

**Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, September 24, 2020
Virtual Zoom Meeting**

Approved Subject to
11/19/20 Commission
Approval

The September 24, 2020 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. Chairman Lauber and Commissioners Emerick Cross, Gary Hayzlett, Warren Gfeller, Aaron Rider, Lauren Sill and Troy Sporer were present.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Revised to add KDWPT Diversity Outreach Update to General Discussion, item number three, Tanna Fanshier will present it. (Agenda – Exhibit B).

IV. APPROVAL OF THE August 20, 2020 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber – Please state your name when you talk so record can reflect that.

None

VI. DEPARTMENT REPORT

A. Secretary's Remarks

Secretary Loveless - We had a personnel issue come up I wanted to share. Richard Sanders, fish biologist with our department since 1984; knew him since he was new in Lawrence, until Monday morning when he passed away in his sleep unexpectedly. He was a consummate fisheries biologist, a great team member, professional and knowledgeable. He trained thousands of youngsters to fish during his career. He was a warm professional person, was very approachable and a great colleague. He took pride in his ability to educate, including me when I was starting out. Always reaching out and interested in youth. In talking with him, he talked

about getting his grandkids out fishing and he did that. Sorry to see him go. Praying for his family.

1. Agency and State Status Report – Brad Loveless, Secretary, presented this update to the Commission – Begun preparation for FY22 budget cycle. Our EDIF apportionment remains at \$5.1 million, which is spread out to Tourism, Parks and Administration. We plan to hold our budget static from FY21 to FY22. Based on conversations with the Department of Administration we are trying to be more transparent than we have been, recognize we could do some things we hadn't in the past; it won't change the way we operate or the decisions we make. Concerns about Covid 19 and the impact to our agency; we depend heavily on fall deer and upland hunting for a significant part of our revenue for Wildlife Fee Fund; that is up in the air. We have done everything we know of to ensure nonresidents still feel safe coming into Kansas in the fall and we have educated everybody. I had a conversation with Governor Kelly, about things we are doing to help nonresidents feel comfortable and educating landowners who share their land and outfitters that they need to talk to their local decision makers to let them know folks are coming and that we have a plan for them, they won't be mixing with everyone in town. A safe enterprise as far as potential impact on Kansans but they bring important money to our economy, so doing everything we can to preserve that. That being said that revenue and EDIF could still be cut, but optimistic. Park Fee Fund revenue finished 2020 up from 2019 about 36 percent, recovered after flood waters. May and June at historic levels, broke previous records, above \$2 million, and August revenues up also. Current cash balance is \$4.4 million, up from \$3.7 million last year. Linda's folks worked very hard and have done a great job handling all of the extra traffic; parks have essentially full since April and May. A number of states shut down all of their parks and Governor Kelly realized the value of our resources and we had doors wide open and with good work of our employees, cleaning restrooms and making sure everything was safe, we had a record spring and summer. Cabin revenue up 12 percent from previous year. Wildlife Fee Fund up 15 percent; balance at end of FY20 was \$26.5 million, and current balance about \$23.6 million. Doing okay but holding our breath a little. In the fall, revenue from permits is about \$14 million, a huge part of income based on how we do this fall. Planning to ensure safe fall hunting season. Chairman Lauber – As of August 14 sending refunds upon request. Are we still doing that? Secretary Loveless – I will have Mike respond as he is in the middle of that. When I came in I said we should take a business-like approach; the department has taken a customer-friendly approach in the past and we advanced that further this year. Assistant Secretary Mike Miller – Through August 14, we had about 40 nonresident deer permits returned for refunds because of the Covid situation. We made decision early last summer that we were going to refund those and try to reissue those to next person in the draw order. We did that through the summer with some still pending. Initially got positive and quick results from those folks and it slowed down as we got closer to the season. We made a policy decision that if season is already going for what your permit is valid for we will not refund unless compelling circumstances. For most part people want to ensure we are going to have deer season and they can come to hunt. Even bird hunters are calling to make sure they can come. I think hunters will be here. We have only had a couple of outfitters call with questions about quarantine situations or best practices to keep their people safe. Doug Nygren, Fisheries and Licensing Director – Mike is right, anything since August 14 is being treated on case-by-case basis. Secretary Loveless – Cool thing about this, what staff has managed to do is make two people happy, person calls in anxious because they can't use permit and we tell them we will send their money back; and then we call person on top of list who

didn't get drawn to tell them they can have the permit. Neat approach to customer service and pleased with choices they have made in being customer friendly. Chairman Lauber – That is the way to handle it, on a case-by-case basis. May see more fervor as closer to primary firearm season. Is Ringneck Classic going to be held this year? Secretary Loveless – They are planning on having it, recruiting people and organizing like they always would and hoping distance will allow them to do this as they did in the past.

B. General Discussion

1. Antelope and Elk 25-Series Regulations – Matt Peek, biologist, presented these regulations to the Commission. First discussion for pronghorn and elk for the regulatory cycle. Pronghorn (Exhibit D) – Season since 1974, since 1990, had a four-day firearm season beginning on the last Friday in October, Monday through Friday, and other seasons are based off dates firearm season is open. Primary nine-day archery season has been in place since 1985 and in 2005, we began reopening the archery season the weekend after firearm season closed, which gives archery hunters an extra 20 days after other seasons close. It is not heavily used, only about 10 percent of harvest comes out of that season. Muzzleloader season established in 2001 and it begins immediately after the archery season and runs for eight days with last four days overlapping with firearm season. With the exception of annual adjustments in permit allocations, the muzzleloader regulation has been unchanged since 2006. Hunting occurs in western Kansas within same units as used for deer; Units 2, 17, and 18 are open to hunting. Archery permits are good in all three units and firearm and muzzleloader permits only available in one of the three. The archery permits are available over-the-counter, and muzzleloader and firearm permits are limited draw. In recent years we have had over 1,000, in some cases as many as 1,500 applicants for the firearm and muzzleloader permits. Demand is high. It takes one to three preference points for general residents to draw a muzzleloader permit, three to five to draw firearm permit. Permits are divided between landowners and general residents and landowners can draw any permits for any of the units with anywhere from zero to two preference points, not as many landowners applying. Allocated on true preference point system, with one point for each year you apply and are unsuccessful. Person with most points gets the permit. Firearm and muzzleloader permits are available to residents only and archery permits to both residents and nonresidents. Proposed season dates are provided in briefing book, standard for over 10 years. Success rates for archery permit has been 10- to 15-percent successful, even since we included crossbows; muzzleloader are about 60 percent; and firearm about 70 percent; and stable year to year. Permit allocations determined after winter aerial surveys, so won't have for a few meetings. We produce detailed harvest reports and population survey reports that are available on our website, so good information out there for hunters to use to decide where they want to go, including success rates and how many animals taken in different units by different equipment types. Go to Pronghorn page, use research reports link. Commissioner Sporer – Are there limited amount of archery tags or unlimited? Peek – It is unlimited. Commissioner Sporer – How many archery tags get sold a year? Peek – It has been over 300, as of the other day based on last year we could sell another 100, but up to 320 the other day. The most we have every sold is 350, so will probably reach an all-time high this year. Heard from archery hunters that many of them converge on Logan or Wallace counties where there are quite a few walk-in areas and I have heard some complaints about amount of competition. Some of them have proposed we should establish a limit on archery hunters, or we should require them to have a preference point, or something like that.

The other thing we did several years ago that increased archery hunting, was years ago if they got an archery permit it used up their preference points, now an archery hunter can apply for firearm or muzzleloader preference points and buy an archery permit without losing those preference points. There are a few things we could do to reduce pressure out there.

