Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, June 13, 2019
Rolling Hills Zoo, 625 N Hedville Rd
Salina, Kansas**

Approved Subject to
8/15/19 Commission
Approval

The June 13, 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 Rolling Hills Zoo, Salina, Kansas. Chairman Lauber and Commissioners Emerick Cross, Tom Dill, Gary Hayzlett, Aaron Rider, Troy Sporer and Harrison Williams were present.

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 April 25, 2019 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Bob Roberts – Need to get public opinion, staff outnumbered public and it is not a good to be outnumbered makes people nervous about addressing the commission and talking about items, which causes reluctance to bring up topics. Primary interest is fishing, can fill a room with hunters, but fisherman are meek and don't want to speak up; reluctance among anglers to get involved. Last couple of years, on walleye initiative, that could make Kansas to walleye fishing what Florida is to bass fishing; response is who cares, they don't care just want to catch fish. Two avenues to setting regulations on fishing, biological and sociological issues come into play. When talking about length limits, don't see where sociological, or what angler wants, matters. Can't give that answer and don't think anyone can. When we wanted 18-inch length limit on walleye, they said males don't grow much past 16 inches and we would be losing half of the fish, maybe that has changed. Milford has an 18-inch walleye length limit, which worked fine; biggest lake and pulled national tournaments in, now two fish over 21 inches; people like Rick Dykstra fish the lake every day. Got national tournament, but how does that go over with the average angler, we don't matter but big guys do, don't see it working. El Dorado has 21-inch length limit, friend guiding and making money, that doesn't make sense. Get out and talk to people. Three years ago, kill more deer than catch walleye, how do you know? Gerald, how many times have you run into a creel census guy? The last time I did was fifteen years ago, so how do we know?

On walleye you have a limit, not out there for the anglers. Communication on local level at many lakes, between fisheries department and anglers, is not very good. I am a crappie fisherman and don't care about walleye, but problem is communication between license holders and the staff, increase that communication, has to be people in the field. Can't call up someone in Pratt and get good information but can from someone at the lake. Friend has cabin at Glen Elder, told him to talk to Scott Waters, was it his job to reach out to Scott or Scott's to reach out to him? Just an example, don't want to pick on Scott. The last biologist who got out and talked to people was Bruce Zamrzala, need more like him, don't see that anymore. Got to have better information or people will bring in the legislature. You have a tough job, because people don't show up. Chairman Lauber – Have tried for years to get more public participation. Discussed weekend meetings, but no good time. Understand situation with creel census. Do better on those, harvest 70,000 walleye in a year, but harvest more whitetail deer. Bob, appreciate your time and effort. Secretary Loveless – Appreciate your comments. Having internal discussions on how we get out and meet the public. In terms of efficiency, some people have no interest in talking to anybody. If you have groups and can identify those discussing agency issues we can come talk to them, give us some clues on groups we can talk to and we will track them down.

Norman Mantle – Brought up error in newsletter (not our publication). Taken possession of Little Jerusalem, which was in private hands. Did you take possession to preserve it or destroy it? Public will take in vehicles and go off road, eliminate mechanical vehicles, need to walk in or ride a horse. If want to view it document it on film to see it. Chairman Lauber – Mistaken on plans. Linda Lanterman – We did take control of Little Jerusalem badlands state park. We put a parking lot in there, they cannot drive down in there, we will have tours by our staff to go into badlands or can only walk around the outer ring of it. Not open because we are putting in barriers, so people can't go down in there, will have a parking area, a person will pay \$5 entrance fee. We do intend to preserve it, not allow horses right now or trail bikes. We are on the same page.

Norman Mantle – Some of camp hosts don't like certain types of boats; I observed a man on land who started it because he was having trouble with it; was told to shut it off that it was not wanted there. Some camp hosts are not very friendly. Linda Lanterman – Don't hear that very often; can't make it without our camp hosts, but they may require periodic training. Some take ownership of lakes, but typically that is not the case, we will work on it. Mantle – It only takes one.

