

**AGENDA**  
**KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM**  
**COMMISSION MEETING AND PUBLIC HEARING**  
**Thursday, September 19, 2019**  
**Kansas Wetlands Education Center Auditorium**  
**592 NE K156 Hwy, Great Bend, 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 August 15, 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)**
  - B. General Discussion**
    - 1. Kansas Wetlands Education Center Update (Curtis Wolf and Pam Martin)**
    - 2. Public Lands Regulations (Stuart Schrag)**
    - 3. Antelope and Elk 25-Series Regulations (Matt Peek)**
    - 4. 2019 Upland Bird Hunting Forecast (Jeff Prendergast)**
  - C. Workshop Session**
    - 1. T&E Regulations (Ed Miller)**
    - 2. Electronic Licensing Update (Doug Nygren)**
    - 3. Fishing Regulations (Doug Nygren)**
    - 4. Park Regulations (Linda Lanterman)**
    - 5. 2020-2021 Turkey Regulations (Kent Fricke)**
    - 6. Big Game Regulations (Levi Jaster)**
    - 7. Deer 25-Series Regulations (Levi Jaster)**
- 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**

**B. General Discussion (continued)**

**5. Cheyenne Bottoms Renovation Update (Jason Wagner)**

**6. Public Meeting Update on Duck Zone Changes (Tom Bidrowski)**

**D. Public Hearing**

**1. KAR 115-8-13a Electric-assisted bicycles (Linda Lanterman)**

**XII. OLD BUSINESS**

**XIII. OTHER BUSINESS**

**A. Future Meeting Locations and Dates**

**XIV. ADJOURNMENT**

If necessary, the Commission will recess on September 19, 2019, to reconvene September 20, 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, November 14, 2019, William Carpenter 4-H Building, 608N. Fairground Rd, Scott City, KS.

**Kansas Department of Wildlife, Parks & Tourism**  
**Commission Meeting Minutes**  
**Thursday, August 15, 2019**  
**University of Kansas Edwards Campus, Best Conference Center**  
**12600 Quivira Rd, Overland Park, Kansas**

Subject to  
Commission  
Approval

The August 15, 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 KU Edwards Campus Best Conference Center in Overland Park. Chairman Lauber and Commissioners Emerick Cross, Gary Hayzlett, Aaron Rider, Troy Sporer and Lauren Sill were present. New Commissioner Warren Gfeller was unable to attend.

## **II. INTRODUCTION OF COMMISSIONERS AND GUESTS**

Chairman Lauber – Welcomed Lauren Queal Sill.

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

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

Sheila Kemmis – Changed order in Workshop session (Agenda – Exhibit B).

## **IV. APPROVAL OF THE June 13, 2019 MEETING MINUTES**

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

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

Ben Allen, Chatauqua County – My dog finds dead and wounded deer. Thank you for letting us do that and using dogs. He went out 38 times this past year, the year before, 28 times. Recovered deer that otherwise would be lost. It is tough to follow dog through the brush and I would like to be able to take him off leash. He doesn't chase deer randomly and is under control at all times. When I go into Oklahoma I call the game warden or text him to let him know I am going to be in a certain area. If we could do that in Kansas and have a legitimate list of people doing this we could keep on up-and-up and not have guys out chasing deer. Manage 10,000 acres for grazing and hunting, have for 14 years, and we deal strictly with out-of-state hunters. Three of my guys did not get tags this year, have an outfitter who had 42 hunts booked, 20 of his did not draw tags. We depend on that income in Chatauqua and Elk counties. You have balancing act and have to keep residents happy too, but major economic boost to our area and we depend on this. If person goes through draw system and has not drawn let them pay an extra fee of \$300 or something like that to come and hunt deer. My guys have three-year leases and they have money in corn feeders, corn and lease fees. Better off we don't shut them completely off. I think 3,000 to 4,000 were not drawn this year; if 2,000 of them paid the extra \$300 that would be \$600,000 for additional fees brought in to the department. Important to have them come to poor income counties. Commissioner Sporer – Why do deer dogs have to be on leash? Chairman Lauber – Originally, way to get foot in door and use it and provide level of insurance that hounds were not running deer. Interested in reviewing that but need to see what law enforcement says. Allen – It is the law. When buck deer wounded you don't want dog on the leash, wouldn't be able to get away. Chairman Lauber – Talked to Levi, first year because of increased demand that all tags sold and no leftovers. Still 20 percent of tags are allocated to nonresidents, had 97 percent success ratio last year. Extra demand last year. Big push by resident hunters to stop at a certain percentage, some people want us to reverse that. Not taking economics into consideration, as nonresidents come in, residents are pushed out, it is a balancing act.

Most calls I get are hunters who were squeezed out. Secretary Loveless – Appreciate input, will follow up and get details. Levi, do you know percentage turned down? Levi Jaster – Not at this time. Secretary – The other factor is economics, but long term, in short term could sell more permits, but know how valuable the reputation of the herd is and at high quality. Several calls from hunters who didn't draw this year, encouraging landowners to look for other hunters. The reality is, as demand increases the value of their land increases too, so benefit in the long run. Allen – The guys who hunt on me a lot of times don't kill a deer, doing a good job of managing deer on those properties. It is a balancing act and I understand where you are at. Outfitter I have told you about has written checks for \$80,000 for lease payments to landowners; like to see a long-term lease, as a landowner. Hard now to find someone to hunt, 90 percent of the time they know where they are going to hunt before they come into the state. Appreciate using dogs, like to take them off leash. Chairman Lauber – Don't know whose supervision tracking dogs would be but will review that. Mike Miller – What breed of dog? Allen – Border collie, used him to work cattle, but three years ago he found deer and we have trained him since then and he was on Outdoor Channel a few weeks back and will be again in September where he found one around El Dorado. Enjoy looking for the deer with the dog. Miller – On stats for last year, 21,816 permits available and nonresident permits has been consistent over last five years; 24,024 applicants, an increase of 1,600 applicants from last year; 2,208 did not receive a permit; overall success rate was over 90 percent, high percentage drew but more than ever before applications. Chairman Lauber – Some problem was groups that not all of them drew. Statistics of 90 percent is good unless you are the 10 percent.

## **VI. DEPARTMENT REPORT**

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

1. Agency and State Fiscal Status – Brad Loveless, Secretary, presented this update to the Commission. – Preparing for 2021 budget, working on that now. EDIF for 2021, same as 2020, just over \$5 million. The only money we get from state. We will hold budget static from FY 2020/21, the only wildcard is state park issues, real challenges on revenue and maintenance end (Exhibit D). Lot of water that has caused problems for months starting back in May. Fifty percent of their funds come in May, June, July, and August for the whole year. Flooding affected Memorial Day weekend, July 4 weekend and now Labor Day and having significant effects. Parks staff were prepared for what was coming and were able to minimize the damage, but no one expected the water to last this long. As flood waters come down uncertain of maintenance costs and structures such as electric, sewer, roads and campsites will be in question. Extra expense so far has been labor costs, hours spent to keep areas barricaded and a variety of things like that. Parks staff has been diligent, but it has been challenging. At same time, Linda and staff have been communicating status of the parks, letting people know when opening up some areas or when remaining closed. People want to get out there. Graph shows normal up to May of this year and trying to recover from that drop. Aggressively trying to open campsites, but not overly optimistic, lost \$1 million, updating governor's office on a monthly basis. Will be adding up maintenance over the next few months. FEMA emergencies have been declared in 66 counties and a lot of those cover our campgrounds. We will document expenses to submit to that but a lot of uncertainty surrounding that, know will be shortfall but not sure how much. Wildlife Fee Fund is also down, ground we lease out to farmers is impacted by flooding, down 7.5 percent from last year, expect to be hit harder in the second half of the year. Steve Adams updated us on about Pittman Robertson Dingle Johnson (PR/DJ) funds, federal funds based on what sportsmen and women pay for recreational items. PR expected to be down 15 percent next year as a result of lower sales, DJ up 3 percent, will keep you updated on that. Chairman Lauber – Looking at FEMA, will money come from KDOT for roads or something like that? Secretary – Haven't heard from them, we get money currently from them, have not heard about any supplemental funds. Chairman Lauber – Don't know damage extent yet. Commissioner Cross – Do we approach FEMA as an agency or county by county? Secretary – County by county, playing by their rules to get as much money back as we can.

### **B. General Discussion**

1. Big Game Regulations and Deer Research Update – Levi Jaster, big game biologist, presented this regulation to the Commission (Exhibit E). KAR 115-4-2, general provisions, options on chronic wasting disease (CWD) situation in Kansas. Many states have restrictions on moving deer carcasses around to minimize spread of disease by human means. One option being considered is to limit whole carcass movement to within unit where killed and only allow quartered meat, cleaned antlers and skull plate, hide without meat or skull, finished taxidermy mounts or boned out meat. The goal is to leave the majority of central nervous system, most dangerous part (spinal column and brain), where harvested. Taking boned out meat will be hard on the hunter; looking at quarters being less onerous. Also, any deer coming from another state must also comply. Hunters have to have proof of sex by leaving head attached to carcass, option is to use photo check registration and leave all but the meat and antlers or leave the section of hide where genitals are attached as proof of sex; only on antlerless only tags. Chairman Lauber – Allowed to take to barn if within the unit or locker plant if within the unit? What if locker plant in a different unit? Jaster – Should not leave the unit at all. Chairman Lauber – Serious shortage of deer processors out there. See problem when taking to the locker plant that is in a different unit. Jaster – Do we weigh that against health of the deer herd? Don't have say on what locker plants do with waste. Chairman Lauber – Locker plants don't want you to have tested animals because don't want to mess with CWD. Jaster – Realize this is a big change so wanted to get it out early. Chairman Lauber – Other states doing this? Jaster – Brings us to middle of the pack as far as other states are concerned. Got a phone call this year from Ohio deer biologist because they had a deer that tested positive and they thought it came from their wild herd, but it came from Rooks County, Kansas. Strains of CWD more infectious, deal with what we know right now. Chairman Lauber – Research – have anything to do with baiting? Jaster – Not currently. New survey will ask about baiting. Chairman Lauber – Some states worry about baiting risk. Try to liberalize availability to use locker plants. Don't know how we can do that, maybe within 50 miles of unit of harvest. Understand where you are coming from and don't want CWD running through the herd but greater risk with captive animals, baiting or association of congregated deer in tight populations and not sure moving deer is most important of the three. Jaster – There is an inside joke that CWD spreads at 55 mph. It can spread through deer-to-deer contact, but biggest issue is moving carcasses and affecting other areas. Chairman Lauber – Continue to work on that. Commissioner Sill – Taxidermy mounts, likely not in same unit. Jaster – That is why we allow, antlers with clean skull plate and cleaned hide. Potential change is clean the brain out of the skull then skull could go. It is brain stem and spinal cord we want to leave in the field. Commissioner Sill – Nonresidents with two units, can they move them within those two units? Jaster – No, same rule, within the unit. Commissioner Sill – Hot in muzzleloader season, now have to skin and field dress, wipes out muzzleloader season almost. Is there a way to look at that down the road to make a legitimate muzzleloader season? Jaster – Will continue to look at adjustments. By cutting up deer this much it will cool much faster than whole carcass and quartering rather than completely boning in the field. Commissioner Sill – On ethics, fear that we might inadvertently be promoting waste, in this situation take big chunks and go; understand physiologically, but not ethically. Jaster – Could consider that in wanton waste regulations. Have videos available to learn how to sample deer for CWD. Also, plan to do a lot of outreach on this. Chairman Lauber – Is this recommendation moving toward public hearing? Jaster – Still internal but getting comments on it sooner because it is a big change. Chairman Lauber – Big change but would be hard to have CWD in 20 years, too, but if can limit it within a more generous radius would be easier to accommodate people who don't want to process their own deer. Commissioner Sporer – How many hunters are skilled enough to take out meat and leave cape? Jaster – Some could not. Our job as hunters to be the best we can be and have respect for animal we harvest. Commissioner Sporer – So many people will be just across the boundary line, so they have water and their own facility and not do half way in the field. Jaster – Used units because larger and boundaries the hunter already should know; some states using counties. This was the option that would reduce to lowest number while protecting area. Chairman Lauber – Not move out of management unit. Secretary – Try to simplify regulations and make as clear as possible. Educate hunters more and talk about movement of disease west to east in Kansas, one potential would be to talk about CWD front and identify on an annual basis, not move east, but can move west; taxidermist or locker plant west of you; might be an option. Commissioner Sporer – Discussed at earlier meeting about upping the testing