Elk (Exhibit E) – KAR 115-25-8, elk, open season, bag limit and permits. Elk were reintroduced onto Fort Riley in 1986, hunting season initiated in 1990, which is the best hunt opportunity for average general resident; however, elk are scattered, unpredictably, around the rest of state, an opportunistic hunting for hunters lucky enough to have elk in their area. In last two years, elk have been harvested in Barber, Geary, Greenwood, Hamilton, Jefferson, Kearny, Labette, Lane, Logan, Marshall, Osborne, Phillips, Riley, Reno, Stafford, Thomas, Wallace and Washington counties, In the last six years we have had elk harvested in a quarter of the counties in the state. The third component, besides Fort Riley and these wandering elk, would be small- to fair-sized herds that predictably exist on private lands, which are maintained by landowners who restrict hunting access, and are managing for and protecting those elk. Another key area for consideration of elk management is Cimarron National Grasslands. Elk were reintroduced between 1981 and 1990, but crop damage complaints led to several years of heavy harvest pressure and season was discontinued after 1995 due to lack of elk availability. Today the elk are not predictably present, so this is one area of the state closed to hunting. Units provided in briefing book; Unit 1 is area in southwest corner that includes Cimarron National Grasslands but also a buffer around it that is not open. If lesson to be learned from early days of elk management in Kansas from Cimarron and Fort Riley, these herds were able to increase in number, conservative in harvest, led to significant crop damage complaints and ultimately significant herd reduction. Since 1999 we have been establishing progressively longer and less restrictive permitting options to address damage issues. We've done this while providing a buffer around Fort Riley and Cimarron, so these areas are protected but in remainder of the state we give landowners the ability to maintain elk at number acceptable to them. In some cases, landowners are protecting and managing for elk and in other cases where they might not want elk; now they have the ability to hunt themselves or let general residents on their property. We think our current system has been effective and landowners have a good incentive to have elk because there are a lot of people who would love to have the opportunity to hunt them. Don't anticipate any changes to season structure, bag limit or permit types. Most of the state is in Unit 3. Different than pronghorn, where permits are allocated by a true preference point system, elk limited draw permits on Fort Riley (Unit 3 permits are over-the-counter) are allocated by a bonus point system. Every time a person applies they get a point, but the person with the most points would have more chances but is not guaranteed to draw the permit, so a person with one point might draw the permit. The other thing we do with elk since most of hunting is on Fort Riley is the permits are weighted, we typically have over 1,000 residents apply, usually less than 100 military personnel apply. What we do to weight the odds to give Fort Riley personnel a better chance is to draw up to 100 military and 100 general residents and put into a small pool and from that small pool of 200, the permits are drawn; a way to give military personnel a better chance of drawing. Permits are restricted to Kansas residents. The number of landowner permits in Units 2 and 3 and general resident permits in Unit 3 are unlimited, not limited outside of Fort Riley unit. Chairman Lauber – Are there more elk harvested in Unit 3 than Unit 2? Talking about 25 counties, one-fourth that had a harvest. Peek - Close to half. Two years had 58 elk harvested and last year 47 harvested, half from Fort Riley. Chairman Lauber – We try to harvest 10- to 15-percent off Fort Riley's population a year? Peek – Yes. There might be up to 300 elk on Fort

Riley and the harvest was high last year but usually around 25 on Fort Riley. Chairman Lauber – For years we said, what do we do with elk not on Fort Riley, but there wasn't enough to make a lot of difference, now harvesting almost half off of the base, which may be 40 percent. Our elk management is good and other than the occasional landowner who is overrun, not much complaints. Commissioner Sporer – What is opening day of elk season? Peek – We established an August firearm season two years ago, so August 1, in response to a damage complaint where we were getting pressure to issue a depredation tag, which is something we didn't want to do. We want to be able to use legal hunting to address elk damage issues because there are lot of people who would like to be able to legally hunt them. It opens September 1 on Fort Riley. Commissioner Sporer – My concern is elk sightings are common in western Kansas and where people can buy over-the-counter, how often is animal harvested and then tag purchased? Is that a concern? Peek – We are aware of that, talked about it in deer committee and groups like that as we have shifted to easier access to over-the-counter permits and hunt the same day type of situations. In general, I have not heard of specific issues where people have done that, no indication it has occurred. Commissioner Sporer – Buy tag and harvest, tagged or electronic tagging? Peek – It can be done electronically with other big game species or can also be tagged. People with paper permits still. Commissioner Sporer – If you buy a tag and harvest an animal is it tagged or all electronic? Peek – It could be done electronically, along with other big game species, and could also be tagged. Most people these days are going to have paper permits still. Commissioner Sporer – A concern for me. See elk one day while picking corn and the next somebody has a picture of him on Facebook. I question, if not elk hunters, did they buy permit and then go hunting or hunt him and then go buy the tag. Peek – I can't say that doesn't happen, it could, but we talk to people who have seen an elk and asking about legality of buying a permit. Can't say it doesn't happen, but most hunters abide by the law. The reason the elk have showed up more consistently on private land is that the elk population on Fort Riley is near compacity and more elk coming off the Fort. So, not carrying capacity, but density related response. Also, as those populations have become established and numbers good, we know elk are moving up and down the western side of the state, so the source of the elk is established populations we know exist.

2. Outdoor Mentors Update – Mike Christensen/Brittany Waldman, Outdoor Mentors, presented this update to the Commission (PP Exhibit F). Mike Christensen, Pass-It-On Outdoor Mentors program – Last year we talked about efforts to reach out to high school shooting sports kids, wanted to share some of the results of that and plans going forward. Our goal was to go out to High school shooting sports kids, if it hadn't been for Covid, would have been 90 high schools shooting trap and over 2,000 kids participating in that. Since June 2019, when we hired a director of field operations to head up this program, we had 220 youth hunt this last year; 13 dove hunts, 13 pheasant hunts, one quail hunt, a bunch of deer hunts and 10 waterfowl hunts. This is kids from 44 different high schools that have trap shooting teams. So far this year, 126 kids out. We are reaching out to college trap teams, as well now. We are seeing great results and excited about what is beginning to happen. The program seems to be going well and excited about what we can make happen. Last year when started, we surveyed the kids and found 85 percent already hunted. If looking at the R3 program, retention, recruitment and reactivation, that would hint we are dealing with a lot of retention rather than recruitment, but what we found in working with the kids is that while the kids say they have hunted, they don't hunt a lot or have hunted a lot of different species. The goal with our program is to get them on multiple hunts to let them

experience all of the great hunting Kansas has to offer and hopefully get them excited about becoming a hunter on a long-term basis. Focused on 89 different hunts last year and we do that by brokering the hunts. We aren't there for each one, but we are offering mentoring opportunities and bringing them together. Basically, brokering hunts, reaching out to high school athletes, Kansas High school Clay Target Program, and 4H shooting sports programs. Because of what we did this year, Iowa DNR reached out to us this year and asked us to come to Iowa to do a pilot program. We are reaching out to athletes and putting together a sign-up information form. When we put together a hunt we provide hunters with all of the information they are going to need; what kind of tag they need, what gun they need, what they need to get ready for the hunt, and where they are going to meet. A learning experience last year. Brittany Waldman did the presentation last year and she found, when putting together hunts, she was getting a lot of questions, so what she has done is a good job of putting narratives together to explain all of those and hopefully cut down on the phone calls. We also worked with Marc Murrell to put together a series of videos, so answering questions she was fielding on the phone last year. Now we direct new hunters to these videos, and they can get a handle on what we are going to do and how it is going to work. One of key things we are doing is engaging NGOs to get volunteers. As we put together these hunts we recruit them to help on those events and that is working out well. A lot of people that joined us last year are signing up to do it again this year. Our goal is to broker these hunts and by doing that we are eliminating a lot of work volunteers have to do. A lot of volunteer capital in those groups is used in putting up fund raising events they do; after that hit and miss whether they get youth events on the ground. By putting together the hunt, finding a place to go, lining up the volunteers and lining up the kids, basically all they have to do is show up and have fun and it becomes easy for volunteers and kids to participate. In a study Matt Dunfee did on mentoring and getting people outdoors is we have to ask volunteers, ask student athletes, ask parents and coaches to get them out, you can't just put up an event on Facebook page and expect people to find it and get involved. We are aggressively going out and reaching out to everybody involved in this and getting their involvement in the events. Access has been a key issue for us as well; working through the department's special hunts and depredation tags we have been able to provide some unique opportunities for kids. Based on what happened last year, people are reaching out to us with hunts telling us they are having trouble filling them with kids, since we aggressively recruit we now have the Kansas Forest Service, the Army Corps of Engineers, U.S. Fish and Wildlife Service, Matador Cattle Company, and Ted Turner's Ranch. All of these folks are offering opportunities for kids to hunt their properties; a great partnership with these groups, getting unique opportunities for the kids and volunteers who participate as well. The new videos answer all kinds of questions and the website has links to all of the things, like how to get your license, etc. The dove hunt video we put up and sent to all the kids getting ready to go dove hunting and it had 178 views in first week. Proven to be a good resource to new hunters and takes the load off us as well as we don't have to answer all of those questions. The key thing is, does this work or not, and I think the data gathered to date shows that it does. With all of the hunts we are asking participants to do a pre-hunt survey and another survey after the hunt, and another one six months later to see how things stuck. We found was 43 percent of kids have been hunting less than three years, 85 percent say they hunt, but not long. Only 40 percent hunt less than three times a year, but they all have friends and family that hunt. The great news is they say our program increases their motivation to go and they are interested in continuing to hunt through programs like ours. Only 99 percent said that, so we looked to see what kid didn't want to go again; and it turned out that young man went on four different hunts and on each post-