Norman Mantle – Good and bad in everything. You need to get with legislators to restrict use of drones, if it flies over my home someone might get rid of it. Don't use drones unless absolutely necessary. Get FAA permit to fly over my property. Why weren't lakes built with fish ladders in them, so fish and aquatic life can migrate upstream? Issues in other states where taking out dams, five scheduled in 2020.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Brad Loveless, Secretary, presented this update to the Commission. – In regard to state budget approvals, we had a few capital improvement projects removed from request. In 2019, \$100,000 in land acquisition, \$50,000 river access,

\$325,000 wetland acquisition and \$700,000 in trails. In 2020, they removed \$75,000 from river access and \$325,000 from wetland acquisition and development. We came through budget process fairly well. We got law enforcement supplemental request for salaries, \$1.125 million. EDIF apportionment stayed the same as last year. Got 2.5 percent pay increase for all employees. Park revenue is having a tough year, had interview yesterday with Hutch news and there is interest in our parks. Flooding has been severe in eastern Kansas, and it has shut down some parks and impaired a lot more, which will impact cabin and camping revenues. Depend on four summer months, May to August, for over half of revenue so this will hurt us. We will also have a lot of maintenance on structures, debris removal and grass replanting and such things. Can't assess impact yet because water has not gone down. Traveled around to state parks, impressed with staff personnel proactively making plans and decisions to minimize impact, keep public safe, and to improve speed we can come back online once the water recedes; they are experts at this and make good decisions. A lot of confidence that they will get us back as soon as possible. Reaching out to the media and updating website information to update everyone when campgrounds are open or when boat ramps are shut down or open too. Interested in feedback, how we can do better and inform the public. That will be an impact we can't quantify right now. Cabin revenue, fiscal year 2018 was best year ever \$1.126 million, a significant jump. Currently down 6.5 percent from last year, but winter was extended with cooler weather this year. Revenues are at \$1.051 million, down from last year. May revenues are down, but doing okay, waiting to see as water goes down and we'll try to get people back to higher campgrounds. State parks personnel know people who come and go at their parks, like a community. Along with dealing with structure issues they have disappointed people and that is really affecting employees. Sooner we get sites open the better. WFF down 1.5 percent from last year, close to projections. We like to keep \$18- to \$20-million in these funds at end of fiscal year, just under \$25 million. PR funds are expected down 15 percent, as a result of excise taxes on equipment. DJ is expected to be up about three percent. Projections are well within anticipated figures. Commissioner Cross – Do we have enough damage to qualify for federal aid, like FEMA? Secretary Loveless – We believe so, since disaster instituted by the President and Governor agreed with that. We are documenting all work, so we can take advantage of that to save state money.

Norman Mantle – Where are we at on wind towers around Cheney Lake. They will be source of revenue so hang on to them.

Doug Phelps, Manhattan – Lot of clean up, suggest reach out to Backcountry Hunters and Anglers of Kansas, we have over 400 members and one of there activities is public lands clean up and I am sure they would be willing to coordinate some work days.

2. 2019 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission (Exhibit D). Finished legislative session in early May. We had six bills on our website, usually follow about 120 bills overall that impact the employees and the agency. SB 49 – made it three-quarters of the way through the process. It was department initiative to set fees for cabins and campsites, dynamic pricing; would have been more responsive to changes. SB 50 – would raise caps on fees on certain licenses. You set fees in regulation but there are statutory caps in legislation and sometime those caps will have to be raised to continue to do the things we do mission-wise. HB 2062 – on recreational rail trails, not necessarily our trails, but other trails

run by non-profit organizations and discontent with neighbors in some locations. May be an interim committee set up this summer or fall on that. HB 2099 – would transfer Law Enforcement officers from KPERS into Kansas Police and Fire (KPF) retirement system. Bill came out of committee and died before turnaround early in session. HB 2167 – would have created a deer transferable permit system for nonresidents. Passed House by one vote; since then the Secretary and I have heard from several folks who felt they voted the wrong way. Went to Senate, had a hearing but was tabled, was un-tabled, did a gut-and-go and became a substitute bill related to industrial commercial hemp and passed. HB 2397 – dealt with dangerous regulated animals, same bill as last few years; adding non-human primates to list of animals that are difficult to possess. Just finished first year of two-year cycle and those still alive will be worked starting in January and will get a slate of new bills.

