

A large bison with thick brown fur and curved horns stands in a field of tall, dry grass. The background is a soft-focus landscape under a clear sky.

**KANSAS**  
WILDLIFE & PARKS

# *Our Mission*

“ TO CONSERVE AND ENHANCE  
KANSAS' WILDLIFE AND ITS HABITATS,  
ENSURING CURRENT AND FUTURE  
GENERATIONS APPRECIATE AND ENJOY  
THESE LIVING RESOURCES AND  
ASSOCIATED RECREATION, WHILE  
INFORMING THE PUBLIC OF THE STATUS  
OF KANSAS' NATURAL RESOURCES,  
GAINING UNDERSTANDING AND SUPPORT  
IN ACHIEVING THIS MISSION. ”

**AGENDA**  
**KANSAS DEPARTMENT OF WILDLIFE AND PARKS**  
**COMMISSION MEETING AND PUBLIC HEARING**  
**Thursday, November 30, 2023**  
**Lyon County Fairgrounds – Bowyer Building**  
**2700 W U.S. Highway 50, Emporia, KS**  
**including a**  
**Virtual ZOOM Meeting Option**

A) Log Into Zoom

1. Visit <https://ksoutdoors.zoom.us/meeting/register/tZYudu6vqTltHNHnaEvA6q79XGbJEfx6gMRB>
2. Register by entering your first and last name, and email address.
3. Once registered, you will be provided a link to “join the meeting.”
4. Visitors will be muted upon entering the meeting. To comment or ask a question, use the “raise hand” feature or type into the chat area.

B) Call In

1. Call: 1-877-853-5257
2. When a meeting ID is requested, enter: 823 1777 9765#
3. When a participant ID is requested, enter: #

C) Watch Live Video/Audio Stream

1. Individuals may watch a live video/audio stream of the meeting on <https://ksoutdoors.com/commission-meeting>

**I. CALL TO ORDER AT 12:00 pm (noon)**

**II. INTRODUCTION OF COMMISSIONERS AND GUESTS**

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

**IV. APPROVAL OF September 7, 2023 MEETING MINUTES**

**V. DEPARTMENT REPORT**

**A. Administrative Rules and Regulations Procedure - Pursuant to KSA 77-421 – Public Hearing**

1. **KAR 115-2-1 Amount of Fees (Jake George)**
2. **Secretary’s Orders – Free Parks Entrance and Free Fishing Days (Linda Lanterman)**

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

**V. DEPARTMENT REPORT (continued)**

**B. Secretary’s Remarks**

1. **Agency and State Fiscal Status (Stuart Schrag, Assistant Secretary)**

**C. General Discussion**

1. **Wildlife Research and Survey Update (Rich Schultheis)**

2. **Emporia Fisheries Research (Jeff Koch)**
3. **Antelope 25-Series Regulations (Matt Peek)**
4. **Elk 25-Series Regulations (Matt Peek)**
5. **Military Deer Seasons (KAR 115-25-9a) (Levi Jaster)**

**D. Workshop Session**

1. **Deer 25-series big game regulations (Levi Jaster)**
2. **Big game 4-series permanent regulations (Levi Jaster)**
3. **Carcass Movement Regulation (Levi Jaster)**
4. **KAR 115-2-3 Camping, utility, and other fees (Linda Lanterman)**
5. **KAR 115-8-26 new Public Lands regulation (Ryan Stucky)**
6. **Pending Regulations (no presentation, presented multiple times) (Dan Riley)**

**KAR 115-4-11 Big game and wild turkey permit applications**  
**KAR 115-25-11 Furbearer regulations**  
**KAR 115-7-2, 7-3, 7-9, 7-10 Aquatic Invasive Species Regulations**  
**KAR 115-25-14 Fishing (Reference Document)**  
**KAR 115-5-1 Furbearer regulations**  
**KAR 115-8-1 Public Lands regulations (reference document)**  
**KAR 115-30-4 Boating; capacity plate and operation**  
**KAR 115-30-10 Personal watercraft; definition, requirements and restrictions**

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

**VIII. OLD BUSINESS**

**XI. OTHER BUSINESS**

**A. Future Meeting Locations and Dates**

**IX. ADJOURNMENT**

**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 January 25, 2024, The Meeting Room on Main, 16 Main St, Sabetha, KS. Times have changed to start at NOON and run until we are finished, with no recess.**

**Kansas Department of Wildlife and Parks  
Commission Meeting Minutes  
Thursday, September 7, 2023  
Lee Richardson Zoo – Finnup Center  
312 Finnup Drive, Garden City  
including a  
Virtual ZOOM Meeting Option**

Subject to  
Commission  
Approval

The September 7, 2023, meeting of the Kansas Wildlife and Parks Commission was called to order by Assistant Chairman Emerick Cross at 12:00 p.m.

Commissioners Phil Escareno, Emerick Cross Warren Gfeller were present in person; and Gerald Lauber, Troy Sporer, Delia Lister, were present via Zoom. Lauren Sill was not 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**

Mission Statement (Exhibit B) and Agenda (Exhibit C) Sheila – Please note the order of the presentations has changed for this meeting. Public Hearing first, then General Discussion, General Public Comment on Non-Agenda items, then Secretary’s Remarks, Workshop Session and ending with another session of General Public Comment on Non-Agenda items.

## **IV. APPROVAL OF THE August 17, 2023, MEETING MINUTES**

Sheila – Correction to minutes, on first page, approved June 22, 2023, minutes, (not March 9, 2023, minutes as previously listed).

Commissioner Gerald Lauber moved to approve the minutes, Commissioner Phil Escareno second. *Approved* (Minutes – Exhibit D).

## **V. DEPARTMENT REPORT**

### **A. Administrative Rules and Regulation Procedure – Pursuant to K.S.A. 77-421 – Public Hearing** (Notice of Public Hearing – Exhibit E)

1. K.A.R. 115-20-2, possession limits amphibians and reptiles – Daren Riedle, wildlife diversity coordinator, in the Ecological Services section presented this to the Commission (Exhibit F). These regulations came about through discussions of Ad Hoc group between law enforcement and Ecological Services looking at poaching of amphibians and reptiles in the state and some other issues. Also, a bill was introduced, HB 2479, to basically eliminate all take and possession of ornate box turtles. We wanted to develop some possession limits that would reduce take from the wild, make it easier for law enforcement during stops and still provide educational opportunities for kids. All of us that grew up keeping a box turtle, lizard or something like that, we wanted to still allow those educational opportunities which are beneficial for those growing

up enjoying the outdoors. We discussed these regs and once we were happy with result we sat down with Ecological folks, then presented them at two Kansas Nongame Wildlife Advisory Council meetings. The Council consists of most of the NGOs in the state that are concerned with natural resources in the state at one level or another. It includes state chapters of the Wildlife and Fisheries societies, Kansas Herpetology and Ornithological societies, Sierra Club, Audubon of Kansas, Kansas Association of Zoos, Farm Bureau, Kansas Livestock Association and several others. In 2022, I presented to the Kansas Herpetological Society, a society focused on amphibians and reptiles. There has been consensus across the board, and we are happy because it meets the requirements we were looking for. Currently, the regulation allows anybody to keep five individuals of any nonthreatened and endangered species of amphibian and reptile. Changing to maximum of any mix of five individuals of amphibians, per domicile. And five reptiles and no more than two individuals of any species per domicile.

Andrew Clark, Hays – Will that affect bag limit for bullfrogs? Riedle – No, bullfrogs come under fishing licenses.

Testimony was submitted by the Kansas Chapter of Sierra Club prior to the meeting (Exhibit G). They indicated they were in favor of the regulation however would like us to go one step further in prohibiting take of ornate box turtles.

**Commissioner Gerald Lauber moved to approve K.A.R. 115-20-2 as presented to the Commission. Commissioner Phil Escareno second.**

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

<b>Commissioner Cross</b>	<b>Yes</b>
<b>Commissioner Escareno</b>	<b>Yes</b>
<b>Commissioner Gfeller</b>	<b>Absent during vote</b>
<b>Commissioner Lister</b>	<b>Yes</b>
<b>Commissioner Sill</b>	<b>Not Present</b>
<b>Commissioner Sporer</b>	<b>Yes</b>
<b>Commissioner Lauber</b>	<b>Yes</b>

**The motion to approve K.A.R. 115-20-2 passed 5-0.**

## **B. General Discussion**

1. Deer 25-series big game regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit I, PP – Exhibit J). This is where statewide seasons are set, as well as dates and units for extended antlerless seasons. Also, limitations on obtaining multiple permits of certain types. Approved in August 2023 to set seasons and we set durable dates where it no longer includes a yearly date. We will only have to come back and address if changes are needed and to announce what dates will be. What I am announcing today is 2024/2025 season dates. The season dates for deer hunting during 2024-25 following the regulation are as follows: Youth and Disability, September 7-15, 2024; Muzzleloader, September 16-29, 2024; Archery, opens concurrently with muzzleloader season on September 16, 2024, and runs through December 31, 2024; Pre-Rut Whitetail Antlerless-Only (WAO), October 12-14, 2024; Extended Pre-Rut WAO (only in DMU 12), October 15-20, 2024, since need for additional doe harvest in that unit; Regular Firearm, Wednesday after Thanksgiving, December 4-15, 2024; 1<sup>st</sup> Extended WAO, January 1-5, 2025; 2<sup>nd</sup> Extended WAO, January 1-12, 2025; 3<sup>rd</sup> Extended WAO, January 1-19, 2025; Extended Archery (DMU 19 only), January 20-31, 2025.



Everything follows what we have been doing for the last several years as far as length and dates, except for DMU 12 extended pre-rut adds those extra days. Nothing to vote on but putting this in front of folks to see where dates will fall and to be able to evaluate anything that comes up.

Andrew Clark, Hays – Have we considered placing muzzleloader and archery into draw like we have with rifle, as far as mule deer? They would have to draw a stamp. Since success rates of muzzleloader and archery seem to be climbing. Jaster – Talking about that internally. Archery tags are statewide, over the counter, limited to archery equipment, only buck tag you can have. The muzzleloader tag is limited to archery or muzzleloader-only during muzzleloader or firearm seasons for a buck and it is over the counter like archery, except limited to zone you get, east or west mule deer zones. Firearms is a draw, any deer valid during firearm unless you hunt January for antlerless whitetail, all tags turn into antlerless whitetail tag on January 1. That is draw that is limited and have been considering how to address mule deer harvest on declining populations and considering potential of moving archery and muzzleloader tags into a draw system. We are looking at other potential options, as well. That way one group doesn't bear the brunt of reductions. Commissioner Sporer – Is last statement directed towards mule deer? Jaster – Yes, mule deer rifle hunters have had to bear the brunt of any tag reductions because it was only one that is limited because everything else is over the counter. Also implementing reductions on nonresident mule deer stamps to the point they are no longer available. Commissioner Sporer – You are considering a draw for archery and muzzleloader mule deer tags? Jaster – Yes, that is under evaluation right now and looking at feasibility. If it comes to that point, it would be trying to figure out what tag quotas would be. If we move that direction, we will bring that to the Commission.

Greg Bieker, Hays – Would that be a second buck tag or like a mule deer stamp? Jaster – A mule deer stamp or very similar to that; We would maintain one buck permit.

2. Harvest Reporting Methods – Rich Schultheis, assistant Wildlife director and overseer of wildlife research group, presented this update to the Commission (PP - Exhibit K). Talk about harvest reports and methodology we use. There are a number of techniques available for collecting harvest information. Our wildlife resource group has been asked to provide a summary of current reporting methods and why we don't utilize mandatory reporting system. This is also an opportunity to summarize survey efforts and provide background on why we do what we do. Our goals are to collect data sufficient to produce precise, reliable and statistically valid estimates of harvest. We want to be able to provide harvest estimates at appropriate spatial scales needed to inform wildlife management decisions. We make a lot of decisions on statewide scale or at management-unit level but not at property or square-mile level. We try to avoid unnecessary burden to hunters that may result in survey fatigue. Utilize methodology that is fiscally responsible and logistically feasible to conduct on annual basis, something we do year in and year out is to manage species appropriately. Start with summary of census versus a survey and difference of the two. Census is information collected on entire population, like being able to count them, sex them or age them, whatever characteristic is; you can come up with reliable results, 100% compliance if you can count or see them all, then census methodology works well. Often best option, especially for smaller populations. It does become increasingly difficult as population size increases. Survey is sampling a population, only looking at some individuals of that overall population. We calculate a sample size that is needed and then sample those randomly-selected individuals. We are able to estimate confidence intervals, response bias and things that make us feel more confident and feel good about what estimate is. The best option when looking at populations with large sample sizes. It does rely on reliable and accurate observations. Still need reliable information whether a census or a survey. Example of a census,

population is everyone in this room, measure is everyone with a green shirt on, straightforward, I can close and lock the doors and I can census this population and we would all be confident in the information. If we add to complexity, instead of people with a green shirt on, we want the people where green is their favorite color; again, we can close the door and ask each individual that question, in theory should get results from most, or all, the folks here. If we don't, I know who I don't have an answer from, a straightforward estimate. If someone doesn't answer, we don't know if they are prone to like green or not, or don't want government to know they like green. Always some scenarios as it becomes more complex and more difficult for overall estimate. Let's talk about the same question for the residents of Kansas, things get tricky pretty quick. Just being able to contact everyone who is resident of Kansas would be a monumental task and getting responses from all of them would be impossible. What we are faced with is having the ones we get and the ones we don't get and if there are any biases. You can see as you get in a bigger population and as things get more complicated coming up with estimate gets tricky. Contrast with example for survey; if you talk about flipping a quarter, if you flip it enough times you are going to come up with 50/50 heads and tails. You might not in the first two or first ten but with 20,000-coin flips, probably end up with about 10,000 heads and 10,000 tails. The question is how many times you want me to flip the coin before we are at point you are comfortable with 50/50. There is a formula to utilize when using this methodology for surveys that gives us that number, depending on how confident and how precise we want to be we can come up with how many flips we need. If we just do a few flips, you might get 50/50 but you might not. Get to 100,000 flips, you are within 10%, from 9,000 to 11,000, so, 100 flips out of 20,000, that saves a lot of times. If you move up to just under 400 flips, you are going to get within 5%. A reliable estimate. If just over 1,000-coin flips, it would be within 3%. Generally, we would be around 10,000 and our estimate would be close. It gives you an idea of how survey versus census works and benefits. Decide what acceptable precision is, how close we need to be, and then you sample accordingly using that formula. As you get higher and start sampling more you see limited benefit, the curve levels off and not a lot of benefit to oversampling. It can lead to survey fatigue and associated expense. Not a lot of benefit to oversample versus what we need. The summary is, those are what we can utilize for methodology when we are trying to estimate harvest of a species. Harvest survey is an example of what we talked about. Generally, we talk about in-season or post-season surveys, we sample the population of hunters that have a tag or permit that allows them to take a certain species. That can be in form of mail, email, telephone, smart phone application, or several other ways to gather information. Contrast that to tele-checks or mandatory check stations are a form of a census, we are trying to get all information from all individuals, like, did they harvest or not with that permit. The idea is you are requiring hunters to comply, anyone who has a license or permit has to provide a response, or at least if successful. Check stations, telephone, internet or smart phone applications, all of those are examples of what states utilize. Typically, we only require responses from successful hunters, but some states require responses whether successful or not. Harvest surveys are used extensively. We use it for ten plus harvest surveys on an annual basis. We send surveys to randomly selected individuals with appropriate permit or tag. We sample at level needed for precision estimates at appropriate scale we need. We are making management decisions based on statewide or management unit level, but not making decision on a piece of property. This works well because generally larger scale is where we can affect population level. We use responses with estimates, all things that go into a calculation to extrapolate to overall harvest estimate. We sample 1,000 to 1,500 people, do extrapolation and arrive at overall harvest estimate for that species. It is a well-established methodology and has a long utilization in wildlife biology. There are textbooks and peer group publications on this, it is a well-defended good technique utilized over time. Benefits of survey methodology, calculate things like confidence levels in the estimates, so not only do we have a number of estimated harvests, but we also know how

confident we are in that harvest range and when making management decisions it matters a lot. It doesn't require complete compliance, sample fewer people and over sample a little to be sure we have appropriate sample size. Fewer responses overall are needed and less burden on the hunters. No additional surveys needed. If you do mandatory harvest check stations, more information is needed because we don't know if someone didn't respond because they didn't harvest anything or because they don't want to share information. Then would need a survey for both unsuccessful hunters, a lot that doesn't fall in line with a particular harvest. When you do a harvest census or mandatory check, they are going to ask you things about that particular animal, where it was shot and those types of things. There is a lot of information we utilize on statewide basis. We just made some decisions on turkey season and quotas in units and that information came from turkey harvest survey on where folks spend their time and management units on turkey. If we didn't have this information, not just how many points a deer had, male or female, etc. that we would need to do an additional survey on. There are some consistency issues in Kansas. We have a long historical database with this type of information, and it is consistent across species. We can look at trends over time, look across species and everything is the same, methodology is the same and that is helpful. There are some drawbacks of harvest surveys, it is not all good. It does rely on voluntary response, not mandatory and we are seeing decreases in response rate, which is not ideal. Everyone sees a lot of surveys which makes it harder to get responses. It means more work for us, and we have to send out more surveys. Need to consider sampling error, response bias, memory bias, things that go into calculations that you need to consider. It is not straightforward, there are other things to consider and measure. Difficult to communicate with constituents the benefit of this. It is not straightforward, like saying everyone responds and here are the numbers. It is not a particularly useful tool for law enforcement because we don't have the time sensitive requirement, but that is not the goal of the program. For smaller populations you end up asking everyone, survey the whole population. While it still works well some benefits go away with smaller population. Benefits of survey versus census goes down. Compared to mandatory harvest reporting, a harvest census. We require harvest information for everyone that has a permit, or at least everyone that was successful. Generally, mandatory check stations, especially in western states, was part of the culture to get elk or deer checked. Not so much in Kansas but in other places it was. It started with mandatory check stations, moved to telecheck, where you had to report, or call in, and computer prompted you to hit one if it was doe, two if buck, etc. More recently, as technology is available, internet and smart phone apps and used for most states that do this. It is not typically utilized for all species, mostly for big game. Benefits of census, if you can get full compliance, it provides complete picture of harvest at any scale and avoids sampling errors. If we have information from everyone, it is pretty straightforward, and useful. Easier to communicate because of that and is helpful at times. If real time reporting requirement it could help avoid post-season recollection bias so things would be fresh on persons mind. It can be useful when voluntary response rates begin to fall, and mandatory requirement could be useful in some situations when you must get responses needed. It works well in small population and quota hunts. Because of real time requirement it can be beneficial for law enforcement purposes as well. Drawbacks are it is difficult to get everyone to respond 100% and that is rarely achieved and can be 50% or lower for mandatory surveys. Even good states are 90-95%, that creates issues, without 100% compliance you end up with minimum or underestimate of what harvest actually is. When trying to do wildlife management and conservation and having an underestimate is difficult to determine rate and end up underreporting population. It can be difficult to estimate compliance, response bias, confidence intervals; all the things that make us feel good about data, is not available for those, so in the end we get a number but are not sure what that number actually means and how confident we should be in that number. Concerns raised with honesty when you start to require someone to submit information, that goes down. If voluntary, that rate is better. It