survey he said he didn't want to go again. Last year we proved this type of program works and gives an opportunity to get them out in the field. This year we want to show it is scalable, so we brought on board some part-time employees. Last year we did 89 hunts, if we would have had a turkey season we feel we would have been up around 120 hunts. I challenge our staff to do a minimum of 200 hunts with 300-400 kids hunting this year. Our plan for Iowa is to put together 30 different hunts and work with 15-20 high schools; their trap program has been around longer than Kansas, have over 4,000 kids participating. We think we have low hanging fruit with addressing these High school and college trap shooting teams and getting kids out. In Iowa, survey found only 53 percent of kids hunted as opposed to 85 percent in Kansas, most of trap shooters in Iowa come from urban areas. We don't have any urban communities in Kansas that have trap teams, Wichita, Topeka, Emporia or Salina; some of surrounding communities do, like Maize. Hope, as program continues to grow, to get more kids in trap shooting and get more kids in the field as well. We can't do any of this without a lot of help, great help from industry, NGOs and KDWPT and opportunities they make available as well. Excited about what we have going and what we can do in R3 world with recruiting and retaining a lot of these kids. Commissioner Gfeller – Appreciate update, fabulous programs and important. If a private landowner wanted to host a hunt how could they do that? Christensen – Reach out to us directly, call or go online at outdoormentors.org and we can get them involved. Commissioner Cross – Echo comments on wonderful program. Much luck on participation from urban areas, being from Kansas City I am interested in that? Christensen – In Kansas City there are a couple of private high schools, Piper and St. James Academy have big successful trap teams and we have provided opportunities to those kids to get out. The Johnson County Pheasants Forever chapter does a couple of pheasant hunts at Eklund Game Farm and one they have been doing for a number of years and when they heard about our program asked us to set up a hunt with the trap kids and we reached out to those kids and got them on hunts with them. Also got some of those kids on dove hunts, one at Clinton the Quail and Upland Wildlife Federation does, last year; this year hunt was on a Tuesday and didn't work out well. Also, working on getting them out on deer hunting opportunities. We have 52 different hunting opportunities for kids on pre-rut antlerless hunts coming up next month. Once we put together the narrative and put it on the website, we generate a list and email that to all of the kids in our database and coaches so they can take advantage of those. Commissioner Cross – That sounds good, I appreciate your program. Chairman Lauber – Doing a good job.

3. KDWPT Diversity Outreach Update – Tanna Fanshier, R3 coordinator, presented this update to the Commission (PP Exhibit G). Began focus work on diversity equity inclusion as part of efforts to recruit, retain and reactive more hunters and outdoor participation. Through research, we identified a language access plan as a top priority. According to data from 2015 U.S. Census, proximately 4.5 percent of Kansas is comprised of limited English proficiency individuals – English is not their primary language or they don't speak English very well. More than 120,000 Kansans did not designate English as their first language and approximately 7.5 percent of Kansas households speak Spanish at home. Of those about 41 percent speak English less than very well. By doing research we were able to identify areas of the state where outreach might be needed. We do not assume every Hispanic individual in the population speaks Spanish as primary language, however this gives us a good place to start looking for potential outreach. We established a focus group in Dodge City, Ford County, to help us work through this effort of Spanish speakers. In that county over 55 percent of the population identifies as Hispanic. The public lands regional supervisor, Manuel Torres, was instrumental in organizing these focus

groups, which were facilitated by the department staff and sponsored by Kansas Wildlife Federation. We decided to move forward with a language access plan, intitled "Afuera Para Todos," which basically means "outside for all." Through this plan we will target Kansas' largest limited English proficiency group, Spanish speakers. It will also provide essential guidance and framework for the department to better recognize and serve this community. It is important work that will allow us to become more culturally inclusive and sensitive while bringing us into compliance with federally mandated language access requirements. The work we are doing today will also help shape and inform the future of diversity, equity and inclusion work we are excited to pursue. Some implementation steps have been identified as a way to move forward. We have begun with translation of vital documents; we have completed translation of 2020/21 hunting and furharvesting regulation summary and we are hoping that will be out in mid-October. We will follow that with Spanish translation of the fishing and boating regulation summary and move forward with vital documents. Aside from regulations, area signage has also been identified as an important step in this process; for example, when we have areas with blue green algae warnings posted, that could pose health risk for Spanish speaking individuals. We are going to meet internally to determine what signage is most appropriate to move forward with first, would like to move forward with all signage but we need to be strategic in efforts. We have also created a Spanish-only webpage and we will be improving our social media content as well; that page will host some of these translated documents as well as updates and information about programming; it can be found at our website, ksoutdoors.com, under Espanol tab. We will continue to update that and work on engaging audiences on social media. We will also be moving forward with bilingual programming and events, exploring a variety of outlets for events including increased partnership opportunities, translation technologies and being able to speak through a phone and have it translated in real time, as well as the recruitment of more bilingual volunteers. We will also be working extensively to ensure the recruitment of more multi-lingual applicants to KDWPT and make sure we advocate for more Hispanic individuals to get involved in conservation and wildlife management as a career. With focus groups, we will continue to work on translations of future documents, next fishing then boating. Hired a part-time bi-lingual representative, whose main function will be receiving calls and trying to direct people, answer questions or put them in touch with right person in our agency and translate any information.. That person will also log interactions to capture information so if common points of confusion come up we can address them through other appropriate information output. This position will be in the public affairs division and supervised by Nadia Reimer, who has dedicated countless hours to this work and continues to do so with ongoing development of a potential campaign that will house this effort, facilitation of focus groups and gathering media assets including video and photo shoot and organizing a media event with Governor Laura Kelly to announce this work. That will occur at Meade State Park on Tuesday, September 29; she is going to sign the proclamation for Hispanic Heritage Month and helping us announce this work. Also, timely as National Hunting and Fishing Day is Saturday. When we talk about measuring effectiveness, looking for customer satisfaction to make sure if we are receiving questions that those start to dwindle, and questions aren't so repetitive and address information that needs to get out to the public. On a more statistical analysis, looking at increase in general license sales to see if more people are going out hunting and fishing. For a micro-look we will look at increase in regional license sales and break down by county to determine if specific counties saw an increase in license sales. From that make assumptions on whether that audience was reached. We will also be looking at distribution rates of printed materials to see how quickly they fly off the shelf. That

will help us gauge need for this work. We will be looking at visits to the Spanish-only landing page as well and track it through Google Analytics to see how many people visit the page, how long they stayed on and if they ran into any hang-ups. Also, looking at utilization of part-time bilingual information representative. We plan to continue translation of vital documents, moving forward with fishing and boating regulation summaries; continue work with focus group to make sure they maintain language integrity but also understood by what they consider the common folks in their area, those with an average level of education and is attainable. We will also be using this work to put together a guiding document of Best Management Practices for future group facilitation and outreach. This will all be under the brand of “Explore Your Element,” which is our over-arching diversity equity inclusion campaign brand; we will be looking at connecting with the black community, indigenous folks, Vietnamese, and LGBTQA plus communities. A lot of work to be done, you never really complete it but you continue and we are excited to make this resource available. We are happy to have started this foundation. Thank partners instrumental in helping us get these efforts off the ground, Kansas Wildlife Federation has inspired some of these efforts and have hosted focus groups; Hispanic and Latino American Affairs Commission who has provided guidance and support, especially when it comes to cultural appropriateness of our messaging in reaching out to diverse communities; we received a pro-bono bilingual legal review of our Spanish hunting regulation document from Kansas Appleseed and we made sure our document maintained its legal integrity once translated.

Chairman Lauber – Tell me about Kansas Appleseed, what group are they? Fanshier – Justice for all, they take on some of these legal issues pro-bono, an outreach group, legal representation group that is working with Spanish speakers specifically, but overall outreach inclusion.

Chairman Lauber – Out of Lawrence? Fanshier – The gentleman we worked with was out of Topeka area. Chairman Lauber – Heard of them but wasn’t sure how legitimate they were.

Fanshier – They have been wonderful to work with, modest as well, they didn’t want to receive any money for services or recognition, important to see this work get done with them.

Commissioner Sill – Thank you for doing this. When I am out in the field there are a couple of places I run across Hispanic speaking individuals and we usually use sign language to communicate. Thinking of them and children they bring out hunting, this is awesome, appreciative of work you are doing. Fanshier – Found from some of our research that this group tends to be extremely family-oriented so if we are able to recruit one person into hunting or fishing we end up a group of family or friends. We would like to thank members of our focus group who have dedicated their evenings to make sure this happens.