procedure, any more discussion on that? Jaster – Yes, discussing that and looking at additional research work. Chairman Lauber – Wish a simple test you could do, but by the time you find out results then what do you do with it. The reporters will print things, and everyone will panic. Secretary – To Levi's point, trying to figure ways to lower cost of test, speed it up and make it user friendly. Describe the video you did recently. Jaster – We used Kansas State Veterinary Science diagnostic lab, which is where testing goes for CWD, and they have a video on how to collect the samples and involved 14 different kinds of tools needed and how to dissect the head in a laboratory. We partnered with them to produce a video on how to test the deer using same knife to field dress the deer and a zip lock bag to put sample in, to make as easy as possible. Commissioner Cross – What is fastest test? Jaster – Two weeks, most wildlife disease folks are not happy with that. If we could find something that could be tested on the ground, if tested positive they could leave it there and notify us, but we don't have that yet. Folks working to develop something. Chairman Lauber – Ohio deer, was it dead carcass? Jaster – Whole carcass, that came from Rooks County, Kansas. Next regulation 115-4-4, equipment. Look at this over time and asked to evaluate use of draw locking devices for vertical bows, looking for comments on that. Also, trying to set up a test day potentially associated with a commission meeting a demonstration from the manufacturer. Chairman Lauber – Archery lobby like or not like that? Gary Cook, Ft. Scott – Archers do not like it. Hard part is moving, if want stationary, shoot a crossbow. We don't need more gadgets. It is not fair. For years crossbows legal for handicapped only, then youth and seniors now anybody who wants to shoot them. Chairman Lauber – Archer who wants them, what can we use against vertical bows in discuss? Cook – Draw lock harder to shoot than a vertical bow without one because in order to hold a bow you have pressure, without having to hold it you don't have pressure and it is hard to stand and hold, not as accurate, and can't hold it still enough or stabilize it. Chairman Lauber – Why would someone want to use it? Cook – It keeps you from moving. If can't pull a bow, use a crossbow. Doug Phelps – Bowhunter position is based on traditional description or definition of archery as hand held, hand drawn and hand released, until crossbow inclusion; it changed from our perspective. Draw lock is legal for someone with a disability permit. Can have an advantage, have bow cocked and ready when you set up. It is complicated. Whole industry is redefining those items. Chairman Lauber – Not a lot of difference between crossbow and draw lock? Phelps – Difference is how you pull it, 30-pound recurve could pull back with draw lock, but 160-pound cross bow may have to use feet to draw back, similar but not the same. Cook – On draw lock if can pull once can pull again. Chairman Lauber – Levi, continue to seek input. Jaster – 115-4-6, management units. There is a small corner of Unit 10, below Unit 19 which is completely surrounded by Units 14, 11 and 19 that allows use of up to five antlerless deer tags, hunters and landowners want to be included and use up to five. Deer population is doing well, option is to extend boundary of Unit 19 down along Interstate 35 to where it meets U.S. 75 and go back north, which falls within urban unit to allow five antlerless permits. Also, looking at cleaning up boundary of 19 to make it easier to follow; no major highways to follow on northern boundary of that. 115-4-11, big game and turkey permit applications. Priority procedures and authorizes preference points. Currently no option for changes proposed and no further review at this time. 115-4-13 descriptions and restrictions. Discussion about tenant tags that we are going to discuss internally; issues with option listed so striking for now. We have not been issuing either species antlerless-only permits the last few years due to concerns about mule deer. An option being looked at, in DMU 1, had several landowner complaints about damage specific to mule deer. Mule deer are doing well and increasing, so looking at potential option to allow a limited number of permits in that area again. Chairman Lauber – Easily defined area? Jaster – Yes, DMU 1. Chairman Lauber – Either sex potential? Tends to be public opinion on mule deer doe harvest. 115-25 series, three different lengths of January season, asked hunters in survey about satisfaction, starting date, set structure and most happy with January 1 start, set number of days, 5, 10 or 15, or if they always preferred weekends. Most wanted at least one weekend included. Most satisfied is longest season, least is shortest season. Proposing three lengths, shortest would be 10, then 17 and longest would be 24 days, two weekends in the shortest season. Dates are according to traditional season, if we continued with just one in a couple of seasons we would be back down to only a couple of days during that season. Other dates are according to traditional seasons; youth and disabled, September 5-13, 2020; early muzzleloader, September 14-27, 2020; archery September 14 to December 31, 2020; pre-rut whitetail antlerless only (WAO), October 10-12, 2020; regular firearm, December 2-13; 1<sup>st</sup> extended WAO, January 1-10, 2021;

2<sup>nd</sup> extended WAO, January 1-17, 2021; 3<sup>rd</sup> extended WAO, January 1-24, 2021; and extended archery, which is currently only in DMU 19, January 25-31, 2021. Chairman Lauber – This would replace two-day season with 10-day season? Jaster – It would. In most units seeing decent deer population growth or stability. Do see some areas where we are trying to maintain more pressure on the deer herd from CWD standpoint. Looking at number of antlerless tags. Chairman Lauber – Not a whole lot of January hunters. Jaster – Only about 10 percent, last year less than 900 harvested across the state. Cook – 10-day season? Jaster – A year from now. Currently was one to three days, going to 10 days. Cook – The later in January the more bucks that will get killed. Jaster – Not that much later than if the first fell on a Wednesday or Tuesday and including a weekend. This allows for bad weather that occurs during that time. Research project (PP – Exhibit F). Going on currently out west, middle of second year, “Survival Rates, Habitat Selection, and Movement of Sympatric Mule Deer and White-tailed Deer in Kansas.” Basically, looking at how they live, where they die, where they live, how they live, what habitat they want to be in, where going, where they spend their time and sympatric is fancy word that says they live in the same place. We are working with K-State through Cooperative Research Unit, Dr. David Haukos, and Dr. Andrew Ricketts in Department of Horticulture and Natural Resources and Wildlife and Outdoor Enterprise Management Program; and Kansas Bowhunter Association provided funding and volunteers. Couldn’t do without many private landowners and allowing access on their land. Goal is to find out survival rate of adult deer; past studies done outside Great Plains or north or south ends of it, not under same conditions as Kansas, not same winters as Dakotas or summers as Texas. Looking at additional forms of mortality besides hunting; like vehicle accidents or predation. Looking at habitat selection, especially female deer, what they eat when fawning; thought whitetail more aggressive than mule deer and might push them out. Also, changes in landscape over time. Looking at vulnerability, relative risk of mortality during hunting season. Also, want to get survival rates and what causes deer fawns to die; exposure, disease, predation and how many survive to adults. Study sites in western Kansas; southern site is Logan, Gove, Scott and Lane counties, where they meet; more agriculture, dry and not much riparian habitat and few landowners with large holdings; northern site is where Decatur, Norton, Sheridan and Graham counties meet, less agriculture and more range, large riparian area and smaller holding landowners. Students and staff did a great job putting this together. Started with adult deer capture in February 2018 and again in 2019 and will again in 2020; catch 120 deer to put collars on, split in two study sites and split between species, 30 whitetail and 30 mule deer, split between male and female, 15 of each. Do adult vegetation monitoring year-round. Capturing fawns May to June, as quickly after birth as we can. No fawns in southern area being tracked, still following a few in northern study site. Following fawns daily over 10-week period, and every day they get a point and measure vegetation after fawn leaves area. Capturing adults with net guns from helicopters; private company contracted to do the capture, do all over the country and know how to handle the animals. In 2018 captured 120 deer, in 2019, radio collars on does has additional data that is collected, too much to run through satellite system; collars fall off in March so recaptured 60 does to get next year’s data. Buck collars stay on buck entire study time unless harvested or die from some other reason; in 2019 caught 25 bucks to replace mortality, 13 whitetail and 12 mule deer. Trying to catch pregnant does and older deer, some not pregnant, 15 of those. On pregnancy rates 80-90 percent and seeing many with singles, some twins and a handful with triplets. Does brought back to station where processed by vet on site. Three different kinds of collars: doe collars with VHF component and GPS component and store on board section that we have to download; buck collars have expansion section for rut; fawn collar is stretchy to expand as fawn grows. Determining pregnancy in does by ultrasound so know how many fawns to look for in spring. All collars have contact information for Kansas State researchers on them so anyone who harvests, or hits one can contact them. Also, taking disease samples if we can. Vaginal implant transmitter in does so when fawn is born it is kicked out during birth and starts pinging immediately, and links to the collars. Collars send a data file to researchers that shows GPS location and ID to know what deer has been where. From those points can develop home range and where it spends its time; can look to see if rangeland or cropland in that home range. Does, when pregnant three-square-mile range, smaller when getting ready to fawn, then larger after they have the fawn. Some larger home ranges than originally thought. In middle of second year, for adult male deer, hunting is major mortality. Have more information on fawns, caught 44 in 2018, split between whitetail and mule deer, more males, of which were 15 sets of twins. In 2019, caught 56, split between species and sex and

captured one set of triplets. For 10-week fawn survival, 27 percent survival, biggest factor is how heavy the fawn is at birth, the smaller 6-8 pounds don't survive as well; exposure is large cause as well as predation, some you can't tell how they died. Vegetation, selecting areas with more cover and similar between species. Commissioner Sporer – Is it possible to test for CWD while alive? Jaster – Yes but test not very accurate. Looking at that in testing research. Did that in first season, but reliability is so low it was not cost effective.

### *Break*

2. Outdoor Mentors Update – Mike Christensen, Pass It On – Outdoor Mentors, Inc. program coordinator, presented this update to the Commission (PP – Exhibit G). Have been running outdoor mentoring program for 17 years in Wichita and getting programs like Big Brothers and Big Sisters opportunities to go out hunting and fishing. Last fall started new initiative to work with High School trap teams and last June we hired Brittany Waldman and she will talk about the program. Brittany Waldman – Just started in June, had some opportunity to chat with some of you before this meeting. Excited to share what we are doing. The Kansas Clay Target League started four years ago, and we are going to engage them in hunting opportunities across the state. Our mission is to provide outdoor opportunities, hunting, fishing, canoeing, hiking and other sports to kids and provide them a mentor. We use Big Brothers/Big Sisters and youth organizations like Youth Horizon to match a child with an adult who would supervise them. Program successful for a long time. Rich history with KDWPT, started in 1999, established funding in 2002 to become working program under Big Brothers/Big Sisters, in 2006 we spun off as our own 501(c)(3), our nonprofit status. We host shooting clinics and other efforts, hosted 20,000 kids in 17 years. Kudos to Mike and volunteers. Continue to provide hunting and outdoor opportunities to these High School trap shooting teams; want to engage coaches, partner with local conservation groups and arrange land access and support a hunt. A lot of key players involved. Thanks for great support, it takes a village to get any program off the ground; great support from KDWPT and a ton of NGO partners. Kansas Sport Hunting Association, Powderhook and Kansas Hunting and Fishing Facebook Page. The Kansas Clay Target League started in 2016 and this last fall there were 74 confirmed High School teams and over 1,800 students participating in 2019 season; plus 5,300 4-H shooting sports kids as well. League has two seasons, spring and fall, teams can participate in both or one, grades 6-12, scores on different competitions are submitted online, and have 1A and 2A classifications, not based on school size but on shooting team size and athletes can varsity letter in this sport. Fun to see boys, girls and kids with different abilities, football stars and band kids alike. Teams run from Goodland down to Ulysses over to Humboldt to Hiawatha and heavy in Wichita area as well. This number could double if Wichita 259 and Blue Valley Kansas City schools get on board. In June decided to survey these kids, knew they needed gun safety and that they shoot a lot of skeet and trap, didn't know if they were hunting or not. At state shoot, 1,000 student athletes, 82 percent male, 18 percent female; we interviewed 325 participants; 88 percent have hunted to some degree, don't know how many times they go or what they considered hunting. What is shocking is 98 percent of those said they had family and friends who hunt and support it, but 46 percent had no one to go with, puzzling number. Not feeling empowered to hunt on their own, don't know how and not doing it. Declining license sales since 2009, and as baby boomers age out of hunting, we don't have generation-i taking up the slack, it will go away as we know it today if not get them hunting. Youth not exposed to hunt by ages 18-20 are most likely to not participate in hunting at any point in their life so we have a small window, High School. U.S. Fish and Wildlife Service survey shows only five percent of 16-year-olds and older are hunting, half of what it was 50 years ago; kids don't have in-house mentors asking them to go hunting, they are stagnant. Exciting to engage them, they are future of hunting. Grand scheme is R3, national plan to recruit, retain and reactivate hunters and anglers, facing nationwide declines in license sales. Plan was implemented by Wildlife Management Institute (WMI) and Council to Advance Hunting and Shooting Sports (CAHSS) to combat that issue. Mike is sitting on implementation plan for the program, which came together to correlate ideas and get action on the ground. Program goal is to follow R3, recruit new hunters, retain hunters and reactivate hunters, engage parents or grandparents and get them back out in the field. Cultivate community amongst athletes and shooting groups and mentoring organizations to show them there is a home for them and have a sense of belonging, and

impower them to be invested hunters. If we can engage kids as freshman and provide continued hunting opportunities, by time they are in senior year we have made a hunter out of them. I have been tackling identifying schools to participate and engaging NGOs who are supporting and trying to locate land and opportunity. Good luck with KDWPT and secured some exciting hunting opportunities. Hope to continue arranging hunts year after year and get kids out. Working with Tanna, R3 coordinator at Pratt; she has provided support and data that is important to track. Will be doing pre-hunt surveys, post-hunt and follow up surveys, which will create data for us on how to tailor to this population. I have 15 dove hunts scheduled for 15 teams across the state; working on scheduling pheasant, waterfowl and deer hunts. On special hunt opportunities, Mike Nyhoff has been great to work with and has put me in contact with a lot of wildlife area managers. They have come forward with hunts that have not filled and asked if we want to put in a trap team, which has excited kids and coaches. Hosting shooting and rifle clinics for safety and have a handbook to provide support for coaches with expectations and guidelines. Excited to see where it goes; exciting for Kansas youth. Mike Miller – You showed a photo of Concordia team members, and I just wanted to mention that Concordia did not have a trap club before this High School trap group formed, so Todd Robinson and Matt Farmer worked with the school, county and city and got land and have a Trap Club established because of this program, great way to get involved. Waldman – Excited to hear Todd and Matt talk about how they got their field going, it creates community awareness and excitement. There are a lot of game wardens, sheriff deputies and grandparents helping to coach these teams. Exciting to see kids off the couch and away from their cell phone and engaging in shooting sports that are safe; it creates a rich culture amongst team and town and builds character as well.