is difficult to estimate what difference is but always a concern when talking about mandatory requirement. It still requires additional information, those that didn't harvest, or any information tied to the harvest. Even if we do a check station, we still have to send out survey at the end of the year to get that additional information, so there are drawbacks to this system. The unnecessary burden on hunters is the biggest. One year we did twelve different harvest surveys, for all the different species we have. It probably wouldn't be mandatory or telecheck for every species, but for each one everyone would have to respond. Most we ever asked one person, out of those 12, was three. We try to minimize overlap and lift to try and reduce survey fatigue. In Kansas, there is some consistency with using the same survey methodology each year. The assumption that comes up with constituents is that this is a cost decision. From our perspective it is a wash, if you think about mandatory harvest reporting, telecheck, there is high up-front cost. On an annual basis it can vary, if use phone, like smartphone app, it can be low. If you are doing check stations cost is high, a lot of staff time and salary. If you do a telephone operating system those are not cheap either. Generally, high up-front cost, mixed long term. Surveys have a moderate annual cost, time spent putting them together, postage and sending two to three reminders to get information back, time spent entering information when we get it back; or if phone component, all those costs can add up. There are some benefits and detriments to both systems as far as cost but not a huge component of decision for us. We utilize harvest surveys. We use that because best method to come up with most reliable estimates, which is what we are after. Comparing harvest survey to mandatory survey; there is accuracy, truthfulness, non-response bias, confidence intervals, need for high compliance, which is difficult to get, consistency historically and across species, and burden on hunters. The benefit falls with harvest survey versus the harvest census. There are some in the middle, cost, ease of communication, use in limited quota harvest situations, lean more towards census. The value for law enforcement also relies on census component. In the end we stack up the characteristics of the two and feel confident in harvest survey. We seek consistency with other measures out there. There are some species where we have numerous estimates for harvest, or harvest and participation, or harvest and abundance in habitat. When we look at those things, they track remarkably well, which is a good sign. The other thing that makes us confident in this information is we see smooth changes and realistic scales over time. You can see artificial bumps or outliers on an annual basis on estimates. During migration it is difficult and some years you get a great count, some you don't. That estimate goes up and down by half a million, which is obviously not realistic. In our harvest estimates we see realistic changes over time, they trend well, and we don't see outlier years. We make changes to regulations, permits and allocations, we anticipate if it will affect harvest significantly and they show up in harvest survey. So that makes us increasingly confident in the information we are collecting and estimates we are coming up with. The harvest survey method is the best option available for collecting harvest information. This isn't a financial decision. The information request may suggest we need to improve communication with constituents, do a better job of explaining components that go into those decisions better. We will continue to assess available and emerging technology and techniques to ensure we are always using the most appropriate option. I work with staff across the state and in other states, biologists, and I have yet to be asked to move to mandatory harvest survey program, which makes me confident about information we are collecting. There is a huge number of peer review publications, textbooks and other things available, and I am happy to share examples, a lot of literature out there.

Commissioner Escareno – Do you ask outfitters for information on harvest data they collect and gather and compare to what we have, to see if it is close? Schultheis – We do not. There are times we will do a survey that may target, in some component, outfitters. With removal of outfitter permit system, we do not have reliable list of outfitters to survey. Generally, we are interested in the overall information from the people who harvest those animals. It would be a

difficult task and we have a great dataset to rely on. We know folks that are legally able to be out there harvesting that species so we can sample that population. The population of outfitters would be difficult list to come up with. Commissioner Escareno – A hunter and an outfitter still must apply for a permit to hunt in an outfitter’s location, so they are included in the data request. Your data you collect does include some of those hunters hunting with an outfitter? Schultheis – Yes, they have the same permit as anyone else so are in survey pool. Commissioner Escareno – So, we have that information. Schultheis – Yes. It could be secondary information source to utilize them. The value of doing a random selection of 2,000 people of 50,000 that might be doing it, the number of folks we would be comparing to, the folks that utilize outfitters, as far as confidence, it may not help to have that information for purpose of management decisions. Commissioner Escareno – Outfitters contradict our harvest information; they say it is different than what we have. Trying to understand how we can compare to make sure we are close on estimates of what is harvested. Schultheis – Not an expert on how harvest estimates look for a particular outfitter, one thing that is probably occurring is scale we estimate in and scale we make decisions in. On a property level, generally there are going to be differences versus if we look at a management unit. That is where estimates are that we make a decision at unit level, which may not align well with particular properties. I think we have pretty good confidence in scale. Commissioner Escareno – Thank you for work and staff that are gathering that and providing information to us. You do a fantastic job of providing information we need to make intelligent decisions. Schultheis – I will share with my staff. Commissioner Gfeller – Surveys require response, right? Schultheis – We don’t require folks to respond. Commissioner Gfeller – They respond to request, a voluntary reporting of harvest. Schultheis – Correct. That has to do with methodology. Having a random sampling of the population versus soliciting response, you will see a bias in who responds. People who do generally like to respond, and those that don’t, don’t respond. We do a random sample and utilize that, which gives us a better non-response. Commissioner Gfeller – Response rate is what? Schultheis – Varies by different surveys, in higher surveys some 60-70%, some below 50%. As an agency doing well compared to some other states. Generally, we send out the initial request by mail or email and follow up with another request to try and encourage them to respond. There is a concern that there is a decline in response rates but is common in society today. Commissioner Gfeller – Any species you would want to consider a different approach on, where you do have concerns about response rates or accuracy? Schultheis – I don’t think response-wise, no. I haven’t heard any requests for need to change methodology. This is limited to big game mostly. The idea is, it is not that we are not providing reliable estimates, it means we have to spend more to get the same data, because we have to send out more requests and more reminders. It takes more from our agency to do that, but still confident in estimate. Commissioner Cross – Is the lion’s share done electronically or snail mail? Do you run into generational issues with those methodologies? Schultheis – Overall yes. Most of these we will provide either through email or send a postcard with a link to report online. Most occurs online and smartphones are in that too. There are issues with resistance to technology and still send some paper surveys or people call the Emporia office with their information and dictate it over the phone. We do our best to accommodate as best we can to get the data. The reliance on paper and phone has gone down, general cultural behavior. Secretary Loveless – To Commissioner Gfeller’s comment, you answered it like I expected, you said we evaluate survey response rate and determined we still have confidence based upon those responses and the trends you see. However, you pointed out that if that drops too far you may reconsider that for a certain species. Schultheis – Certainly. We are not at that point now. We know what we need for responses. That 2,000 is not how many surveys we send out; it is how many surveys we need back. We are nowhere near that but there could be a point where we need to reconsider how we do this. Commissioner Escareno – I am on another board where we gather information with regards to cell phone usage in a WIHA or i-WIHA area or state-owned or

leased property. It indicates how many cell phones are in an area, and if there they are probably hunting, may be a few wildlife watchers. Can we gather that information to look at numbers of hunters out there and compare those? Schultheis – We have not explored that technology, some of that geo-tracking and where people are spending time. There could be some benefit, particularly for smaller scale things, like utilization of a wildlife areas. We use things like road trackers. I could see benefit on a local scale, it could be useful.

Kenny Graham – Appreciate the presentation, very informative. Of states that touch Kansas, how many have mandatory check-in besides Kansas? Alaska doesn't, Missouri does, Arkansas, Oklahoma, Colorado? Is there less paper pushing to come up with data when it is mandatory? You are saying 50% to 90% is checking in honestly, yet on paper you are only getting 70%. Want your opinion on that, when you balance a checkbook, it is better to have all the data then part of it? Schultheis – Not sure on question. I don't have data in front of me on surrounding states, but generally close to 50/50 who require mandatory system. As far as numbers, difference between response rates and you when you require a census that number matters a lot more. When we are doing a survey, if we get 50% response rate, we are sampling at a level that still allows us to produce a reliable estimate with confidence interval. When we say we have a harvest estimate of 10,000 and our 95% confidence level is within 1,000 of that, we know harvest estimate is between 11,000 and 9,000. When doing a census and you get 50% of 10,000 you get 5,000, you don't know what real number is. The reliability of that estimate and concerns with having a number and interpreting what that number means, or what the actual harvest is in the field, is the difficult step with a census that we overcome by using a survey. It isn't apples to apples to compare response rates. Graham – You use that information to be able to extrapolate that we had a 25% downward harvest of nonresidents across the state on turkeys, based strictly on the survey. Statistically that showed it was 25% statewide, not higher in one unit or lower in another? Schultheis – The question was, did we utilize survey data to make recommendations for turkey regulations? The answer is yes, we used harvest survey information, participation and population information. Harvest always fits in our decision process for recommendations we make. Graham – It was 25% statewide in every unit.

Andrew Clark, Hays – You pulled up some great harvest information charts. Is that publicly available data and how can we get that? Schultheis – I pulled that data from our website. I can walk you through the process, there is information about reports under wildlife research, for each species group. On an annual basis when we produce those estimates, and we try to post it every year. All those charts come straight from that information out there. It can be useful to hunters and is online. If you are looking for one you don't see, reach out through "Contact Us" (on ksoutdoors.com) and we can give you that information.

Will Cokley, Lawrence (*did not sign in*) – Now that we are moving towards online permit purchasing, have you considered putting the survey as mandatory questions before you can buy your permit? I know your data will be late in the season but most of us are habitual hunters and are buying permits every year, then you would get 100% response because they won't be able to buy a permit unless they answer your questions. I understand the more questions the less likely people are to answer, but could ask important ones, like did you harvest a deer, what day and what unit. Everybody would be willing to answer those questions to get their deer tag. Schultheis – Everyone would provide answers but what those answers' mean could be in question. There are some states that have gone to that, not just successful hunters. Some states have gone to "no response, no tag next year," to get closer to 100%. From everything I have found, there has yet to be a state that has gone to 100% compliance. There is always going to be some people not willing to. Cokley – Higher than where you are now. Schultheis – True but where we are now is

a more reliable estimate. Response rate versus having a survey response rate versus compliance is two different things. Our estimate now is more reliable than if we had 90% census information. Two percentages don't necessarily mean the same thing. Cokley – An honesty issue? Schultheis – That can be an issue, as well.

3. Bison Conservation – Stuart Schrag assistant secretary, presented this update to the Commission. Talk about all things bison and things coming up in next year. Back in early 1920's our agency took a stance to conserve bison numbers in the U.S. and restore numbers across the country. In 1924, brought in one bull and two cows to the Finney Game Refuge, our first shot at conserving and managing bison. In the 1930s, we added a few more at Meade. We have had herds at Kingman SFL, Crawford County State Lake, and Maxwell in 1951, brought in from Wichita Mountains in Oklahoma. Maxwell is the largest herd we maintain. In 2024, will be our 100-year anniversary of being in bison conservation and management. We are planning to celebrate that centennial. We maintain 150-175 head, annually have roundup and auction, which will be October 30 for the roundup and auction on November 1; we are selling 63 head, which will include animals from Maxwell and Sandsage Bison Range. We had to relocate some of the animals at Sandsage during the drought, since May grass has come back so maintaining animals there. Big Basin Prairie Preserve, north of Ashland, 50 head there but we don't own those animals, we contract with a private individual to run animals there. We have good standing with Kansas Buffalo Association and National Bison Association. In 2024, Wildlife and Parks and the Kansas Buffalo Association are co-hosting a National Bison Association summer conference June 7 and 8 at Maxwell Refuge, inviting producers and others to that two-day event. Have a lot of bison-related activities to plan and work on. If Commissioners want to be more involved ask myself or one of Public Lands staff members. Commissioner Cross – What is total headcount statewide? Assistant Secretary Schrag – We maintain 50 head at Sandsage, 150-175 at Maxwell, and five at Bob Grant Memorial Bison Herd at Frontenac, so about 250 maximum, depending on time of year. We cull animals every year because of available grazing acres we have. The money from the auction goes back into maintain the bison herds. Including public and private herds our best estimate is about 6,000 head. Commissioner Gfeller – Are any of our bison genetically pure? Assistant Secretary Schrag – That has been a big topic of conversation in the bison industry the last several years. A lot of that derives from Yellowstone herd. We have done genetic testing at Sandsage. The whole concept of genetically pure bison is a heated debate. No matter what kind of testing you do there is still some domestic or cross species contamination; plains bison crossed with wood bison or plains bison with domestic cattle, still ongoing in the industry. Hard to say anyone's animals are 100% genetically pure. Commissioner Gfeller – It has been so long that the cattle influence was there. Assistant Secretary Schrag – Our agency is involved with disease and natural immunity and *mycoplasma bovis* is one of the big ones. We had an outbreak at Maxwell in 2006 and we lost significant portion of herd. We have been vaccinating for it ever since. Part of summer conference will be a panel of folks talking about that disease. It used to be a death sentence, if some survive, we can retain them and keep them in the breeding population and there might be some genetic resistance in their offspring. Excited about being involved in that study. Lot going on in the industry. On national scale we have been fighting truth in labeling in Washington; pet food companies label product as buffalo, but is water buffalo not bison, truth in labeling act going through Congress right now. Commissioner Escareno – How do we compare with other states in number of buffalo? Assistant Secretary Schrag – As state agency, we are small scale here. Custer State Park in South Dakota has thousands, Teddy Roosevelt National Badlands in North Dakota have thousands. We have less than 10,000 acres where we are running bison. We are in region 4, which is Kansas, Nebraska, Missouri and Iowa, out of those four we are the most active. A lot of Kansas bison ranchers out there. We get animals from other state agencies as well and keeps our genetic purity too. Initial

animals brought in 1924, following years we brought in more that we are confident were from the Charles Goodnight herd, a unique history we are part of. Secretary Loveless – Reading for years the conversations about genetic purity. From management perspective and managing our herds, does that have any bearing on decisions you make? Assistant Secretary Schrag – No bearing on management, more interested in overall herd health and calf production. We don't do it to make money and we have to cull animals via the auction every year to maintain grassland health. When topic was hot, Tom did some here in Garden City, an interesting study. He was able to identify some genetic markers and he got rid of some animals that didn't match the majority of the herd. Andrew Clark – Is bison herd considered wildlife? But we auction them off? Is there ever going to be a hunt available? Assistant Secretary Schrag – This has come up over the years. Actively involved with Maxwell herd since 1993. We do cull some annually, 50 plus head typically. The reason we have done that versus hunts; back in 1970s and 1980s Maxwell was central hub where producers came to buy animals to start their herd. Back then not that many animals out there. That morphed in 1990s and 2000s, now get more meat buyers for restaurants. Other issues that have come up is, Maxwell is a high fence refuge, and what the optics would be of having a hunt. Teddy Roosevelt National Park and Custer SP does hunt every year, not new territory for agencies, but would be something new for Kansas. We have talked about special hunts for Make a Wish or disabled vets, or something like that. It is a sensitive subject, but we continue to discuss.

4. Cheyenne Bottoms Update - Jason Wagner, Cheyenne Bottoms public land manager, presented this update to the Commission (Exhibit L, PowerPoint M). Manuel Torres, Region 1 public land supervisor – PL Reg Supervisor or SW Kansas, Scott City, to Great Bend to Medicine Lodge. Jason not able to be here today, he is getting ready for opening teal season. Cheyenne Bottoms is a 41,000-acre basin, 19,998 acres which is the largest interior wetland in the United States. The projects we've done using the Pitman Robinson started in 1937 in 1942 the first land purchased at Cheyenne Bottoms. In 1957, was our first project and since then there has been millions of dollars spent on improvements and maintenance. Our A-team at Cheyenne Bottoms we have Gene Schneweis who is our general maintenance technician, his wife uh Kim Schneweis is our heavy equipment operator, and our public lands wetland manager is Jason Wagner. All three of these individuals have received awards from Kansas Department of Wildlife and Parks and Ducks Unlimited for their outstanding contribution to the wetlands and the Bottoms. There are 40 water control structures, 26 miles of dikes, 19 parking lots and the list goes on and on. These individuals do a phenomenal job out there. Cheyenne Bottoms is a wetland of international importance. About 356 bird species out of 482 visit the Bottoms and 45% of North American shorebirds stop there. In 2022, over 600,000 shorebirds visited and about 1.5 million waterfowl stopped at the Bottoms. When we make decisions in our state agency, we want to protect and preserve our natural resources, but we also have to look at what we are doing to our local economy. In 1987 there was an economic impact study and they showed that \$2.8 million came into Kansas of that, \$1.8 million came into Barton County. We have about 60,000 visitors annually. On average there are 4,975 hunter days and in 2021/22 about 53% of hunters were from out of state and they came from 32 different states. We bring in water through two creeks that come into the inlet, Arkansas River and emergency spillways to keep Great Bend safe during floods. In 1990, did \$17 million in renovations, Kansas pipeline added. In 2018, wrote PR grant, got \$6.9 million grant. It is five miles from the Arkansas River to the now dry Wet Walnut River. We couldn't get water in timely manner, so we added five-foot pipe that goes five miles and adds water quicker and reduces sentiment and built a dam right inside our five-foot pipe and it took two weeks to clear it up. That grant was funded by wildlife fee fund, which was funded by waterfowl stamp sales. DU also has a "bring back the Bottoms" campaign and they assisted with some funds. That grant has been phenomenal for us. Of 19,998

acres, we have 13,400 surface acres of water, not the case right now, challenges are silt, cattail and phragmites. In the last five years, staff has worked on 5,000 acres of cattails and phragmites. Equipment is also a challenge, just keeping it going, it is very large. Staffing is always an issue as well. Currently we have very little water and all the water we have is going into 3A, we should have 10 to 11 inches of water. In 2A we have 500 to 600 acres, a very large pool, and it's all going to be ankle deep water. So, if you're going to the Bottoms, you better be physically fit because it's going to be tough. In pool 5, we have a little bit of water there but it's only about 150 acres. Our storage capacity, which is 1A right now, all we have is 20 inches of water. Unfortunately, the way the silt is we're not able to get it all out of there. I will tell you that our habitat conditions are awesome and if it rains, I encourage you to come out and visit. Remember we do have a check-in/check-out system.