C. Workshop Session

1. Park Regulations – Linda Lanterman, Parks Division director, presented this regulation to the Commission. Kansas state parks were full this summer, at capacity March through this month. Looking at regulations, nothing to propose today. Thanks to other divisions, our Commission and Secretary for their support, it has been an interesting year. Commissioner Gfeller – With the added traffic at parks, do you get a sense that there are a lot of first-timers and what is sustainability of that? Lanterman – I would say as a state park director and our state park managers, we would much rather have them in the state parks, that is what we are there for. We do have holes we need to fill, some positions; it is tiring, but I would never say we shouldn’t have people in our parks. There were new customers and more enjoyable, but challenge will be to make sure they come back next year and hopefully we can provide a great space to do that.

Commissioner Gfeller – That was my question, are we going to be able to get these people to come back; I hope we can. Lanterman – That is our goal and we will be doing some training on that, to make sure they come back and the equipment they purchased, jet skis, boats and campers, will have a place to use it next year. Secretary Loveless – Agency-wide a lot of conversations because of the phenomenon. Nationally, the data I just saw recently was that during Covid crisis, 80 percent of Americans went out and did an outdoor activity, hiking, biking, fishing, hunting, etc. and 30 percent were first timers. It underlines the need for us, now that we have recruited them, to retain them, the second “R” in R3. We are working hard to come up with best ideas to keep those folks on a string, so we can get them back, and remind them of good time they had and keep them coming. As I travel around, our folks have said they never taught so many people how to tie on a fishhook, how to back up a trailer, how to get a boat in the water. I was down at El Dorado, catfish sampling, saw a pod of kayakers come by, those the fisheries biologist said, those are Covid kayakers; brand new and fresh on the water. We are celebrating that and looking to figure out ways to keep bringing those people back out for more. Chairman Lauber – I fish all winter long, before and after Covid and our State Parks responded to last year’s high water better than federal people. First of all, we have accountability and our people care. You could tell which group was trying to accommodate their constituents the most. Relative to resources, it was extremely expensive, we had roads and stuff washed away and some of those things the feds haven’t gotten around to yet. Congratulations on a job well done. Commissioner Sporer – We wanted to stay in one of the cabins a couple times this year and they were obviously empty, but we were required to reserve them 48 hours before our arrival. Can you school us on that? Lanterman – We are moving that to one day; that provides us the ability to get someone out to get them cleaned, before that there was a 24-hour turn-around and we needed opportunity to clean them better than normal. We have a cleaning protocol we use on all of our cabins and most of them will go back to about a 24-hour, a full day turn around. If that is a problem, call the park office and we can try to get you in there if it is open. Commissioner Sporer – That is a possibility, not going through the internet, going to local park office? Lanterman – Yes, that is correct. Go to park office, call Pratt or call park office instead of going there.

2. Fishing Regulations – Doug Nygren, Fisheries Division director, presented these regulations to the Commission (Exhibit H). Second workshop for fishing regulation changes for next year. Reference document is referenced in 115-25-14, this is where we create length and creel limits and other regulations that are different than statewide regulations. Changes: Kanopolis Reservoir, reduce creel to a 20/day creel limit on crappie. At Junction City there is a new urban fishing opportunity, Helland Pond, add a 15-inch minimum length limit and a 5/day creel limit on largemouth bass and a 5/day creel limit on channel catfish. Sherman County was able to renovate Smoky Gardens, with help from the department, we have been operating under Secretary’s Order and we want to formalize that; a 15-inch minimum length limit and a 2/day creel limit on channel catfish, and catch and release only for largemouth bass, bluegill, and redear sunfish until established. Great to have it up in northwest Kansas where there is limited fishing opportunity. Another relatively new lake is Agra City Lake, which is in the Community Assistance Fishing Program located north of Kirwin reservoir, have a proposal for 18-inch minimum length limit and a 2/day creel limit on largemouth bass. Plainville Township Lake – 18-inch minimum length limit and a 5/day creel limit on largemouth bass. We went into detail last time about the issue of blue catfish in Oklahoma reservoirs influencing rivers in Kansas. Five Oklahoma reservoirs Hulah, Copan, Oologah and Grand Lake and the rivers above them, Caney,

Little Caney, Verdigris and Neosho rivers. In addition, Kaw Reservoir over in southcentral Kansas on the Arkansas River. We are interested in increasing the opportunity for people to catch blue catfish in the mainstem of the Arkansas River as well. On the Neosho River from state line to John Redmond Dam and its tributaries; on Verdigris River and tributaries, including Big Hill Reservoir Dam, Elk City Dam, Fall River Dam and Toronto Dam. On Caney River, the entire river and Little Caney rivers and their tributaries down into Oklahoma. A lot of this flows through private property, anywhere they cross through communities or stretches of wildlife areas or places we might have leased would be open to the public, as well as below some of these dams. A change from 5/day to 10/day on blue catfish. We are proposing to do the same on the Arkansas River from state line all the way to 21st Street Dam in Wichita. On Ninescah River and South Fork of Ninescah River to low-head dam in Kingman. A different goal there, concerned about increased numbers of blue catfish and the role they could be playing in depressing some native species so willing to increase the opportunity for people to help us remove blue catfish at a higher rate. Chairman Lauber – Once blue catfish get out of a dam we can't really manage them at all, can we? Nygren - They move onto property that is not owned by the department then so can't without permission. Those that come out of our reservoirs and stay within the state can live a long time and there is a management strategy for dealing with them. A little different for walleye, if a walleye leaves one of our federal reservoirs, temperatures may not allow them to survive long-term. Blue catfish can move downstream and come back up another river system and influence multiple fisheries in their lifetime. They are mobile. Chairman Lauber – Are channel catfish the primary victim of too many blues? Nygren – We talked with biologists of those reservoirs in Oklahoma and they have higher densities, and they have seen a decline and are interested in reducing the number of blue catfish in hopes it will benefit channel catfish. We have not seen that in Kansas, where we are seeing impact on channel catfish from blue catfish population. The city of Olpe wants to create a youth/mentor fishing location at Jones Park and wants to limit people from using cast nets and seining. Emporia, wants to add no cast nets and seining allowed at Peter Pan Park. Similar requests came in from Johnson County, which is associated with us through Community Fisheries Assistance Program, not in enhanced program, they have their own fisheries program with their own fishing licenses and additional things our other community lakes don't have, but we try to help them manage their fishery and they came to us wanting to set special regulations, they didn't fit into our current special regulations packages but we agreed to present a set of regulation on two lakes, Kill Creek Park and Lexington Park lakes, similar to what we have done on the Missouri River to have regulations that will be similar on both sides of the river; also similar at Coffey County lake where they had regulations they wanted to put in place that were different than the options we have traditionally used. Proposing a special paragraph in reference document that will allow them to have those in our regulations, which makes them more enforceable by their law enforcement as well as our own. Lastly, I have one that did not get into the briefing book in the reference document. A few years ago, after a long drought at Wilson Reservoir, we had a lot of skinny fish, particularly striped bass population, due to a lack of forage. We asked commission to liberalize the creel on striped bass to knock the numbers back a little in hopes to improve the forage situation and provide more food for those not harvested. Since then the lake has filled and forage problem is gone and fish are in excellent condition, so we want to go back to 2/day creel limit. To make sure we were doing this in a way to not be controversial with our anglers we have reached out to angling community, through Facebook, social media and talking with known concerned parties such as guides and outfitters, as well as the general public. So far, positive input from the public. We will

