

**REVISED AGENDA**  
**KANSAS DEPARTMENT OF WILDLIFE AND PARKS**  
**COMMISSION MEETING AND PUBLIC HEARING**  
**Thursday, September 8, 2022**  
**Holiday Inn Express**  
**3401 Blue Comet Drive, Chanute, KS**  
**including a**  
**Virtual ZOOM Meeting Option**

Pre-meeting tour, Wednesday, September 7, Neosho Wildlife Area (4:00 pm to 6:00 pm)

Pre-meeting panel discussion on Turkeys 9 am -11 am – Public can view via Zoom (instructions below) however no public comment will be allowed during this session.

**Instructions for Virtual Portion of Commission Meeting, September 8, 2022 at 1:00 pm:**

**A) Log Into Zoom**

1. Visit <https://ksoutdoors.zoom.us/meeting/register/tZYof-6rrz8qH9ciAJPa40VTWNk50b1gKCq->.
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 to Jason Dickson.

**B) Call In**

1. Call: 1-877-853-5257
2. When a meeting ID is requested, enter: 825 8731 4053#
3. When a participant ID is requested, enter: #
4. For comments or questions, email: [kdwpt.kdwptinfo@ks.gov](mailto:kdwpt.kdwptinfo@ks.gov)

**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 1:00 p.m.**

**II. INTRODUCTION OF COMMISSIONERS AND GUESTS**

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

**IV. APPROVAL OF August 4 & 5, 2022 MEETING MINUTES**

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

**VI. DEPARTMENT REPORT**

**A. Secretary’s Remarks**

**1. Agency and State Fiscal Status (Brad Loveless)**

**B. General Discussion**

**1. Antelope 25-Series Regulations (Matt Peek)**

**2. Elk 25-Series Regulations (Matt Peek)**

**C. Workshop Session**

**1. Big Game 4-Series Regulations (Levi Jaster)**

**2. Deer 25-Series Regulations (Levi Jaster)**

**3. KAR 115-25-(5&6) Turkey; seasons, bag limits, permits & game tags (Kent Fricke)**

**4. KAR 115-4-11 Big game and wild turkey permit applications (Kent Fricke)**

**5. Commercial Harvest of Mussels (Jordan Hofmeier)**

**6. Furbearer Regulations (Matt Peek)**

**7. KAR 115-8-23 Baiting; (Public Land Regulation) (Ryan Stucky)**

**8. KAR 115-8-9 Camping (Public Land Regulation) (Ryan Stucky)**

**9. KAR 115-8-25 Trail (Game) Cameras and other devices (New Public Land Regulation) (Ryan Stucky)**

**10. KAR 115-8-1 Department lands and waters: hunting, furharvesting and discharge of firearms (Ryan Stucky)**

**VII. RECESS AT 5:00 p.m.**

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

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

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

**XI. DEPARTMENT REPORT**

**D. Public Hearing**

**1. KAR 115-2-1. Amount of Fees. (Add Resident Kids Lifetime Hunting and Fishing Combination License) (Dan Riley)**

**2. KAR 115-9-3. Purchase of lifetime hunting or lifetime combination hunting and fishing license without certificate of completion of an approved hunter education course. (Resident Kids Lifetime Hunting and Fishing Combination License) (Dan Riley)**

3. **KAR 115-4-11. Big game permit application. (Levi Jaster)**
4. **Fishing Reference Document (Jeff Koch)**
5. **KAR 115-1-1. Definitions. (Definition of artificial lure change) (Jeff Koch)**
6. **KAR 115-7-1. Fishing; legal equipment, methods of take and other provisions. (number of hooks) (Jeff Koch)**
7. **KAR 115-7-4. Fish; processing and possession. (fish subject to length limit) (Jeff Koch)**
8. **KAR 115-17-3. Commercial fish bait permit; requirement, application and general provisions. (clarify non-living bait) (Jeff Koch)**

## **XII. OLD BUSINESS**

## **XIII. OTHER BUSINESS**

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

## **XIV. RECESS**

If necessary, the Commission will recess on September 8, 2022, to reconvene September 9, 2022, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment. If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter, call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911. The next commission meeting is scheduled for Thursday November 17, 2022, Colby Event Center, 1200 S Franklin, Colby, KS 67701.