Commissioner Cross – What should water depth be in pool 2? Torres – It varies. Water comes from two different sources; we don't control rainfall and it could be 15-20 inches. It is a 3,400-acre pool, rainfall we had didn't hit where we needed it. Commissioner Escareno – It is my understanding that they are going to put windmills in the area, and they do spray that kills vegetation that the birds eat? Torres – Currently no windmills up. It is my understanding that there was a company three or four years ago, that came from overseas, but opted not to after finding out the importance of the wetland. Commissioner Escareno – I understand they still spray on an annual basis, if not twice a year, according to a constituent call I received. Torres – Reach out to me and let me know where that is at. There are guidelines and windmill companies are particular in what they are doing. Assistant Secretary Schrag – There are pipelines close by and they might be doing aerial spraying or annual maintenance. Torres – I don't know of any pipelines that go through there. Unless they are talking about our phragmite spraying. We spend \$50,000 to \$60,000 a year, use helicopter and airplane due to all the invasive species. Cattails and phragmites are what our managers are targeting. Our wetland management plan is also spring migration, so not just waterfowl hunting, but shorebirds as well. We estimate 45% of them will stop. Commissioner Escareno – They mentioned helicopter spraying. Torres – I bet that was to control phragmites and cattails, especially in pool 2. Last year when it was dry, they did a phenomenal job of getting in there and controlling some of that. Secretary Loveless – Jason and Manual took advantage of dry conditions to till those acres and kill them and avoid the use of chemicals. Effective wetland management is to move water on and off and is an important part of being able to select those annual plants that are valuable to those migrants and get away from perennial grasses. Torres – It is all about protecting and conserving our natural resources and managing water when it is available, based on rainfall. It is not like we can just turn on the pump and fill 19,000 acres of water. Our crew communicates on daily basis on what they are going to do for that year.

*Unknown person* – Where do phragmites come from? Schultheis – They were introduced after mining activities, once a mine operation wrapped up, they put them on the ground. They have an invasive nature in wetlands and are hard to control. When drying out and plowing or tilling, a real battle. Most of them introduced and had unanticipated consequences. *Unknown person* - Where originated from? Schultheis - There are a couple species of phragmites but the one that we face is an invasive species and is a tough one. I believe it actually may be a hybrid species.

Commissioner Cross – No benefit to wildlife? Schultheis – Some benefit, some species may rely on it, but that is limited. It forms a monotypic stand that is dense, and it doesn't produce a lot of food resources for waterfowl. It is thick and hard to get through. Especially compared to native vegetation. Cattail species can be the same with similar issues, but less severe. If we get the right conditions, like drying and can utilize chemicals we can gain on them, however they still spread and stick around. Assistant Secretary Schrag – That is one of our biggest challenges, we spend thousands of dollars and manhours trying to control those species as well as sericea lespedeza and other noxious weeds. All of the water systems above our properties are full of them. In a flood or high-water event, we have a new influx of seed. One of the biggest aspects on what we



do on public lands is invasive and noxious weed control. Commissioner Cross – I remember we did that tour of the strip pits, and we had that issue over there as well, looks like it's pretty tough to get a handle on. Commissioner Sporer – Is there a movement from Department of Ag to list phragmite as a noxious weed? Assistant Secretary Schrag – I've been on the Kansas Statewide Noxious Weed committee, and Dustin Mengarelli is currently serving. Phragmites is one species that has come up the last several years, but no determination made so far. I heard there is consideration in the future on a county-by-county basis. If further east you don't see them like you do at the Bottoms, but in the east, they have more sericea lespedeza. Commissioner Sporer – Well there be any cost share with some counties to get people motivated to start taking care of them? Assistant Secretary Schrag – There is a whole list of other species. Bluestem is also becoming a big problem as well and always new ones. Commissioner Escareno – Company from Spain looking at a project in close proximity of Cheyenne Bottoms on a solar panel project. Are we taking a stance with regards to that project and have we showed causes to why we would not be in favor of them putting that in proximity of there because of the migratory birds that fly through there? Secretary Loveless – Had a lot of discussions on that but handicapped because that company has never sent us data on where they would locate that. We don't have basic data on where that will be or whether it is a problem or not. We have made it clear we are glad to evaluate it. The county could compel them to share that data with us but that hasn't happened. We are aware, as well as the Governor, about that project. Just waiting to see if county calls us in to help or not. We just haven't seen that data yet. Andrew Clark, Hays – I'm a user of the Bottoms and I just want to let everybody know how appreciative we are for Manuel and Jason and the crew that work there and what they've done in the last several years. You can really tell a difference. It's appreciated, thank you.

5. Southwest Kansas Youth Programs - Manuel Torres, Region 1 public land supervisor presented this update to the Commission (Exhibit N, PowerPoint on Outdoor Mentoring – Exhibit O). Tasked to do presentation on southwest Kansas youth program. One of the topics that came up was Real Men Real Leaders organization. They came to Garden City to visit with me to see how it fit into our outdoor programs. After spending time with them, no doubt these individuals needed to present here. They go above and beyond any program I have ever been around. They mentor young men to be part of outdoors, part of the community and how to be outstanding citizens. Reynaldo Mesa – I want to thank the commission for having us, Manuel, and Phil Escareno, who was a former board member, he and his wife Susan were instrumental in helping the program and Susan worked in the office creating the administrative part and with programming. I am the executive director for Real Men Real Leaders. Gabe Gallardo is here also and is our board president as well Tim Sperry who is the assistant for programming. (*Showed slides with other staff members*). Most of the students come from two schools Bernardines and Charles Stones, they are fifth and sixth graders. We get suggestions for students, or people refer us when they have a young man that could use our services, or the parents who want their boy in the program. It has blown up and we have a waiting list of young boys, it is gratifying to see we are making an impact. We've been around for about 14 years. In 2012, we became a leadership program but in the last three years we really strengthened our programming, both in leadership and volunteerism. There was a group of us that came together concerned about what we were seeing with our youth, especially in the Hispanic community. There was a high dropout rate, gang banging, and our little girls were having a high teen pregnancy rate, it was so bad that on an episode of Johnny Carson. We felt we needed to make a difference, we can't always be complaining about what's going on in schools, what's going on in law enforcement, what's going on with parenting, we wanted to make a difference and so we stepped up. We formed this group, which was patterned off an organization out of Wichita, called Real Men Real Heroes that was aimed at the black community there. We were going to team up with those guys, but things didn't

work out. They're doing very well and still in existence today. We went our own way. Since then, we've grown. What we do with our boys is we introduce a leadership program to them, and it's based on five areas, actually eight areas, but we combined a few areas. These boys get an opportunity to earn challenge coins provided they finish the programming. They are leadership and organization; personal management; wellness and family, we all know family is important regardless of your situation, regardless of where you come; communication; literacy; and citizenship. They earn points and they have to show up, if they miss over three or four times without an excuse, we drop them, if not we are allowing them to develop a pattern. We've had to dismiss some of our boys for a variety of reasons. We have a waiting list that want to be in our program. Our sixth-grade students we do a little something different with, because they've been introduced to our program, and they know what we expect of them. There are four core areas that we concentrate on: government; private, public and social sectors. We could add church, religion or faith, but we don't get into faith; we don't get into politics either, we stay away from those, but those areas are very important because they make up a community. We introduce those kids to those different areas in the community. We tell them how important it is and leaders within those. We challenge our sixth-grade boys to provide a lunch for the first responders. Last year they put the whole project together, with guidance we give them, some tools and resources, but they have to put it together. We tell them this is your opportunity to shine. We are teaching them to step up to the plate, take hold of things and we ask them to do something. Last year was a huge success and we had over 75 first responders show up to the lunch. What we're trying to accomplish is to keep these boys involved until they are out of high school and working on some things for the seventh and eighth grade boys too. One thing would be to help them get ready to learn how to drive to school or to work. Here in Garden City there's a lot of kids that don't get into drivers education, they can only take so many, and then the other kids have to figure out how to get that done. Goal setting; and financial literacy; are things these young men are going to learn and hopefully they continue their education and careers here in Garden City. After the completion of the program, we have a banquet, and we recognize them for the work and accomplishments they've done. Last year we had over 350 people, over 190 parents and students, and all our former students. We served over 250 young boys and most of them came back for this, and we filled up the Community College gym. We had businesses and sponsors there and it was gratifying to see how much people appreciate what we're doing and what these boys were able to accomplish. The other thing we teach is servant leadership, in order to become a good effective leader, you learn to serve other people first, so they have faith in you, believe in you, and know you're a man of your word. We tell our boys we don't expect perfection. A real man is a guy who actually makes mistakes, no matter how big or how bad, he corrects them himself and gets back on track, and then say sorry or apologize to those who you may have hurt. Learn that through your mistakes and failures, and learn you'll become successful if you just stay with it, and we are here to help. We do have a summer program and it's revolving around drugs, drinking and bad habits like vaping or a variety of things that aren't for them. We bring a lot of law enforcement in and teach them to live well in any county. Some of the things the older boys do is, we took a group of our seventh graders to go meet with the Governor and talked to our representatives. I hoped they would draft a resolution on our behalf and read it on the House floor, because I've seen that done. So, I asked Representatives Clifford and Lewis and Senator to see if they would be willing to do that, and they did. They drafted a resolution on the House floor and one on the Senate floor. They were read to the members. That was an awesome day for these boys who probably would never have an opportunity to visit the senate, Governor or the representatives. Our goal is to expose them to people, not just leaders. We tell our boys they can be a leader at home, help mom by picking up the trash, doing the dishes, getting room clean, or getting ready for tomorrow morning by getting clothes ready. What we're trying to teach is going to save a lot of these boys. We will not save all of them, but we are going to try to save as many

as we can. I'm glad we're developing a relationship with the Kansas Wildlife and Parks and Outdoor Mentors because this is what we need. I have to give kudos to Outdoor Mentors and Bobby Cole who is here, he found out about our organization and approached us about having the boys learn about hunting, fishing and conservation. At first, I know Jonas was a little skittish about that because these are young boys, the whole gun situation, but I said it's the perfect thing. Gun safety and learning how to be a hunter and a fisherman and respecting the land that you're hunting on and the landowners. So, we went forward, and it went crazy. Mr. Jameson is here; he has allowed our boys to hunt on his property. We appreciate that and thank you. It started out with 10 boys now we close to 50 young men that learn how to fish and hunt and about conservation. Many of these boys don't have fathers, live with mothers, some have both parents, some no parents, or live with their grandmother or an aunt. This program is tailored for boys who are struggling in Hispanic or minority community, but we will accept any boy that wants in our program. We try to help educate them and help them become leaders. We have boys who are very intelligent, in the middle, and some those of those who struggle, but we try to help them any way we can. We tell them we're going to be with them hopefully until they get out of high school. Then if they decide to go to four-year institution, two-year institution, go to work, or go to technical college, we're going to help them get that goal. Looking forward, we just started a podcast a few months ago, I am the host, and we use it to shine the light on adult leadership. We relaunched it in our own studio, it's not ours but one of our social media guys, Edgar Messa, is a photographer and has a studio where we do our podcast now. We interview leaders that are in in community, whether they are education, city, county or any variety of folks, mainly geared towards our students. The other thing we hope to create is a magazine to tell stories of these young people and having our own yearbook so these young men have something to see just like they would in high school. Teaching these young boys to drive is going to be added to our programming and of course expanding our program all the way up to the top. We have been asked about doing a girls program and we're going to have that conversation with the Women of Purpose organization here in Garden City next week. I'm not saying we're going to do it, but we need to start that dialogue. When we started fine-tuning our leadership program students were doing very well here and performed well, but finding out they were getting in trouble in school, grades weren't good, so I went to the superintendent and decided we had to do something. We got an attorney involved to put together the document and now if the parent doesn't sign off during the application process, then their son is not going to be in our program. Gabe Gallardo – Real Men Real Leaders has been blessed with the support of the community, but it takes a lot to run this program. We pick the kids up after school, take them to their activities, they have educational presentations and then we promote wellness, so they have some physical activity. We feed them and then we take them home. We feed 60 kids every week. This year they are volunteering about every weekend and this weekend they have the fiesta where they serve the community. It is a great organization that teaches these boys the value of leadership, not just within our program, but at home, at school, with friends and wherever they are at. You don't have to be the CEO to be a leader, you can be the custodian, just do what you're supposed to do, act with integrity, be responsible. This organization is seeing great things happen and we have a scholarship program. We have kids in college, serving in the military, and we get calls for recommendations for employees from business owners and have placed several kids in jobs, so they're being productive citizens we want them to be. We break out of those boundaries they learn about our community, they learn about other communities, government, education, and we have several businesses present so our boys learn about the different trades and business opportunities. We expose them to different things. Now we've got the hunting and fishing piece of it, I don't know what that looks like, but this is huge, and our boys are really getting involved. Next year we get to take some boys to the Air Force Academy. There is a lot of things happening and it takes a lot of money, time and commitment, but above all passion, and I know all involved

have a great deal of passion, including Phil. Working with outdoor mentoring group, they stepped in and started becoming a partner and that is another way to introduce these kids outside; president Mike Christensen is from western Kansas and Britney French born and raised in Dodge City, and she's the CEO, and our coordinator, Bobby Cole, who is really instrumental in pushing some of these programs out here. When they got involved in 2022, they hosted 10 advanced hunter education courses for this group. They've hosted over 20 events and obviously Bobby's goals are to expand those. We have Curtis here who been involved in a lot of outdoor programs and Brent Clark and Angie, a conservation officer who is not here, she did hunter education classes in Garden City, one traditional, which is a two-day class working with the Garden City Police Department helping get people certified. This partnership that we're building is a great opportunity for us. Messa – We are creating a model, copyrighted our name and will probably copyright our material. We came up with our own curriculum, so that is going to be the next step. We want to spread out to Dodge City, Liberal and across the state. It is going to take a lot of people that believe in what we're doing to help us get there. That includes the outdoor group and the department. Torres – I do have a flyer here for southwest Kansas youth program. We've hosted since 2002 and we will have raffles for shotgun, archery equipment, BB guns and have invited outdoor mentor groups to take part of this program as well. Commissioner Escareno – Thank Bobby for reaching out to Real Men Real Leaders and participating with mentoring those young men. They wouldn't have had a chance to hold a rifle or shotgun. They've hunted turkey, dove and been trout fishing and done all kinds of different things. Unless you had reached out to them, they would have never had an opportunity to do that. One of the young men went on a fishing and camping trip. I was fishing beside him and asked if he was having any luck and what kind of bait he was using, he was using hotdogs. I was using shrimp and prepared bait and was not catching anything; he caught several and offered to share them. They are taught to be polite and lend a hand, even though you know they are having a tough time at home. Thank you for your efforts, keep up the good work and bringing those two programs together. Bobby Cole – It has been a real honor to do that. Commissioner Gfeller – Appreciate what you are doing, adding fishing and hunting, such a character-building experience being outdoors and learning respect. One of my questions you answered, you are you going to take this on the road. Messa – Completed trademark, we haven't copyrighted material yet but we're finalizing this model and I'm hoping maybe next year. We have had an interest from Ark City, Eric Burr found out about us from a commercial about the Tumbleweed Festival, brought a television crew out here and interviewed us and televised the whole month of March on Wichita station. Commissioner Gfeller – What is your funding model? Gallardo – About 40% comes from grants, 60% from fundraising and local supporters. The boys are active in the community, and we have had people feed them at events and meetings. We have vehicles and staff to take care of these boys and get them where they need to go. Messa – We have a grant writer, who works remotely from Florida, she is a professional and she has maintained what Susan Escareno used to do. We needed exposure, she hasn't gotten us big money yet, but she's maintained what we do have coming in from western Kansas community Foundation United Way and she's given us exposure to national companies. We met with Tyson recently although we were not successful, they get a lot of requests. Gallardo – Still people in our community that haven't heard about us that we learned in talking to some organizations. They want to learn more about us, and we appreciate the opportunity to come before people and share our story. Our kids are out in the community, people see them but really don't understand what they're doing. These kids aren't in trouble, and they don't have to be there to serve, but they want to, and they'll do anything. We adopted a piece of highway; two and a half miles, and they go out and pick up trash to keep community clean. Those types of things build character and integrity. Surrounding communities have asked us to take this on the road and we've invited people in and had them learn about our program, with the hopes of starting it one day in their community. We had a pastor from Missouri come to our

annual banquet, he sees a need in his community and found us online and he really has a heart for it. Commissioner Cross – Thanks for presentation we appreciate the job you're doing.

*Break*

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

Will Cokley, Lawrence – I want to talk about out-of-state deer tag draw. Right now, percentage of people drawing is going down every year. I'm an outfitter and landowner, there are many of us I'm speaking for. We would like to present a win-win situation much like controlled shoot. I also run a controlled shoot for upland game. If we had controlled deer access, we would pay a premium and would assign pieces or parcels of land and pay a premium for those. Just like we do for the pheasant hunting. Those parcels would be assigned tags to distribute as we saw fit. Out-of-state or in-state hunters would pay \$1,000 or \$750 for a deer tag to hunt on the controlled deer access area. That way you guys get your money, and we could control, and be able to plan for, who we're going to have hunt. Right now, the problem is that several guys apply for a deer tags, and we have no idea whether we're going to have three hunters or 20 hunters and it's impossible to budget and impossible to plan for and they can't plan travel. It's really an impossible situation. Outfitters and landowners are looking for a way to control deer hunting on land that we control.