continue to get additional information between now and public hearing. Chris feels he can amend and get this through as part of the reference document. Some of the commissioners have seen input from the public. Commissioner Cross – How did you turn that shad population around? Nygren – Mother Nature filled the lake. It went above conservation pool for extended periods of time and when you do that it brings in a lot of nutrients, floods terrestrial vegetation and stimulates more productivity in the lake. When Wilson gets low, it reduces the volume and ability to produce food and it gets salty, the saltier the less productive it is at the low end of the food chain. We are in a position now where fish have returned to excellent condition. We also had a couple of challenges in meeting our stocking requests, down a year class or two and that fishery has maintained almost entirely by striped bass from Milford Hatchery, no natural reproduction, getting stocking back on track to get them going again to take advantage of new forage there and be more conservative with the harvest. Commissioner Sporer – Give update on how the 21-inch walleye initiative is going? Nygren – That has been in place on some lakes for several years and gone well; we did it at Cheney and El Dorado, largely in response to white perch as well as provide an opportunity for fish to reach larger sizes, increase yield and improve quality of fishery. The 21-inch length limit at Milford has done well too, a few ups and downs with high water and lost some fish through the dam last year that impacted predictions of what we thought we would see. In place at Cedar for a couple of years, in third year of evaluation. This has been a year that has pushed us because we were seeing fish in poor condition earlier this year, had problems with bad shad year again this year but later in the summer started to see young-of-the-year shad and fish started to bump up. As we sample this fall we will be evaluating like we said we would when we implemented the three-year project on Cedar with walleye. If appropriate we will continue, but if we need to go in a different direction, based on the data, we are in a position to change directions if we need to. John Reinke regional fisheries supervisor, Topeka – The 21-inch limit at Milford is doing fine. The first year it was implemented we already had fish busting over that 21-inch length limit and had as many fish over 21 as the previous year when it was 18. We had high water the last two years so it inhibited our ability to sample those walleye in the fall, so can't say looking at data for past two years. Hopefully this year have conducive water levels for fall sampling. Can report back with data in November or December. Nygren – Turn next four regulations over to Chris Steffen, he has landed five grants this week to help with invasive species program. Maybe he can come back later and talk about what he is going to be doing with the hundreds of thousands of dollars of new money. Chris Steffen, aquatic nuisance species (ANS) coordinator in Emporia – I got four ANS regulations to go through. Changes to 115-18-10, which is our prohibited species list, species we don't want people to possess in the state. We want to include species that the U.S. Fish and Wildlife Service has deemed potentially impactful in the United States. These fish are on the federal injurious species list and adding them to our list would close some loopholes whereby their list only applies when moving between states and this would prevent legal ability to possess these species in state. Clean up to match federal list. 115-7-10, fishing special provisions, which has the Kansas Aquatic Nuisance Species (ANS) Designated Water list that has white perch, zebra mussels or Asian carp lakes on it to help prevent the spread of ANS. Three to add this year. We found white perch in Wichita South Lake; zebra mussels were found in Linn Valley Main Lake, and zebra mussels and white perch in Emerald Bay Lake. 115-1-1 is definitions. We want to update outdated terms and clarify some. We would like to remove the word "carp" and clarify that to cover the multiple species of carp common, silver, big

head, black and grass carp. In addition, we want to remove the term “White Amur”, which is an outdated term for grass carp.

Change for 115-7-3. We are proposing is to add verbiage that allows for the take of silver carp and big head carp, regardless of size, for bait. Right now, the regulation restricts those to only be harvested under 12 inches size. With the growth rates we have where people are using Asian carp for bait, most are above that 12-inch size. This would change regulation so that silver and big head carp are treated like gizzard shad where you can use fish of any size for bait. There is also a provision in that regulation that clarifies that it is illegal to possess these species alive.

Chairman Lauber – Do we know what our big head or silver carp population is? Is it going up or down or do we know? Steffen – We have been doing some work in the Kansas River and some on Missouri River. Slow growing fish, compared to a lot of populations in the Mississippi River basin so that indicates either it is sub-par habitat or more likely over-populated. Most of that information is for the section of the river up to the Bowersock Dam, which prevents upstream movement. It appears in 1993, a few big head carp made it over that dam, but they didn’t establish a population up there; so, we think we have what we are going to in the Kansas River.

One of those grants is to start removing Asian carp below Bowersock Dam; we know the section of river from that dam down to Water One Dam in Edwardsville, the 435 Dam, the fish don’t move in or out of that section of river a lot. The grant will make progress to move some of those fish there.

Chairman Lauber – Any chemical that will affect Asian carp and harmless to other fish?

Steffen – A lot of work in USGS looking for something along those lines, but no silver bullet for that at the moment. Chairman Lauber – I was hoping the population had ran its course and was dropping, you say not growing fast because too many of them.

Steffen – In Kansas River see a lot of 5- to 7-pound fish that are several years old, capable of growing to 40 pounds in the same time frame if they had food they need.

Chairman Lauber – And the food they need is the same food every other sportfish needs? Steffen – Right; they filter feed the bottom of the food chain, they eat plankton, the same stuff small fish eat but larger sportfish generally eat small fish that consume that plankton, the Asian carp cut all of that out and go straight to eating the bottom of the food change.

Chairman Lauber – When you remove them to do you seine them and catch them in a net? Steffen – In this case it is going to be trying some new stuff, Kansas River is shallower and a little quicker than a lot of areas. Work has been going on, but most likely gill nets in the water. The tough thing with Asian carp is they are more net-adverse than native species, after one experience with the net they get really smart about staying out. It is not as simple as just laying a net in the water and walking away, there is an active component where you have to drive those fish into the net. We have a lot of learning to do.

Commissioner Sporer – Is it legal to transport and stock grass carp?

Steffen – Yes as long as they are triploid, which makes them sterile. Those fish are unable to breed. Forty-four states require grass carp to be triploid, so fish producers sell those fish.

Nygren – David Breth gave a talk about fishing privileges being proposed at last meeting. He is going to talk about that.

David Breth – New certification rules will be impacting how many anglers and hunters’ states can count towards federal aid through Wildlife and Sportfish Restoration Fund. Certification refers to the number of unique individuals who paid for qualifying privileges to hunt or fish in Kansas. The new rule states any privilege valued at \$2 or more for fishing or hunting, and \$4 or more for combination privileges are now eligible. This is a game changer as many states have privileges that will now be included and count toward certification numbers. Kansas does as well, including the youth multi-year licenses and the senior lifetime combo. The federal aid funding apportioned to each state depends on both land

area and numbers of licensed anglers or hunters. For example, in Kansas our angler count was 252,000, which made up .9 percent of total anglers nationwide. This translates to just over \$5 million from Sportfish Restoration Fund. If Kansas makes up less than .9 percent in the future, we risk losing money to other states and if we increase our percentage we can see an increase in funding. So, there is a nationwide push for states to increase privileges to increase their share of funding. KDWPT put a task force together to see what other states are offering and see if any are appropriate for Kansas. We came up with three recommendations; 1) youth trout permit at a cost of \$7, including the vendor fee, less than half price of current trout permit; 2) reduce one-day resident permit to \$6; and 3) one-day nonresident to \$10, which includes vendor fee; a reduction of \$2.50 and \$4.50.

3. Public Land Cabin Rates – Stuart Schrag, Public Lands director, presented this regulation to the Commission (Exhibit I). We currently have a handful of rental cabins across the states: one at Atchison State Fishing Lake, two at Mined Land Wildlife Area, one at Ottawa State Fishing Lake, one McPherson State Fishing Lake, and at one time two at Kingman State Fishing Lake. Because of low annual occupancy rates and expenditures exceeding revenue and operating at a loss we made the decision to close the cabins at Ottawa and McPherson for rentals. Those will be utilized as staff office space. The cabins at Atchison and Mined Land are over 10 years old and since inception our nightly rental rate has been \$70. These cabins are old and in need of extensive repairs and annual cost of maintenance and upkeep continues to rise, operating at a loss for last few years. We are asking for increase in rental rate for these three cabins from \$70 to \$105 a night. When we made this decision, we compared this \$105 rate to existing state park cabin rates as well as local lodging rates in close proximity to these cabins as well as annual cost to maintain. Secretary Loveless – One comment in support of Stuart’s recommendation. One of the comments we have gotten over the years from people in private business who we might be perceived as competing with, when our rates are low they feel we are undercutting them. The twofold benefit of this is to reflect cost to operate those and to be closer to what they are offering. We think there is room for all but don’t want to be seen as undercutting what private business owners are trying to do, so this works in favor of both those efforts. Commissioner Rider – Are you planning on doing remodeling of those cabins, or carry on what you have now and do it years down the road? Schrag – If you agree with this recommendation we will plan upgrades and current repairs that are needed. A prime example is the flooring is popping up and needs to be replaced and heating and cooling units are old and need to be upgraded. Also, the exterior needs to be maintained annually, a lot of repairs and upkeep that we have not been able to do the last few years. We will try to do this efficiently with funding available as soon as we can. Commissioner Gfeller – These have low occupancy and I am assuming, and you concluded that didn’t have much to do with the price but other reasons. Do you expect by raising the rate it will affect occupancy? Schrag – Discussed that and that is a consideration, initially we might see some annual rental rates drop a little but over time it will line itself back out. The ones at Mined Land are pretty popular, if you look at annual occupancy rates the one at Atchison is in low 30s. I believe there is enough constituent base there I don’t think we will see a great negative impact and over time will even itself out and maintain these numbers.