**Kansas Department of Wildlife and Parks  
Commission Meeting Minutes  
Thursday, August 4, 2022  
Dillon Nature Center  
3002 E 30<sup>th</sup> Ave, Hutchinson, KS  
including a  
Virtual ZOOM Meeting Option**

Subject to  
Commission  
Approval

Pre-meeting discussion on CWD. 9 a.m.-11 a.m.

The August 4, 2022, meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. Chairman Lauber and Commissioners Aaron Rider, Lauren Queal Sill, Phil Escareno, Warren Gfeller, Troy Sporer, Emerick Cross and Delia Lister were present.

**II. INTRODUCTION OF COMMISSIONERS AND GUESTS**

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

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

Sheila Kemmis – No changes (Agenda – Exhibit B).

**IV. APPROVAL OF THE June 23, 2022, MEETING MINUTES**

Commissioner Warren Gfeller moved to approve the minutes, Commissioner Lauren Sill second. *Approved* (April 21 Minutes – Exhibit C).

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

Norman Mantel – People are interfering with wildlife, I called Fish and Game because they were hauling that baby deer around, not domesticated animals. Were you aware of this? It happened in Onega, called Fish and Game enforcement and I don't know if they followed up on it. People who published Country Living magazine thought it was alright. Do not interfere with wildlife, not a domesticated animal. Something needs to be done to these people who are doing this. Kentucky restoring elk and shooting them with paint guns to make them aware humans are a threat to them. Commercial farming, raising birds and pheasants, that is wildlife. They have them in pens and you don't restrain wildlife, that needs to go away. Fishing, hunting and guiding services needs to go away, interfering with nature. You are selling wildlife; you don't sell wildlife meat parts that is against the law. Why is it legal to chum fish but not deer? People are putting up feeders. What are you going to do about reckless drivers on jet skis, young people have not idea of concept, causing problems and interfering with other boats? Seen boy run into his own sister, run in front of pontoon boat. I understand you are short on money to enforce that stuff. But he even went out to Lucas Point on Wilson Lake and hitting boys. Should private citizens be taking videos and turn this in? The money charged to hunt for deer, why doesn't state get part of the money from guides? For what they paid me and what they charged I cut them off, they didn't even want me to come in and cut firewood, I told them no, my great-granddad bought

that in 1898 so I am 4<sup>th</sup> generation owner. I am not letting anyone hunt on it anymore, a lot of us landowners are tired of it. Have you been following lawsuit in U.S. Supreme Court? Need to get copy of National Geographic, this started in Oklahoma. This is not United States this is still native tribal land and this is snowballing. The Cherokee Nation has their own court system and judges, own attorney general. Who has jurisdiction over this land; we have discussed this before, like water rights? Somebody has to do it. We don't have the authority; they got a mess in Oklahoma. Any of you following this? Chairman Lauber – Yes. Mantle – I can go on that property and you can't arrest me. This happened in Oklahoma, I know the man he sold horses and sold horses to man in northern Oklahoma and he was out hunting on his own land, game warden came in and told him he couldn't hunt quail because it wasn't quail season, he attempted to arrest the man. Game warden tried to take him into custody using force, man's head ended up between door post and door. He feared for his life. They charged him with a crime in Oklahoma but it was dismissed. We have a mess and we need to talk to our legislators or somebody, up to you. In Beloit, discussed duck hunting season, someone wanted to move duck season later because ducks weren't coming south soon enough. Pack your bags and go where the ducks are. You want to deny vets that right, we put our butt on the line, I am a vet, shame on you. Chairman Lauber – Don't know how to answer everything. We will digest it. Regarding the quail and pheasant, captive raised birds, that is legal, but administered by the Department of Agriculture, not us. They get a permit from us but registered and monitored by them. It is lawful and permitted activity. Mantel – It is about ethics and fair chase. Many states don't allow game farms. Chairman Lauber – Some do. We get your point.