3. Microchemistry in Fisheries – Jeff Koch, fisheries research supervisor, Emporia Research Office, presented this update to the Commission (Exhibit H, PP - Exhibit I). Acknowledge Ben Neeley who helped on this. Excited about new technology in fisheries division, microchemistry is measuring minute amounts of trace elements in fish bone or otoliths. Using that information to reconstruct where they have been and what they have been doing, which can inform us on management strategies. Otoliths are calcified structures encased within the inner ear of fishes that assist in balance and hearing, all fish have three pairs. As otoliths grow throughout the lifespan of the fish, they show rings, like on a tree, so we add annual marks; we section the otolith to see the core. The otolith bones are mostly made up of calcium and take up trace elements found in the water and the environment; mainly strontium, magnesium, manganese and barium. Wherever a fish is at in the environment, their elemental signatures correlate to the water chemistry in which the fish lives. We use laser ablation to burn off a tiny section of otolith, suck it up in machine that measures different concentrations of trace elements. End up with data, look at element ratio to figure out where a fish was born, if they moved, where they moved; a chronology of where a fish has been its entire life. We are also attempting to understand paddlefish movements in the Neosho River system, catching fish at Chetopa Dam, at Iola or John Redmond. Paddlefish have very few bones and otoliths are small bones, so we are using cross sections of their jawbones. We look at natal origin, they migrate up from Grand Lake but we also stock paddlefish in John Redmond reservoir every year and we want to know if this is a good use of these fish. If stocked we can match microchemistry with the hatchery and get idea of broadscale movements. We have conducted pilot projects using microchemistry to differentiate stocked and naturally-spawned walleye. About 85 percent of walleye in our lakes come from stocking and we want to be as efficient as we can with that stocking and whether to stock fry or fingerlings. We are attempting to create a statewide inventory of water and otolith microchemical signatures from several species for future use in fisheries management, research, and conservation. We have three hatcheries in the state that make walleye, Meade, Pratt and Milford so we gathered known hatchery fish from those hatcheries and sent them in for microchemical testing and came out with positive results and different hatchery markers and will help us determine whether fish is stocked or naturally produced. Last year biologists gathered fish from Cheney and El Dorado and looked for abrupt change in ratios. Ben created a model to use for comparisons; built computer model. Not 100 percent confidence every time. Can distinguish if stocked fish and which hatchery they came from. A third project is utilizing this method to determine natal origin and broad movements of Asian carp in the Kansas River, working with University of Nebraska at Lincoln. Gives us idea of what Kansas River is providing for these fish (i.e. spawning or nursery),

where they are coming from; results are preliminary. Will be able to prioritize removal and habitat to keep fish in check; will also help us learn migratory movement. Final project is sister project on blue catfish on Kansas River, which has improved in quality and quantity and we don't know why – fish possibly coming from reservoirs. We will be able to tell if flushing out of reservoirs, when, if high water event, or if on spawning forays or looking for something different than reservoirs. We are running same laser ablation on otoliths. Stocked blue cats in several places but don't seem to be taking, so may be able to determine where we should not stock fish. Will help with multi-jurisdictional management. Future plans for techniques, increasing sample size, adding more date points and determine how fast new signatures accumulate, which can lead us to a number of different questions; like can stock fry, fingerlings and advanced fingerlings of walleye and be able to tell what stocking they came from. Lot more data when completed Asian carp and blue catfish on Kansas River in 2020. Would like to create more paddlefish structures up and down the river, getting structures from angler-caught fish so continuing to add to that data set. Also want to determine if other uses for this microchemistry technology; LE approach us to see if we can tell what poached fish came from a certain population; there are references in literature for that. If white perch shows up in new lake can figure out where they came from and shift ANS priorities to prevent spread. Chairman Lauber – Is the term entrainment when they go through the dam? Koch – Yes, sucked through the dam.

4. MAFWA Plaque Presentation – Doug Nygren, Fisheries Division director, presented this presentation to the Commission. The Midwest Association of Fish and Wildlife Agencies (MAFWA) includes 13 Midwest states and three Canadian provinces; one of AFWA's regional associations. Each year MAFWA awards five to six awards, all but one is issued to individuals; fisheries biologist of the year, wildlife biologist of the year, law enforcement officer of the year, etc. One award looks at best projects, called Excellence in Conservation award. We submitted a nomination (Nomination - Exhibit J) on Kansas Certified Angler Instructor Program. In 2010, we developed a federal aid grant to ratchet up our aquatic education efforts and had a Sport Fish Restoration Grant that was 75 percent federal and 25 percent state. In 2012, we partnered with Fishing's Future (FF), a program that started in Texas. At that time, we had a guy who moved from Texas to Kansas and came to us and wanted to get a program started here. Fishing's Future has Master Anglers that are trained instructor who train the trainers. We have a curriculum on how to conduct aquatic education events and FF puts on classes and volunteers can take the training, after going through we do a background check and then issue an official certification card and then they can go out on their own or assist us with our events. The first certification class was held in 2013 in Wichita and since then have had over 500 volunteers go through the program. It is similar to hunter safety program except it is not a mandatory program for youth. Since 2020 we have doubled the number of aquatic education events offered by KDWP as a result of this partnership. A recent multi-state study conducted by Southwick Associates attributes Kansas' volunteer program as a positive impact on fishing participation. We are able to record volunteer hours (over 4,000 yearly) and use them as state match for our federal aid program. So, we are getting nearly 100 percent for this program with no need to subsidize it. That frees up funds to do other things like stocking and managing fisheries in other ways. In 2018, we hired David Breth as our Sportfishing Education Coordinator to work full time with our staff and the 500 volunteers and act as liaison with FF. David works closely with Tanna, our R3 coordinator. Would like Brad to present the award given to us by MAFWA to David. Secretary Loveless – Surprised at meeting in Ohio to receive this award on behalf of this program. *Brad Loveless presented the plaque to David Breth.*

### **C. Workshop Session**

1. Electronic Licensing Update – Mike Miller, Assistant Secretary of Wildlife, Fisheries and Boating, presented this update to the Commission (Exhibit K). In early stages of development of the app and have screen shots of new app (Exhibit L). You will have an app to download on smart phone or mobile device, it has a barcode that a conservation officer could scan that would give information on licenses you might have. You would use a user name and password to get and would have access to all of your licenses. Looking at e-tags as well. App would list issuances, navigation would be simple and planning to merge with iSportsman and eventually i-WIHA. Could check in and out or report right on

the app. We will vote in November, and hopefully be ready to launch January 2020; follow up with a few more regulatory things to clean up and hopefully have e-tag ready to go by spring turkey season. Take photo of deer, county, date, time of kill and submit, then you're issued confirmation number to keep with the deer during transportation. Could check in to Wildlife Area then check out and it would show how long you were there; iSportsman would have harvest record and this would be similar to that. Were still in testing phase. Don't have the way it will look, hope to have all-encompassing app. Vote in November? Tymeson – Yes on e-license, then e-tag later, either November or January. Miller – Multiple issuances on one password. Commissioner Rider – Lifetime license would upload? Miller – It will be listed in issuances. Commissioner – Same for Native American hunt/fish license? Miller – I assume it would; may be in billfold or list of accounts.

2. T&E Regulations – Ed Miller, T&E biologist, presented this regulation to the Commission (Exhibit M). Five-year review. Will workshop again text meeting and vote on changes in November. In 115-15-1, which is the Threatened and Endangered list, add one and remove one. Ark darter will be down listed to 115-15-2, which is the species in need of conservation (SINC). We will remove one freshwater mussel from SINC list also and moving one species from SINC list, cylindrical papershell to up list to endangered, moved from 115-15-2 to 115-15-1. In addition, we will update changes in nomenclature as part of housekeeping. We have a repository of information on our KDWPT website with original petitions, expert panel opinions and any pertinent publications on those species. Required by statute 32-960 that we notify governors of surrounding states of our intentions and we have also sent a letter to League of Municipalities and Kansas Association of Counties on these possible listing changes. Chairman Lauber – One more workshop? Miller – Yes, in September.

3. Fishing Regulations – Doug Nygren, Fisheries Division director, presented this regulation to the Commission (Exhibit N). Only a few changes for next year. In reference document where length and creel limits are different than statewide regulation. Had proposal that is unique, Craig Johnson who has Flint Hills area, came up with novel approach to harvest and manage walleye at Marion Reservoir; for a 21-inch minimum length limit at Marion. (PP – Exhibit O). Craig Johnson – Marion constructed in 1967, 60 miles of shoreline, 200 square miles of watershed, 46 miles north/northeast of Wichita. Have channel and flathead catfish, crappie, a few largemouth bass, walleye, white bass and wiper. Good numbers of walleye, consistent from year to year. Good growth rates but is unique because one of only three reservoirs with natural recruitment, don't have to stock on a regular basis. Not an additional drain on hatchery system. Harvest limits, before 1989, no minimum length, 8/day creel; in 1989 went to statewide 5/day; and in 1992, 18-inch minimum length limit, with 5/day; From 1987-2018, gradual downward trend, big drop in 2010 just due to change in sampling with fall test netting. Stocked in 2016, 2017 and 2018 to counteract reduction in density. Stocked 4.5 million fry in 2016; 5.5 million fry in 2017; and 4 million fry in 2018. And for first time, 81,200 fingerlings. Why change if everything is good. Lot of reports from walleye anglers that are just under 18-inch length limit, provide better angling and increase natural production through increased brood numbers, 22-25-inch, and utilize population potential. Doing same thing for 28 years, big shake up in 2019 with high water, not as much angler access, so could have more or could have lost fish do to releases, not known until fall test netting. Current regulation option for walleye are 15-inch, 18-inch or 21-inch; 2-a day or 5-a-day. Length frequencies over last several years, good distribution, have smaller fish mostly from natural recruitment and have larger fish too up to 27-inches. More pressure at El Dorado, went to 21-inch length limit in 2010 to work on white perch, increased amount of larger fish in the lake. We can impact fish species through fish regulations even in larger reservoirs. Looking to use growth and harvest phases to improve walleye harvest size; shake things up. On grow phase, more restrictive harvest regulations to provide protection for one or more growing seasons; on harvest phase less restrictive, allow harvest of fish previously protected during grow phase. Starting in 2020, 4-year pilot study, implement 21-inch minimum length limit for 2020 and 2021, and 18-inch in 2022. Conduct creel surveys to monitor the pressure, fall test netting and get angler input. Also increase number of brood fish. Nygren – We can get benefits of delayed harvest. Merit on pilot project and assess if can use this tool elsewhere in the state. Might have multiple lakes with 21-inch and open up every other year with ability to harvest. Chairman Lauber – What other two lakes are self-sufficient? Nygren – Cedar Bluff and

Wilson. Some natural production at Cheney with 21-inch length limit, never had history of natural reproduction before. Now with more self-sustaining lakes less pressure on hatcheries. Chairman Lauber – Will be more complaining, but in long run we will be better off. Nygren – Talked about how we would implement the harvest of the shorter fish and we could go to an 18-inch minimum length limit every third or fourth year; could use new electronic tags and let anglers harvest fish. A new tool available to us. With tagging system could distribute harvest more equitably because each lake could just have a certain number of tags; a lot of work to do before we get to that point. Could use new e-licensing and e-tagging.

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. A new city lake in our program is Agra City Lake where we want to add 15-inch minimum and five-a-day creel on channel catfish. 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 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, remove 20-inch minimum and 5-a-day creel on trout; lake could support trout in summertime, but something has changed, and biologist is trying to assess what is going on with the temperature/oxygen profiles to see if we ever can return to year-round trout fishery. Neodesha City Lake add 15-inch minimum length limit and five-a-day creel on channel catfish.

Thank Craig for sharing his idea. 115-25-14, decrease daily creel on rainbow trout to two-a-day at Salina-Lakewood Lake, which was brought to us by Salina Recreation Department and our law enforcement division because of issues of people coming in catching five fish, going home and coming back and catching five more. 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 to prevent unintentional spread of invasive species. Chairman Lauber – What is current restriction? Nygren - 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. Can't move anywhere it could not have gotten under its own power. Chairman Lauber – That will solve most of the crayfish issues. Nygren – Operating under that for last three to four years.

On 115-7-1, fishing legal equipment and method of take; when we allowed floatline fishing, when attaching something that couldn't contain water; we want to apply same requirements to trotlines and setlines. This would standardize use of floats so 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. Chairman Lauber – Workshopped one more time? Nygren – Yes. One more item that I didn't have in the briefing item. We have revised ANS waters list. Recently we discovered zebra mussels in Lyon State Fishing Lake and all waters downstream so want to add that. One more came in recently, white perch in lake in Wichita, will post but not put in document until next year. Secretary Loveless – Appreciate Craig's creativity, great initiative and offers up opportunity for engagement by updating and educating them.

4. Park Regulations – Linda Lanterman, Parks Division director, presented this regulation to the Commission (Exhibit P). Brittany's presentation really brought in why we would like to have free entrance for school districts coming into state parks. On question brought up about private schools we will do those with a special event form. Want them to come into state parks free of charge. Vote in November.

5. E-bicycles – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit Q). E-bicycles are coming to Kansas. Brought a demonstration one today. These are becoming very popular, they are a pedal-assist bicycle and believe these will be popular on Flint Hills and Prairie Spirit trails. They are pricey but provide the ability to give someone a boost if they pedal. They are not noisy, are an electric bike and go 60 miles on a charge. Have them for casual users or more sporty models.