4. Big Game Regulations – Levi Jaster, big game biologist, presented these regulations to the commission (Exhibit J). KAR 115-4-2, general provisions for big game, this is proof of sex we modified last year to allow hunters to voluntarily reduce amount of excess carcass

material they are carrying of harvested deer, to now quarter and leave a portion of the hide attached to voluntarily helping to prevent spreading chronic wasting disease (CWD). No changes proposed this year.

On 115-4-4, legal equipment for big game. We have a couple of items the Commission asked us to review. As part of our review looked at where airguns are legal for big game hunting in other states (Map – Exhibit K). Yellow/orange states, not allowed for big game hunting, orange striped, appear to not allow but not confirmed; solid green allow for all big game species; striped green appear to allow but not confirmed; blue allow for some species, such as Kentucky and Arkansas allow for deer hunting, not elk; New Mexico only allows it for javelina and cougar; and Utah, all big game but only allows airguns that fire an arrow with broadhead that conforms to their archery equipment standards. Alaska does not allow these, Hawaii apparently does but they don't have anything that is not an introduced species as far as big game hunting, so mostly axis deer, feral goats and sheep. Most states that do allow airguns do have restrictions on caliber, either the muzzle velocity or muzzle energy of the projectile, or in some cases the weight of the projectile. Most of them also require the gun be charged through an external piece of equipment whether that is a high-pressure tank, an actual compressor or a hand pump. Also, got a couple of responses from Canadian counterparts, mostly no, except for Ontario that allows for black bear but nothing else. Chairman Lauber – Where do we go with this? Your guidance was to find out what other states are doing, and you have done that. Somebody is going to have to own it and take it and push it through or it isn't going to go anywhere. Do you have an opinion on whether we should add it or not as a legal means of hunting? Jaster – We are working on that review. Two sticking points, right now are not required to pay excise tax that funds conservation, for Pittman Robertson, some voluntarily do but not all of them are. Another thing is I don't have constituents clamoring to use airguns. We have had a couple of people who have presented about airguns before that either manufacture them or trying to sell them. I would like to hear constituents ask for them, we get a request here and there but not any number asking to be used in Kansas. Chairman Lauber – Got phone calls and emails on airguns and had presentations that generally showed the effectiveness of what an airgun can do and I think they are a realistic weapon. Problem is, every time someone wants something to be allowed, and we do that we have a lot of other people disappointed in our decision making, so we don't allow everything. I am at a loss of what to do and was hoping for recommendation from deer group to tell us one way or the other what to do. I think I am getting a soft indication of where you are coming from. Jaster – At this time we still feel it is premature to make a recommendation, still having discussions on this. Chairman Lauber – That is a good enough answer for me. Secretary Loveless – To Levi's point, doing our best to be open minded, we do try to gauge demand. There is a never-ending supply of ideas and nuances in terms of ammunition and arms. We know, as we complicate our regulations and add to the volume of those, that is the enemy so trying to weigh adding to volume of regulations with the merit of those additions. There is a negative aspect to adding and adding. We constantly are trying to make things simpler and easier to follow. We are constantly weighing these new options, don't want to add in fear of making them more complex. They need to be significant benefit to our customers. Nadia Reimer, chief of public affairs - Two constituents called our office prior to the meeting and asked that they input be shared. The first was from Michael Rohr, he said he would like to know why airguns are not legal, he believes they are better for older people and kids for shooting deer. He would also like to know why they are not legal for varmints. Michael has several airguns and feels they are more accurate than 9 mm and have more knock down power. Michael wanted to know about airbows and he said that

in most states airbows are considered crossbows but not in Kansas. He said the Benjamin Pioneer brand is deadly accurate. Pat French, Walker Kansas said, "I'm 68 years old and regular rifles kick too much. I would still like to hunt so airguns would be a lot more accommodating if I could use one of those. A .35 caliber is plenty to kill a deer. Other states have it and I hope Kansas will adopt it too." Commissioner Rider – We have seen some presentations last couple of years and ballistics. What they have done with airgun is significant. I would like us to take a close look at them. I thought this would be a good thing for our new regulation with coyote hunting and people nervous about some of the ballistics and some of the rifles that are okay now. Matt did a great presentation over that. It might be something to look forward to in the future and I would encourage more discussion and I would like to see us progress with one way or the other but continue discussion. Secretary Loveless – In response to Commissioner Rider's comment, part of our information gap is how many of these arms are out there, so we need to find that out. See if big or small number. They are expensive, so some people priced out of the market, nevertheless appreciate the comments from the public about potential benefits for folks who don't think they can shoot a regular firearm any longer, so important to consider. We will continue investigation into this and provide more information in the future. Jaster - The other system that Commission asked us to review was the Firestick system and whether that would be a muzzleloader. We are in the same place, premature to offer recommendation. There is concern that some of the advancements are significant over what we currently allow for muzzleloaders. We would like to have more time to consider this and gather more information before we make a recommendation. Commissioner Sill – During early muzzleloader season, what percentage of hunters using primitive muzzleloaders? Intended as primitive season initially. Jaster – In 2018/19 season, had a total of 2,304 deer harvested with inline muzzleloaders and 412 with traditional muzzleloaders. Commissioner Sill – How has participation changed since advent of inline equipment? Jaster – Don't have that information in front of me so don't know for sure. Traditionally, muzzleloader hunting in Kansas was not very popular compared to archery or rifle. Two years ago, we had almost 82,000 deer killed and not even 3,000 with muzzleloader. Chairman Lauber – Give statistics again on inline versus traditional? Jaster – We estimated 2,304 deer harvested using inline, 412 traditional. Chairman Lauber – About one out of seven harvested with traditional muzzleloader. Jaster – Following the harvest, it follows the same ratio for hunters carrying that equipment, or at least my best estimation. Commissioner Sill – I would like you to consider, as you continue to discuss this in your deer group, is that be okay but only for regular firearm season, a place for more advanced equipment, but not during muzzleloader season. I would like to revise the season back to a more primitive different type of equipment season. Consider that and there might be a way to allow people to use that and yet retain spirit of earlier season that it was originally intended for. Jaster – That is one of the considerations, where it fits based on what we are seeing and whether or not, with our management goals or opportunities for hunters, where it fits within that. With changes of what most people and what our regulations require as far as a muzzleloader. Jason Dickson – Jon Zinnel wants to make comment on the Firestick. Jon Zinnel, Federal Ammunition – Thanks for opportunity to present on the Firestick during the last meeting. I wanted to make one point, to Commissioner Sill's comments about the system being more updated or adding or changing to more of a modern gun, it is still a muzzleloader, loaded through the muzzle so it has all of those same capabilities as a normal muzzleloader. Also, I want to be here as resource to answer questions during continued review by Mr. Jaster and Big Game Committee as well. Jason Dickson – I missed a question earlier on airguns. Brandon Anderson asked, is Kansas doing any R&D on their effectiveness? Jaster – That is part of the discussion for

consideration. We have a couple of times shot these at ranges, last time prior to a commission meeting. If we were to propose adding them, since most states have some regulations as far as restrictions that apply to make it a legal piece of equipment for big game, we would have to review that and decide what we would need to adopt. Part of the whole process. No changes proposed this year.

115-4-6, Deer Management Units (map – Exhibit L). Changed boundary last year to expand Unit 19 to have more uniformity of management objectives and actions and simplify the boundary. Need to propose change to clean up portion of the boundary, road listed for boundary doesn't make a complete polygon. The boundary includes U.S. 73, but about 4/10s of a mile before it reaches the Missouri/Kansas border, U.S. 73 turns south and ends down in Kansas City/Olathe area, it intersects with K92 there. Proposed change would be to add that section in to complete the polygon as was intended originally.

115-4-11, Big Game and Wild Turkey Permit Applications, no changes proposed.

115-4-13, Deer Permits. We have not issued any either-species antlerless-only deer permits because of mule deer population concerns. No proposed change to this regulation.

Chairman Lauber – I have been getting a lot of comments at our January meeting we discussed having those nonresident who were unsuccessful in obtaining a permit, whether they should be able to apply for antlerless permit to be used in lawful area. As year went on a group of outfitters had some input, not sure if anecdotal or scientific, who didn't like that. I have been hearing from landowners in favor of this, one you sent a helpful email to, he believes outfitters are looking at competitive situation, from landowner's perspective he should be able to have an antlerless deer harvested and be able to bring in people so he could sell access rights. I don't disagree. We are talking about limited number of people who are unsuccessful in the draw. If you have a group of people who want to come hunt and one doesn't draw, then he would be willing to take an antlerless tag and use it in that area, I don't see where it is a problem. I know KLA sent a letter asking what happened to this and how come it was not included last year. I think we should reconsider whether or not you have to have a buck permit before you have an antlerless permit. Probably simpler to allow nonresidents unable to get a buck permit to get an antlerless.