## **VI. DEPARTMENT REPORT**

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

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission – Stuart will give financial report. I want to congratulate Stuart for interim assistant secretary position. He is still over public lands also. Had spirited competition for the position when Mike Miller left and Stuart will do terrific work. Stuart Schrag, interim assistant secretary – Excited about this new endeavor and looking forward to it. I am still actively involved with public lands division, asking my assistant division director, Ryan Stucky, to step up and take over some aspects of our responsibilities too. I appreciate him. He will talk about public lands regulations today. Agency and fiscal state, our fiscal year begins July 1 and runs through June 30. The agency overall budget is around \$97.8 million for all divisions and efforts for our operations. In addition to regular budget the legislature did pass a 5% salary increase for most of employees, those not part of a defined pay plan. Some law enforcement officers who receive automatic pay increases were not eligible for 5% increase. For park fee fund (PFF) FY 22 revenue was around \$13 million, which equated to a 7% decrease from previous year. However, park receipts continue to be higher than long-term averages. As we came out of pandemic we saw record visitations. Cash balance in PFF is \$8.2 million at end of FY22. Cabin Revenue funds, mostly in state parks and a couple on public lands, \$1.49 million for FY22. Which was 13% less than last fiscal year but above long-term average as we are coming out of record peak visitation times. The wildlife fee fund (WFF), our main fund from hunting and fishing license sales, ended FY22 with receipts of \$35.6 million. Like other funds revenue declined a little bit but well above long-term average. Balance in WFF for end of FY22 was \$29.5 million. Boating Fee Fund (BFF), which is derived from boat registrations and is necessary to provide boating safety, education and infrastructure to protect and support boaters. FY22 receipts for BFF were \$1.4 million, a decline from previous years, but still above long-term average. Last year \$1.9 million, the highest revenue ever recorded. Working on required

reporting for revenue and expenditures from FY22, plan and discuss and set FY 24 budgets and reviewing and approving FY23 budgets and if supplemental increases we need to request we will be working on those as well. We have until mid-September, so staff is busy working on those. Inflation continues to be an issue we are dealing with. Cost of fuel, supplies and materials have increased substantially and we are having to plan wisely to combat that and be smart and efficient on how we conduct business. Fleet vehicles is a major one; we try to replace a certain number of vehicles every year and we are having difficulty having dealerships bid on our contracts and having trouble having them fill them. Chairman Lauber – If someone asked what annual budget would be and we said roughly \$100 million that would be about right? Schrag – That is about right, that is department-wide. Chairman Lauber – To keep up with inflation we need about a \$9 million increase to keep up with inflation. Assistant Secretary Schrag – Can you make that happen? Chairman Lauber – I cannot but I wish I could. Mantel – If you want to raise money, go talk to Melissa Scott Basel, she has \$480 million and she is giving it away to nonprofits for stuff like this. Bill Gates is giving money away too. The money is out there.

## **B. General Discussion**

1. Big Game Permanent Regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit D). Here to introduce the big game permanent regulations. These cover general provisions such as what is on carcass tags, transferring meat to other people, legal equipment and taking methods, deer firearm management units that we set tag quotas for, big game and wild turkey permit applications and different deer permit restrictions. No recommendations but discussing possibilities to bring forward to future meetings. Deer 25-series regulations is where we set season dates and address what permits may be used, especially for antlerless permits. All the dates follow what we have been doing the last couple years. So far we are continuing to discuss seasons and which units may fall into which categories such as extended whitetail antlerless seasons based on management needs. Where we look at populations, hunter preferences when possible and having to work with disease management within those. Basically, falls into just adjustments for days on the calendar, November 29 is the Wednesday after Thanksgiving where we traditionally set our rifle season. Same number of days, just adjusting for calendar. Still discussing things. If we find places that need changes we will bring those to you. Chairman Lauber – Have a recommendation later on that may require a draw permit for nonresident turkeys. Will that come in your previous discussion about turkey applications? Jaster – Kent will discuss that later.

2. Agency Efforts to Promote Awareness of CWD – Brody Latham, public affairs marketing manager, presented this update to the Commission (Exhibit E, PowerPoint – Exhibit F) – Been on job for about a year now. We realized we needed to come up with some campaign objectives. Wanted to create a centralized information portal to define what CWD is, clarify symptoms and stages of the disease, identify positive locations in Kansas, share testing information and opportunities for people and provide stakeholders with clear action steps they can take to help slow the spread. We launched and integrated communications campaign that consists of traditional, social, digital and print media. Things like posters flyers, billboards, created branding, a website and advertisements that drove a lot of traffic to the website with social media marketing. The logo and campaign slogan was developed, “Take Aim at the Spread – Help Suppress Chronic Wasting Disease”. We wanted to use language symbolically that hunters would know and understand well and digest quickly and easily. Key messages of the campaign were “Get the Game Plan”, to invite stakeholders to join the fight and suppress CWD and it included action steps they could take to help out. “Watch The Waste”, this helped people understand that symptoms are not always visible but when they are what to look for. Things like