Kurt Ratzlaff, Kansas Backcountry Hunters and Anglers – Provide counterpoint, more food for thought (Handout – Exhibit R). Concern is that it is motorized but calling it nonmotorized. Aware of e-bikes for a while, and they are coming. Lanterman – Allowed on street and park roads. Ratzlaff – Industry is

evolving quickly, and handouts are from U.S. Forest Service and BLM that say they have experience dealing with e-bike situation. They have decided to call them motorized because it is evolving so quickly that you can't make enough changes to keep up with them. The casual user bike is what started it but there are more sporty bikes that have shock absorbers, more powerful motors. Lanterman – They can go up to 29 miles per hour. Ratzlaff - Now up to 30 mph. Lanterman – It is pedal-assist. Ratzlaff – Not all of them. There are e-bikes you can purchase where you can sit on, turn the throttle and you go and basically become that pedals are an option and use them to extend battery life; part of evolution. They are getting faster and more powerful. Mass production of them also allows 16- to 25-year-olds trying to see how fast they can go down the trail. Start slow and see where it goes. Once called non-motorized then hard to change to motorized for other purposes. Make specific regulations, don't make blanket statement that it is non-motorized. Provides access, but evolving, need to provide protection to those others on the trail. Lanterman – The ones we are talking about is the ones that have to be pedaled all the time. Not like a motorcycle. Ratzlaff – Enforcement people in the field can't tell the difference and will get harder. Lanterman – Have definition for motorized in our regulations; what is motorized, what is UTV and what can be on the streets. This one is pedal-assist only right now. I understand where you are going, and I have researched through other state park systems that are allowing them. It may change if it goes completely motorized. Have to pedal. Ratzlaff – Hard to determine in the field. Hard to have something going motor speed on same trails as going people speed. Lanterman – It is not like a motorcycle you have to pedal. Commissioner Rider – Do they have different size batteries? Lanterman – Bringing a guy to next meeting who is on the Flint Hills trail. Ratzlaff – This is a road cruiser. E-mountain bikes have shock absorbers and big tires and go 30 mph. Lanterman – I have people who can pedal 30 mph. Ratzlaff – Understand but talking about enabling more people. Secretary Loveless – You talked about other states? Have they made limits or specifications on them? Lanterman – Not yet, they haven't made all of those changes yet. We are going with e-pedal-assist. It goes up to 29 mph, I have friends who can pedal that fast on regular bikes, it depends on who you ask. Our target is to get older people out on the Flint Hills Trail to ride. Already legal on the streets now. Commissioner Sill – Is there a way to restrict use to longer trails versus having someone out there on long trail at Kanopolis where there are horses and other things; where speed and stock can be a problem? Lanterman - If we are going to start restricting, you have bike users going as fast with no motor. Sill – That is downhill versus flat, there are significant differences on where those speeds occur. Lanterman – There is a mechanism to slow this down on the bike. Caution you that regular bike riders ride that fast. Doug Phelps – Did research of my own. Federal government has cap of 28 mph, if built to exceed that then they become motorized. Lanterman – If pedaling they can go up to 29 mph. Phelps – If capable of 30 mph, no longer classified. You can order kits online to up the speed. People out there are hot-rodding them, for \$200 get a kit to make regular bike into an e-bike, which are not pedal assist. Industry is going to be pushing this issue, it is a slippery slope, move cautiously. Not opposed to the concept but concerned where we might end up. When we legalized fiber optic sites on muzzleloaders rationale was 80 percent sold had fiber optic sites on them; the market should not lead regulations it should be the other way around.

6. 2020-2021 Turkey Regulations – Kent Fricke, small game research biologist, presented this regulation to the Commission (Exhibit S, PP-Exhibit T). Season date recommendations for spring 2021 are youth/disabled April 1 (April 1-13), archery begins Monday after first full weekend (April 5-13) and regular firearm begins Wednesday after second full weekend in April (April 14 – May 31); for fall, all methods, October 1 through January 31, with exception of firearm deer season (October 1 – November 30 and December 13 – January 31). On turkey harvest updates. Overall, slight decline in number of permits sold in fall season; dropped 800. About 77 percent of hunters are actively pursuing and 20 percent are nonresidents. Statewide, decline in active hunters in fall and related drop in harvest. Hen harvest makes up one-third and ranges from one-third to one-half, depending on unit. Weather and lake levels has been a concern for the department. In eastern part of state, flooding above normal, 6-8 inches per month above average; big impacts in southeast part of the state in April and then all across the state. Impacted number of hunters, access and desire to hunt; effect on birds and nesting and how those things interact. Permit sales down 31 percent overall, continued decline over last several years and proportionate with game tags. In Unit 4, southwest we had number of people who expressed that they did not get drawn. Average 35- to 40-percent of spring turkey hunters are nonresidents and reduced to

32 percent this year. Up until last year steady number of nonresidents Overall, 10- to 15-year numbers for turkey abundance, hunters are responding to fewer birds on the landscape and not buying as many permits. There was a 24 percent decline in harvest this year, which correlated with number of permits. Peak harvest in Kansas in 2015, over 36,000, now less than half of that at 17,000. Decline in hunter success as well. Relatively high, last year 43 percent, this year 47 percent overall hunter success; longer term trend in 13-year period, decline of 27 percent. Since 2004/2005, overall decline in success, increased number of hunters but tailing off last few years. Population trends are measured through various methods in rural mail carrier surveys (RMCS). Overall turkey abundance, since 2008 a decline, explanation of young per number of adults; 50/50 males to females, 50 young per 100 adults as replacement value, one poult per hen, declining past that. In terms of production not replacing hens on the landscape. Observations of turkeys per 100 miles traveled this spring, not seeing poults. In west, central and east; declines since early 2000s, when southwest Kansas looking like northwest we have issues in amounts of precipitation. In central part of state, getting close to no production this year, mimicked in eastern part of state. Statewide has long term decline since late 2000s and hunters are becoming more dissatisfied. We expect lower production and continued trend of fewer birds on the landscape, which is exacerbated by amount of rain. Effects from this year will last for next 2-5 years. We develop recommendations from that, utilizing harvest strategy; we have had a couple options in the past of either removing or suspending the fall season or going to one spring and one fall bird. We have progressed below thresholds in a number of units for sustained period of timing; 55 percent resident hunter success is threshold. In Unit 1, northwest, above that so taking that off the table; however, reducing hunter opportunity in northeast, north-central and southeast units with focus on those. Staff recommendation is to drop to one bird in spring and suspend fall season in those three units. Going with recommended season dates for 2021. Chairman Lauber – Last summer discussion was about fall season, opinion was current level of fall turkey harvest didn't affect population because so minimal. On January 20, Wichita article, picked up by Associated Press, one quote "Fricke says single fall turkey hunting season could eliminate tens of thousands of turkeys from state breeding population within a few years". Fricke – I did not say that. If you look at Wichita article it is stated there but not that I said that. Chairman Lauber – Created a bit of mis-statement and I didn't remember you saying that. Do you think by eliminating second permit in the spring, hunter satisfaction will improve? Fricke – For every individual there are different measures of satisfaction. I believe hunter success will improve over time and we base hunter success only on first permit, but by eliminating second fall tag, turkeys being relatively long-lived species, will be more adult toms on landscape in subsequent years by eliminating spring game tag. Chairman Lauber – Not enough fall turkey hunters to make a difference. There are 42 states that have fall turkey season and of those eight that don't, Alaska has no turkeys at all. Every state is having same declines as us. When numbers are up more people go out and buy permits and when numbers decline people don't. We had a few more fall birds harvested because a little increase. Don't see other states recommending closing a fall season. Not less of sport nationwide and don't see other states responding with reduction in birds. If you ration harvest of toms through adaptive harvest strategy more birds picked up next year but a lot of disappointed people, and public feedback, by shutting of second permit in the spring. Other states have had deterioration and haven't reduced; not taking second tom won't create more numbers but spreads the harvest out. Consider reducing trigger for adaptive harvest strategy to 45 percent, as alternative to shutting down second permit. If commission thinks we need to be that reactive, tie spring second bird and fall bird together and if going to close one, close them both. Public would not understand taking the second bird away and leaving fall harvest even if number of hens statewide is 400 or less. Why only one permit, when a lot of turkeys in their area, but general region may not have as many. Think about more rather than react because of adaptive harvest strategy. Fricke – Harvest strategy has tracked declines over time, so, have hard time dropping threshold as a result of not having desire to not drop package recommendations. Chairman Lauber – Numbers are tracking reduced number of birds. Fricke – I believe we are conservative on what we are trying to do with turkey populations. Bringing these recommendations forward, my primary concern is we are not sure what the bottom is yet. As we see continued declines within specific units it is hard to reference other states and their recommendations; difference in overall amount of harvest, number of hunters and other things and way turkey population is reacting to changes on the landscape. Difficult to make changes to management strategy without seeing some change in resource first. Chairman Lauber

– What other states are doing is allowing culture and tradition to guide them a little rather than strictly by the numbers. If we go that route, you will get to explain your adaptive harvest strategy to a lot of people. Secretary Loveless – Kent and his cohorts have spent hours examining this and we have had hours of conversation. To address comment on what other states are doing; I have talked to other state directors, one is making decisions not to change and wondered what that decision was based on. Numbers are declining east to west; they are basing no change on culture from what I can tell. We take a lot of pride and hire good biologists to do what they do; ultimately you have to blend that with culture, politics and other factors. That state is hesitant to change because of push back. Months to discuss this. Asked them at what point have you gone too far, and you do have to restrict harvest, and they don't know. Chairman Lauber – Fall turkeys are immaterial numbers at this time. Talking about second turkey game tag, we don't increase resource by restricting and rationing harvest; resource doing whatever weather and habitat will allow it to do, not making more turkeys. When we manage for deer we have a big opportunity to control populations by harvesting females. But don't harvest enough female turkeys in the state to make much difference, just rationing birds but don't making more birds. Not sure we are damaging the resource, numbers are going to go down or up no matter what we do. Other states are doing it because of culture. Commissioner Rider – Hunters are self-regulating, but is it enough? As populations go down that becomes more apparent. Balance, do you allow culture, tradition and hunters being self-regulating, or take more aggressive approach? Commissioner Sporer – Gerald, are you more passionate about the fall season or second spring tag? Chairman Lauber – Fall season, if we lose it, it will never come back. Public outcry will probably cause the second game tag to be available. Follow recommendation of closing them both at the risk of having them come back at the same time. Fall season doesn't make any real difference and is a completely different type of hunt and good for the state to have it. Most people think beards in the spring and antlers in the fall. I don't want to see fall season go. Do with both. Commissioner Sporer – When do we vote? Chairman Lauber – Not for a while. There is recommendation based on good science and good math. We will workshop again in September and in November we would vote. How can everybody get what they want and not give up too much? Commissioner Sporer – It is a popular sport, but I don't understand fall turkey season. Chairman Lauber – It is different and gaining in popularity. Commissioner Rider – Back when I got on commission, pheasant population way down, people were saying reduce number taken per day. Biologist said not killing hens so not affecting how many birds we have. Are turkeys the same or different because they live longer? Fricke – Turkeys are relatively long-lived, multiple potential for reproduction, likely to re-nest for two to three years, have potential of taking out loss of one hen extrapolated over several years and have bunch of eggs in each nest so potential for high numbers of reproduction relatively quickly. As you have seen in Kansas data, seeing questionable production everywhere, also in other states. We're not replacing hens we have with current levels of production, so it's concerning. Chairman Lauber – Harvested 350 hens, have average of 1.5 birds at best, .8 at least per litter now. Fricke – Less than .5. Chairman Lauber - Take 350 birds out of state, difference will not amount to that much. My suggestion is, commissioners poll constituents to see what they think about second game tag in the spring; have Secretary talk to some folks too. Turkeys are still going to decline until they bottom out. Fricke – In reducing fall season and reduction in spring is not going to fix everything, the intent is to diminish the decline and keep the low, higher. Chairman Lauber – More turkeys running around for guy with one permit; not creating more turkeys and that is why I am having a hard time supporting either of these suggestions. Fricke – Unit 1 and 2 under this recommendation would still be open with two permits in the spring and one in the fall. Other states have not made changes as they've seen turkey declines, result, in terms of hunter satisfaction, is seeing lower hunter success rates over time and will continue to decline. Can we keep that satisfaction and engagement relatively high? Chairman Lauber – Majority of turkeys are in eastern part of state? Fricke - Through north-central and south-central has a large number of birds too. Chairman Lauber – Even though we may have in north-central and northwest Kansas, numbers are high but number of permits are low, harvest relative to the rest of the state may not be high but percentage is above the triggering point but may be 20 percent less birds harvested. Secretary Loveless – All looking for a sign on numbers. Keep in mind precipitation we had this spring and will have ripple effect. That causes me to pause and anticipating impact. Chairman Lauber – I think there will be an impact. Commissioner Cross – Are other states making same recommendations? Fricke – No, and don't have any kind of strategy like this

in place. Nebraska has a stated goal of 50 percent overall hunter success in spring season, but no strategy if it drops below that, what they will do. We have strategy outlined that is straight forward and biologically-based on what we recommend and when we recommend it, so, I have faith in the strategy to guide us through that. Concern at a number of levels. No data and trends from other states that say there shouldn't be a next step. Chairman Lauber – I think you are right that other states do not have that but reacting to statistic won't offset or create more turkeys. Fricke – It will harvest fewer turkeys. Chairman Lauber – And will make the few turkeys we have last a little longer. Commissioner Sporer – What year did state go from one spring tag to two? Fricke – I don't have that data with me. Possibly 30 years ago. Commissioner Sporer – Be interesting to see what population was when you went to two and compare to where we are today. Fricke – We can do that, the caveat is as wildlife populations increase the level of reproduction is higher, but when on a decline see lower reproduction rate. The value of an individual being harvested when reproduction is high is less to overall population than it is when you have declining population. That is not directly comparable on down side versus up side. Chairman Lauber – We have more turkey hunters now too. Cook – What would be wrong with leaving fall season and making it a tom in the fall and not a hen? Still have two seasons and protect the hens. Chairman Lauber – That has been suggested, but part of fall hunting is busting up flocks and calling them back in. It would make more sense if we added a material number of hens harvested. Cook - Most of fall turkeys are killed over feeders. Doug Phelps, Manhattan – Troubled by whole thing, declining population, and no way to go up, but first have to stop the decline. React to decline first, what department is arguing for. Spring weather is a major variable on reproduction, and we can't control that, can control seasons and bag only. Not perfect solution but partial solution until proven otherwise. Raised as a conservationist first, hunter second; sacrifice your own short-term wants for long-term benefit of the resource. Everyone wants to be able to hunt whenever they want to but there are times when a resource can't tolerate that.

**VII. RECESS AT 5:35 p.m.**

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

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

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

Doug Phelps, Manhattan – Extend invitation, Backcountry Hunters and Anglers are hosting a beer, banks and public lands event the Saturday after Labor Day. It runs from 5:30 to 9:00 and will have kids' archery and fishing games, raffle off a shotgun and rifle and other door prizes. Had one last year and had a great turn out. Good time, for good cause.