B. General Discussion

1. 2020-2021 Turkey Regulations – Kent Fricke, small game research biologist, presented this regulation to the Commission (Exhibit E). We do not have a recommendation at this point, will talk about status and current issues; recommendations in August. Flooding is big issue, concerns about reneating. In recent years production is one of key limiting factors statewide, but mainly in eastern portions of the state. Indications reneating has been down last several years. Will keep eye on that, especially in east, optimistic on western side of state. Look forward to July and August brood surveys. Provided updates from spring rural mail carrier survey, observations of turkeys per 100 miles traveled this spring. Broke down regionally: southern portions remaining relatively stable, but low; northern part of state has continued decline. Statewide has long term decline since late 2000s. Spring turkey harvest survey results should be in by June 30. Up to now, overall, seeing about 93 percent of hunters were active, with flooding and limited access issues may be some declines in active hunters and saw drop in permit sales as well. Went from 60,000 carcass tags, permits and game tags to 42,000 this year. Large portion was access issues, decline on that front. Preliminary data from harvest survey, three percent have responded that they hunted in youth season, one percent in disabled portion, 25 percent during archery season, and 90 percent in regular season. Provided an additional handout (Exhibit F) comments from harvest survey to get overview of what hunters are saying. Common themes were access, rain and flooding part of that. Declining populations were mentioned. They identified quality hunting opportunities and good satisfaction, as well and concerns on impacts of flooding on nesting moving forward. Permit sales were down, interested in seeing that that means in the long term. Hunters are self-regulating in some respects, curious to see what happens in the future. Commissioner Williams – Mentioned surveys in east and west, where is boundary line? Fricke – That is just general observations, just me talking to biologists on what they anticipate nesting conditions to be. Commissioner Williams – Where would you consider the line? Fricke – Don't think of it unit-by-unit, the farther west, away from major reservoirs is where we saw extensive flooding. Commissioner Williams – Quite a bit in central part of the state too. Commissioner Rider – Any studies that have looked at Roundup and those types of things sprayed on fields and turkeys. Fricke – Some on neonicotinoids. Adult birds can sustain some amount of chemicals with no adverse effects, don't know what threshold is. On turkeys, studies looking at hunter harvested birds in Ontario, found neonicotinoids in their system, but were harvested. Big question mark is any indirect causes or declines; we don't know that. Commissioner Rider – Birds still alive but don't know how affecting eggs or things like that?

Fricke – Could be nonviable eggs or any number of things, but all question marks. Chairman Lauber – Glycolate issue, clean farming reduces available insects and habitat, may or may not affect long term effect on birds, but nothing to eat and effect quail more than turkeys. There is a lot of issue as to how dangerous Roundup really is. Number of comments, representative of spring hunters? Fricke – Correct. Chairman Lauber – I am the protector of fall turkeys, we don't have 2019 numbers, safe conclusion that triggers will be in existence again. No reason to suspect harvest will be really good, threshold will be unachievable anyway. Set triggers in 2010 at height of turkey population so not achievable yet. Noticed some information on fall birds is self-limiting and looked like we harvested 32 more hens than before, insignificant in population as a whole, potential of those hens would have been 458 birds. One hen has statewide average of 1.2 poults that go into adult-hood. I still believe triggers will come up and will say eliminate two birds in spring or fall season. Fricke – One bird in spring. Chairman Lauber – Don't know if the two have the same biological theory, one does not produce more birds and one does, in theory. Putting forth argument for last three years that triggers are triggered, same recommendation and fear the same this year, because set up 7-8 years ago and fall season will be considered in best interest of Kansas sportsmen. Expect same argument in August. Fricke – I apologize, unfair to only provide spring comments, should have supplied fall, too. Provided both of those management options, one bird in spring and one in fall or two in spring and no fall season; those were good options for us and within the strategy. Hope success is high, and we see some rebound. Our perspective in the past is either one would be a viable option moving forward. Chairman Lauber – Do they accomplish much in the big picture? Fricke – Depends on what you are looking at. In one respect if monitoring aspect is hunter success, then potentially having 15,000 more toms that you didn't harvest due to reducing game tag in the spring, potentially available in next spring, then hunter harvest rates would increase potentially over time. Chairman Lauber – Harvested 1,275 birds in the fall, all management is done to maximize spring birds. Like to see some credit and gravity given to fall turkey hunting sport. Fricke – Don't disagree, it is two different methods of trying to get to the same objective. Don't think maximizes spring hunter success is the ultimate goal. Chairman Lauber – Isn't that what adaptive harvest strategy is based on? Fricke – It utilizes hunter success as an indicator of turkey population. In a lot of ways, we lack the cohesiveness of data, but it has tracked overall decline statewide. By making emphasis in fall season, it is getting to the same objective in terms of production, trying to maximize production without the reduction of hens and trying to get production increase overall as opposed to spring method; if one and one, leaving birds on the landscape and not harvesting those. Chairman Lauber – Don't think necessary to cut the spring numbers from two to one, that is going to make a bigger difference in adaptive harvest strategy than saving 458 hens statewide, by protecting 382 hens. Doesn't seem like eliminating fall season has any particular benefit in improving spring harvest. Fricke – I will come back in August with better estimate of poults per hen and July RMC survey and use as potential path forward in the future. Same discussion for last three years. Commissioner Cross – Would like copy of fall survey.