difficulty moving, poor body condition, throwing of the head, drooling, grinding of teeth and when they see those things to contact us and report it. “Dress. Test. Suppress.”, we wanted to encourage people to bone out or at least quarter meat on site and dispose of the carcass in a proper way to help slow the spread and test. What worked well was compelling imagery and branding and used throughout the campaign to stay consistent. Being visually consistent leads to recognizability and our hope was that would lead to credibility and trust. We want people to take heed of these messages and trust us and this recognize this campaign when they see it. Drove a lot of traffic to the website we created. Over 50,000 users clicked our ad and viewed pages over 150,000 times. The coolest part was how long they spent on these pages. On CWDKS.com they spent almost four minutes on that page; and our page on KSoutdoors.com they spent five and a half minutes. That tells me people are interested in the content, willing to spend their time to read and consume that information. That is what we hoped to see. In addition to the traffic, we drove to it and the amount of people we could track. We also engaged people on social media and Google display, this is harder to track but still impressive numbers; 1.7 million impressions on social media and 7.5 million impressions on Google. We reached almost a quarter million people on social media. The difference between an impression and reach is that the same person can have more than one impression. We have messaging like, “Report Sick Animals”, “Test to Suppress”, “Take Aim at the Spread”, “Help Slow the Spread”, “Report Sick Wildlife”, “Keep Kansas Deer Healthy”, “Find the Answers”, “Get the Game Plan”, “Watch the Waste”, etc. with accompanying topics to further explain what that means and entice people to click the action button to learn more. One of the interesting things about some of the social media post, in particular, is how many engagements we received, over 3,000 reactions and 300 comments and 900 shares. While the 300 comments may not seem significant, one person pointed out that if 300 people showed up at a commission meeting, we would find that significant. Not only did we drive traffic, but we initiated conversation online where people can partake, comment, like and share with friends and followers and amplify message even farther. Next steps are digital ad efforts worked so continue that and expand the reach of those; incorporate search, so showing up in search engine results when people are looking for CWD key words we direct them to our content rather than something random; integrate video ads; infuse more messages about testing and test kits, how to get them, submit them and how to collect; and continue to test new ad creative, things like new imagery, new tests, calls for action, etc. (Showed Video). Ways to measure success, from marketing perspective, continue to increase social and digital media engagements, monitor landing page visits, pdf downloads, email open rates, support for regulation changes if we decide we need that and monitor number of test kits submitted.

Commissioner Escareno – Any consideration for making that video on hunting guide TV programs, promoting in that arena? Latham – Not to my knowledge but something we could look into. Commissioner Lister – Work with education section folks on messaging on that? Brody – Yes, Aaron Austin was voice-over on that video. Commissioner Lister – I downloaded the Go Outdoors app, is there a way to put that information front and center for a deer hunter to access? Latham – I am not sure but that is a very good idea. Commissioner Lister – They are going to go there no matter what. Latham – There is a lot of ways to put targeted messages in front of segmented audiences with that new app. We will look into that. Commissioner Sill – I pulled up our regular KSoutdoors website and went to hunting, on left is CWD and on that page there is no link to that on our own website. Latham – A lot of things we need improvement and that is something that needs to happen. This is going to be an ongoing campaign and we will continue to optimize and create new multimedia assets and make sure they get out there in front of the right people at the right time. Commissioner Cross – Getting more calls since we started that? Latham – I am not personally; not sure we have a mechanism to track that. Chairman Lauber – More bold information we could put in the hunting regulations the better. We have reference to that now but when it comes to educating people more is better. Latham – Yes, and lots of

repetition so this is something we will continue over the years. To us it might feel like we are saying the same thing over and over, but it is going to take more than one touch point for someone to stop what they are doing, interrupt what they were doing and get them to take notice.

Chairman Lauber – In areas where we are trying to increase harvest, I would be circumspect in any reference to eating the meat. We don't want to tell people to harvest deer but telling them not to eat the meat... We just need to be careful not to spook people to where we can't utilize hunting to minimize numbers when we need to.

Latham - I agree with this being a fine line between educating the public and getting buy-in and that we all need to help out but also not scaring folks into quitting deer hunting.