**VI. DEPARTMENT REPORT**

**D. Public Hearing**

*Notice and Submission Forms, Attorney General letters dated May29 and Legislative Research Department letter dated August 13 and report from August 6 (Exhibit V).*

1. KAR 115-2-1. Amount of Fees – Mike Miller, Assistant Secretary of Wildlife, Fisheries and Boating, presented this update to the Commission (Exhibit W). Reduce price of disabled veteran licenses, coming from legislative mandate that we provide Kansas veterans with at least a 30 percent disability with hunting and fishing licenses at no cost to those individuals. It also provides Kansas National Guard members with park permits and hunting and fishing licenses. We have money appropriated but not sufficient funds for those licenses. In any given year we run out of funds in March or April. We also had donations but still leaving applications unfilled until July appropriations come in. One solution was to go in and set up a privilege code for disabled veterans and cut those prices in half. We will still get the same appropriation, can still claim for federal aid so not an income issue for the

agency. It was hard to explain to veterans why we couldn't fulfill license requests because of lack of funds. This would reduce price for annual fishing or hunting to half from \$25 to \$12.50 and reduce combo to \$22.50 for disabled veterans and National Guard. A non-regulatory item, this year we began issuing disabled veterans, 65 and older, with senior lifetime pass. Initially it is more expensive, \$40, but is lifetime and we will issue plastic card and then they don't have to re-apply and we don't have to reprocess; it will save them time and us time in handling. This started early in July. This specific regulation is to cut disabled veteran license fees by half.

**Commissioner Gary Hayzlett moved to approve KAR 115-2-1 as presented to the Commission. Commissioner Emerick Cross second.**

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

|                              |            |
|------------------------------|------------|
| <b>Commissioner Cross</b>    | <b>Yes</b> |
| <b>Commissioner Hayzlett</b> | <b>Yes</b> |
| <b>Commissioner Rider</b>    | <b>Yes</b> |
| <b>Commissioner Sill</b>     | <b>Yes</b> |
| <b>Commissioner Lauber</b>   | <b>Yes</b> |

**The motion as presented on 115-2-1 passed 5-0.**

2. KAR 115-2-7. Backcountry Access pass, fee exceptions, and general provisions (revoke) – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit Y). On Little Jerusalem backcountry pass; when we put this in we didn't know how we wanted to manage that property. As we finalize construction out there we feel we can manage in more public-friendly way. We want public out there and have hired an individual to be our naturalist to tell the story. Asking you to vote to rescind that back country pass. We are going to do tours instead. Other states are doing day reservations and advance reservations for free, we are going to do that so we can plan ahead and know how much staff to have out there. Our goal is to make it affordable for all. Commissioner Sill – Is state park pass still required? Lanterman – Vehicle permit is.

**Commissioner Aaron Rider moved to revoke KAR 115-2-7 as presented to the Commission. Commissioner Emerick Cross second.**

Laura Rose Clawson, Director of Marketing and outreach for The Nature Conservancy – We are the landowner of Little Jerusalem Badlands State Park and we wanted to reiterate our appreciation of the department's partnership. We wouldn't be in a position to open it to the public this fall without you. We are committed to making it an affordable experience for everyone who visits, and we support rescension of the backcountry pass to move forward with fee structure that is used at existing state parks.

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

|                              |            |
|------------------------------|------------|
| <b>Commissioner Cross</b>    | <b>Yes</b> |
| <b>Commissioner Hayzlett</b> | <b>Yes</b> |
| <b>Commissioner Rider</b>    | <b>Yes</b> |
| <b>Commissioner Sill</b>     | <b>Yes</b> |
| <b>Commissioner Lauber</b>   | <b>Yes</b> |

**The motion as presented to revoke 115-2-7 passed 5-0.**

3. KAR 115-5-3. Furbearers and coyotes; management units – except otters – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit AA). We want to exclude otters from furbearer and coyote management units defined here and are proposing to establish new otter-specific management units with new regulation 115-5-3a.

**Commissioner Gary Hayzlett moved to approve KAR 115-5-3 as presented to the Commission.**

**Commissioner Emerick Cross second.**

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

|                              |            |
|------------------------------|------------|
| <b>Commissioner Cross</b>    | <b>Yes</b> |
| <b>Commissioner Hayzlett</b> | <b>Yes</b> |
| <b>Commissioner Rider</b>    | <b>Yes</b> |
| <b>Commissioner Sill</b>     | <b>Yes</b> |
| <b>Commissioner Lauber</b>   | <b>Yes</b> |

**The motion as presented on 115-5-3 passed 5-0.**

4. KAR 115-5-3a. Otter management units – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit CC). We want to exclude otters from furbearer and coyote management units defined in 115-5-3 and are proposing to establish this new otter-specific management unit regulation. There is map showing units. There will be 13 units using primary river systems in each series of counties. Purpose of units is to be able to differentiate bag limits within each unit.

**Commissioner Emerick Cross moved to approve KAR 115-5-3a as presented to the Commission. Commissioner Gary Hayzlett second.**

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

|                              |            |
|------------------------------|------------|
| <b>Commissioner Cross</b>    | <b>Yes</b> |
| <b>Commissioner Hayzlett</b> | <b>Yes</b> |
| <b>Commissioner Rider</b>    | <b>Yes</b> |
| <b>Commissioner Sill</b>     | <b>Yes</b> |
| <b>Commissioner Lauber</b>   | <b>Yes</b> |

**The motion as presented on 115-5-3a passed 5-0.**

5. KAR 115-25-11. Furbearers; open seasons and bag limits - Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit EE). Establishing otter bag limits in western five units, Solomon, Smoky-Saline, Middle Arkansas and Western unit will have a one otter bag limit. The next series of counties eastward including Big Blue, Missouri, Kansas, Upper Neosho, Lower Arkansas and the Verdigris will have a two-otter bag limit. In the two southeast Kansas units, Lower Neosho and Marais des Cygnes will increase five-otter bag limit. The other change will establish opening season time to be at 12:01 a.m. on opening day, instead of noon.

Chairman Lauber – Is Lower Neosho and Marais des Cygnes where most of the otters are? Peek – Yes. Chairman Lauber – One more populated than the other? Peek – Fairly similar. Commissioner Cross – Do you anticipate greater economic impact? Peek – Minimal. Estimate this will increase otter harvest by 75 otters based on current harvest totals. For furharvesters there will be minimal economic opportunity. It will allow them to take a few more otters than they currently can. It is still conservative in those southeast units. I talked to a landowner this morning who was concerned about having otters in their pond, so we do get some complaints. Trappers have to work hard to avoid them in beaver sets, so can keep more incidentals even if they aren't targeting them.

**Commissioner Gary Hayzlett moved to approve KAR 115-25-11 as presented to the Commission. Commissioner Emerick Cross second.**

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

|                              |            |
|------------------------------|------------|
| <b>Commissioner Cross</b>    | <b>Yes</b> |
| <b>Commissioner Hayzlett</b> | <b>Yes</b> |
| <b>Commissioner Rider</b>    | <b>Yes</b> |
| <b>Commissioner Sill</b>     | <b>Yes</b> |
| <b>Commissioner Lauber</b>   | <b>Yes</b> |

**The motion as presented on 115-25-11 passed 5-0.**

**XII. OLD BUSINESS**

**XIII. OTHER BUSINESS**

**A. Future Meeting Locations and Dates**

September 19, 2019 – Great Bend, Wetlands Education Center

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

January 9, 2020 – Southeast Kansas (Iola, Parsons or Independence)

March 26, 2020 - Topeka

**XIV. ADJOURNMENT**

Adjourned at 6:39 pm.

# **Secretary's Remarks**

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

# **General Discussion**

## Kansas Wetlands Education Center 2019 Calendar of Events

- February 2 – World Wetlands Day
- February 16 – Winter family/kids program
- March 9-17 – KWEC Spring Break STEM Drop-in activities
- March 10 – Birds of Columbia-presentation by Bob Gress held in collaboration with the BCC Shafer Art Gallery show “The Connected World: Biodiversity in the Art of Carel Pieter Brest van Kempen” 2 p.m.
- Mar 22, Apr 12, May 24, Jun 27, Aug 23, Sep 19, Oct 11 – Turtle Tots Club-Preschool program 10-11 a.m.
- March-April – Prairie Chicken Lek tours (schedule listed on KWEC website)
- April-August – FrogWatch monitoring
- April 7 – Shelterbelt Birds-presented by Katya Frank, FHSU Biology Grad Student 2 p.m.
- April 13 – Biosphere Blockparty – Celebrate Earth Day! Rain Barrel workshop, recycling activities, alternative energy demonstrations, plant give-away 9 a.m.-1 p.m.
- April 28 – Friends of Cheyenne Bottoms Annual meeting, free BBQ, & Beginner Shorebird Identification presentation by Robert Penner
- May 3-4 – Wings & Wetlands Birding Festival see [nature.org/wingsandwetlands](http://nature.org/wingsandwetlands)
- May 18 – CKPC Digital Photography Seminar with Ellen Nelson 9 a.m.-4 p.m.
- June 9 – Gifts of the Garden Series Adult Workshop – All Things Lavender
- June 11-13 – High School STEM Camp-Discover the Wetlands for 9<sup>th</sup>-11<sup>th</sup> Grade
- June 17 – KWEC STEM Drop-in Day
- July 8, 10 – Nature Discovery Kids Camp I Grades 1-3
- July 16, 18 – Nature Discovery Kids Camp II Grades 4-6
- July 19 – NABA Butterfly Count
- July 21 – Gifts of the Garden Series Adult Workshop – Planter Basics
- August 9 – Perseid Meteor Shower Watch Party 9-11 p.m.
- August 11 – Gifts of the Garden Series Adult Workshop – EcoPrinting
- August 25 – FOCB/KWEC/KDWPT/PF/DU/WU Youth Outdoor Day 1 p.m.
- September 21 – Butterfly Festival 9 a.m.-12 p.m.
- October 6 – Wild Foods and Medicine from the Cheyenne Bottoms Area: a plant hike field trip with Kelly Kindscher 2-5 p.m.
- October 12 – Hunter Appreciation Day and Breakfast 8 a.m.-12 p.m.
- October 19 – Star Gazing Workshop with FHSU Astronomy Club
- October 25 – KWEC STEM Drop-in activities
- December 7 – KWEC Holiday Open House 9 a.m.-12 p.m.
- December 16 – Cheyenne Bottoms Christmas Bird Count
- December 27 – KWEC STEM Drop-in activities



Additional program details at  
592 NE K-156 Hwy, Great Bend, KS

● 877-243-9268 ● [wetlandscenter@fhsu.edu](mailto:wetlandscenter@fhsu.edu)

<http://wetlandscenter.fhsu.edu>

## KWEC Fact Sheet

The Kansas Wetlands Education Center is owned and operated by Fort Hays State University (FHSU) in the Werth College of Science Technology and Mathematics, in cooperation with the Kansas Department of Wildlife, Parks and Tourism (KDWPT), with the mission of educating the public about wetland communities, their importance, and the need for conservation and restoration with emphasis on Cheyenne Bottoms and Quivira National Wildlife Refuge (NWR).

### STAFF

- 6 full-time staff  
(4-FHSU; 2-KDWPT)
- 5 part-time staff  
(4 FHSU grad assistants,  
1 seasonal KDWPT Americorps)



### FUNDING

Salaries and 57% of OOE are state funds; 43% of OOE are FHSU General Funds

Admission is FREE!

### ~24,000 Total Annual Contacts

- Educational programming:  
~12,500 contacts/yr  
~660 programs/yr
- ~450 School programs/yr
- Drop-in visitation:  
~8,000 visitors/yr

### FACILITIES

- Koch Wetlands Exhibit Hall
- Classroom
- Live Animal Exhibit
- Auditorium
- Gift Store
- Nature Trail
- Multipurpose Shelter
- Pollinator Garden
- Research Lab/Bunkhouse
- 12-Passenger Van

### POPULAR PROGRAM OFFERINGS

- Winter Kids Programs (Feb)
- Spring Break Activities (Mar)
- Gr. Prairie Chicken Lek Tours (Apr)
- Wild Goose Chase 3k/5k (Apr-even yrs)
- Great Migration Rally (Apr-even yrs)
- Wings & Wetlands Fest (Apr-odd yrs)
- Gifts of the Garden Workshops (summer)
- Summer Nature Discovery Camps (Jul)
- Perseids Meteor Shower Party (Aug)
- Butterfly Festival (Sep)
- Hunter Appreciation Breakfast (Oct)
- KWEC Holiday Open House (Dec)
- Turtle Tot Preschool programs (monthly)
- STEM Drop-In Days (Qtrly)

### NEW KWEC ADDITIONS

- Wetlands Exhibit Enhancement Project  
(Nov 2018)
- KWEC Roof Replacement (Jul 2019)
- Duane Shook Auditorium (Jul 2019)
- Cheyenne Bottoms Informational Video  
(Aug 2019)

## **B. General Discussion**

### **2. Public Lands Regulations**

September 19, 2019

#### **KAR 115-8 series: Department Lands and Waters**

The Public Lands Division is taking an in-depth look at all regulations within the KAR 115-8 series of regulations for Department Lands and Waters.

In order to remove potential bias, Public Lands Division administration has requested that the Kansas Chapter of Backcountry Hunters and Anglers participate in an overall review of this series of regulations.

It is our goal to identify regulations that could be simplified, condensed, or if outdated, revoked.

Staff will also coordinate with BHA to discuss several “hot topics” as they relate to Department Lands and Waters and whether there is a need to recommend new regulations or amend current regulations for issues such as:

- \*Trail Cameras
- \*Non-toxic ammo
- \*Drone use
- \*Bicycles for hunting and fishing access
- \*Refuge closure/open dates
- \*iSportsman (electronic daily hunt permit use and properties)
- \*Guiding and other commercial activities

**KAR 115-25-7**  
**Antelope; open season, bag limit and permits**

**Background**

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for pronghorn antelope.

Western Kansas pronghorn antelope populations have supported a hunting season since 1974. The firearm pronghorn season has been four days long since 1990, starting on the first Friday in October. The archery pronghorn season was nine days long from 1985 to 2004, and included the two weekends prior to the firearm season. Since 2005, the archery season has reopened on the Saturday following the firearm season and continued through the end of October. A muzzleloader season was initiated in 2001. It has begun immediately after the archery season and ran for eight days, the last four overlapping the firearm season. With the exception of annual adjustments in permit allocations, this regulation has basically been unchanged since 2006.