Bob Roberts – Why do you allow taking of turkey hens in the fall? Fricke – One of primary arguments is it takes away from traditional method of fall turkey hunting. Able to hunt with dogs in the fall. Might shoot a turkey while quail hunting. Provides greater opportunity and less burden on the hunter to identify between the male and the female. Roberts – Rather than cancel it all together, restrict to toms only? Chairman Lauber – That has been suggested but part of the sport of fall turkey hunting is busting up small groups, doesn't lend itself well to do that. If only

toms in fall adversely affecting number of birds on the ground. Either sex in fall is best way to reserve the fall season. Secretary Loveless – This is topic of lively internal discussions. Talked about creating some extra tools for biologists to measure that population; use harvest like most states do, looking at other tools, bringing in some diverse people to discuss this. Food for thought, at what point do we say we have gone too far from biological perspective; is there a break off point we are going to impact the population? Fricke – I talk about harvest strategy broadly, talk to other biologists nationally, most states don't have a system like this, most sit around the table each year and discuss. We regulate harvest more strictly. Across the nation we've seen declines in turkey numbers. The peak was in 2008 or 2009; earlier in 2000s in Georgia and South Carolina; Nebraska seeing declines now too. With continued declines across the range of wild turkey nationwide, waiting for the bottom so can manage for that and go from there. What can we expect going forward for the new norm? What is our new reference point and what should it be going forward and adapt strategy to do that? Not sure. Chairman Lauber – If you eliminate fall turkey season, it will never come back in the foreseeable future, new normal now but it contributes to harvest and success. If always worried about spring harvest, will have lost good sport to pass on. Biological information on one side and sociological on other side. Fricke – Don't disagree. Never heard case where we would prioritize spring over fall season. Recommendations have been on biological side to be conservative of turkey population, so make cut in fall season. Everybody nationwide, recognizes importance and value of fall season. In essence, strategy becomes more and less of impact as you work through those options, remain an option going forward. Mantle – Reduce shooting the hens, if you kill the hen you kill the factory and lose production. Take short term measures now benefit us in the long run.

C. Workshop Session

1. Coast Guard Navigation Rules – Dan Hesket, 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 115-30-6. Due to extensive requirement by Attorney General's office to clean up that entire regulation, involving a lot of research, we are going to take this off the agenda and bring it back at a later time.

2. Electronic Licensing Update – Mike Miller, Assistant Secretary of Wildlife, Fisheries and Boating, presented this update to the Commission (Exhibit H). Still working on app with Aspira, close to launch but we are not ready as we have some regulatory issues to get through. Will have something to vote on in September. Looking at potential fall launch which allows people to have a wallet with electronic licensing and developing electronic carcass tags, harvest reporting. The ideal app would have just about anything you wanted for hunting or fishing and you would be able to access all of your accounts through one password or user name. Ideally we would be able to get into iWIHA and iSportsman, or any programs we utilize on public lands; still working on that. We have started testing some of the applications. Commissioner Dill – Working on having statistical information or survey sightings online also? Miller – Talked about creel surveys and other apps eventually, basically a communication portal for hunters and anglers and would ease into that. Some folks may not want an e-license and still want paper, but we will begin transition. Hope to launch this fall. Commissioner Sporer – Has Aspira done other states or what is their experience level? Miller – This may be lead project that they could use in other states, other license contractors doing similar apps, one in Oklahoma that is similar. Not sure if

Aspira has other states yet or not. Commissioner Williams – I asked at last meeting about automatic preference point? Miller – I talked to licensing about that and they are not sure about logistics of that. With auto renew the data base would have to be merged so that was kept straight. May be able to pursue but not as easy as it seems but has merit.