Comments will be that it will increase the opportunity to cheat, if have four or five groups coming in from out of state with a couple of them who have doe permits, odds are they could still shoot two bucks and put somebody else's tag on it. This might be something to consider for benefit of ranchers and landowners. Secretary Loveless. Had a lot of conversation about this. Talked to outfitters and talked to Dean at Kansas Livestock Association and he said he had talked to a couple landowners that leased their ground for nonresident hunters. Levi did write him a long thoughtful letter, he appeared before committee meeting in Iola. We have history with this. Experimented a few years ago, collectively felt it failed for a variety of reasons. I offer that we prepare a more thoughtful, more thorough response for next meeting and give the justice due. We can answer today, but not in thorough way. Chairman Lauber – Not expecting answer today, so that is fine. In this case we can accommodate wishes of landowners. Care more about what ranchers and landowners think than outfitters, who want to make money off of our wildlife. This might be an opportunity to throw them a bone at no effect to the resource and no negative effect from any others. Every time we make a change there is a law enforcement issue we have to think about. Fine to bring up at November meeting and more thought but consider making it permissible.

5. Deer 25-Series Regulations – Levi Jaster, big game biologist, presented these regulations to the commission (Exhibit M). In 25-series we set season dates (calendar showing days proposed - Exhibit N). Not proposing anything outside of what we have done in past season and other than calendar shift changes. Youth and disability, September 4-12, 2021; early muzzleloader and archery open concurrently on September 13 and muzzleloader will run until September 26, 2021 and archery will run through December 31, 2021; pre-rut whitetail antlerless-only (WAO) firearm, three days of Columbus Day weekend, October 9-11, 2021; regular firearm, first Wednesday after Thanksgiving, December 1-12, 2021; January antlerless seasons we have three options: shortest extended WAO, January 1-9, 2022; middle, January 1-16, 2022; longest, January 1-23, 2022; and extended archery (DMU 19), January 24-31, 2022.

Jaster – I have one other issue, due to a recent change that is not affecting any regulations but will benefit hunters. We posted information about our chronic wasting disease research project that is going to sample around the state. In reviewing our methodologies, we decided we could allow the sampling throughout the three years of the project all across the entire state instead of just six units each year. We will still have some field technicians who will focus on those six units to have a little more effort for one year throughout each of our units. We will be able to accept those samples and have the project pay for them for hunters across the state up until we reach the sampling goal for the project in that unit, 450 per unit. Those samples will have to be sent to the University of Missouri, working on getting information and announcements posted or samples can also be dropped off at any of our offices.

6. Big Game and Wild Turkey Legal Equipment and Taking Methods – Kent Fricke, turkey (Exhibit O). In April 2020, Commission voted to allow draw locks for vertical bows as legal equipment for big game, which Levi addressed under KAR 115-4-4. To reduce inconsistencies, we have been reviewing other regulations. KAR 115-4-4a, wild turkey legal equipment and taking methods, which includes specific equipment differences for wild turkey harvest, arrows, shot size and those types of things as well as shooting hours. With the removal of that requirement from 115-4-4 that it doesn't make any sense to keep that for turkeys. Recommending removing the language that restricts the use of mechanical devices that lock bows within 115-4-4a. If we do that we could strike 115-18-7, which outlines the process a person would need to apply for using draw locks, primarily for disabled hunters.

Kris Kobach – This doesn't have to do with what Kent just mentioned, but thanks for your time and continuing these meetings remotely. I wanted to ask the Commission to address a gap I saw in the regulations and discussed with Chris concerning legal equipment for turkeys. Existing regulations have made clear shotguns are permitted and handguns are not based on the assumption the handgun is shooting a single bullet. In the last 10 years, a hybrid class of firearm has increased in popularity. That is handguns chambered in .410. Initially those are for self-defense. Most people have heard of the Taurus Judge and those small ones, but in the last 10 years Magnum Research developed a pure hunting handgun chambered in .410 called the BFR. Those have been widely selling. It is a shotgun for all intents and purposes, it has a seven and half inch barrel, removable choke tubes, it doesn't have iron sights it has a shotgun vented rib and beads like a shotgun. It weighs four and a half pounds and I patterned it prior to this meeting. Shooting a modified choke at 20 yards, 90 percent of the shot is within a 16-inch circle. So, it is almost identical to what a .410 long gun shoots. I haven't tried a full choke with it yet, I am ordering one. It is basically a shotgun. I wanted to propose an amendment, four words to 115-4-

4a, which would be in the allowed class of means of taking, a handgun using shot only. Chairman Lauber – I guess I thought a Taurus Judge was legal to hunt turkeys with. I didn't realize it fell between the cracks. I don't own one or use one, but thought it was legal. Kobach – I thought so too and was reviewing the regs to be certain it was okay, and I realized it just says, shotguns, yes, handguns, no. This would clarify that I don't think I would use a Judge because it has such a short barrel but if you had one like the Magnum Research BFR you could shoot it effectively with a .410 long gun. Secretary Loveless – We are glad to put that on our list of items to review and follow up with Commission on. Kobach – That would be great. Commissioner Sporer – I have a Thompson Contender .410 that has a 12- to 14-inch barrel and it is an extremely effective firearm. Challenging to shoot a turkey but agree with Kris it could be done. Chairman Lauber – Can you get yours to shoot 3-inch shells? Commissioner Sporer – Yes it will, but I only use two and a half and I am just shooting gophers and things like that. Chairman Lauber – We will go forward and look into that.

Assistant Secretary Miller – I should have made a comment earlier when Tanna got done with her program. What she presented represents a mountain of work that she and Nadia have done. I know what it has taken to get where they are at. All the collaboration and cooperation they have gotten from outside groups and what they have done is pretty remarkable in just a few months. She made a nice presentation, but it represented a huge amount of work and effort that they put into this and it wouldn't have happened without Brad's support or without collaborations they created with these outside groups. It really does deserve recognition.

Chairman Lauber – Thank you. I want to point out for 30 years, if I had question about something biological at Clinton lake, I called Richard Sanders, I have his phone number written down on a book in my truck. His passing is a real loss. I am sorry for his family and sorry for our agency. Brad has big shoes to try and fill on this.

VII. RECESS AT 4:16 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Commissioner Sill – Two different emails I received since last meeting, warranted thought or discussion. Woman asked if we would add florescent pink to safety orange. Chairman Lauber – Have management and staff look at that and see if they want to do it. Secretary Loveless – Glad to evaluate that. Commissioner Sill – I appreciate that and I'm sure she does. At the beginning of the meeting I forwarded an email to the Commissioners and staff for you to look at. I had a nice conversation afterwards and told him I would share his concern with you. He as prepping for upcoming deer season, in light of decisions at last meeting, he is asking us to consider the regulation surrounding locating and dispatching wounded deer after legal hours. He explains it better than I can, but he finds this to be a moral and ethical conundrum, concern he has for wildlife and not wanting deer to suffer for an inordinate amount of time. He would like to see discussed is the possibility of allowing legal hunters to dispatch wounded animals after legal