Greg Bieker, Hays – Thanks for coming to western Kansas. Over the last few months there's been discussion around banning feeding, some in favor, many against. I wanted to do my best to hear all sides and gain as many perspectives on the situation as possible. The major topic is fair chase as primary motive for their personal support for banning feeding in Kansas. I'd like to offer some solutions that can bring us all together towards a common goal, protecting our deer herd and specifically the mature trophy bucks in Kansas. I own a feed business, started in June of last year making feed in my garage using a cement mixer, I bag it and allow customers to come pick it up. My goal, if hunters were going to feed deer, was to provide them with a healthier option for our deer herd versus buying products shipped in from other states. If I made a little extra money to offset my hunting cost that was a bonus. Twenty-two years ago, I harvested my first buck in Kansas and been hooked ever since. I want to thank you all for the resources and the opportunities we have as Kansas residents, it is unmatched by any other state. I believe many people want to see the preservation of this and I spoke with a lot of people about fair chase and that is a valid point. I would like to provide a potential list of solutions for your consideration to protect our deer herd in Kansas, along with allowing youth and disabled hunters better opportunities. I support all hunters however they choose to hunt as long as it's within the legal ramifications. Here are a few recommendations from a Kansas resident who is everyday guy. I don't own ground, lease ground, don't run an outfitting business and if protecting our deer is our number one priority, here's six recommendations that can make an immediate positive impact. 1) Let's evaluate the Kansas any-season resident tag, technology has surpassed our resource and our seasons in Kansas, this would reduce the hunting pressure on the current hunting season while also allowing hunters the benefit to hunt whichever season they pick. For example, archery hunting gets the benefit of hunting the rut, but it's tougher. 2) Evaluate the legal use of crossbows for anyone outside of youth and disabled. These products have become advanced and may not be classified as traditional archery equipment. Archery equipment wasn't intended to shoot over 100 yards. What we're looking at is an early crossbow season only, during muzzleloader season as an alternative. 3) Scopes on muzzleloaders during the early muzzleloader season were not intended to shoot 700 yards. With technology advancements they become early season rifles in Kansas. 4) Remove battery operated equipment from bows that allow 80 plus yard shots. I commend them for their ability to shoot long distances but provided they can do it accurately without the help of

battery powered equipment. 5) Start rifle season on December 1 and if we reach a point where we must do something around feeding let's consider following Nebraska and put in regulations where hunters may not hunt within 200 yards of a feed site excluding youth and disabled. This would still allow hunters to supplement. 6) Take inventory of deer herd. That would go back to a fair chase conversation and allow more of our two and a half or three-and-a-half-year-old mature bucks to make it. I hope you consider the above recommendations that would help everybody including our deer herd in western Kansas but also those in eastern Kansas as well.

Commissioner Cross – Appreciate your comments.

Andrew Clark, Hays – I'd like to further push the furbearing season. I know we are planning on recommending dropping the season dates for raccoon and possums to a year-round status. I would also like you to consider allowing those to be grouped in with the night vision season with coyotes. Harvest is important, and we need to stay on those for our ground nesting birds. I'd like to tell you that me and others support the K.A.R. 115-8-26 which is going to be discussed here later about limiting non-resident hunting on public wildlife areas for waterfowl. I mentioned earlier setting up a quota on mule deer permits, including muzzleloader and archery, which are currently over the counter tags. When I initially moved out here and hunted the area it was 50/50 whitetail deer. When I came out to western Kansas, in the Oakley area, there were tons of mule deer and there still are pretty good populations out there. In Ellis County it seems like they have been decimated. You are almost seeing localized extinctions. I'm pleading that we do something on that front, if we can, as far as setting a quota and keeping track of that population as tightly as possible.

Commissioner Escareno – I, as a commissioner, received tons of calls on deer feeding. Appreciate comments. I don't know what is right and what is wrong. We hired biologists and staff that gives recommendation to us, their job is to gather data and provide data to us. We simply had a presentation on deer feeding that had relationship to CWD and it was taken out of context and misinformation went out that said we were going to take a vote. We are open to hearing conversations with regards to deer feeding and other topics. Appreciate the fact that we are trying to communicate, KDWP done a fantastic job of maintaining deer herd and why we are one of destination places to hunt. If we don't take precautionary measure, we won't be able to have those deer or deserve the right to hunt turkey and deer. That is our job. Appreciate all the calls but sometimes enough is enough, 20-30 calls a day. Appreciate the comments on info heard thus far. If it ever goes to a vote, it is a long process to go through. Communicate to make a good decision when the time comes, if it ever comes to that. Restricted on KDWP-owned and leased property, done a great job. Just hearing information for later down the road. You will know way ahead of time if we are going to vote. Clear the air. We are trying to communicate there is CWD out there, is a problem, I don't know. Thank staff for information gathered and steps they have taken and difficult phone calls they have had to answer also. It has been rough on Commissioners. Comments are important, but not any vote any time soon. Working towards resolutions. Bieker – Anytime soon, how do you define that? Escareno – Not on my radar has that been indicated. It takes a year and half or two years to be in place, language goes to Attorney General, is presented for rules and regulations, and it is quite a long process. One of the commissioners made comments, stating that based on information today he would probably make a recommendation, but neither one of those were in place. Bieker – Conversation at June meeting, situation changes. If I don't have ability to put cameras up that has a major impact. At end of day a big change in western Kansas. Commissioner Escareno – We don't have any intention of telling people what to do on their own property. If impact on deer population and creates problem for deer out there. In it for the wildlife, that is what we volunteer to do. We want to help the wildlife of our area. Fortunate to have good populations, drought has had impact



recently but want to continue for youth and future hunters. Bieker – Look at all things to help with that.

Commissioner Sporer – It has been a rough couple of weeks taking phone calls, on staff and Commissioners. Brings to light that most people concerned about baiting have financial gain in the business, don't get caught up in the money. I didn't become a Commissioner to fight about money, I got on to be inspired about the resource. Concern about fair chase. Dad told story about early 1950s, there was a guy that fed a bucket of corn at same time every day throughout the summer, come rifle season, traded that bucket for a 270, so I have concerns about fair chase. If doing anything with this, after having gotten roughed up in last couple weeks, start with fair chase.

Cokley – Mr. Secretary, what's your budget for KDWP? Secretary Loveless – About \$100 million. Cokley – How much is brought in from out-of-state hunters buying tags? This is about money, this operation doesn't happen without money, there is no department. I don't think you can say let's not worry about money because money matters. If somebody said let's ban asphalt because its toxic, I'm sure that would cause you an uproar. Money is a part of everything, it makes it all work, we can't run without it. Pay respect to people trying to earn money as well as farmers who are in dire straits right now with drought. I can take you out to a corn field right now and show you about 30% of it gone because deer are eating it. That's a choice, if I can't sell deer hunts, I don't want to feed the deer with my crops that I'm raising, so maybe there isn't any more deer. I mean I don't want to feed them if it's going to cost my livelihood. I'm going to have to sell my land because I can't raise crops because deer eating it all. Money is an integral part of this whole thing, so I think you should keep that in mind.

Bieker – Thanks for your comment, Commissioner Sporer, I wish it was that easy, like your story in the 1950s. Unfortunately, we've got a lot of guys who buy feed from a feed business that won't ever kill a deer this year because it's not that easy. So, if you guys have hunted, or dumped a bucket of corn out, you don't just go kill a 200. If I have to close my feed business tomorrow, I will just have a higher feed bill to go deer hunting, that's the reality of it. It's not as easy as putting feed on the ground and shooting a 200, I've got nine of them and not one of them has been killed over feed.

Clifford Shipley – I am veterinarian and taught at University of Illinois. Deer hunting and deer are my life passion, especially in last 20-30 years. I've worked with both wild deer and farmed deer. This is the hottest topic that stirs emotions in people, more than politics or religion. Ethics seems to be driving part of your conversation. I've been all over the country hunting and out of country as well. Ethics locally are what they are, when I was in Virginia they chase deer with dogs, they conduct deer drives, they stand hunt, people hunt over bait, over corn fields and food plots, hunt over scrapes and all sorts of things. I don't try to dictate anybody's ethics it's what that individual person has developed either through their lifetime or what they were taught or observed. Scientifically, supplemental feeding in two states that never had it, Wyoming and Illinois; Wyoming is probably number one for CWD and Illinois has had CWD spread in 30 counties and never allowed feeding. In Michigan, they have two zones, one that you can feed and one you can't, to control tuberculosis (TB). CWD and TB are the most talked about as far as health concerns. There is little, or no, evidence that baiting drives CWD in the area. It is spread through social contact of deer, grooming each other, scrapes, mineral licks, licking branches, sexual behavior, deer urine, water sources, feed sources and all types of sources. I think some of CWD is passed, more by man through hauling carcasses from one place to another or releasing deer or selling deer that were released into the wild. Tradition in certain areas, and health factor

is not main factor in banning. Leading deer researcher, Dr. James C. Kroll, has written extensively on improvements of herd health through supplemental feeding. He said it increased body condition, winter survival, twinning rates and antler size. I encourage you to read that. Commissioner Cross – Thank you.

Commissioner Sporer – How many bushels of product does the hunting industry sell to feed wildlife? Anyone know? Secretary Loveless – I don't believe we have any kind of handle on that number. Commissioner Sporer – I asked someone from the Kansas Corn Commission, how much corn was fed and utilized in Kansas. He said nearly 200 million bushels to feed livestock, 200 million to ethanol production. I can't believe feeding wildlife would be a decimal point of that. I've said it many times and that is why we are having public meetings. It isn't about CWD, it's about other issues, it is about turkey populations, and we need to encourage everybody that contacted me to go to public meetings and learn something as to why we shouldn't be feeding wildlife. Bieker – I'll just give you some answers just on the Midland Marketing in Hays, one co-op location, last year reported they sold roughly 100 pallets of corn to deer hunters, roughly 4,000 50-pound bags or roughly a bushel. If we take that across 105 counties 420,000 bushels and that is one per county and there could be multiple per county.

## **V. DEPARTMENT REPORT (continued)**

### **C. Secretary's Remarks**

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission. Thank you for coming. It has only been a few weeks since our last meeting. FY 2024 began July 1. Park Fee Fund (PFF), derived from entrance fees, camping fees and annual vehicle passes to state parks. Total revenue for year to date \$2.3 million, revenue for July and August similar to same two months last year. Revenue for calendar year 2023, end of July has been good and cash balance at end was \$6.95 million. Cabin net revenue for parks and public land cabins from rental of cabins, July and August was just under \$300,000, slight increase from previous year. Wildlife Fee Fund (WFF) is derived from sale of hunting and fishing licenses, big game permits and tags, to hunters and anglers. WFF revenue for August was \$849,000, and year to date is \$1.66 million. On August 31, \$23.6 million just below July. So, we're declining some but still a healthy budget for big expenditures that will be coming in. The Boating Fee Fund (BFF) is derived from boat registrations and with this money we provide boating safety, education, and access infrastructure to protect and support the boating public. Receipts for August were approximately \$177,000, increase of \$40,000 from last year. Balance at end of July of \$2.74 million.

Assistant Secretary Schrag – Interesting information from Shanda Knapic, Licensing chief. We have gone to electronic federal waterfowl stamp, we sold \$8,000 worth last year, same time this year \$75,000 in federal duck stamps. Initial thought is people are buying ahead of season. Wouldn't it be nice if we could continue to see that? Shanda commented that a lot of other states aren't offering that so maybe other states are buying their federal waterfowl stamp through us, some that may never hunt in Kansas.

### **D. Workshop Session**

1. Big Game permanent regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit P). These are 115-4 regulations. Only considering change to equipment regulation. Comes about because of muzzleloader materials that projectile

can be made of. Currently the language is, tumble-on-impact, hard-cast solid lead, conical lead, and sabot bullet. In initial discussions with law enforcement division, it indicates lead specifically. There are common bullets and many other non-toxic options that are not necessarily legal for muzzleloading. We are doing internal evaluation; potential recommendation may strike out the word "lead". Still bring these back to next meeting unless something else comes up.

Commissioner Escareno – Regarding crossbows, speed and how it fires, they are as fast as a rifle was my understanding. Is a crossbow considered archery equipment? Jaster – It is considered archery. It is pushing bolts at fast speed, the bolts have to be heavy to handle the power, but not as fast as a muzzleloader or rifle. You don't get the boom part of shooting a rifle, that explosion is not just powder but breaking the sound barrier. That is same reason why, when considering arrows and speed, you have to beat the deer and jump the string, but it's not going break the sound barrier and no sound. Studies show in comparing crossbows and compound equipment, that ranges are the same, maybe 5-10 yards further and can shoot 100 yards accurately. But ability to take deer is limited to how much trajectory you have and how long it takes the bolt to get there. Most hunters want to harvest an animal as ethically as possible. You know your effective range and know your equipment. There are some advances and additional equipment that is new, and some may, or may not, be legal. Currently there is a crossbow that is wound in some spring-type setup, and by definition it is not a legal crossbow in this state. There is some stuff that we may need to evaluate, and we are constantly looking at equipment, however we need to take time to evaluate before recommendations.

2. Carcass Movement Regulation – Levi Jaster, big game program, coordinator, presented this update to the Commission (Exhibit Q, PowerPoint – Exhibit R). Seen these several times. For importing into the state, ideally, we don't want to bring anything in at all, but that is unrealistic. We have put together a list of what gives us the best option of keeping out the worst parts and still be able to let people bring stuff back from hunting in other places. Looking at states with CWD detected so constantly updating a list. Internally, within the state, we are trying to find a way that does the best job of limiting movements, especially those most infective parts, without completely overburdening everybody. Currently, looking at 30 miles from the unit that you harvested it in to let people get over the line and then we ran into those issues with municipal areas where we were cutting a lot of cities in half. There just wasn't a good solution so at 30 miles, if a municipal area is intersected by that line, then we allow within that area. Because of the short turnaround time between the last meeting and this one I haven't been able to get our legal staff to discuss getting a draft of what the regulatory language would look like. In talking with Dan about it there are several things we'll have to define in this regulation because it's not defined elsewhere in our regulations. So that will be a big part of this. The goal is to get the first draft in front of the commission by the next commission meeting in November.

3. Boating Regulations – Eric Deneault, boating Law Enforcement officer presented this regulation to the Commission (Exhibit S). Assistant Secretary Stuart Schrag – Eric is unable to be at this meeting. There are no changes from his presentation made at the June meeting.

4. Public Lands Regulation KAR 115-8-26 – Ryan Stucky, Public Lands assistant director, presented these regulations to the Commission (Exhibit T). Before I get started on the non-resident waterfowl 3day restriction regulation I'd like to go over some of the information regarding wildlife and parks public land acreage. I have a small spreadsheet up there that has some acreage numbers (Exhibit U). At the last commission meeting there was a few comments made about Kansas having 2 3% in public property and around 97 8% in private hands. I did kind of go over that and clarify there's 98.1% in private hands and only 1.9% is non-private. I say non-private because when we talk in these settings and we say public, people have that

perception that is our public lands throughout Kansas and it's not open to the public for access for hunting and fishing. So, that 1.9% are military installments from the Department of Defense, which are also U.S. Army Corps of Engineer properties, we have 16 reservoirs that fall under the Department of Defense; we have Department of the Interior, which also includes Bureau Reclamation lakes, we have six of those; also U.S. Fish and Wildlife Service and other federal properties; and we have over 100 state agencies that have properties in Kansas; as well as County properties, township properties and municipalities. I'd also like to mention that we have 150,000 acres of those million acres that is public in Kansas. So, there is a lot of folks holding these public lands that that don't have anything to do with public access for recreational activities. I want to move to what properties are owned and managed by Wildlife and Parks. We have state fishing lakes we own, a total of almost 19,000 acres; around or within those holdings we have around 15,000 land acres and that supports 4,000 acres of water; if we move over to the state wildlife areas there is 106,000 acres of land acres and we have several wetlands within those holdings; there is about 3,700 acres of water and wetlands within those properties making up 110,000 total. We also have about 1,542 acres of public domain scattered out, mostly in western Kansas, and those range from three acres to 400 acres. Moving to our federal properties there are 312,756 acres comprising of 170,000 acres of land and 142,000 acres of water and when I say water, I don't mean the federal reservoirs, the main bodies of water where the tributaries meet the main bodies, so that's not counting the river properties that we have going up through our wildlife areas. We also partner with a few private-owned holdings and the two biggest are Jeffrey Energy Center, 12,000 acres that is limited for hunting and LaCygne Wildlife Area, which has the power plant there as well, which makes up most of 16,000 acres but is limited on access. I wanted to go over some of those just to put a better perspective when we start talking about public land versus private lands in Kansas. I also wanted to mention that on the private lands we do contract with several landowners for walk-in hunting areas (WIHA) and there's a little over a million acres in that program, run by the wildlife division; also, i-WIHA was implemented for limited hunts on specific properties and that equals 26,000 acres. So, we do have more opportunities on those grounds. We also have the Community Fisheries assistance program and Jeff Conley, and fisheries division runs that program with 150 contracts that makes up 13,000 acres of water open to public fishing. Also, they started a new program called the walk-in fishing access (WIFA) program and there's 1300 acres involved in that. Then there is agricultural property. Kansas has 52,657,420 acres and in 2016 there was 46,567,800 acres involved in agricultural activity as reported to the Farm Service Agency with USDA; there are several acres that don't get reported into that agency and I'm going to guess that would push that probably closer to 48 million acres. From 2001 to 2016, there was an increase of 500,000 acres; half a million acres that went into agriculture in those 15 years and in the past seven years they also are going to be looking at about those same similar numbers of increase in agricultural property. Where I'm going at with this is, when you start taking that agricultural property and increasing that and you're looking at urban sprawl and how that's taken away from some of these properties that could be available to hunt, it's really important when we start looking at what property we do have out there that's available to hunt. To get more access is tough and tough for us to get property entitled and hold that property in ownership. We would appreciate everybody's support when we start looking at how we get more acres into public access. Commissioner Gfeller - I want to clarify that if urban land is taking from agricultural land and that land is increasing in acres, where is that coming from? Stucky - The land that doesn't get reported may be sitting idle, it's not in agriculture and it's not in development so we have to look at some of those acres that are public already, that million acres, that could be used for wildlife. When it comes to habitat, some of this is critical habitat, I know we're working on how we preserve critical habitat and working through Section Six grants with the U.S. Fish and Wildlife Service to gain some of these properties and see if we can get these holdings to protect those critical habitats, whether it be for