3. Disabled Vet Fee Discussion – Mike Miller, Assistant Secretary of Wildlife, Fisheries and Boating, presented this update to the Commission (Exhibit I). Legislative mandate has funded disabled veterans fishing and hunting licenses, national guard hunting and fishing licenses and park permits. Issue over last four years is appropriation has run out before the end of the fiscal year and we still have applications waiting. One of our solutions was to look at reducing price for disabled veteran’s licenses; appropriations will be the same. This way they won’t have to wait to get their license. We have a supplement from EDIF of \$30,000. We want to convert those disabled vets that are 65 and older to a lifetime senior license; a little more expensive initially than a senior annual. More convenient for hunters and anglers who wouldn’t have to apply again, and we wouldn’t have to administratively deal with those applications every year. We took off half-price licenses off this. Less than 500 of them are 65 or older. Chairman Lauber – Do we get same amount of PR/DJ money with lifetime license as we would with nine years of individual licenses? Miller – No, at this point the senior licenses we don’t collect on PR/DJ like we do on an annual license. We have been waiting for regulations and rules to change with the U.S. Fish and Wildlife Service and hopeful they would be the same even with lower priced licenses. Chairman Lauber – EDIF money is lottery? Secretary Loveless – Correct. Chairman Lauber – What does EDIF stand for? Miller - Economic Development Incentive Fund. Tymeson – We will vote in August to adjust those fees in regulation.

Break

4. T&E Regulations – Ed Miller, T&E biologist, presented this regulation to the Commission (Exhibit J). Five-year update, there are several steps to the process, which takes about a year and a half. Lists are in our regulations as 115-15-1, which is the Threatened and Endangered list with 21 species on endangered, the most serious and 30 on threatened list, and in 115-15-2, which is the species in need of conservation (SINC) with 83 species on that list. It is a long process and we have held informational meetings around the state. I am chair of T&E Task Committee, which is a science-based committee. We make recommendations on the biology and science. I would like to recognize those people: Mark Eberle and Elmer Finck, Fort Hays State University; David Haukas and Sara Zuehoff, Kansas State University; Bill Jensen, Emporia State University; and Mark Shaw, district fisheries biologist in our department. The committee examines public survey research and asks for input from expert panel. We had three petitions and they all merited full review and in all three cases our committee and the expert panel concurred with petitioners. These were the Arkansas darter, a small fish with a stronghold in the Red Hills; moving from threatened to species in need of conservation. Mostly due to efforts of last 20 years by stream survey program looking; if not for them this fish would have been federally threatened, but because we had so much data from Kansas, we prevented that from happening. It is more robust than when first listed in 1978. Wabash pigtoe, the most common freshwater mussel in eastern Kansas and has done well enough to be removed from SINC list. One species has deteriorating populations, the cylindrical papershell, petition is moving from SINC to endangered; seen drastic change in its stronghold since 1980s. We contracted research through