**Discussion & Recommendations**

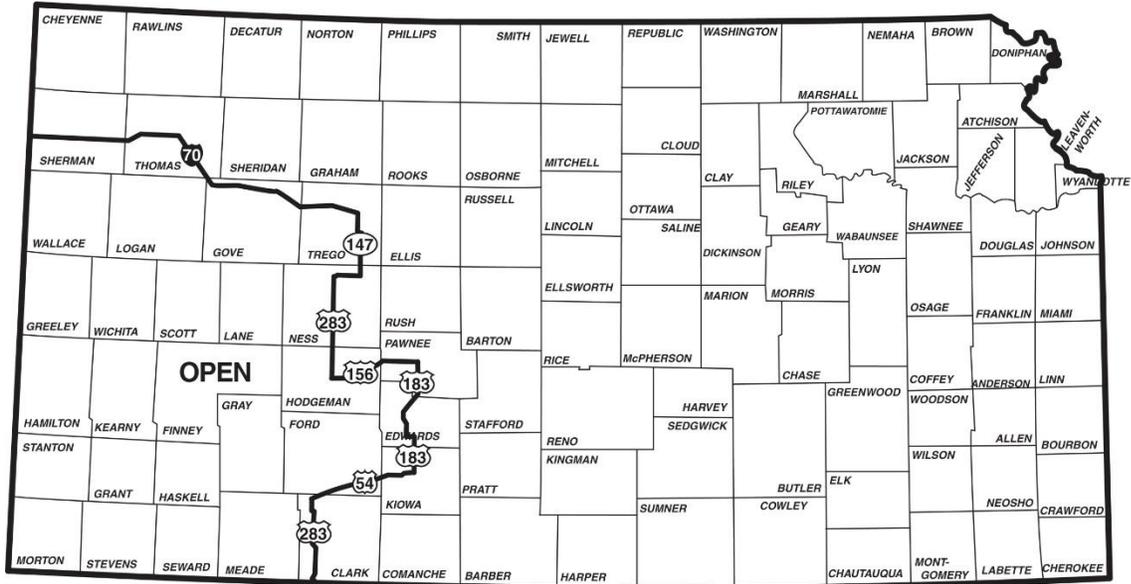
No changes are recommended for this regulation at this time, including season structure, bag limits, and permits.

We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents. Firearm and muzzleloader permit allocations will be determined following winter aerial surveys.

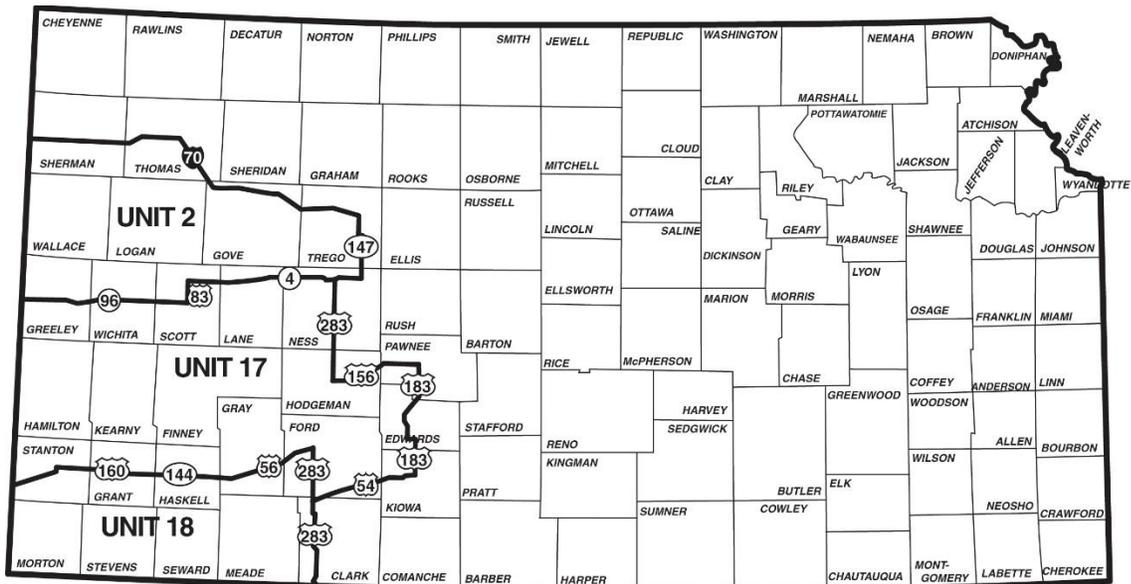
The proposed season dates are:

September 19-27, 2020 and October 10-31, 2020 for the archery season.  
September 28, 2020 - October 5, 2020 for the muzzleloader season.  
October 2-5, 2020 for the firearm season.

## Archery Pronghorn Unit



## Firearm, Muzzleloader Pronghorn Units





## **KAR 115-25-8**

### **Elk; open season, bag limit and permits**

#### **Background**

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for elk hunting.

Elk were first reintroduced onto Fort Riley in 1986, and a hunting season was initiated in 1990. Most of the hunting opportunity in the state occurs on the Fort. However, elk do exist on private lands, though unpredictably in most of the state, with parts of southwest Kansas being the main exception. Elk also occur in the vicinity of Cimarron National Grasslands, but these elk are primarily found in neighboring states, and the Grasslands have been closed to elk hunting since 1995, following several years of heavy harvest pressure.

Since 1999, longer seasons and less restrictive permitting options have been authorized except near Fort Riley and the Grasslands. This framework is intended to allow for elk that may be causing crop damage or other conflicts on private land to be harvested, and for landowners to have the opportunity to maintain elk at desirable numbers on their own property while at the same time allowing the Fort Riley and Cimarron herds to be maintained.

#### **Discussion & Recommendations**

We do not currently anticipate any changes to season structure, bag limits or permit types.

Unit boundaries are defined in K.A.R. 115-4-6b. Units 2 and 3 will be open to hunting.

The proposed season dates on Fort Riley are:

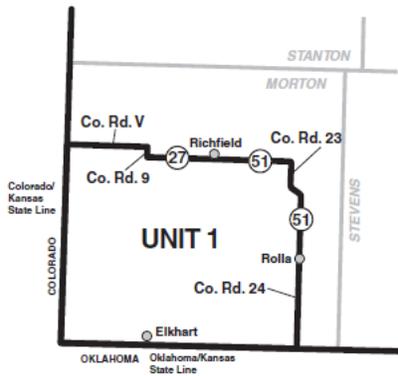
- a) September 1-30, 2020 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2020 for the firearm season.
  - a. Any elk permits are valid during all three months.
  - b. One-third of the antlerless only permits valid during each of the following segments:
    - 1) First segment: October 1-31, 2020.
    - 2) Second segment: November 1-30, 2020.
    - 3) Third segment: December 1-31, 2020.

The proposed season dates outside the boundaries of Fort Riley are:

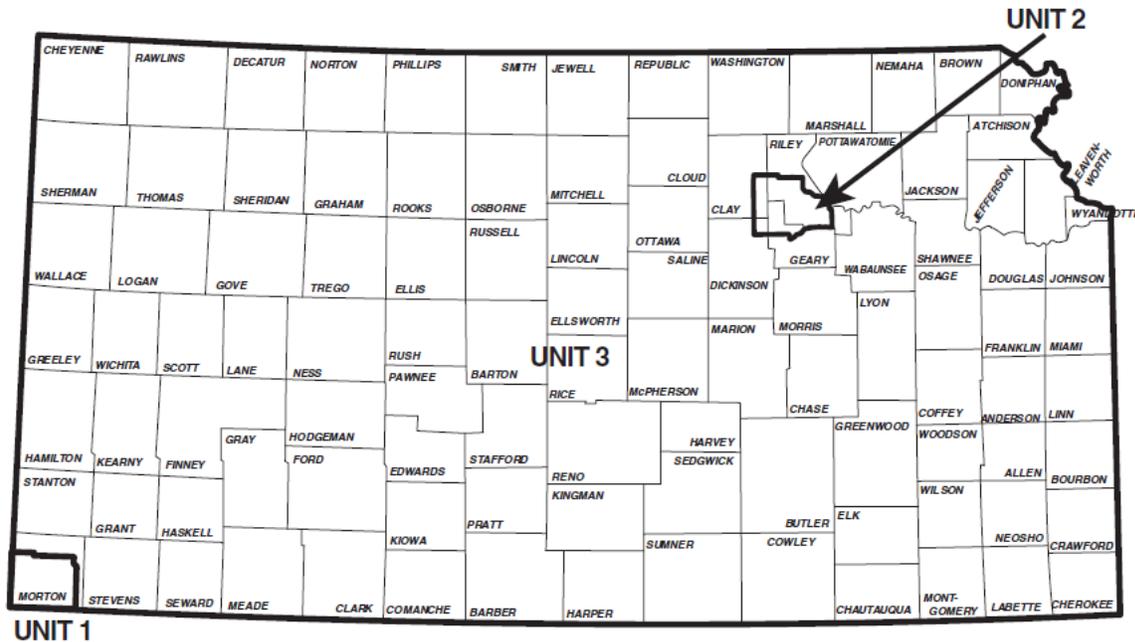
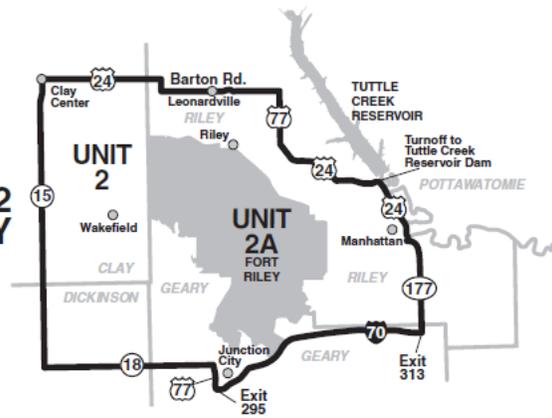
- a) September 1-30, 2020 for the muzzleloader season.
- b) September 14-December 31, 2020 for the archery season.
- c) August 1-31, 2020, December 2-13, 2020, and January 1-March 15, 2020 for the firearm seasons.

Elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants. Unit 2 permit recommendations will be determined at a later date. An unlimited number of hunt-on-your-own-land antlerless-only and either-sex elk permits will also be authorized in Units 2 and 3. An unlimited number of general resident and landowner tenant antlerless-only and any-elk permits will be authorized in Unit 3.

## Elk Units



## NEW UNIT 2 BOUNDARY



## VI. DEPARTMENT REPORT

### B. General Discussion

#### 4. Upland Game Bird forecast

Each year, KDWPT forecasts upland game bird hunting opportunities as a resource for hunters planning trips and to provide general information on what to expect in the upcoming season. The Upland Bird Hunting Forecast is a synthesis of information from population and harvest surveys that are conducted throughout the year. The forecast is highly anticipated and—despite an annual release date in mid-September—requests for the information begin as early as April. The forecast is distributed at all license vendors, on the KDWPT website, and social media outlets.

Overall, statewide population indices remained similar to last year which would indicate another good year for quail and average year for pheasants.



# **Workshop Session**

## **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:

| <b>Common name</b>     | <b>Current listing/Year</b> | <b>Petitioned listing change</b> | <b>Task Committee recommendation</b> |
|------------------------|-----------------------------|----------------------------------|--------------------------------------|
| 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 (*Anodontoides 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 conglutinates) 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-m<sup>2</sup> 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.

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#### 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)

## **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.

## **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.
- Marion Reservoir – change to a 21-inch minimum length limit on walleye.
- 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.
- 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.
- Salina - Lakewood Lake -- change to a 2/day creel limit on trout.
- Add to the list of Paddlefish Snagging Locations -- Neosho Falls Dam, Erie Dam, and Oswego Dam on the Neosho River, Coffeyville Dam on the Verdigris River, and Ottawa Dam on the Marais des Cygnes River.

## **Other 2020 Proposed Fishing Regulation Changes.**

### **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.

## **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.

## **VI. DEPARTMENT REPORT**

### **C. Workshop Session**

#### **5. KAR 15-25-(5-6) Turkey; seasons, bag limits, permits, & game tags**

In late-August 2019, discrepancies were discovered between the 2019 spring turkey license sales summaries provided to the Small Game Coordinator, KDWPT leadership, and Commission, and the most recent sales information from the Licensing Division. The Small Game Coordinator has worked with Licensing to determine the extent and reasons for the discrepancies, has obtained final license sales, and re-analyzed the Spring Turkey Harvest Survey with updated license sales. The numbers below reflect the updated license sales and harvest estimates.

#### **Background**

The 2019 spring turkey season was open April 1 – May 31 and included three different segments - youth/disabled, archery, and regular. The fall 2019 season will be open October 1 to January 31 (closed during the regular firearm deer season, December 4-15). Hunting regulations are set within six management units for both spring and fall seasons (Figure 1).

For the spring 2019 season, 35,979 hunters purchased 56,388 carcass tags. Nonresidents accounted for 41 percent of Kansas' spring hunters and 20 percent of the fall hunters in the most recent seasons. Spring harvest has declined over the past four years from approximately 37,000 turkeys in 2015 to approximately 23,000 in 2019 (Table 1). Statewide spring hunter success remained relatively stable in 2019 (47%, Table 1). Overall declining rates of hunter success—in conjunction with declining population and production indices—are concerning.

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

Turkey abundance has been declining since the late 2000s. Statewide turkey production was generally fair in 2018. Heavy rainfall throughout the 2019 spring resulted in extensive flooding, especially in the eastern half of the state. Production was fair in the western units, extremely poor in the central units, and poor in the eastern units (Table 3). Estimated statewide turkey production in 2019 was the lowest on record (Rural Mail Carrier Survey began recording poults in 1987). Reduced turkey production is a trend that has been noted throughout the Midwest in the past 5-10 years and is a primary concern as turkey populations decline across the region.