whooping cranes or black rail or some of our other species. Ecological Services is working with them to identify a lot of this ground that is critical. Assistant Secretary Schrag - Talk a little bit about the 31% in the 46%. A lot of our conversations with acquisitions and regulation changes, when we say there's only 1.9% in Kansas that's in public ownership. You were talking about 1.9% does not equate to grounds that you can access to hunting or fishing, so talk about your 31% and your 46%. Stucky - So, 31% of the 1.9%, when we start throwing in the federal reservoirs and the actual bodies of the water and we move those numbers from 307,000 acres and adding any of the waters and look at the 460,000 acres total, that's 46% of 1.9%. Some folks called in after last meeting and wanted to see some of the numbers so that's why I wanted to show you so you can reference this. Commissioner Cross - Can you give me a quick example of the public domain up there, that 1,542 acres? What is an example of that? Stucky - There is one in Kearney County, about 400 acres that is land we acquired title to from the Bureau of Land Management in the U.S. Forest Service still left from the Louisiana Purchase. Assistant Secretary Schrag - It was never put back into private ground and was lands here and there in Kansas. I think there is about 30 of them and we acquired some in the 1960s, some later up until 1995. We acquired two in eastern Kansas that are small. They are small and not very many of them, only 1,542 acres total. There are several in Stevens County that look like a chain link that moved down towards the southwest. A lot of those public domains are landlocked so there's no public access to them even for our management and it's hard to get access. For transparency we have discussed the public domain issue and if we should still be holding those properties if we can't manage them and the public can't access them. When we try to lobby for new acquisitions that do make sense, like areas adjacent to an existing Wildlife Area, we've been having those conversations of should we look at selling some of these public domain areas for an opportunity to get better acquisition in the future. We'll continue to have those conversations, as we're trying to make wise use of our funding and the land, we have available for access. Commissioner Escareno - So, you are saying that we're paying for something that we're utilizing? Assistant Secretary Schrag - Yes, we make payments in lieu of property taxes on all these public domains. So, there is some expense related to them. I think there is one in Finney County, right Manuel? Manuel Torres - A lot of minimal acres, can't do much with 0.3 acres, can't even put a blind up. Stucky - Look at in next few years to maybe liquidate some of those properties. Commissioner Lister - Do we leave money on the table for Habitat First? Jake George - We do not leave money on the table, that is a Pitman Roberts (PR) grant, we use wildlife fee fund (WFF) to match that grant and it is fully utilized on an annual basis. Commissioner Lister - Want more funds? George - Certainly, we have an unmet need there and there is room for expansion, but it depends on whether there are any unobligated PR funds available on any given year. Stucky - Move onto regulation proposal. This is the fifth time we have brought this before the Commission and public. The nonresident waterfowl access regulation would state, in some fashion, that nonresident hunting or waterfowl hunting on Kansas Department Wildlife and Parks department lands and waters shall be restricted to Sundays, Mondays and Tuesdays throughout the duration of the established Kansas waterfowl season, including September teal season. Nonresidents would not be allowed to hunt waterfowl on department lands and waters Wednesday to Saturday. The three-day restriction is for the regular duck and goose seasons. We are still having conversation with our federal partners, U.S. Fish and Wildlife Service, Bureau of Reclamation and Corps of Engineers and doing more homework on that and taking public input. We would like to keep this on the table. Gfeller - Effective for 2024? Stucky - Correct. Kenny Graham - Brought up at one of our meetings by Kansas Outfitters Association and gentleman that gave Cheyenne Bottoms presentation. A great presentation on what they do. Another thing he brought up was about economic impact on that area and even read some numbers. Have you looked at that how much that small community would be affected. For By going to a three-day hunt versus a seven-day hunt, he mentioned nonresidents brought in 54% of revenue into that community. I

hope you all take that in. I know one of the commissioners doesn't want to hear about economics, but it is what makes things go around. By going from 7-day to 3-day season you could impact businesses in community there. Benefits from that has nothing to do with outfitters, it's the community. Still people will come but go around that. Stucky – We are looking at economic impacts to the communities and we hope those nonresidents will enjoy other activities in the area. Some of them don't just hunt Cheyenne Bottoms, they move to other wildlife areas and hunt as well if the crowding is too much. We do have some comments from local community and business owners, and we continue to take input and keep looking at it. Assistant Secretary Schrag – This is just a three-day restriction on public lands, nonresidents can still hunt seven days a week in the state, just not on public lands. Graham – They could go to other properties, but not other state lands unless Corps don't accept that proposal. Since that is a migratory animal, we don't mess with duck hunters but has a huge following. When it is kind of like pheasant season. Appreciate all the work you do. Commissioner Cross – Mr. Stucky thank you; we appreciate your presentation.

5. Pending Regulations (Exhibit V) – Dan Riley, legal counsel – In the pending category of regulations we have one, the fee regulation K.A.R. 15-2-1, which will come before the commission in November. Everything else is either being prepared to submit to promulgation process or language is being drafted for that purpose.

- K.A.R. 115-2-1 Amount of Fees.
- K.A.R. 115-2-3 Camping, utility, and other fees
- K.A.R. 115-4-11 Big game and wild turkey permit applications
- K.A.R. 115-25-14 Fishing (Reference Document)
- K.A.R. 115-7-3, 7-2, 7-9, 7-10 Aquatic Invasive Species Regulations
- K.A.R. 115-5-1 and KAR 115-25-11 Furbearer regulations
- K.A.R. 115-8-1 Public Lands regulations (Reference Document)

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

*None*

## **VIII. OLD BUSINESS**

*None*

## **IX. OTHER BUSINESS**

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

*November 9, Lyon County Fairgrounds (Bowyer Building) Emporia, **changed to November 30** to accommodate fee regulation vote.*

*January 11, **changed to January 25** to accommodate Dan's desire for meetings towards the end of the month because we are struggling to get enough notice time, used to meet early in January because it was before legislative session started – Sabetha or Seneca area, exact location TBD.*

Commissioner Gfeller – The meeting on September 21 that is public information on baiting, is that still in Manhattan? George – September 21 meeting is at Manhattan K-State campus. It is on our website with directions, and it will be from 6:30 to 8:30 pm. No other locations have been set



yet, Wichita or Hays possibly, partnering with universities for space. It will not be live streamed, but we will record them. Commissioner Gfeller – Who will be the presenters? George – It will be agency staff. We will be doing is overviewing concerns with the practices of baiting and feeding from professional wildlife community, similar to what commissioners saw. Then we'll have an opportunity for questions and answers with panel and get public comment from the public in attendance. Then there will be a survey for feedback regarding the presentation. Commissioner Gfeller – Are commissioners welcome? George – Commissioners are welcome. Commissioner Escareno – Do you think it would be beneficial for us to attend? George – It is probably not going to be something you haven't already heard. If you want to view comments made or questions asked you could watch it online if you weren't able to make it. We will be summarizing all of the feedback for you.

*March 28 – Topeka*

## **X. ADJOURNMENT**

Adjourned at 3:48 p.m.

**Administrative  
Rules and  
Regulations  
Public  
Hearing**

**(pursuant to KSA 77-421)**

## Kansas Wildlife and Parks Commission Notice of Public Hearing

A public hearing will be conducted by the Wildlife and Parks Commission (the Commission) on Thursday, November 30, 2023, at 12:00 noon, to be held at the Lyon County Fairgrounds, Bowyer Community Building, 2700 W. U.S. Hwy 50, Emporia, Kansas 66801, to consider the approval and adoption of a proposed administrative regulation of the Kansas Department of Wildlife and Parks.

The public hearing will begin at 12:00 p.m., Thursday, November 30, 2023, at the location above. Other Commission business will follow and will include general discussions, which may include educational presentations, workshop sessions, and a public comment opportunity following the public hearing. The meeting will continue until all business is complete.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing 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 and Parks, 1020 S. Kansas Avenue, Suite 200, Topeka, Kansas 66612, or to [sheila.kemmis@ks.gov](mailto:sheila.kemmis@ks.gov), if submitted electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally regarding 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. 115-2-1.** The regulation makes changes in the fees for various licenses and permits.

### **Economic Impact Summary:**

No anticipated enhancement or restriction of business activities is expected due to the fee increases. The estimated revenue production is based on the current levels of sales for each category and no reduction in sales or demand is anticipated. Consequently, no impact is anticipated on any specific businesses, sectors, public utility ratepayers, or local governments.

RECEIVED

SEP 6 2023

SCOTT SCHWAB  
SECRETARY OF STATE

Individuals purchasing the involved licenses will bear the cost involved and the Kansas economy will be impacted positively by a total of \$3,740,500.00. Historically, license and fee permit increases have not resulted in a reduction in the number of permits sold. The demand for Kansas hunting and fishing licenses is expected to continue based upon the comparable fees charged by other states and the quality of hunting and fishing experiences that Kansas offers. The increased fees will be utilized by KDWP to address operational cost increases and allow the agency to continue to provide recreational opportunities and maintain Kansas wildlife and habitat, despite revenue shortfalls due to inflation. The only known costs will be born by individual license/permit purchases.

Copies of the complete text of the regulation and economic impact statement may be obtained by writing the Chairperson of the Commission at the address above, electronically on the Department's website at [www.ksoutdoors.com](http://www.ksoutdoors.com), or by calling (785) 296-2281.

Gerald Lauber, Chairman

**RECEIVED**

SEP 6 2023

SCOTT SCHWAB  
SECRETARY OF STATE

**115-2-1. Amount of fees.** The following fees and discounts shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

Resident hunting license (valid for one year from date of purchase) .....	\$25.00
Resident hunting license (valid for five years from date of purchase) .....	100.00
<del>Resident disabled veteran hunting license (valid for one year from date of purchase,</del>	
<del>30 percent or more service connected disabled).....</del>	<del>12.50</del>
Resident senior hunting license (valid for one year from date of purchase, 65 years	
of age through 74 years of age) .....	12.50
Resident youth hunting license (one-time purchase, valid from 16 years of age through 20	
years of age, expiring at the end of that calendar year) .....	40.00
Nonresident hunting license (valid for one year from date of purchase).....	<del>95.00</del> <u>125.00</u>
Nonresident junior hunting license (under 16 years of age) .....	40.00
Resident big game hunting permit:	
General resident: either-sex elk permit .....	300.00
General resident: antlerless-only elk permit .....	150.00
General resident youth (under 16 years of age): either-sex elk permit.....	125.00
General resident youth (under 16 years of age): antlerless-only elk permit.....	50.00
Landowner/tenant: either-sex elk permit .....	150.00
Landowner/tenant: antlerless-only elk permit .....	75.00
Hunt-on-your-own-land: either-sex elk permit.....	150.00
Hunt-on-your-own-land: antlerless-only elk permit.....	75.00
General resident: deer permit.....	40.00

**APPROVED**

**JUN 27 2023**

**DEPT. OF ADMINISTRATION**

**APPROVED**

**AUG 23 2023**

**ATTORNEY GENERAL**

**APPROVED**

**SEP 05 2023**

**DIVISION OF THE BUDGET**

<b>RECEIVED</b>
<b>SEP 6 2023</b>
<b>SCOTT SCHWAB</b>
<b>SECRETARY OF STATE</b>

General resident youth (under 16 years of age): deer permit.....	10.00
General resident: antlerless-only deer permit .....	20.00
General resident youth (under 16 years of age): antlerless-only deer permit.....	7.50
Landowner/tenant: deer permit.....	20.00
Hunt-on-your-own-land: deer permit.....	20.00
Special hunt-on-your-own-land: deer permit.....	<del>85.00</del> 40.00
General resident: antelope permit .....	50.00
General resident youth (under 16 years of age): antelope permit.....	10.00
Landowner/tenant: antelope permit .....	25.00
Antelope preference point service charge.....	10.00
Any-deer preference point service charge .....	10.00
Application fee for elk permit.....	10.00
Wild turkey permit:	
General resident: turkey permit (1-bird limit) .....	25.00
General resident youth (under 16 years of age): turkey permit (1-bird limit) .....	5.00
Resident landowner/tenant: turkey permit (1-bird limit).....	12.50
Nonresident: fall turkey permit (1-bird limit).....	50.00
Nonresident tenant: fall turkey permit (1-bird limit).....	25.00
Nonresident: spring turkey permit (1-bird limit) .....	<del>60.00</del> 75.00
Nonresident tenant: spring turkey permit (1-bird limit) .....	30.00
Nonresident youth (under 16 years of age): turkey permit (1-bird limit).....	10.00
Resident: turkey preference point service charge .....	5.00

APPROVED

AUG 21 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 23 2023

ATTORNEY GENERAL

APPROVED

SEP 05 2023

DIVISION OF THE BUDGET

RECEIVED

SEP 6 2023

SCOTT SCHWAB  
SECRETARY OF STATE



<u>Nonresident: turkey permit application fee .....</u>	<u>10.00</u>
Wild turkey game tag:	
Resident: turkey game tag (1-bird limit).....	15.00
Resident youth (under 16 years of age): turkey game tag (1-bird limit) .....	5.00
Nonresident: turkey game tag (1-bird limit).....	30.00
Nonresident youth (under 16 years of age): turkey game tag (1-bird limit).....	10.00
Spring wild turkey permit and game tag combination (2-bird limit, must be purchased before April 1 of year of use):	
General resident: turkey permit and game tag combination (2-bird limit).....	35.00
General resident youth (under 16 years of age): turkey permit and game tag combination (2-bird limit) .....	10.00
Resident landowner/tenant: turkey permit and game tag combination (2-bird limit).....	17.50
Nonresident: turkey permit and game tag combination (2-bird limit).....	85.00
Nonresident tenant: turkey permit and game tag combination (2-bird limit).....	42.50
Nonresident youth (under 16 years of age): turkey permit and game tag combination (2- bird limit) .....	20.00
Nonresident big game hunting permit:	
Nonresident hunt-on-your-own-land: deer permit.....	85.00
Nonresident tenant: deer permit.....	85.00
Nonresident: deer permit (antlered deer) .....	400.00

APPROVED

APPROVED

APPROVED

JUN 27 2023

AUG 23 2023

SEP 05 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL DIVISION OF THE BUDGET

<b>RECEIVED</b>
SEP 6 2023
SCOTT SCHWAB SECRETARY OF STATE

Nonresident youth (under 16 years of age): deer permit (antlered deer).....	75.00
Nonresident: deer permit (antlerless only).....	50.00
Nonresident: combination 2-deer permit (antlered deer and antlerless white-tailed deer) .....	<del>415.00</del> 450.00
Nonresident youth (under 16 years of age): combination 2-deer permit (antlered deer and antlerless white-tailed deer) .....	90.00
Nonresident: antelope permit (archery only) .....	300.00
Nonresident tenant: antelope permit .....	85.00
Nonresident youth (under 16 years of age): antelope (archery only) .....	100.00
Nonresident tenant: either-sex elk permit.....	300.00
Nonresident tenant: antlerless-only elk permit.....	150.00
Nonresident: deer permit application fee.....	25.00
Nonresident: mule deer stamp .....	150.00
Field trial permit: game birds.....	20.00
Lifetime hunting license .....	500.00
or eight quarterly installment payments of .....	67.50
Migratory waterfowl habitat stamp.....	8.00
Sandhill crane hunting permit: validation fee.....	5.00
Disabled person hunt-from-a-vehicle permit.....	0

(b) Fishing licenses and permits.

Resident fishing license (valid for one year from date of purchase) .....	25.00
Resident fishing license (valid for five years from date of purchase) .....	100.00

APPROVED

JUN 27 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 23 2023

ATTORNEY GENERAL

APPROVED

SEP 05 2023

DIVISION OF THE BUDGET

RECEIVED

SEP 6 2023

SCOTT SCHWAB  
SECRETARY OF STATE

Resident disabled veteran fishing license (valid for one year from date of purchase, 30 percent or more service connected disabled).....	12.50
Resident senior fishing license (valid for one year from date of purchase, 65 years of age through 74 years of age) .....	12.50
Resident youth fishing license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year) .....	40.00
Nonresident fishing license (valid for one year from date of purchase).....	<del>50.00</del> 75.00
Resident calendar day fishing license.....	3.50
Nonresident calendar day fishing license .....	<del>7.50</del> 10.00
Three-pole permit (valid for one year from date of purchase).....	6.00
Tournament bass pass (valid for one year from date of purchase) .....	12.00
Paddlefish permit (six carcass tags).....	10.00
Paddlefish permit youth (under 16 years of age) (six carcass tags).....	5.00
Hand fishing permit .....	25.00
Lifetime fishing license .....	500.00
or eight quarterly installment payments of .....	67.50
Five-day nonresident fishing license .....	25.00
Institutional group fishing license.....	100.00
Special nonprofit group fishing license .....	50.00
Trout permit (valid for one year from date of purchase) .....	12.00
Youth trout permit (under 16 years of age, valid for one year from date of purchase) .....	4.50

(c) Combination hunting and fishing licenses and permits.

APPROVED

APPROVED

APPROVED

JUN 27 2023

AUG 23 2023

SEP 05 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

DIVISION OF THE BUDGET

<b>RECEIVED</b>
SEP 6 2023
SCOTT SCHWAB SECRETARY OF STATE

Resident combination hunting and fishing license (valid for one year from date of purchase).....45.00

Resident combination hunting and fishing license (valid for five years from date of purchase) .....  
.....180.00

~~Resident disabled veteran combination hunting and fishing license (valid for one year from date of purchase, 30 percent or more service connected disabled).....22.50~~

Resident senior combination hunting and fishing license (valid for one year from date of purchase, 65 years of age through 74 years of age) .....22.50

Resident combination youth hunting and fishing license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year).....70.00

Resident lifetime combination hunting and fishing license.....960.00  
or eight quarterly installment payments of .....130.00

Resident senior lifetime combination hunting and fishing license (one-time purchase, valid 65 years of age and older).....40.00

Resident Kansas kids lifetime combination hunting and fishing license:

5 years of age or younger.....300.00

6 through 7 years of age.....500.00

Nonresident combination hunting and fishing license (valid for one year from date of purchase)  
.....~~135.00~~190.00

(d) Furharvester licenses.