Fort Hays State University in 2011 and 2016 and both studies found it rare and difficult to find; found only in Smoky Hill and Saline rivers. Provided more information on species in briefing book and have a repository of information on our website, where you can look at the original petition, studies and input from panel. Currently recommendations made to the Secretary are: Ark Darter improved status from threatened to SINC; Wabash pigtoe, improved status, delist from SINC list; and cylindrical papershell, move from SINC to endangered list. Housekeeping, every five years there are nomenclature changes in list, we accept what is provided on Nature Serve, a national database, rather than get into arguments. Chairman Lauber – What causes Wabash pigtoe to improve, water quality or less toxins? Miller – Hard to pinpoint, long lived species live 40-60 years, some live to over 100 years; the cylindrical papershell is only 8-10 years, it depends on the species. The Wabash pigtoe in southeast Kansas has been strong; as result, over last 40 or so years, of cities improving water treatment and farmers doing better at keeping sediments out of the rivers. They recover but it takes a long time. Chairman Lauber – Had a good year class? Miller – Especially years with low water in spring, don't expect this year to be a good year for freshwater mussels. Chairman Lauber – Can and do mussels hybridize? Miller – Not that we know of. We have about 40 species in Kansas and they use different fish hosts and reproduce at a different time of year. Commissioner Cross – What is extirpation? Miller – Localized extinction, if extirpated from the state it would be extinct in Kansas, not in its whole range. Tymeson – We will vote on these regulations in November.

5. Otter Season and Units - Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit K). Most of the furbearer regulations were voted on in Colby. Separated from other furbearer regulations. We want to exclude furbearers from furbearer and coyote management units defined in 115.5-3 and are proposing to establish new otter-specific management units with new regulation 115-5-3a and recommending that season bag limit be increased from two to five. Bag limit will vary from one to five otters depending on which unit you are in. 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 five western units and west of two-otter limit, reducing to one, not many or none harvested there. One other recommendation in 115-25-11, changing opening season time from noon opener to 12:01 am, on opening day to allow for trappers to set traps morning of opening day. Tymeson – This will be voted on in August.

6. Fishing Regulations – Doug Nygren, Fisheries Division director, presented this regulation to the Commission (Exhibit L). Only a few changes for next year. In reference document where length and creel limits are different than statewide regulation. About 400,000 people fish in Kansas each year, 300,000 acres of water; so, three quarters of an acre per angler. Can't allow unchecked harvest to provide people the fishing they want. Requesting 32- to 40-inch slot length limit on Wilson Reservoir for blue catfish with a two-a-day creel and no more than one per day over 40 inches long. That is complicated as we have a slot at Milford and El Dorado that are different; talked with staff to consolidate slots to be the same but can't do that. We have seen limited reproduction at Wilson through stocking, ultimately hope to have natural reproduction. 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. John Redmond Reservoir, 35-inch minimum on blue catfish. Gridley City Lake bass population has slowed down growth and we want to remove the 18-inch minimum length limit and 2-a-day creel and convert to statewide 15-inch length limit and five-a-day creel. Mined Land WA has a trout pond that has been operating as a year-round fishery, but it is no longer providing two-story fishery, not seeing oxygen in the deeper part. While we've been stocking brown trout to support year-round fishing, the reality is a water quality issue that is not able to support fish year-round, so no need to have restrictions. Neodesha City Lake add 15-inch minimum length limit and five-a-day creel on channel catfish. Also, have a suggestion to decrease daily creel on rainbow trout to two-a-day at Salina-Lakewood Lake, which was brought to us by City of Salina and our law enforcement division because of issues of people coming in catching five fish, going home and coming back and catching five more. Our thought was if we could reduce the creel we could do some selective enforcement, that needs to move to reference document. Commissioner Cross – At Mined Land WA, do rainbow and brown trout last year around? Nygren – They used to, but we don't think they can now because oxygen levels are low. Operate as a put and take fishery. Commissioner Cross – Is thermocline set up in that lake? Nygren – There was a temperature variant, but water was so clear it penetrated through it and created plant growth and oxygen was being created at the bottom of the lake, but not any longer happening. Chairman Lauber – Did the water get murkier? Nygren – Don't know that. Our biologist is watching that and if it turns around we can go back to year-round trout fishery. Chairman Lauber – Do we have any other year-round trout fishery? Nygren – At Kanopolis, in seep stream below the dam because of spring flow. Next is 115-7-3 has to do with taking of baitfish or minnows and moving from one body of water to another; expanding to include crayfish, leeches, salamanders, frogs and mussels. 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. One reason is the unintentional transfer of water that may contain pathogens and nuisance species. Chris Steffen provided me some information on use of crayfish for bait. Only ten percent of bait shops in Kansas sell crayfish for bait and when recently inspecting a bait store that was selling red swamp crayfish and when we traced it down we found the source in a pond in Butler County. Risks associated with red swamp crayfish is that this species goes through a wandering phase and an individual crayfish can travel up to ten miles, over land not just up and down streams. It is likely the area around that pond has already spread, we will be checking over the summer. Also, if you want to eradicate it they have an immobile phase where they can burrow down and stay in burrows for an extended period of time. It is difficult if not impossible to eradicate them if they get established. Chairman Lauber – Most pushback expected from people who seine their own crawdads. Wild caught bait used to have to be used in same drainage system, is there a way that we can allow in same primary river drainage? Nygren – We can look at whatever options you want us to; currently can use bait where you take it and don't want you to release it somewhere it couldn't have gotten on its own. Chairman Lauber – Some of the people who seine bait will seine in the slews because can't seine in deeper water but have ability to swim back and forth during high water, so would like to make that somewhat permissible. Nygren – Will talk to staff to find out if there is some compromise, come up with best way to stop spread. Could be similar to when we banned baitfish, a lot of push back, people could use bluegill and green sunfish. Chairman Lauber – Push back won't come during public meetings, but after the vote. If we could say it could be used in same drainage without going over natural barriers, it might be softened up a little. Nygren – Come back at next commission meeting. Tymeson – Vote in November so have some time to work that out. Chairman Lauber – You