hours. He explains methodology and says he realizes possible implications of allowing this. Commission recently allowed the hunting/shooting of coyotes after dark with the aid of artificial light. He thought the concerns would be the same in deciding to allow it as this. The first thing he thought when he read this was how easy it would be to poach a deer while out coyote hunting, but then thought at some point you have to have a certain amount of trust for fellow hunters and that trust should be given until proven otherwise. He believes vast majority of hunters are honest and ethical, there are a few bad apples, but they should not be allowed to dictate the requirements of all. He asked you to give consideration to this suggestion to see if it warrants further discussion. I told him I was nervous of bringing this forward and if it came to a vote I couldn't guarantee I would support it. The logic presented for the use of small caliber handguns and rifles for hunting deer. For most recently the use of night vision. For going to e-permitting where somebody could copy off more permits. Overall, there has been a theme of we need to trust our fellow hunters. When this was his logic I thought I needed to bring this forward to do what you think, but his logic is consistent with what has been presented on other topics. Chairman Lauber – What is expected procedure if 30 minutes after sundown we are still chasing a wounded animal, we find it and it is still breathing. I don't think we are supposed to field dress it without dispatching it. What is the expected behavior? Jason Ott, law enforcement division director – What he brings up, Mike Miller and I have had discussions on, and is a legitimate question. It definitely comes down to an ethical situation when it comes to the take of the deer. If the deer is wounded during hunting hours but not killed, that means he is actually killed after hunting hours so that is the problem. As far as guidance given, I will tell you that the law is pretty clear, and it says it is to be taken during hunting hours and if take happens after hours that does present an issue. I would like to believe in most situations when my wardens become involved in something like that, looking at case and conducting investigation that we are going to err on side of responsible sportsmen and put animal out of its misery appropriately and probably going to allow a hunter to do that as well. The way the law reads, the gentleman is correct, and it is an ethical quandary. Chairman Lauber – Another item to add to Brad's list to talk about before the next meeting. Secretary Loveless – Glad to do that. Commissioner Sporer – Jason, are you willing in workshops with your wardens, are you willing to express what you just told us to your wardens? Ott – Of course, I always expect and ask them to use good judgement. Secretary Loveless – I know they have a lot of these conversations. If you think about typical situations, if a warden hears a gunshot after hours and walks up, the animal will probably have two holes in it, so common sense involved in this and Jason's wardens are good at using common sense. I guess if we don't have a lot to discuss, part of our evaluation Commissioners is that we will talk with Jason and have him ask his wardens how often this comes up and is it a concern or challenge you face out there. We can give you their cumulative years of experience about how often this has come up and if it is an issue we need to address or if it is working out comfortably. The other thing we might ask, is if the public would let us know if this is working out. It might be posed as a hypothetical situation, but we may have sports men and women who have actually had to deal with this and bring their experience to the conversation next time. Commissioner Sill – I did tell this gentleman the best practice would be to call his officer, keep the CO's number in his pocket and let him know and officers may give him permission to go ahead but that he needed to have a conversation with them. The one thought I had was our conservation officers run out of hours in a week. Last year, in my area the conservation officer's hours were out on Friday at noon during rifle season and we still had two and a half days to go. He said, in that event you have to call the

sheriff, but that is not as smooth as talking to the CO. There are nuances too that can make that more challenging than it first appears.

VI. DEPARTMENT REPORT

D. Public Hearing

Notice and Submission Forms and Attorney General letter dated July 14, 2020 (Exhibit P).

Jake George - Bringing forth three regulation amendments for your consideration, all dealing with falconry. We have previously discussed and workshopped the substance of these but have not reviewed the specifics.

1. KAR 115-14-12. Falconry; permits, applications, and examinations – Jake George, Wildlife Division director, presented this regulation to the Commission (Exhibit Q). The substantive changes to this occur on pages 6 and 7, cleanup of language pertaining apprentice falconers, indicating that they are limited to the taking or possessing not more than one wild-caught raptor. That raptor shall be limited to the species specified in paragraph (j)(5), which includes an American kestrel, a red-tailed hawk or a red-shouldered hawk.

It was decided to discuss all three items before the vote – for clarity’s sake showing vote after each item.

Commissioner Lauren Sill moved to approve KAR 115-14-12 as presented to the Commission. Commissioner Warren Gfeller second.

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

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-14-12 passed 7-0.

2. KAR 115-14-13. Falconry; facilities, equipment, care requirements, and inspections – Jake George, wildlife division director, presented this regulation to the Commission (Exhibit S). Page 1, we talked about this before and had a few questions on primary facilities inspections. Regarding the inspections and approval of all primary facilities by the department, the amendment would modify the regulation that after initial inspection and issuance of the falconry permit that future inspections would only be a requirement if the physical location of the primary facility changes. All facilities will still be subject to department inspection upon request. Page 3, strikes the language which require written approval for modifications to primary facilities so long as said modifications meet the specifications identified within the regulation.

Commissioner Aaron Rider moved to approve KAR 115-14-13 as presented to the Commission. Commissioner Emerick Cross second.

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

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-14-13 passed 7-0.

3. KAR 115-14-14. Falconry; taking, banding, transporting, and possessing raptors – Jake George, Wildlife Division director, presented this regulation to the Commission (Exhibit U). Quite a bit of change in this one, had to do with work Chris had to do for clarification of definition of falconer specific to this regulation in order to differentiate between falconry permittees and discussions concerning take permittees. Falconer is defined as a person taking, or attempting to take, a raptor from the wild for falconry purposes. As part of the language cleanup it changes anywhere in the regulation where it references permittee and is changed to falconer. The other changes to this regulation remove the requirement for resident permitted falconers to apply for and receive a take permit from the department before taking a raptor from the wild. The exception to that is those attempting to take a peregrine, due to limited quota available. The reasoning behind this change is that the department already receives notification when falconers file 3-186a form, which goes into an online database that the U.S. Fish and Wildlife Service maintains. We get notifications for any capture or release and it's already specified in the regulation the limitation of how many birds can be taken from the wild. We do not get those notifications for nonresidents however, which is why this only applies to residents. Nonresidents are still required to apply for the take permit and receive that prior to attempting wild capture. Page 13, added language for requirements for reporting process for peregrine take. We are limited to a quota of six birds. They are required to notify us and this puts that information into the regulation as opposed to just something on the website.

Commissioner Sill – How do you pronounce what you call a raptor under one year of age? Jake – Eyas. Chairman Lauber – Can falconers trade birds with each other? Jake – Yes, they can as long as they are both permitted falconers, trade and transfer in a lot of cases, is how an apprentice gets their initial bird, transfer from their mentor.

Commissioner Gary Hayzlett moved to approve KAR 115-14-14 as presented to the Commission. Commissioner Lauren Sill second.

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

Commissioner Sporer	Yes
Commissioner Sill	Yes

Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-14-14 passed 7-0.

XII. OLD BUSINESS

None

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

November 19, 2020 – Chairman Lauber – I think there is likelihood that next meeting will be in this format. I realize intent to have Ringneck Classic and this meeting was timed to coincide with that. Depending on what we have on the agenda and how many of Secretary Loveless’ listed items get talked about, we may enough people where we might exceed 50, depending on phase of Covid policy. More will be revealed but likelihood of virtual meeting. It will probably be the case until next spring unless things improve. Commissioner Sporer – Are you for sure that it is still 50 participants. If so, how many did we have at Scott City last fall? Secretary Loveless – I don’t know or what county we will be in. Where is November meeting scheduled to take place? Commissioner Sporer – In Logan County. Secretary Loveless – I don’t know what the county regulations are now or what they will be then. Chairman Lauber – I bet right now they are 50, maybe smaller number than that. Commissioner Sporer – No. We are having high school sports and events and I am not hearing any county restrictions in Logan or Thomas counties. The meeting would be in Logan County, the classic in Thomas County. Not hearing any county restrictions but don’t know about state restrictions. Chairman Lauber – I think we are going to have to see where we are. The problem is being a state agency we don’t want a reporter to write something up, and have it look like we are trying to embarrass the Governor. We need to defer to Secretary Loveless and staff and wait and see. It might be that we could have bifurcated meeting and have some attend like this and those going to the classic, if still being held, be live. Commissioner Sporer – I agree. Secretary Loveless – We are comfortable having a conversation with you a couple weeks prior or so to put our heads together and see what makes sense at that point. Chairman Lauber – I think that makes the most sense. We will know more the first of November. I prefer the concept of live meetings but having people be able to get on from all over the state for something that is important to them, we will probably have a screen with the public asking questions from now on. It was disappointing when we traveled some place and there were people who couldn’t make that distance or had to work but could get off for an hour or so to call in and discuss something. Have discussions and staff will look into it and get a focused view of state guidelines, whether county we are in does or not. Commissioner Hayzlett – I think that has changed, I have a meeting in Topeka on Monday in the capital in 112 on the first floor, a big room. By that time maybe we will be loosened up. Chairman Lauber – We need to be flexible.

January 14, 2021 - New Strawn

Chris Tymeson – Have we set March or April? Kemmis – No, we have not. Tymeson – Suggest March 25 and April 22 or 29, prefer later. Chairman Lauber – Both days seem fine to me. Any known conflicts? Do we need to set a location? Tymeson – I think we should. I am still publishing for those locations and can accommodate depending on whatever happens next spring. Set them so Sheila can secure a facility and I can start planning back counting for regulations.

March 25 - Topeka

April 29 – Beloit (plans to try for tour of Ring Neck Ranch)

Tymeson – Remind everyone of January date and location. We will set June at the November meeting. That should give you plenty of time to find a location. Correct? Kemmis – Yes.

Chairman Lauber – Thank you Commissioners and staff for doing a good job.

XIV. ADJOURNMENT

Adjourned at 7:01 pm.