Resident furharvester license (valid for one year from date of purchase) .....25.00

Resident junior furharvester license (valid for one year from date of purchase).....12.50

APPROVED

APPROVED

APPROVED

JUN 27 2023

AUG 23 2023

SEP 05 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

DIVISION OF THE BUDGET

RECEIVED

SEP 6 2023

SCOTT SCHWAB  
SECRETARY OF STATE

Lifetime furharvester license .....	500.00
or eight quarterly installment payments of .....	67.50
Nonresident furharvester license (valid for one year from date of purchase).....	250.00
Nonresident bobcat permit (1-bobcat limit per permit) .....	100.00
Resident fur dealer license .....	100.00
Nonresident fur dealer license .....	400.00
Field trial permit: furbearing animals .....	20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license (valid for one year from date of purchase).....	25.00
Resident mussel fishing license .....	75.00
Nonresident mussel fishing license.....	1,000.00
Mussel dealer permit.....	200.00
Missouri river fishing permit .....	25.00
Game breeder permit .....	10.00
Controlled shooting area operator license.....	200.00
Commercial dog training permit.....	20.00
Commercial fish bait permit (three-year permit).....	50.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license) .....	20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from this license requirement) .....	5.00
Commercial prairie rattlesnake dealer permit.....	50.00
Prairie rattlesnake round-up event permit.....	25.00

APPROVED

JUN 27 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 23 2023

ATTORNEY GENERAL DIVISION OF THE BUDGET

APPROVED

SEP 05 2023

RECEIVED

SEP 6 2023

SCOTT SCHWAB  
SECRETARY OF STATE

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit.....	10.00
Raptor propagation permit .....	0
Rehabilitation permit .....	0
Wildlife damage-control permit.....	0
Wildlife importation permit .....	10.00
Threatened or endangered species: special permits .....	0

(g) Falconry.

Apprentice permit .....	75.00
General permit .....	75.00
Master permit.....	75.00
Testing fee.....	50.00

(h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department.....	0
Special departmental services, materials, or supplies.....	At cost
Vendor bond	
For bond amounts of \$5,000.00 and less .....	50.00
For bond amounts of more than \$5,000.00 .....	50.00
plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.	

(i) Discounts.

Discount for five or more licenses, permits, stamps, or other issues of the department  
purchased by an individual at the same time ..... five percent of the total price

APPROVED

JUN 27 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 23 2023

ATTORNEY GENERAL

APPROVED

SEP 05 2023

DIVISION OF THE BUDGET

RECEIVED

SEP 6 2023

SCOTT SCHWAB  
SECRETARY OF STATE

(Authorized by K.S.A. 32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. 32-988, as amended by L. 2023, ch. 43, sec. 5; implementing K.S.A. 32-807, as amended by L. 2023, ch. 7, sec. 28; K.S.A. 32-937; K.S.A. 32-988, as amended by L. 2023, ch. 43, sec. 5; ~~K.S.A. 32-9,100,~~ and ~~2022 HB-2456, sec. 1;~~ K.S.A. 2022 Supp. 32-9,101; and L. 2023, ch. 43, sec. 1; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2007; amended Jan. 1, 2008; amended Jan. 1, 2009; amended Jan. 1, 2010; amended Aug. 1, 2010; amended Jan. 1, 2011; amended Jan. 1, 2013; amended April 19, 2013; amended Nov. 15, 2013; amended Jan. 1, 2015; amended Jan. 1, 2016; amended Jan. 1, 2018; amended April 26, 2019; amended Sept. 20, 2019; amended Jan. 1, 2021; amended Oct. 7, 2022; amended P-\_\_\_\_\_.)

**APPROVED**

**AUG 21 2023**

DEPT. OF ADMINISTRATION

**APPROVED**

**AUG 23 2023**

ATTORNEY GENERAL

**APPROVED**

**SEP 05 2023**

DIVISION OF THE BUDGET

**RECEIVED**

**SEP 6 2023**

SCOTT SCHWAB  
SECRETARY OF STATE

# Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP  
Agency

Dan Riley  
Agency Contact

296-1032  
Contact Phone Number

115-2-1  
K.A.R. Number(s)

Permanent     Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?

Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.

No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)  
**APPROVED**  
SEP 05 2023  
DIVISION OF THE BUDGET

**RECEIVED**  
SEP 6 2023  
SCOTT SCHWAB  
SECRETARY OF STATE



## Section I

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

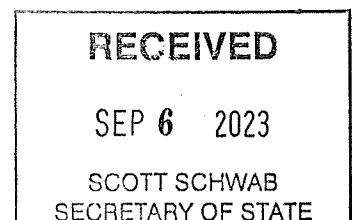
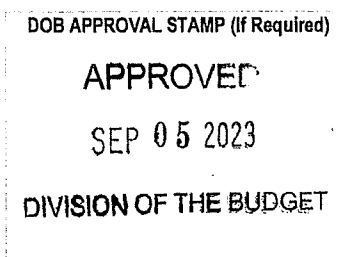
***The proposed changes to K.A.R. 115-2-1 would increase 7 categories of fees for non-resident hunting and fishing licenses/permits.***

Type	Current Fee	New Fee	Explanation
Special Hunt-on-your-Own Land	\$85.00	\$40.00	Changed to conform to KSA 32-937(h) per Attorney General request
All disabled veteran license fees removed	Vary	\$0	Pursuant to K.S.A. HB 2039 (2023)
Nonresident (NR) hunting license (one-year from date of purchase)	\$95.00	\$125.00	Adjustment based on review of current fee with respect to other comparable states.
NR spring turkey permit	\$60.00	\$75.00	Adjustment based on review of current fee with respect to other comparable states.
NR turkey permit application fee	None	\$10.00	Addition to facilitate the newly adopted draw process for NR spring turkey permits.
NR combination 2-deer permit	\$415.00	\$450.00	Adjusted to match fees associated with the purchase of equivalent individual permits.
NR fishing license (1-year license from date of purchase)	\$50.00	\$75.00	Adjustment based on review of current fee with respect to other comparable states.
NR calendar day fishing license	\$7.50	\$10.00	Adjustment based on review of current fee with respect to other comparable states.
NR combination hunting/fishing license (1-year license from date of purchase)	\$135.00	\$190.00	Adjustment based on review of current fee with respect to other comparable states, with reduction for purchase of combo permit.

## Section II

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

***No applicable federal law exists.***



Section III

Agency analysis specifically addressing the following:

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

*No anticipated enhancement or restriction of business activities is expected due to the fee increases. The estimated revenue production is based on the current levels of sales for each category and no reduction in sales or demand is anticipated.*

- 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(s) and regulation(s) and on the state economy as a whole;

*No reduction in license/permit sales is anticipated, and consequently no impact is anticipated on any specific businesses, sectors, public utility ratepayers or local governments. Individuals purchasing the involved licenses will bear the cost involved and the KDWP Wildlife Fee Fund will be impacted positively by a total of \$3,740,500.00.*

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

*Historically, license and fee permit increases have not resulted in a reduction in the number of permits sold. The demand for Kansas hunting and fishing licenses is expected to continue based upon the comparable fees charged by other states and the quality of the hunting and fishing experiences that Kansas offers.*

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

*The benefit of the increased fees will be utilized by KDWP to address operational cost increases and allow the agency to continue to provide recreational opportunities and maintain Kansas wildlife and habitat, despite revenue shortfalls due to inflation. The only known costs will be borne by individual license/permit purchasers.*

- 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;

*No known cost or impact is anticipated on business or economic development within Kansas, local government and individuals in Kansas. No measures were required.*

DOB APPROVAL STAMP (If Required)  
**APPROVED**  
 SEP 05 2023  
 DIVISION OF THE BUDGET

**RECEIVED**  
 SEP 6 2023  
 SCOTT SCHWAB  
 SECRETARY OF STATE

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

Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$None

Costs to Local Governmental Units – \$None

Costs to Members of the Public(non-resident) – \$\$3,740,500

Total Annual Costs – \$\$3,740,500
(sum of above amounts)

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

The increase in revenue produced for each category of permit/license proposed to be increased was multiplied by the current number of permits/licenses sold annually. No reduction in permit in sales is anticipated.

- Yes If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing 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.
No No measurable costs are anticipated.

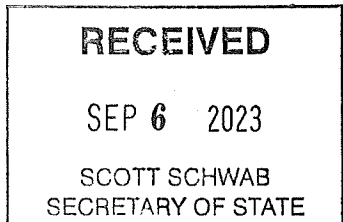
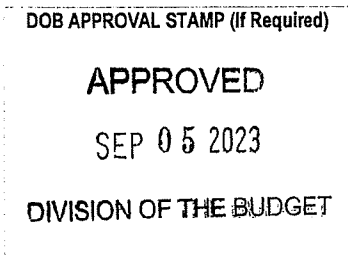
Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

Aggregate state revenue is estimated to increase by \$3,740,500 for each full year of license/permits sales and for subsequent years.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

No immediate or long-range impact on any Kansas small employers, individuals or the general public is anticipated since no change in license/permit demand or sales is anticipated as a result of the proposed changes.

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.

*No increase or decrease in revenues or functions or responsibilities of cities, counties or school districts is anticipated.*

- 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).

*Information regarding the proposed changes was presented/received at three (3) public meetings/hearings with on-line access and was also made available by publication in the Kansas Register and the agency website.*

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.  
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

Click here to enter agency response.

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

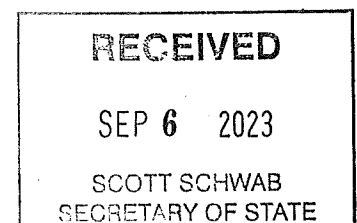
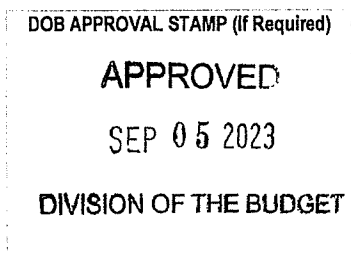
Click here to enter agency response.

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

Click here to enter agency response.

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

Click here to enter agency response.



# **Secretary's Remarks**

**Agency and State Fiscal Status**

**No briefing book items – possible handout after the meeting**

# **General Discussion**

**Wildlife Research and Survey Update**  
**No briefing book items – possible handout after the meeting**



## **Emporia Fisheries Research**

Kansas Department of Wildlife and Parks Fisheries Research staff investigate a variety of topics relating to applied fisheries research, human dimensions, and aquatic invasive species. In cooperation with other KDWP staff and university partners, research topics include effects of live-imaging sonar on Kansas fisheries, Walleye and Saugeye stocking evaluations, Kansas River basin reservoir telemetry, Freshwater Drum population demographics, use of human dimensions data in fisheries management, and invasive species management and research. Brief results from these studies and programs will be discussed and annual research reports will be distributed for those interested in specific projects.

**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 changed minimally in recent years.

**Discussion & Recommendations**

In response to declining pronghorn populations, the Department has taken steps with both limited and unlimited permits to reduce harvest in recent years. No changes to season structure or permit types are anticipated this year.

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.

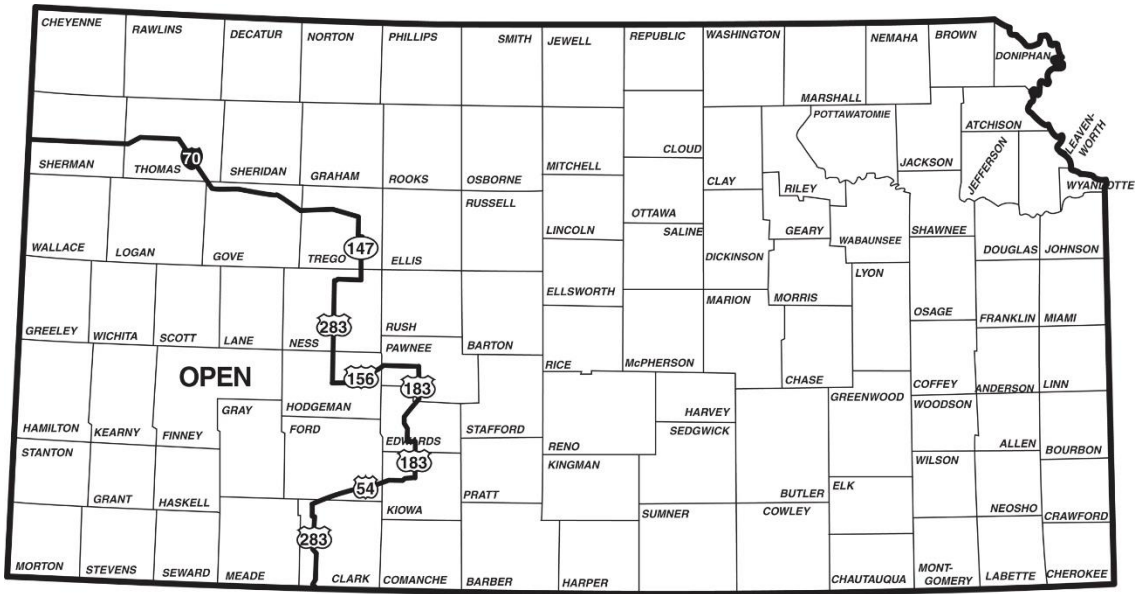
The season dates now established in this regulation will be:

September 21-29, 2024 for the archery season.

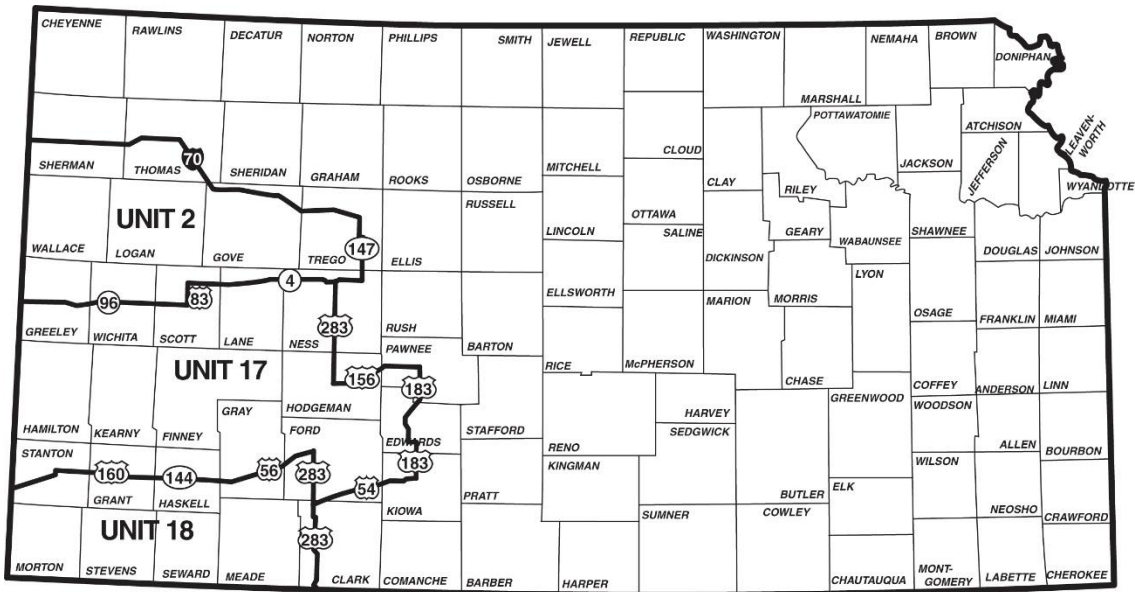
September 30-October 7, 2024 for the muzzleloader season.

October 4-7, 2024 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.

Durable season dates are now established in this regulation. The season dates on Fort Riley will be:

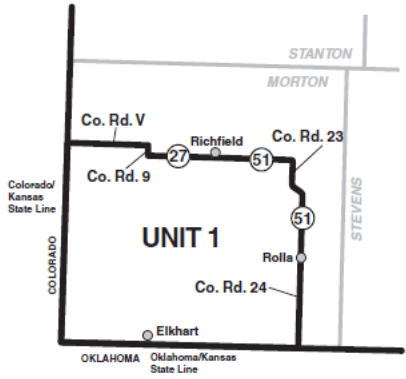
- a) September 1-30, 2024 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2024 for the firearms season.
  - a. Any elk permits are valid during all three months.
  - b. One-third of the antlerless only permits valid during each of the following segments:
    - 1) First segment: October 1-31, 2024.
    - 2) Second segment: November 1-30, 2024.
    - 3) Third segment: December 1-31, 2024.