understand what I am trying to accomplish? Nygren – Yes. We will review that and come back with different language. Chairman Lauber – There is still some of that going on. Nygren – I'm sure there is. Concerned with not only bait stores but wild caught. Chairman Lauber – Compared with green sunfish and bluegill it is not as important. Nygren – We benefited from some of the scented baits out there are so effective fewer people are opting to use their own bait; going with Berkley baits and others with scents that are as effective as using live bait. Chairman Lauber – Red swamp crayfish will become dominant and push out other crayfish? Nygren – That has been the concern and what is happening in other parts of the country; native down into southern Oklahoma so not far from their range. Commissioner Sporer – If this regulation comes through, in ten bait shops you could still buy crayfish or leeches from a licensed dealer? Nygren – Yes, you are not precluding them from using them, just from collecting their own and moving them around. On 115-7-1, just clean up, when allowed floatline fishing, when attaching something that it didn't contain water. We want to apply same requirements to trotlines and setlines; anyone fishing with passive gear using a float of some kind would have to use a float that could not contain water to reduce the risk of spreading invasive species. One more item that I didn't have in the briefing item. Talked about changes to paddlefish regulations at the last meeting. Met with paddlefish/sturgeon committee, and we are leaning towards possibility of opening entire stretches of rivers up to paddlefishing rather than snagging locations. That is a little premature and we want to think it over because we have some new locations we are going to try and establish through stocking program. Since last commission meeting where we talked about stocking at Pomona, Perry and Tuttle Creek; we already stock John Redmond on an annual basis. We have talked to other states providing paddlefish and they are going to this year for the other three lakes as well as John Redmond. At some point the paddlefish may leave the reservoirs and enter river system over time, but we don't care. What we know about paddlefish opportunities we are proposing new locations for snagging, low head dam at Neosho Falls and Erie on Neosho River. On Coffeyville Dam on Verdigris River, the state of Oklahoma has a good population of paddlefish and those fish are coming up into Kansas, so we feel it is appropriate to allow Kansans to harvest those. A good chance more dependable because don't rely on high flows like we do at Chetopa. Add low head dam at Ottawa on Marais des Cygnes River and create paddlefish opportunity there. Will bring recommendations later for those new locations.

6. E-bicycles – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit M). E-bicycles are coming to Kansas. They are power-assist bicycle and have to pedal to get motor to engage. Not only exercise enthusiasts use them, but senior citizens are using them. It allows them to get on mountain bike trails. This regulation will allow e-bikes in state park system.

7. Park Regulations – Linda Lanterman, Parks Division director, presented this regulation to the Commission (Exhibit N). I presented before on Little Jerusalem Badlands State Park. Prior to commission meeting we instigated a \$50 permit to go down into Little Jerusalem trails and we have interviewed for a position there and tours will be free, trying to rescind that \$50 backcountry pass. We have a lot of school districts coming into state parks. 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 private schools, we will offer a special event permit for their vehicles; it will still be free, but they will have to let us know when they are coming because they won't have a school district vehicle tag.