#### **Recommendations**

##### ***Bag Limits***

The department utilizes an adaptive harvest strategy to help guide staff recommendations on wild turkey permit allotments during both the spring and fall seasons. The intent of the strategy is to maintain high hunter success in each management unit while maintaining relatively high populations. The strategy provides a consistent and transparent method of developing staff recommendations and includes a hierarchy of regulation packages for both the spring and fall seasons, as well as established triggers for when and how changes to bag limits will be recommended. The strategy has been in place now for nine years and includes data for the last 16 hunting seasons.

An analysis of the spring 2019 harvest data revealed that three of the six units have continued to experience resident hunter success below the stated thresholds of the strategy for the last two

spring seasons (Table 4). This continued decline in hunter success activated management triggers to reduce bag limits and/or season availability in Units 3, 5, and 6 (Northeast, Southcentral, Southeast).

Staff recommend removing the option of a Game Tag in Units 3, 5, and 6 for spring 2020 (April 1-May 31) and recommend suspending the fall turkey season in Units 3, 5, and 6 for 2020 (October 1, 2020-January 31, 2021).

The recommended bag limits for spring and fall turkey seasons are as follows:

| Hunting Unit | Management Unit | 2020 Season Permits<br>(* limited draw, otherwise unlimited availability) |      |
|--------------|-----------------|---|------|
|              |                 | Spring  | Fall |
| 1            | Northwest       | 2   | 1    |
| 2            | Northcentral    | 2   | 1    |
| 3            | Northeast       | 1   | 0    |
| 4            | Southwest       | 1*  | 0    |
| 5            | Southcentral    | 1   | 0    |
| 6            | Southeast       | 1   | 0    |

### *Season Structure*

In 2013, the Commission voted to create three segments to the spring turkey season, which were implemented beginning in 2015. The current structure is as follows:

- Youth / Disabled begins April 1
- Early Archery begins the Monday after the first full weekend in April
- Regular begins the Wednesday after the second full weekend in April

The recommended 2021 Spring and Fall Turkey season dates are as follows:

#### Spring

- Youth / Disabled April 1 - 13
- Early Archery April 5 - 13
- Regular Firearm April 14 - May 31

#### Fall

- All Legal Methods October 1 – November 30, December 13 - January 31

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 (%) | Permits & Game Tags | Total Harvest | Hen Harvest (%) | Success (%) |
| 2014 | 71,903              | 31,988        | 55          | 13,064              | 2,862         | 37              | 33          |
| 2015 | 74,609              | 37,264        | 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 | 56,388              | 23,296        | 47          | --                  | --            | --              | --          |

Success: percentage of active hunters harvesting  $\geq 1$  bird

Table 2. 2019 Spring Rural Mail Carrier Survey population index (turkeys / 100 miles) differences from 2018 and 5- and 10-year averages.

|  | Northwest | Northcentral | Northeast |
|--|-----------|--------------|-----------|
| Difference from 2018 (%)                 | -34.8     | 1.2          | -13.9     |
| 2019 difference from 5-year average (%)  | -13.2     | -12.6        | -0.2      |
| 2019 difference from 10-year average (%) | -41.3     | -29.2        | -14.4     |

|  | Southwest | Southcentral | Southeast | Statewide |
|--|-----------|--------------|-----------|-----------|
| Difference from 2018 (%)                 | 17.8      | -12.7        | 7.6       | -10.2     |
| 2019 difference from 5-year average (%)  | 18.7      | -16.6        | -3.8      | -8.0      |
| 2019 difference from 10-year average (%) | 9.2       | -18.4        | 1.1       | -19.5     |

Table 3. 2019 Summer Rural Mail Carrier Survey production index (poults / 100 adults) differences from 2018 and 5- and 10-year averages.

|  | Northwest | Northcentral | Northeast |
|--|-----------|--------------|-----------|
| Difference from 2018 (%)                 | -54.4     | -87.7        | -50.7     |
| 2019 difference from 5-year average (%)  | -36.3     | -86.2        | -22.1     |
| 2019 difference from 10-year average (%) | -57.2     | -84.9        | -28.3     |

|  | Southwest | Southcentral | Southeast | Statewide |
|--|-----------|--------------|-----------|-----------|
| Difference from 2018 (%)                 | 17.6      | -75.7        | -57.9     | -58.8     |
| 2019 difference from 5-year average (%)  | 4.8       | -74.5        | -42.7     | -50.3     |
| 2019 difference from 10-year average (%) | -10.2     | -79.3        | -35.4     | -52.8     |

Table 4. Spring turkey season resident hunter success (%), 2015-2019.

| Year | Northwest<br>(Unit 1) | Northcentral<br>(Unit 2) | Northeast<br>(Unit 3) | Southwest<br>(Unit 4) | Southcentral<br>(Unit 5) | Southeast<br>(Unit 6) | Statewide |
|------|-----------------------|--------------------------|-----------------------|-----------------------|--------------------------|-----------------------|-----------|
| 2015 | 60.0                  | 50.9                     | 52.9                  | 56.0                  | 50.5                     | 43.7                  | 46.3      |
| 2016 | 34.5                  | 54.1                     | 48.7                  | 40.7                  | 44.6                     | 41.2                  | 43.0      |
| 2017 | 50.0                  | 58.3                     | 45.1                  | 65.0                  | 48.9                     | 44.3                  | 44.4      |
| 2018 | 37.8                  | 41.8                     | 37.3                  | 37.5                  | 44.3                     | 35.5                  | 36.9      |
| 2019 | 56.3                  | 56.0                     | 40.7                  | 57.1                  | 47.1                     | 42.9                  | 42.9      |

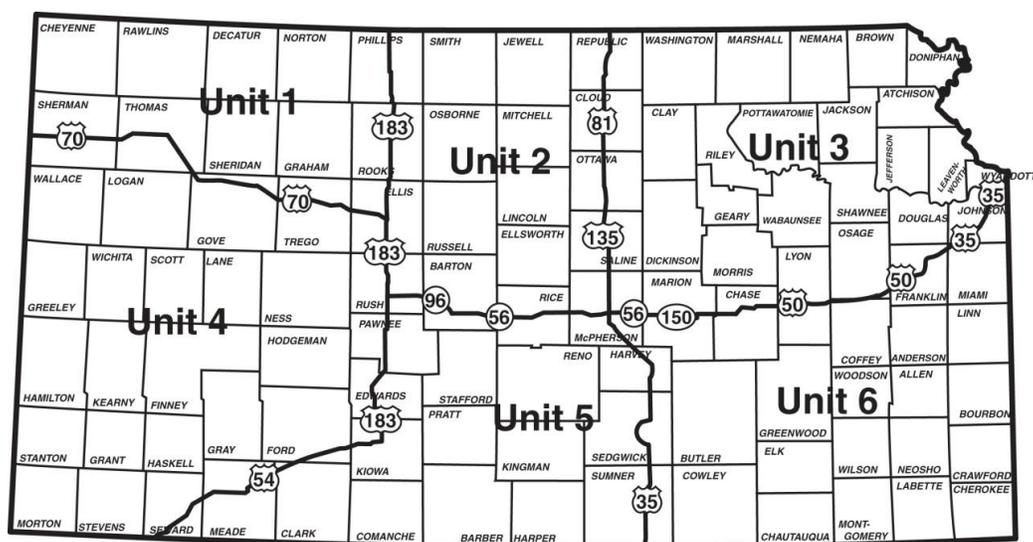
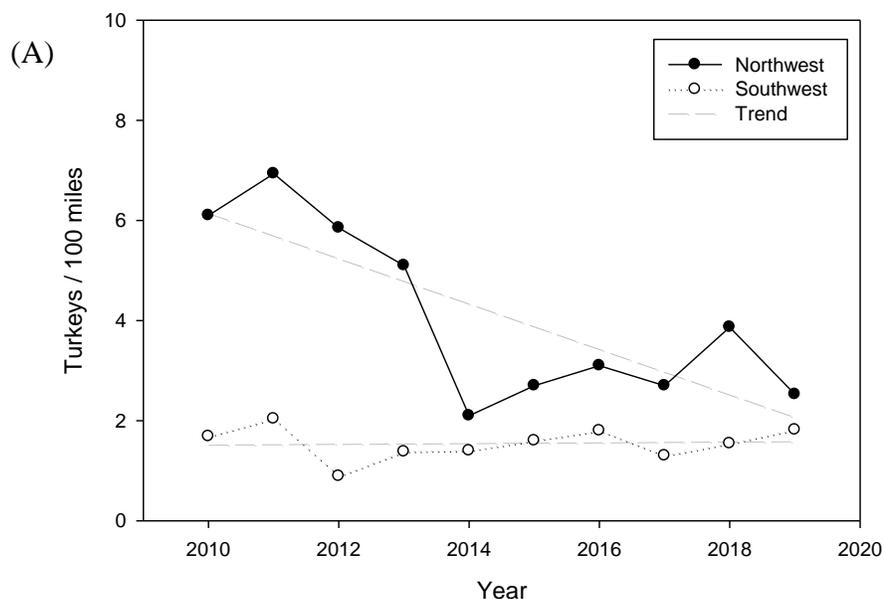


Figure 1. Hunting units for Kansas' 2019 turkey seasons. A 2019 spring turkey permit (and additional game tag) could be purchased over-the-counter for Units 1, 2, 3, 5, and 6. Five hundred spring permits were issued for Unit 4 through a pre-season drawing and were also valid in adjacent units. A 2019 fall turkey permit can be purchased over-the-counter, and is valid in Units 1, 2, 3, 5, and 6. There will be no fall turkey hunting allowed in Unit 4 in 2019.



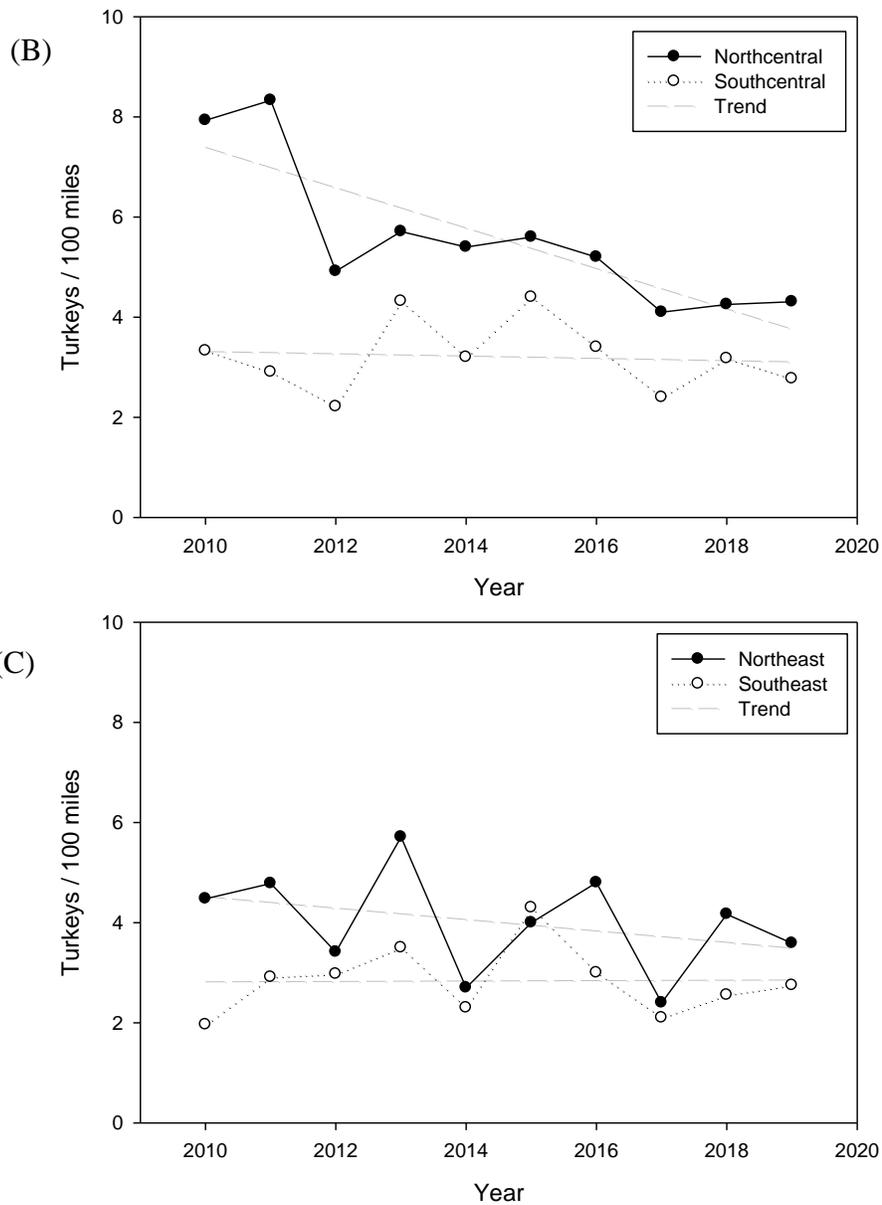


Figure 2. The spring rural mail carrier index (turkeys / 100 miles traveled) to wild turkey populations with 10-year trends in the western (A), central (B), and eastern (C) Kansas management regions, 2010-2019.

## **VI. DEPARTMENT REPORT**

### **C. Workshop Session**

#### **6. Big Game Permanent Regulations.**

All permanent regulations dealing with big game will be discussed together at this meeting. In recent years these regulations have been brought forward in the General Discussion portion of the Commission Meeting in August to allow public comments and to determine if further review was needed.

##### **a) K.A.R. 115-4-2. Big game; general provisions.**

#### **Background**

This regulation contains the following items:

- Information that must be included on the carcass tag
- Registration (including photo check) needed to transport certain animals
- Procedures for transferring meat to another person
- Procedures for possessing a salvaged big game carcass
- Who may assist a big game permittee and how they may assist, including the provisions for designated individuals to assist disabled big game permittees.