The season dates outside the boundaries of Fort Riley will be:

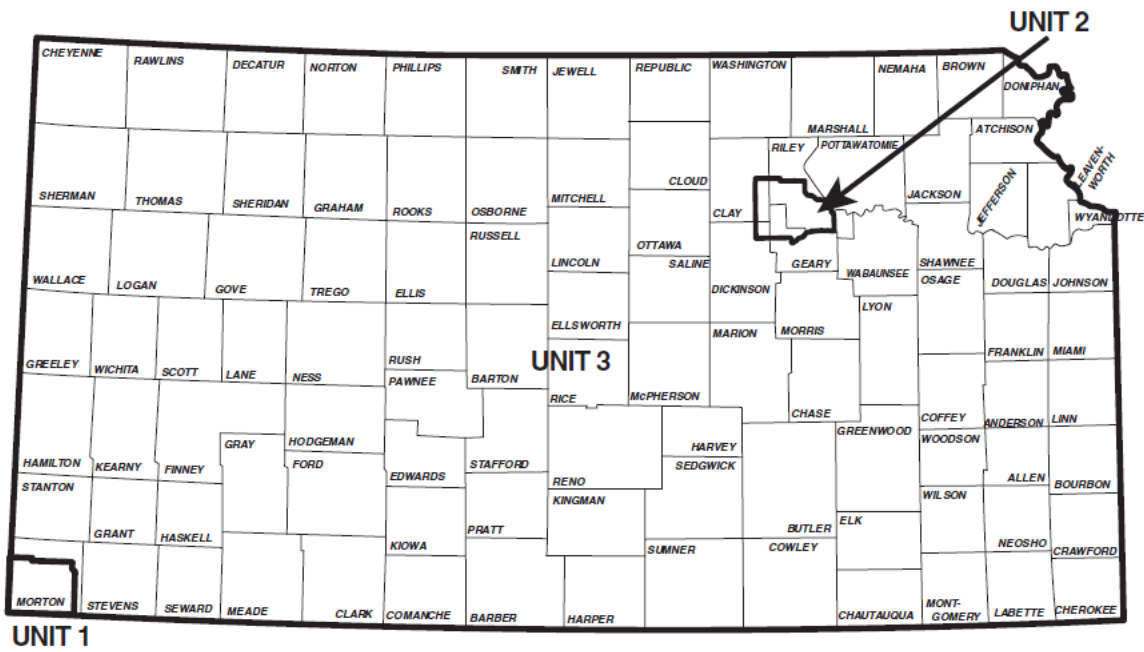
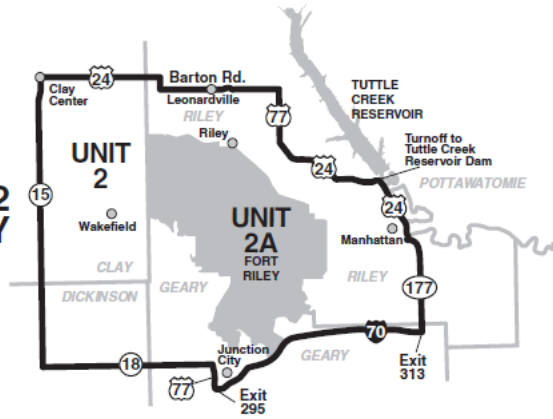
- a) September 1-30, 2024 for the muzzleloader season.
- b) September 16-December 31, 2024 for the archery season.
- c) August 1-31, 2024, December 4-15, 2024, and January 1-March 15, 2025 for the firearms seasons.

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



## **K.A.R. 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Smoky Hill ANG, Fort Riley, and Fort Leavenworth**

### **Background**

This regulation has typically been brought to a Public Hearing in June. Personnel at Fort Riley requested this later period to finalize the seasons because the schedule for military training activities were occasionally unknown at the time KAR 115-25-9 was approved. The regulation has also been used to address legislative actions pertaining to deer hunting that were made after KAR 115-25-9 was approved.

### **Discussion**

We address all deer season on military subunits under one regulation. Personnel at Smoky Hill ANG, Fort Riley and Fort Leavenworth are typically contacted in December to provide initial information on the season dates that they prefer.

### **Recommendation**

A recommendation will be proposed once the Department has coordinated with staff from each of the military subunit facilities.

# **Workshop Session**

## **VI. DEPARTMENT REPORT**

### **D. Workshop Session**

#### **1. Deer 25-9 (25 series)**

##### **Background**

The regulation contains the following items:

- Dates of deer seasons when equipment such as archery, firearms, or muzzleloader may be used.
- 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**

In August 2023 this regulation was made durable with no specific year listed. This allows the regulation to stand over time without requiring annual updating. It also allows predictability of season dates beyond the upcoming year.

##### **Recommendation**

There are no recommended changes for this regulation. The season dates for deer hunting during 2024-25 following the regulation are as follows:

Youth and Disability	Sept. 7, 2024 – Sept. 15, 2024
Early Muzzleloader	Sept. 16, 2024 – Sept. 29, 2024
Archery	Sept. 16, 2024 – Dec. 31, 2024
Pre-Rut WAO	Oct. 12, 2024 – Oct. 14, 2024
Extended Pre-Rut WAO (DMU 12)	Oct. 15, 2024 – Oct. 20, 2024
Regular Firearm	Dec. 4, 2024 – Dec. 15, 2024
1 <sup>st</sup> Extended WAO	Jan. 1, 2025 – Jan. 5, 2025
2 <sup>nd</sup> Extended WAO	Jan. 1, 2025– Jan. 12, 2025
3 <sup>rd</sup> Extended WAO	Jan. 1, 2025 – Jan. 19, 2025
Extended Archery (DMU 19)	Jan. 20, 2025– Jan. 31, 2025



## **VI. DEPARTMENT REPORT**

### **D. Workshop Session**

#### **2. Big Game Permanent Regulations (4-series)**

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. 115-4-4. 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**

Recently, questions regarding the materials allowable muzzleloader projectiles may be made from have arisen. Currently the allowable projectiles include only: tumble-on-impact, hard-cast solid lead, conical lead, or sabot bullets. The regulation as written may not allow bullets made from modern nontoxic materials.

#### **Recommendation**

Upon completion of department review, changes may be recommended to the allowable muzzleloader projectiles.

# **Carcass Movement Regulation**

## **Discussion**

Movement of carcasses and improper disposal has been identified as a potentially major cause of the spread of CWD to new areas, often far from endemic areas and infected herds. Although all deer contracting CWD die, new strains of CWD have also been shown to increase prevalence in existing endemic areas as natural genetic resistance in that area may not affect the new strain, such that bringing new strains of CWD to an area is also a serious concern. Best management practices to slow the spread of CWD include limiting both interstate and intrastate movement of carcasses or the most infective parts.

### *Interstate Movement*

Potential Language:

Importation of wild cervid carcasses into Kansas is prohibited except for:

- Whole carcasses after a “not detected” CWD test is received from a test performed by an accredited laboratory;
- Quarters with all spine and head materials removed;
- Deboned meat;
- Cut and wrapped meat;
- Hides with excess flesh removed;
- Clean skulls;
- Clean teeth;
- Skull plate (cap) with antlers attached and cleaned of soft tissues;
- Antlers without skull plate (cap) attached;
- Finished taxidermy products and tanned hides;
- Heads and capes with not more than 6 inches of neck attached or antlers attached to uncleaned skull plate (cap) if they are submitted to a taxidermist within 72 hours after entry;
- Tissues for use at a diagnostic or research laboratory;
- Tissues for research, not being used at a laboratory, with prior approval by KDWP

Hunters must still maintain proof of sex as required by regulations.

### *Intrastate Movement*

Potential Language:

Movement of wild cervid carcasses more than 30 miles, or within any contiguous municipal area that intersects the 30-mile limit, outside of the deer management unit from which the carcass was obtained is prohibited except for:

- Whole carcasses after a “not detected” CWD test is received from a test performed by an accredited laboratory;
- Quarters with all spine and head materials removed;
- Deboned meat;
- Cut and wrapped meat;
- Hides with excess flesh removed;
- Clean skulls;
- Clean teeth;
- Skull plate (cap) with antlers attached and cleaned of soft tissues;
- Antlers without skull plate (cap) attached;
- Finished taxidermy products and tanned hides;

- Heads and capes with not more than 6 inches of neck attached or antlers attached to uncleaned skull plate (cap) if they are submitted to a taxidermist within 72 hours;
- Tissues for use at a diagnostic or research laboratory;
- Tissues for research, not being used at a laboratory, with prior approval by KDWP

Hunters must still maintain proof of sex as required by regulations.

**115-2-3. Camping, utility, and other fees.** (a) Each overnight camping permit shall be valid only for the state park for which it is purchased and shall expire at noon on the day following its effective date.

(b) Any annual camping permit may be used in any state park for unlimited overnight camping, subject to other laws and regulations of the secretary. This permit shall expire on December 31 of the year for which it is issued.

(c) Any 14-night camping permit may be used in any state park. This permit shall expire when the permit has been used a total of 14 nights, or on December 31 of the year for which it is issued, whichever is first.

(d) Camping permits shall not be transferable.

(e) The fee for a designated prime camping area permit shall be in addition to the overnight, annual, 14-night, or other camping permit fee, and shall apply on a nightly basis.

(f) Fees shall be due at the time of campsite occupancy and by two of any subsequent days of campsite occupancy.

(g) Fees set by this regulation shall be in addition to any required motor vehicle permit fee specified in K.A.R. 115-2-2.

(h) The following fees shall be in effect for state parks and for other designated areas for which camping and utility fees are required:

We would like to look at all our camping permits to adjust to a more market level and to remove the annual camping permit.

**Proposed Seasonal  
Camping Rates**



**Current fee → Proposed → Savings**

<b>Group A:</b>	<b>1 Utility</b>	<b>\$371.50</b>	<b>→</b>	<b>\$471.50</b>	<b>→</b>	<b>\$248.50</b>
	<b>2 Utilities</b>	<b>\$431.50</b>	<b>→</b>	<b>\$531.50</b>	<b>→</b>	<b>\$248.50</b>
	<b>3 Utilities</b>	<b>\$491.50</b>	<b>→</b>	<b>\$591.50</b>	<b>→</b>	<b>\$218.50</b>
<b>Group B:</b>	<b>1 Utility</b>	<b>\$461.50</b>	<b>→</b>	<b>\$561.50</b>	<b>→</b>	<b>\$158.50</b>
	<b>2 Utilities</b>	<b>\$521.50</b>	<b>→</b>	<b>\$621.50</b>	<b>→</b>	<b>\$158.50</b>
	<b>3 Utilities</b>	<b>\$581.50</b>	<b>→</b>	<b>\$681.50</b>	<b>→</b>	<b>\$128.50</b>
<b>Group C</b>	<b>1 Utility</b>	<b>\$486.50</b>	<b>→</b>	<b>\$586.50</b>	<b>→</b>	<b>\$133.50</b>
	<b>2 Utilities</b>	<b>\$546.50</b>	<b>→</b>	<b>\$646.50</b>	<b>→</b>	<b>\$133.50</b>
	<b>3 Utilities</b>	<b>\$606.50</b>	<b>→</b>	<b>\$706.50</b>	<b>→</b>	<b>\$103.50</b>

## **Workshop Session**

### **Public Lands – new regulation – proposed KAR 115-8-26**

### **November 30, 2023**

#### **Discussion**

Information and data collected from staff since the 2020-2021 Kansas waterfowl season is showing that non-residents are spending more consecutive days on public waterfowl properties, hunting in larger groups, and spending more time per day on these specific properties pursuing waterfowl. This has changed waterfowl behavior to the point there is growing concern that ducks, specifically, are not able to utilize our public wetlands sufficiently to meet their dietary, energy, and resting needs because of the human pressure that has increased in intensity. Resident waterfowl hunters are also reporting (in increasing volume) that this change in non-resident waterfowl hunting culture has decreased their opportunities on our department lands and waters.

Staff from the Public Lands and Wildlife Divisions have been meeting regularly and discussing these growing issues over the past few hunting seasons. Several potential recommendations have been vetted and continue to be discussed but the Department believes the following recommendation has the greatest potential to address the non-resident pressure issue.

#### **Recommendation**

The Department is proposing a new Kansas Administrative Regulation (KAR) under the 115-8 series to potentially help alleviate the above-mentioned concerns:

##### **KAR 115-8-26**

##### **Non-resident Access (new KAR)**

Non-residents waterfowl hunting on KDWP department lands and waters shall be restricted to Sunday's, Monday's, and Tuesdays throughout the duration of the established Kansas waterfowl seasons, including September Teal season.

Non-residents would not be allowed to hunt waterfowl on department lands and waters Wednesday through Saturday.

This would include WIHA and iWIHA properties.

The Department has been discussing this recommendation with our partners at the Bureau of Reclamation and the U.S. Army Corps of Engineers for implementation of this non-resident restriction on federal waters in Kansas. They have indicated support for this recommendation. A meeting with USFWS is planned for early May to discuss implementation on federal refuges as well.

Active Military, NR Lifetime License holders, and NR college students would still be classified as Residents (to follow suit with other privileges).

The Department believes this proposed recommendation will have the least negative economic impact compared to other potential restrictions.

Language will need to be developed under this new regulation that restricts non-resident vessel use for waterfowl hunting on specified department lands and waters to Sunday's, Monday's, and Tuesday's during the waterfowl season.

**\*\*KDWP also plans to request that the Kansas Legislature amend KSA 32-939 (Waterfowl habitat stamp) and KSA 32-988 (Fees) to establish a non-resident Migratory Waterfowl Habitat Stamp and at a higher fee than a resident stamp.**

**Pending Regulations** (the items listed below will have no presentation, they have been presented multiple times – regulation included in briefing book for your convenience)

- **K.A.R. 115-4-11 Big game and wild turkey permit applications**
- **K.A.R. 115-7-3, 7-2, 7-9, 7-10 Aquatic Invasive Species Regulations**
- **K.A.R. 115-25-14 Fishing (Reference Document)**
- **K.A.R. 115-5-1 Furbearer regulations**
- **K.A.R. 115-25-11 Furbearer Regulations**
- **K.A.R. 115-8-1 Public Lands regulations (Reference Document)**
- **K.A.R. 115-30-4 Fire Extinguishers; Requirements**
- **K.A.R. 115-30-10 Personal Watercraft; Definition, Requirements and Restrictions**

---

## **VI. DEPARTMENT REPORT**

### **D. Workshop Session – Pending Regulations**

#### **KAR 115-4-11 Big game and wild turkey permit applications. FY2023 big game regulation review cycle.**

##### **b) K.A.R. 115-4-11.**

##### **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 authorized hunters to purchase a preference point for future applications.

##### **Discussion**

During the 2021-2022 review cycle this regulation was changed to limit pronghorn antelope hunters to receive either a draw permit, preference point or over-the-counter permit each year as opposed to being able to get a preference point and an over-the-counter permit in the same year. Some additional modification of the language in this regulation is needed to clearly define the limitations set forth in this regulation regarding acquiring pronghorn antelope permits or preference points in the same year.

##### **Recommendation**

Adopt the changes in language needed to clearly state the action of the regulation regarding acquiring pronghorn antelope permits or preference points.



## CURRENT TEXT

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(9) Each nonresident applicant for a regular deer permit shall have purchased a nonresident hunting license before submitting the application or shall purchase a nonresident hunting license when submitting the application.

(c) antelope permit applications. In awarding antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining an antelope permit.

(2) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual wants to apply for a preference point for an antelope permit that and does not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(6) Applications for resident permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through October 30.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) Any applicant unsuccessful in obtaining a permit through a drawing may apply for any permit made available during an extended application period, or any other permit that is available on an unlimited basis. If the applicant receives a permit made available during an extended application period or on an unlimited basis, that individual shall not receive a preference point in the same calendar year as the calendar year in which the individual received that other permit.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

---

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a random draw system, an elk permit that allows the taking of an elk.

(ii) If an individual fails to make at least one application or purchase one bonus point within five consecutive years, all earned bonus points shall be lost.

(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.

(iv) If an individual **wants** to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.

(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.

(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.

(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.

(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in June.

(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.

(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to **submit** at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

---

(E) If an individual **wants** to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) Fall wild turkey permits for unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags for unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations,

**WITH TECHNICAL EDITS**

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(9) Each nonresident applicant for a regular deer permit shall have purchased a nonresident hunting license before submitting the application or shall purchase a nonresident hunting license when submitting the application.

(c) antelope permit applications. In awarding antelope permits allocated in a limited number, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual applies unsuccessfully for an antelope permit.

(2) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual wants to apply for a preference point for an antelope permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as that in which the individual is applying for a permit.

(6) Applications for resident permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through the last day of the season.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) An individual may not purchase a preference point or apply for a limited permit and obtain an unlimited permit during the same calendar year.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a random draw system, an elk permit that allows the taking of an elk.

(ii) If an individual fails to make at least one application or purchase one bonus point within five consecutive years, all earned bonus points shall be lost.

(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.

---

(iv) If an individual **wants** to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.

(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.

(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.

(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.

(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in June.

(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.

(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to **submit** at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual **wants** to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

---

(3) Fall wild turkey permits for unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags for unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations,

---

## 2024 Aquatic Invasive Species Regulations

KAR(s)??? Require completion of an ‘AIS Affirmation’ prior to participating in these KDWP licensed activities that have a high risk of spreading AIS:

Operating a boat registered in Kansas in Kansas waters

The ‘AIS Affirmation’ would be a short summary to educate and raise awareness of what AIS are, their impacts, and how they are spread.

Potentially KAR 115-17-3? Require successful completion of ‘AIS Certification’ (<https://programs.ksoutdoors.com/Programs/Aquatic-Nuisance-Species-Certification-Course>) of applicants for a Commercial Fish Bait Permit.

KAR 115-7-3: Replace the word “nuisance” with “invasive” in all four instances in which it occurs.

KAR 115-7-2: Replace the word “nuisance” with “invasive” in all three instances in which it occurs.

KAR 115-7-9: Replace the word “nuisance” with “invasive” in the one instance in which it occurs.

KAR 115-7-10: Replace the word “nuisance” with “invasive” in all ten instances in which it occurs. Replace “ANS” with “AIS” in the one instance in which it occurs. Add Willow Lake and the Riley County portion of the Kansas River to the Kansas Aquatic Nuisance (Invasive) Species Designated Waters list.

---

## 2024 Fishing Regulations

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

- Clinton Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Glen Elder Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- John Redmond Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Melvern Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- El Dorado Reservoir – Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Elk City Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Milford Reservoir - Change to a 10/day creel limit, with a 28" to 40" slot length limit, including only 1 fish 40" or longer, on Blue Catfish
- Graham County – Trexler Lake – Change to a 5/day creel limit on Channel Catfish
- Graham County – Trexler Lake – Change to a 2/day creel limit and 18" minimum length limit on Walleye
- Great Bend – Veteran's Lake – Change to a 21" minimum length limit on Saugeye
- Sherman County – Smokey Gardens - remove the 2/day creel limit on Channel Catfish
- Sherman County – Smokey Gardens - remove Catch and Release Only on Largemouth Bass
- Marquette - Eisenhower Park Pond - Add a 2/day creel limit and 15" minimum length limit on Channel Catfish

Remove 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, from the list of Paddlefish Snagging Locations.