Chairman Lauber – In certain areas of the state people shoot armadillos, don't care one way or the other but reacting to a new species. To harvest an armadillo, we have to have a hunting license? Tymeson – Yes, considered wildlife, in 115-20-2, limitations on equipment types, no daily bag or possession limit. Part of concern raised was damage to property and landowners can take armadillos damaging their property, a statutory regulation that landowners can protect their property. Commissioner Sporer – What other species in that group? Tymeson – Rodents, feral pigeons, gophers, ground squirrels; a whole list of animals, prairie dogs, wood chucks and things like that. Chairman Lauber – In southeast Kansas they are shooting them, may want to review unlimited shooting, seem to have an unlimited number of armadillos. Don't have teeth so can't bite you but do carry leprosy. It was in the paper today that the State of Kansas has been sued on lesser prairie chickens (LPC), who is the defendant in that lawsuit? Tymeson – There is a process going on at the federal level, a proposal to list LPC as threatened or endangered species. There are time limits the USFWS has and statutory time to make decisions; a three-month finding, then 12 months to find make a decision, whether warranted, warranted but not precluded, or not warranted. There was previous litigation on this issue and LPC was proposed for listing as a threatened species, then delisted through that court process. They started that over and this is a lawsuit about meeting those deadlines. Wild Earth Guardians and Defenders for Wildlife and one other group suing the USFWS on meeting those deadlines; trying to force a decision. This is not a surprise lawsuit, they have to do a 90-day notice, that was given in February and it was filed yesterday. Chairman Lauber – Cause extra work for this agency? Tymeson – No, not at this point. Chairman Lauber – The paper said there is an estimated 38,000 LPCs and at one point we were dealing with drought and we had 16,000 LPC. At that time the state, and our agency was trying to have voluntary efforts and under our guidance we doubled number of chickens. Rain fall had a lot to do with that rather than shrewd biology, but it is a factor, a situation like weather beyond our control. If a good year for grasshoppers, generally a good year for prairie chickens. Norman Mantle – We need to defend our wildlife because they can't defend themselves against us. Giving too much consideration to the human population. Protect wildlife and give them the benefit of doubt.

VII. RECESS AT 3:28 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

D. Public Hearing

Notice and Submission Forms, Attorney General letters dated February 13 and March 15 and KLRD letter dated May14 (Exhibit O).

1. 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 P). This rearranges dates of seasons to fit their desires and management goals and provides more opportunities for Kansas hunters. No changes since last reviewed.

Commissioner Tom Dill moved to approve KAR 115-25-9a as presented to the Commission. Commissioner Gary Hayzlett second.

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

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

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

2. Antelope Regulations (KAR 115-25-7) – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit R). Units same as deer units. The proposed archery season is September 21-29, 2019 and October 12-31, 2019; archery permits are unlimited and available to residents and nonresidents. The firearm season dates will be October 4-7, 2019 and proposing 122 permits in Unit 2, 44 in Unit 17 and 12 in Unit 18. The muzzleloader season is September 30 – October 7, 2019 and proposing 34 permits In Unit 2, 10 in Unit 17 and four in Unit 18. Bag limit for each of these permits is one antelope. Chairman Lauber – Crossbows is considered archery? Peek – Correct.

Commissioner Aaron Rider moved to approve KAR 115-25-7 as presented to the Commission. Commissioner Harrison Williams second.

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

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

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

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

August 15, 2019 – KU Edwards Campus, Best Conference Center, Overland Park
September 19, 2019 – Great Bend, Wetlands Education Center (possible teal hunt, AM)
November 14, 2019 – Scott City, William Carpenter 4-H Building
January 9, 2019 – Southeast Kansas (Iola, Parsons or Independence)

Commissioner Williams – We have a game warden appreciation day, when is that? Jason Ott – September I think.

Commissioner Rider – This is Commissioner Dill’s last meeting and I want to thank him for his time. I have enjoyed being on the commission with him and his way of thinking. Commissioner Dill – Thank you. Commissioner Williams – I second that. (*Applause*) Chairman Lauber – Thanks for help and time over the years.

XIV. ADJOURNMENT

Adjourned at 6:39 pm.