Commissioner Escareno – Contradictory on quartering harvest in the field, leaving head and spine in the field. How that could spread on the knives in the blood and on the ground and all of that. How is that not helping to spread the disease if you leave that in the field? I am confused. Will you touch on that later?

Jaster – I will cover that.

Commissioner Sill – What is the plan to measure changes in hunter behavior as result of this education?

Latham – Levi can answer that.

Commissioner Lister – Part of hunter education curriculum?

Latham – Somebody talked about that earlier today, maybe not yet but that is in the works.

Aaron Austin, education section chief – Those discussions came up this morning and is being discussed in hunter education advisory committee coming up in two weeks, so right on time for it.

Levi Jaster, big game coordinator – To address Lauren's earlier question about increased calls, I have gotten more, not necessarily just hunters, but people who saw the billboards and want to know more, so seeing some of that. It is picking up. Wish I had better news but try to answer every question as best I can, it is hard to be definitive. As far as spreading prions, yes you can spread them that way but still better than the amount you could spread if you took the carcass, it is minimizing it. One of the tough questions is we don't know the dose the deer has to get before they get infected, it could be one or they would have to encounter thousands before getting it, we don't know how many prions. Anything that mitigates dragging that all over and creating larger amounts in other places. From human standpoint concerning but not a lot of information out there on that yet. From a deer standpoint often times other deer aren't necessarily in contact with that but definitely concerning. We don't want people to not eat deer, but best to test deer first, especially in area with known positive detection. I changed to gutless method because you get vast majority of the meat carcass and leave worst parts in the field. Preferable to taking a whole carcass.

Chairman Lauber – I assumed the spine and the head were highest risk material. By leaving it there, not always practical but it is already in that area. What you are trying to do is eliminate transfer of the disease at 55 miles an hour.

Jaster – To address how we are evaluating actual hunter behavior (Exhibit G PowerPoint). From my side of the table rather than Brody's marketing side. In early stages but we are measuring hunter behavior by having them self-reported on surveys, used minor stuff as part of special section on in the deer harvest survey. We asked hunter a little bit about processing and whether or not processing in unit where harvested and if moved it where they took it to. I don't have that data available yet but once I have it I will get it out to you. The other one was entirely focused on CWD was our human dimensions survey about CWD. We took deer license data and randomly selected hunters from across Kansas to answer a questionnaire about CWD. Initial survey, so this is the baseline, so we need to establish that to know as we develop messages and get information out and work with folks if we are improving from where we stood at the start. Other surveys also included a couple of questions, in the landowner deer opinion survey done last year to start talking to landowners because they are going to be a vital part of this whole thing. Mostly hunter harvest behavior will be reported through self-reporting. Also, rough idea looking at CWD samples, and how that has changed, total samples and the ones we as an agency took, through taxidermists, processors, road kills, sick suspect animals that biologists or game wardens collected, and private submissions sent by hunters to Kansas State Veterinary Diagnostic Lab on their own, many outside of surveillance zone for that year. We only cover tests for those in the zone. They had to

pay for this and in Kansas it is \$35 test, over \$40 with shipping to and from the Vet Lab. Those were folks that valued that enough to do that. With research project with University of Missouri that we started in 2021 season. We increased efforts, increased technicians in the field through that project and tried to get the word out. We collected a lot more road kills with technicians out and about. You don't just jump in and collect an extra 1,500 to 2,000 more samples a year without people knowing what is going on and getting information. We were growing through time already but it wasn't until we started to consider messaging and we jumped up. The decline in last few years is actually people taking advantage of the University of Missouri study that paid for the samples we tested, so aren't counted in other numbers. In talking to Shane, used to be one or two but is creeping up and more people are willing to pay out-of-pocket to get sampled. From that standpoint, folks are more concerned about it and whether or not that is actually translating into changing how they handle carcasses in the field, I can't say but you would think so.