---

## Furbearer Regulations

**KAR 115-5-1; Furbearers and coyotes; legal equipment, taking methods, and general provisions. KAR 115-25-11; Furbearer seasons.**

### Background:

Two primary subjects were reviewed by the Department during this regulatory session. After 3 years of the night vision coyote hunting season, the Department has reviewed the components of this season. The Department has also reviewed various aspects of raccoon and opossum harvest and biology. The raccoon population has been on a long-term increase in the state, which is believed to be having a detrimental impact on some species indirectly as a disease vector and possibly directly through predation. They are also responsible for various agricultural and property damage. Average harvest of these two species has declined by over 50% since 2015 due to low pelt prices, which are not predicted to recover in the near future. The biology of these species would allow for a substantial increase in harvest prior to any detectable impact, and there are few furharvesters (~12%) who oppose a proposal to extend the harvest season for these species beyond the traditional fur season.

- The specifics of the coyote night hunting season are described in K.A.R. 115-5-1.
- Furbearer season dates are established in K.A.R. 115-25-11.

### Discussion and Recommendations:

- The Department recommendation is to leave most aspects of this season unchanged. We have considered eliminating the permit requirement for the night vision coyote hunting season. Many of the proponents of an expansion of this season have indicated damage control was a primary motive. Laws and regulations currently allow property owners and licensed Wildlife Control Permit holders to address damage with this equipment, and all other legal hunting and trapping techniques would be available to licensed hunters and furharvesters. Thus, many options for damage control already exist. Coyote harvest will continue to be monitored as a component of the annual Small Game Harvest Survey, and we will revisit various aspects of this season in a couple more years.
- The Department recommends extending the raccoon and opossum harvest season to year-round, but that traps used outside the existing furbearer harvest season would be limited to cage and foot-encapsulating (dog-proof) traps. The Department will monitor harvest that occurs during this new season through the annual Furbearer Harvest Survey. If the pelt market and related harvest for these species recovers in the future, we will revisit this open season with strong favor towards the opinion of furharvesters who are making use of the harvested animal.

---

## Furbearer Regulations

**KAR 115-5-1; Furbearers and coyotes; legal equipment, taking methods, and general provisions. KAR 115-25-11; Furbearer seasons.**

### **Background:**

Two primary subjects were reviewed by the Department during this regulatory session. After 3 years of the night vision coyote hunting season, the Department has reviewed the components of this season. The Department has also reviewed various aspects of raccoon and opossum harvest and biology. The raccoon population has been on a long-term increase in the state, which is believed to be having a detrimental impact on some species indirectly as a disease vector and possibly directly through predation. They are also responsible for various agricultural and property damage. Average harvest of these two species has declined by over 50% since 2015 due to low pelt prices, which are not predicted to recover in the near future. The biology of these species would allow for a substantial increase in harvest prior to any detectable impact, and there are few furharvesters (~12%) who oppose a proposal to extend the harvest season for these species beyond the traditional fur season.

- The specifics of the coyote night hunting season are described in K.A.R. 115-5-1.
- Furbearer season dates are established in K.A.R. 115-25-11.

### **Discussion and Recommendations:**

- The Department recommendation is to leave most aspects of this season unchanged. We have considered eliminating the permit requirement for the night vision coyote hunting season. Many of the proponents of an expansion of this season have indicated damage control was a primary motive. Laws and regulations currently allow property owners and licensed Wildlife Control Permit holders to address damage with this equipment, and all other legal hunting and trapping techniques would be available to licensed hunters and furharvesters. Thus, many options for damage control already exist. Coyote harvest will continue to be monitored as a component of the annual Small Game Harvest Survey, and we will revisit various aspects of this season in a couple more years.
- The Department recommends extending the raccoon and opossum harvest season to year-round, but that traps used outside the existing furbearer harvest season would be limited to cage and foot-encapsulating (dog-proof) traps. The Department will monitor harvest that occurs during this new season through the annual Furbearer Harvest Survey. If the pelt market and related harvest for these species recovers in the future, we will revisit this open season with strong favor towards the opinion of furharvesters who are making use of the harvested animal.

---

## Workshop Session – Pending Regulations

### Public Lands Reference Document

September 7, 2023

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

##### **Background**

Subsection (e) of this regulation covers the Department's Public Lands Division Special Use Restrictions. This reference document within the regulation is reviewed annually for revisions.

##### **Discussion**

The issue of excessive pressure on our public waterfowl hunting areas and concern over the negative impacts on waterfowl and resident hunter satisfaction has prompted additional action by the Department.

##### **Recommendations**

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

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

###### **Region 1**

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

###### **Region 2**

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

###### **Region 3**

- Grand Osage WA – Access by Special Permit Only  
Access Through Main Gates Only
- Maxwell Wildlife Refuge-access restricted to main road, area closed to all activities, except during special events
- ~~-Neosho WA—no access into the wetland before 5:00AM and must exit wetland by one hour after sunset~~
- No access into a wetland before 5:00AM and must exit the wetland within one hour after sunset
- Neosho WA
- McPherson Valley Wetlands
- Slate Creek Wetlands
- Byron Walker WA
- Perry WA Wetlands

---

**Section VI. Boating Restrictions:**

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

**Region 1**

- Cheyenne Bottoms WA and Jamestown WA-motorized watercraft permitted only during the waterfowl seasons. No boats permitted from 4/15 through 8/15. No out of water propeller driven watercraft permitted at any time.
- Cheyenne Bottoms WA – Pool 3A
- Cheyenne Bottoms WA – Pool 4A after 1:00PM only
- Jamestown WA- Pintail, Puddler, Buffalo Creek, and Gamekeeper West Marshes
- Talmo Marsh

**Region 2**

- Milford WA-no motorized boats are allowed in any wetland areas except Mall Creek/Peterson Bottoms
- Perry WA -motorized watercraft permitted in wetlands only during waterfowl seasons

**Region 3**

- Elk City WA-Widgeon, Simmons, Housemound Marshes
- McPherson Valley Wetlands
- Neosho WA-motorized watercraft permitted only during waterfowl seasons. No motorized watercraft in Pools 4A and 4B. No out of water propeller driven watercraft permitted at any time

**Add subsection (d) *No vessels allowed***

**-Cheyenne Bottoms WA = vessels permitted only during waterfowl seasons**

Vessel = watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel (USCG)

**XII.) *Refuges***

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

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

**Region 1**

- Cedar Bluff WA (Operations Area East of Dam)
- Cheyenne Bottoms WA-Pool 1
- Lovewell WA (designated land area)

**Region 2**

- Benedictine WA
- Jeffrey Energy Center-Area #3
- Marais des Cygnes WA

**Region 3**

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

- 
- Byron Walker WA; around headquarters and archery range
  - Cherokee Lowlands WA (Perkin's east and Bogner center tracts)

## **XV. Daily Hunt Permits**

*The Department is recommending adding all Public Lands properties (state fishing lakes and wildlife areas) into the electronic check-in/check-out system. This requirement would be for hunting activity only.*

Electronic ~~D~~daily use permits are required ~~on the following properties~~ through the department's licensing system for hunting activity on the following properties:

### **Statewide**

-All Department managed lands and waters (Wildlife Areas and State Fishing Lakes)

\*Excluding Maxwell Wildlife Refuge, Big Basin Prairie Preserve, and all State

Parks

-iWIHA properties

### **Region 1**

~~-Cheyenne Bottoms WA In addition to daily hunt permit, trapping permit is required from the manager to trap~~

~~-Glen Elder WA~~

~~-Isabel WA~~

~~-Jamestown WA In addition to daily hunt permit, trapping permit is required from the manager to trap~~

~~-Lovewell WA In addition to daily hunt permit, trapping permit is required from the manager to trap~~

~~-Talmo Marsh~~

~~-Texas Lake WA~~

### **Region 2**

~~-Benedictine Bottoms~~

~~-Blue Valley WA~~

~~-Bolton WA~~

~~-Clinton WA~~

~~-Dalbey WA~~

~~-Douglas SFL~~

~~-Elwood WA~~

~~-Hillsdale WA~~

~~-Jeffrey Energy Center WA Area # 2~~

~~-Kansas River WA~~

~~-La Cygne WA~~

~~-Lyon SFL~~

~~-Marais des Cygnes WA~~

~~-Melvern WA~~

~~-Milford WA~~

~~-Oak Mills WA~~

- Perry WA
- Tuttle Creek WA

**Region 3**

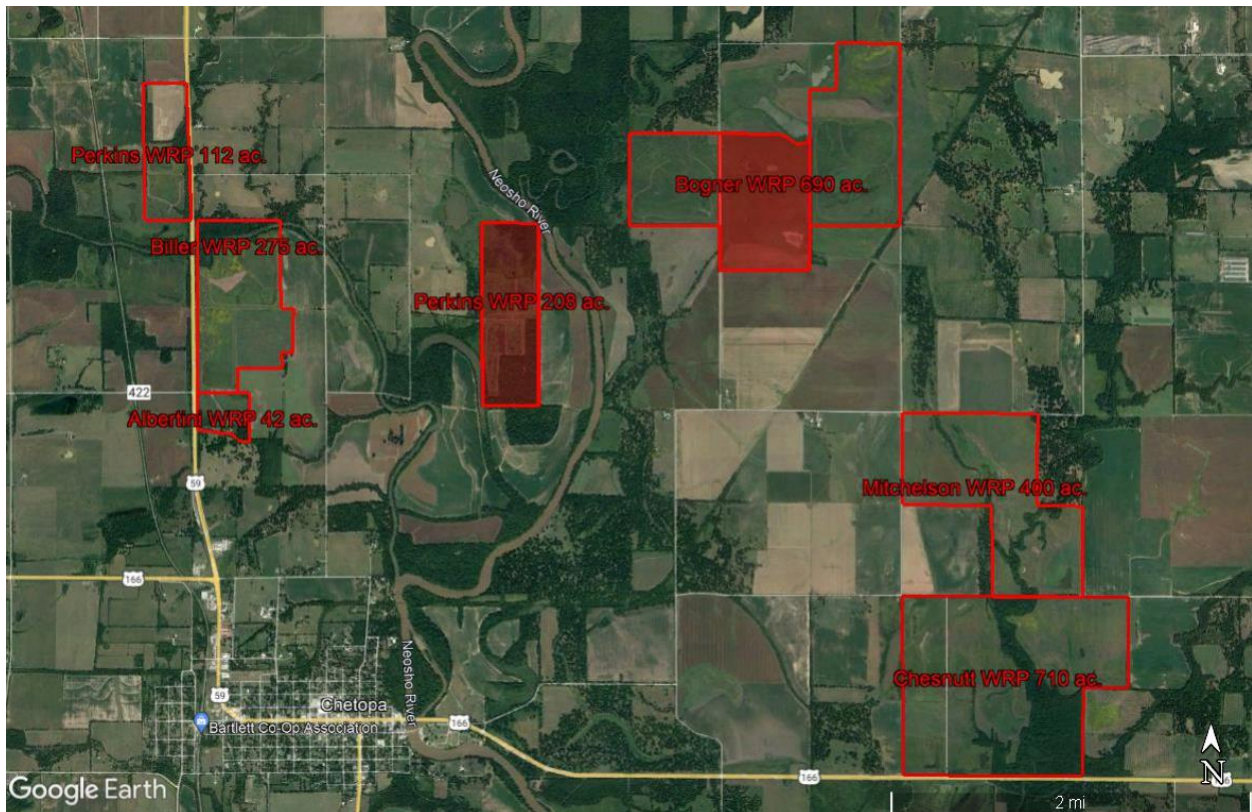
- Berentz/Dick WA
- Marion WA
- McPherson Wetlands
- Neosho WA
- Slate Creek Wetland

**XVI. Daily Use Permits**

Electronic Daily use permits are available required electronically through I-Sportsman e-permit the department's licensing system for ALL activities.

**Region 2**

- Buck Creek WA
- Noe WA





---

## Boating Regulations Changes

### #1 K.A.R. 115-30-10 (1)

1. Personal Watercraft; definition, requirements, and restrictions.

15-30-10. Personal watercraft; definition, requirements, and restrictions. (a) Personal watercraft shall mean any vessel that uses an inboard motor powering a jet pump as the vessel's primary source of propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than the conventional manner of sitting, standing, or kneeling inside the vessel.

(b) Personal watercraft shall be subject to all applicable laws and regulations that govern the operation, equipment, registration, numbering, and all other matters relating to vessels whenever a personal watercraft is operated on the waters of this state, except as follows:

(1) A personal watercraft shall not be operated unless each person aboard the personal watercraft is wearing a ~~type I, type II, type III, or type V~~ United States coast guard-approved personal flotation device.

(2) Each person operating a personal watercraft equipped by the manufacturer with a lanyardtype engine cutoff switch shall attach the lanyard to the operator=s person, clothing, or personal flotation device, as appropriate.

(3) A person shall not operate a personal watercraft between sunset and sunrise.

(4) Each person shall operate a personal watercraft at no-wake speeds of five miles per hour or less when within 200 feet of the following:

- (A) A dock;
- (B) a boat ramp;
- (C) a person swimming;
- (D) a bridge structure;
- (E) a moored or anchored vessel;
- (F) a sewage pump-out facility;
- (G) a nonmotorized watercraft;
- (H) a boat storage facility; or
- (I) a concessionaire's facility.

(5) A person shall operate a personal watercraft in a reasonable and prudent manner. Maneuvers that endanger life, limb, or property shall be prohibited. This prohibition shall include weaving through congested vessel traffic or jumping the wake produced by another vessel at an unsafe distance.

(6) A person shall not operate a personal watercraft unless the person is facing forward.

---

(7) A person shall not operate or use a personal watercraft to tow a person on waterskis kneeboards, inflatable crafts, or any other device unless the personal watercraft is designed to accommodate more than one person.

(8) No person in possession of a personal watercraft shall permit another person to operate the personal watercraft unless that person has met the boater education requirements as specified in K.S.A. 32-1139 and amendments thereto.

(c) A boat livery shall not lease, hire, or rent a personal watercraft to, or for the operation by, any person who has not met the boater education requirements as specified in K.S.A. 32-1139 and amendments thereto.

(d) The provisions of paragraphs (b) (4), (5), (6), and (8) shall not apply to a person participating in a regatta, race, marine parade, tournament, or exhibition that has been authorized or permitted by the department or is otherwise exempt from this authorization or permit requirement.

(e) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 32-1103 and K.S.A. 2006 Supp. 32-1119; effective June 13, 1994; amended June

11, 1999; amended Jan. 1, 2008.)

## **#2 K.A.R. 115-30-4 (Current Regulation)**

**115-30-4. Fire extinguishers; requirements.** (a) United States coast guard approved hand portable fire extinguishers of type B, size I or type B, size II or both shall be carried on board each motorboat as determined by the following classes:

(1) Class A: at least one type B, size I fire extinguisher shall be carried if any one or more of the following conditions exist:

(A) an inboard engine;

(B) closed compartments under thwarts and seats where portable fuel tanks may be stored;

(C) double bottom construction not sealed to the hull or not completely filled with flotation materials;

(D) closed compartments in which combustible or flammable materials are stored; or

(E) permanently installed fuel tanks. Fuel tanks that cannot be moved in case of fire or other emergency or if the weight of the fuel tank precludes movement of the tank by an individual on board shall be considered permanently installed.



---

(2) The provisions of subsection (1) shall not apply if the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(3) Class 1: at least one type B, size I fire extinguisher shall be carried, except the provisions of this subsection not apply if the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(4) Class 2: at least two type B, size I fire extinguishers or one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least one type B, size I fire extinguisher.

(5) Class 3: at least three type B, size I fire extinguishers or one type B, size I fire extinguisher and one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least two type B, size I fire extinguishers or one type B, size II fire extinguisher.

(b) Each vessel, including each motorboat having an approved built-in or affixed fire extinguisher in the motor area, that has enclosed living spaces or galleys shall carry at least one United States coast guard approved type B, size I or type B, size II fire extinguisher in the living space or galley. (Authorized by and implementing K.S.A. 1989 Supp. 32-1119; effective Jan. 1, 1991.)

USCG REGULATION CHANGE (REQUIRES UPDATING REGULATION)

## Fire Protection for Recreational Boats

New regulation goes into effect on 04/20/2022

Start Here

Is Fire Extinguisher  
Readily Accessible?

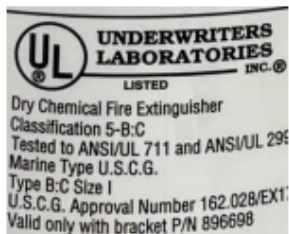
- ✓ Marine Type U.S.C.G.?
- ✓ Correct Classification (Note 1)?
- ✓ Not > 12 years old (Note 2)?

Good & Serviceable?  
(Note 3)

- Note 1 – a.** Extinguishers **UL Classified 5-B:C/10-B:C** (or greater) meet carriage requirements for ALL recreational vessels regardless of vessel age.
- b.** Extinguishers rated as **Marine Type USCG Type B:C, size I or size II** are only acceptable on vessels built model year 2017 or earlier.  
*(Model year means the period beginning June 1 of a year and ending on July 31 of the following year and being designated by the year in which it ends.)*
- c.** Ratings that include higher numbers or more letters are acceptable.
- d.** One 20-B extinguisher may be carried to replace two required 5-B extinguishers.
- e.** There are special rules for vessels built prior to 1952.
- Note 2 –** Make sure disposable fire extinguisher is not more than 12 years old from date stamp on bottle. Must be removed from service on 31 December of the 12<sup>th</sup> year.
- Note 3 –** See Good & Serviceable meaning below.

[Link to Federal Register Notice: 2021-22578.pdf \(govinfo.gov\)](#)

### Label example



### Date Stamp Example



**Good and serviceable** working condition means:

- (i)** If the extinguisher has a pressure gauge reading or indicator it must be in the operable range or position;
- (ii)** The lock pin is firmly in place;
- (iii)** The discharge nozzle is clean and free of obstruction; and
- (iv)** The extinguisher does not show visible signs of significant corrosion or damage.

[WWW.USCGBOATING.ORG](http://WWW.USCGBOATING.ORG)