

Wildlife and Parks Commission

Notice of Hearing of Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7:00 p.m., Thursday, October 26, 2006 at the Neosho County Community College, 800 W. 14th St, Chanute, Kansas, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m., October 26 at the location listed above. The meeting will recess at 5:30 p.m. then resume at 7:00 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9:00 a.m. October 27 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements 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 of Deaf and Hard 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 proposed administrative regulations.

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 Ave, Suite 200, Topeka, KS 66612 or to sheilak@wp.state.ks.us if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-2-1. This permanent regulation sets general fee requirements for various issuances of the department. The proposed amendments include creating a fee for two new permits, the tournament bass pass and the paddlefish permit.

Economic Impact Summary: The increase of various fees for permit types could result in an increase of \$8000 annually, all of which would accrue to the wildlife fee fund. Otherwise, the proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies or the public.

K.A.R. 115-2-2. This permanent regulation provides for motor vehicle entrance fees for the state park system. The proposed amendments include decreasing the cost of all motor vehicle permits by one-half.

Economic Impact Summary: The proposed amendments could decrease the park fee fund receipts by \$1,600,000 for the calendar year 2007 but are offset by an appropriation of state general funds in the same amount specifically set aside to reduce park motor vehicle entrance fees. Otherwise, the proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-2-3a. This permanent regulation sets the fees for cabin use on state property. The proposed amendments include adding several new locations where cabins will be placed in the next calendar year.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-25-6. This exempt regulation sets the spring turkey season bag limits, dates and permit allocations. The proposed amendments would open the spring season on April 1 for an archery equipment only season leading up to the traditional opening of the firearms season and would expand the boundaries of unit 3.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-20-5. This new permanent regulation sets the primary caging requirements and transportation caging standards for six species of large felines, all bears and nonnative venomous snakes. The regulation was drafted as a requirement of legislation that passed in the most recent legislative session.

Economic Impact Summary: The proposed regulation may have an impact on individuals desiring to possess or possessing a dangerous regulated animal but any amount would be purely speculative. Otherwise, the proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-20-6. This new permanent regulation sets the requirements to become a registered designated handler for a dangerous regulated animal. The regulation was drafted as a requirement of legislation that passed in the most recent legislative session.

Economic Impact Summary: The proposed regulation may have an impact on individuals desiring to become a registered designated handler but any amount would be purely speculative. Otherwise, the proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-16-5. This permanent regulation sets the operational requirements for wildlife control permits. The proposed amendment would allow the use of a person to assist the permittee as long as the individual assisting is under the constant and direct supervision and in the constant presence of the permittee.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-7-4. This permanent regulation pertains to fish processing and possession. The proposed amendments would require that any person who takes fish from a body of water must leave the head, body and tail fin attached to the fish while on the water.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-12. This permanent regulation sets the purposes for which the trout permit is required, other restrictions on the permit and the permit duration. The proposed amendments would require an individual to have a trout permit in order to fish on certain trout fisheries and to have a trout permit only to fish for and possess trout on other trout fisheries.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-18. This new permanent regulation creates a permit for hand fishing, sets restrictions on the permit and sets the permit duration. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-19. This new permanent regulation creates a permit for paddlefish snagging, sets restrictions on the permit and sets the permit duration. The proposed regulation is part of a larger regulatory package for fisheries and replaces the mandatory checkstation process currently in place.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-20. This new permanent regulation creates a tournament bass pass, sets restrictions on the pass and sets the pass duration. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings. The tournament bass pass would allow participants to keep up to bass meeting the statewide length limit but not a specific length limit for a particular body of water where a bass fishing tournament is being conducted.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-7-1. This permanent regulation set legal equipment, methods of taking and other provisions for fishing. The proposed changes include adding hand fishing to the authorized methods of taking and deleting provisions related to mandatory paddlefish tagging stations. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-25-14. This exempt regulation sets the creel limit, size limit, possession limit and open seasons for fishing. The proposed changes to the regulation include having two types of trout waters, opening certain waters to hand fishing, and adopting special size limits, creel limits and bait restriction tables by reference document in lieu of the use of secretary's orders and posted notice. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any

appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-7-8. This new regulation creates provisions for regulating and permitting certain bass tournaments. The proposed regulation contains provisions for applications, obligations of tournament organizers, obligations for tournament participants, and provisions for release of fish taken. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.kdwp.state.ks.us, or by calling (785) 296-2281.

James Harrington, Chairman