#### **Discussion**

Chronic wasting disease (CWD) is one of the biggest threats to the sustainability of the Kansas deer herd. Recommended practices to reduce the risk of anthropogenic spread include prohibiting the movement of cervid carcasses and parts, except for: boned out meat, clean hide with no head attached, clean skull plate with antlers attached, clean antlers, finished taxidermy specimens, and clean upper canine teeth. An alternative to this is allowing quartered carcasses with no spinal column or head attached.

#### **Recommendation**

The option being considered is:

For deer harvested in Kansas, restrict movement of deer carcasses, or parts thereof, to within the boundaries of the deer management unit (DMU) in which the deer was harvested. Allow only the clean antlers or clean antlers attached to a clean skull plate, hide without skull or meat attached, finished taxidermy mounts, boned out meat or quartered carcasses without the head and spinal column attached to be possessed when crossing DMU boundaries. Needed tissues, the brain stem (obex) and/or lymph nodes, that will be submitted for chronic wasting disease testing may also be possessed when crossing DMU boundaries.

For deer harvested outside of Kansas, allow only the clean antlers or clean antlers attached to a clean skull plate, hide without skull or meat attached, finished taxidermy mounts quartered carcasses without the head and spinal column attached to be brought into Kansas. Needed tissues, the brain stem (obex) and/or lymph nodes, that will be submitted for chronic wasting

disease testing may also be possessed when crossing DMU boundaries.

Hunters must maintain proof of sex for deer harvested with on a antlerless permit until the animal reaches the permittee's residence or a commercial place of processing or preservation and is processed for consumption. Retaining the head naturally attached to the carcass as proof of sex would only be permitted within the DMU in which the deer was harvested. Leaving enough hide with the genitalia naturally attached to a quarter or following the current regulations for "electronically registering" antlerless deer would serve as proof of sex for movement across DMU boundaries. Carcass tagging for quartered carcasses would remain the same.

**b) K.A.R. 115-4-4. Big game; legal equipment and taking methods.**

**Background**

This regulation contains the following items:

- Specific equipment differences for hunting various big game species.
- Specifications for bright orange colored clothing, which must be worn when hunting during certain big game seasons.
- Accessory equipment such as calls, decoys, and blinds.
- Shooting hours
- Special restrictions on the use of horses or mules to herd or drive elk.

**Discussion**

New hunting equipment continues to be created and people request changes in the regulation to allow novel equipment. Historically changes in this regulation have attempted to balance a potential benefit of allowing new equipment to benefit a few people against the added complexity caused by changing the regulation, which may confuse other hunters. Typically, the department has changed this regulation after a review for a period of years rather than annually.

At this time, KDWP is evaluating the use of draw locking devices on vertical bows as legal equipment during the archery season(s) for big game species.

**Recommendation**

KDWP seeks input on the proposed option to remove the prohibition of devices that lock a bow at partial or full draw.

**c) K.A.R. 115-4-6. Deer; firearm management units.**

**Background**

This regulation established the boundaries for the 19 Deer Management Units in Kansas.

## **Discussion**

Landowners and hunters within the extreme southern part of DMU 10 have requested greater continuity of harvest limits and the additional ability to manage deer numbers in their area. The deer population in the northern portion of DMU 10 remains moderate. Changes in the management unit boundaries, especially the original 18 DMUs, complicate trend analysis of hunter participation and harvest of deer.

## **Recommendation**

The option being considered is to extend the boundary of the urban deer management unit, DMU 19, to cover the extreme southern end of DMU 10. The proposed boundary change would be from the junction of Johnson County 199 Street and I-35 southwest on I-35 until its junction with federal highway US-75, then north on federal highway US-75 until its junction with Shawnee County SW 93. All other portions of the boundary would remain the same.

### **d) K.A.R. 115-4-11. Big game and wild turkey permit applications.**

## **Background**

This regulation describes general application procedures, including the establishment of priority drawing procedures when the number of applicants exceeds the availability of authorized permits. The regulation also authorizes hunters to purchase a preference point for future applications.

## **Discussion**

No changes in the application process of big game or wild turkey permits are currently being discussed within the department. Requests for changes in allocation of either species, either sex firearm permits for resident youth hunters have been received from the public.

## **Recommendation**

No change is proposed for this regulation and it is not scheduled for further review this year.

### **e) K.A.R. 115-4-13. Deer permits; descriptions and restrictions.**

## **Background**

This regulation contains the following items:

- Creates permit types that include:
  - White-tailed deer, either-sex (WTES) permit or white-tailed deer antlerless only (WTAO) permit for residents of Kansas. These permits are valid during all seasons with equipment authorized for each season.
  - White-tailed deer, either-sex permit for nonresidents valid for one equipment type and one unit. Nonresident hunters may designate one adjacent unit where they may hunt.

- Either-species, either-sex permit, restricted to a season or seasons and units where they may be used by resident and nonresident deer hunters.
- Hunt-on-your-own-land permits, including resident HOYOL, nonresident HOYOL, and special HOYOL permits for certain direct relatives of the landowner or tenant.
- Each deer permit is valid only for the species and antler category specified on the permit.
- Antlerless deer are defined as a deer without a visible antler plainly protruding from the skull.

### **Discussion**

Starting with the 2016 season, Either-species Antlerless Only Permits (ESAO) were no longer issued in Kansas. This was done to address the changing mule deer population to reduce harvest of female mule deer. Recent increases in mule deer numbers in Deer Management Unit 1 have resulted in an increased number of landowner complaints about crop damage caused specifically by mule deer. Mule deer population status in other DMUs within the East and West mule deer hunt zones currently is stability at low density or declining.

### **Recommendation**

Either-species Antlerless Only Permits (ESAO) could be issued again. The number of ESAO permits to be issued in each DMU would be evaluated after additional data becomes available. ESAO permits would not be valid on lands managed by the department.

## **VI. DEPARTMENT REPORT**

### **C. Workshop Session**

#### **7. Deer 25-Series Regulations.**

### **Background**

The regulation contains the following items:

- Dates of deer seasons when equipment such as archery, firearms, or muzzleloader may be used.
- Provisions when seasons may occur on military subunits within management units.
- Dates for a special firearm deer season and extended archery seasons in urban units.
- Dates of deer seasons for designated persons.
- Dates and units when extended firearm seasons are authorized and the type of permits and changes in the species and antler categories of those permits.
- Limitations in obtaining multiple permits.

## **Discussion**

Annual adjustments will be made in the deer hunting season dates. This review process initiates the discussion of potential changes in deer hunting seasons for 2020-2021. The recommendations currently follow the traditional season structure, with potential changes to some seasons:

Typically, the first extended white-tailed deer antlerless-only (WAO) season has started on the New Year's Holiday and was open through the first weekend in January, or during the first weekend if January 1 fell on a Saturday. New Year's Day falls on Friday in 2021. Hunter input during the 2018-19 season's deer harvest survey indicated hunters wanted more days to hunt and always want weekend days included in an antlerless season. There is also a need to increase harvest as part of chronic wasting disease management. The option currently being considered:

1. Three January WAO season lengths, 10 days, 17 days, and 24 days.

Population indices, mortality due to disease and changes in fawn recruitment will be examined and public input will be considered in the development of a list of units where an extended firearms season and WAO permits will be authorized. The number of WAO permits that may be used in each unit will also be evaluated after additional data becomes available.

Public comment is sought about this option.

## **Recommendation**

The proposed season dates suggested for deer hunting during 2020-21 are as follows:

|                              |                                 |
|------------------------------|---------------------------------|
| Youth and Disability         | Sept. 5, 2020 – Sept. 13, 2020  |
| Early Muzzleloader           | Sept. 14, 2020 – Sept. 27, 2020 |
| Archery                      | Sept. 14, 2020– Dec. 31, 2020   |
| Pre-Rut WAO                  | Oct. 10, 2020 – Oct. 12, 2020   |
| Regular Firearm              | Dec. 2, 2020 – Dec. 13, 2020    |
| 1 <sup>st</sup> Extended WAO | Jan. 1, 2021 – Jan. 10, 2021    |
| 2 <sup>nd</sup> Extended WAO | Jan. 1, 2021– Jan. 17, 2021     |
| 3 <sup>rd</sup> Extended WAO | Jan. 1, 2021 – Jan. 24, 2021    |
| Extended Archery (DMU 19)    | Jan. 25, 2021– Jan. 31, 2021    |

**General  
Discussion  
(continued)  
(evening)**

## **Cheyenne Bottoms Wildlife Area Renovation**

On 2 September 1937 the Federal Aid in Wildlife Restoration Act was passed by Congress and signed into law. This act, better known as the Pittman-Robertson Act (PR), places a federal excise tax on sporting arms and ammunition. One of the first projects undertaken by Kansas with their new funding source was the acquisition and development of Cheyenne Bottoms Wildlife Area. The first land acquired for the Bottoms was purchased in 1942. The bulk of the 19,857 acres that now makes up Cheyenne Bottoms Wildlife Area was purchased by 1949. Construction on the project started in 1949 with the digging of the 3.5-mile inlet canal from Wet Walnut Creek to the basin. The Wet Walnut dam was completed in 1952. Work on the 23 miles of dikes within the Bottoms was initiated in 1950. This included the construction of 11 water control structures and was finished in 1953. In 1955 the final phase of the project was begun. This included the construction of the Arkansas River and Wet Dry Walnut Creek diversion dams and the accompanying inlet canals. The work was completed in 1957 with the dedication held on 13 October 1957. The total cost for the project was about \$2.8 million. The cost of the project was covered by hunting license sales and funds from the Federal Aid in Wildlife Restoration Act. The first waterfowl season for the “new” Cheyenne Bottoms Wildlife Area was in 1953. On average 50,000 people visit Cheyenne Bottoms every year. Cheyenne Bottoms, the largest interior wetland in the United States, has been recognized as a Wetland of International Importance, a Hemispheric Shorebird Reserve and an Important Bird Area.

Since completion of the original construction, much has changed in the arid west. Demands for water have increased to the point where many rivers and streams no longer flow with the regularity they did in the past. In order to cope with these changes, the Kansas Department of Wildlife and Parks embarked on a 10-year, \$17 million renovation project of Cheyenne Bottoms. Initiated in 1990, this renovation had elements incorporated in it to conserve

water, improve efficiency in water management and refurbish many of the original water control structures. In 2013, a 5 mile underground pipe from the Arkansas River Diversion Dam to Dry Walnut Creek was put in place to more efficiently move water between these basins and ultimately into Cheyenne Bottoms.

Since the last renovation of the mid 1990's, silt has continued to accumulate and infrastructure has aged. In 2018, a \$6 million PR grant proposal was submitted and approved for restoration and renovation of Cheyenne Bottoms Wildlife Area. One of the largest pieces of the grant will require the removal of thousands of cubic feet of silt to improve water movement capabilities. Plans are in place to replace and repair aging pumps and water control structures. A large capacity pump station will be added at the west end of the property that will help with water management of the area's largest pool. A new shop and office will be added to the current headquarters. Dike and road repairs will also occur. Hunters will benefit from the restoration of blind islands in the pools and adding and replacing foot crossings. A 105-acre wetland will be added to the property to serve as the Special Hunts Area for youth hunters. The plan also includes improving campgrounds and roads throughout the area, which will benefit all who use the wildlife area. The grant will also allow for the purchase of a specialized piece of equipment called a Marsh Master. Although very little actual work has begun at this point, planning and engineering have started.

**Public Meeting Update on Duck Zone Changes**  
**No briefing book items – possible handout at meeting**

# **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 - July 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

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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, September 19, 2019 at Kansas Wetland Education Center, 592 NE K156 Hwy, Great Bend, Kansas to consider the approval and adoption of the proposed regulation 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., September 19 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. September 20 at the location listed above.

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

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

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to [sheila.kemmis@ks.gov](mailto:sheila.kemmis@ks.gov) if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. 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 regulation.

The regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

**K.A.R. 115-8-13a.** This new permanent regulation allows for use of electric-assisted bicycles in state parks and exempts the electric-assisted bicycles from motor vehicle permit requirements.

**Economic Impact Summary:** No substantial negative 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](http://ksoutdoors.com), or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

**DEREK SCHMIDT**  
ATTORNEY GENERAL

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

May 29, 2019

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

RE: **K.A.R. 115-2-1; 115-2-7; 115-5-3; 115-5-3a; 115-8-13a; 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

A handwritten signature in black ink, appearing to read "Athena E. Andaya".

Athena E. Andaya  
Deputy Attorney General

AEA:AEA: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  
J. G. Scott, Legislative Research, State Capitol, Room 68-W  
Natalie Scott, Office of Revisor, State Capitol, Room 24-E

**115-8-13a. Electric-assisted bicycles.** (a) For the purposes of this regulation, the term “electric-assisted bicycle” shall have the meaning specified in K.S.A. 8-1489, and amendments thereto.

(b) A motor vehicle pass shall not be required to operate an electric-assisted bicycle in any state park. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and 32-901; effective P-\_\_\_\_\_.)

APPROVED

MAY 21 2019

APPROVED

MAY 23 2019

APPROVED

MAY 29 2019

DIVISION OF THE BUDGET

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

**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. 115-8-13a  
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  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

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

This new permanent regulation allows the use of electric-assisted bicycles in state parks and exempts them from motor vehicle permit requirements.

**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, Missouri and Colorado all have varying regulations dealing with motor vehicle use in state parks.

**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 restrict business activities and growth. It may create a new market for a newer type of bicycle.

**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 bicycle dealers, grocery stores, hotels and motels, service stations, etc.

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

None.

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

The proposed regulation will allow for a potentially new marketable product to be sold and used in Kansas.



**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.**

There are no implementation or compliance costs associated with the proposal.

**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 associated with the proposal.

**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 associated with the proposed changes.

**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 January 17, 2019 in Lawrence, where 4 members of the public signed the attendance roster, on March 28, 2019 in Topeka, where 5 members of the public signed the attendance roster and will hold a meeting on June 13, 2019 in Salina.

**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.