Commissioner Gfeller – Right now handling carcass in the field is a suggestion, not a requirement? Jaster – Recommendation to do so? Commissioner Gfeller – If transporting and not leaving them where you found them and could cause geographic spread, why not require it now? Jaster – We initially proposed that but it was seen as too limiting, didn't strive for stakeholder buy-in at the time and our human dimensions survey also mentioned that. That doesn't mean that's not a step taken down the road once we have more support behind doing that. If we don't get hunters and landowners involved and they have buy-in even if we do restrict it they aren't going to follow it. Even with having rules that prevent importation or transporting of carcasses within states we have seen deer go from Kansas to Ohio, Kansas to Texas and Tennessee and South Carolina have seized carcasses that weren't positive. For those folks to do that they drove through several states that restricting import of whole carcasses on their way to their state. The word is not out and they are not aware of it and that is why we are doing messaging and getting that in front of deer hunters. Pushing that out to all deer hunters that they better check regulations where going or where traveling through. I don't want them to pay money to come to Kansas and lose deer in Arkansas because you didn't read their regulations. Commissioner Escareno – Commissioner Sporer and I discussed maybe offering an option to those hunters on their application or permit to say they would like a test kit included with their permit to submit when they bag a deer. Jaster – That is something we can discuss. Other states are looking at that and North Dakota is looking at kits that they send with every tag. What the cost effectiveness is if they only get a certain return rate, does it work or will it be an overwhelming cost to the agency. The kits cost money. Part of that is current kits we have we get through Kansas Vet Lab are vials of formulan and people don't want that laying around so that is a concern. There are a few other options out there that are not the preferred method, and different types of packaging that have been used before. It would be a matter of seeing if that is effective way to do it. In some cases, they quit using because didn't get enough good samples through it, too degraded by time they got them. We will look into it. Commissioner Sporer – There are two types of hunter, first type of hunter doesn't care and second wants to know. Is K-State still doing testing on pay scale for \$35? Jaster – As far as I know they are but don't know how that is changing with inflation I'm not sure. Commissioner Sporer – How did the hunters find the University of Missouri? Jaster – We had a research project initially set up through Kansas State and the principal investigator, that professor, moved to University of Missouri. That is how we ended up working with them and their lab for that project. He has intellectual property in that research. They have a phone number available for hunters to call to get help and during rifle season there are technicians available to help take samples or pick them up from them. They also have their own email contact information in there and try to be visible while out working. That will go one more year so that project will pay for samples this season. After that we will have to talk because some hunters are going to want to see increased testing ability. Commissioner Sporer – Seems there should be a private lab out there that is willing to make some bucks to figure out a test kit that

does it reliably and fast. Jaster – That has been our biggest hang up, the speed of testing.

Commissioner Sporer – How do they get sample to Missouri? I understand how they do Kansas.

Jaster – With technicians that are out doing it, they collect them and ship large batches as they can and working with additional taxidermists. Commissioner Sporer – So the average deer hunter isn't able to send his sample? Jaster – They can but in that case the University of Missouri struggles to cover shipping costs because of their internal regulations. It may be cheaper to do that than pay for the actual test like you would at K-State. They have worked with other folks, had a landowner or guide service where they collected all the samples and they sent shipping label and they shipped box of samples. Commissioner Sporer – Do they have to be froze? Jaster – All collected in vials of formulant and kits have a shipping bag that seals over the vial. It is shelf stable once in the formulant. Commissioner Sporer – Does K-State still do it for a fee. Jaster – Yes they still do it for a fee. You can go on Vet Lab website and get it, which is the preferred method, but out-of-pocket for the hunter. Commissioner Sporer – That is the first question I am asked. Where do I go to get the test? Somehow, we have to answer that or how that works and mechanics of that is. Jaster – We have experimented with head drop barrels. Other states have used those but where it is effective for them is high traffic areas where you have hundreds of deer hunters going through, like Michigan and Wisconsin who have five to six times as many deer hunters as we have. Not a great method in western Kansas, spread out and don't want to have to ask hunters to drive 50 miles to dump the head in a barrel. If doing that we need to have somebody there to take it at the very least. Commissioner Sporer – Going back to check stations? Jaster – Not right now, high cost, not sure people will want to do that in a wide area, but maybe on limited basis. I have talked with biologists at Fort Riley they could do it there and we talked about it when he was concerned about testing. Potentially special hunts or some of our wildlife areas but not on statewide basis, not easy or cheap and have limited staff capacity. Would have to use volunteers. Commission Sporer – Missouri has mandatory testing and have check stations during rifle season only. Is that statewide or just hot spots in Missouri. Jaster – They are focused on their disease zones where they want to increase sampling, spending three quarters to a million dollars a year on testing. Some of their work with culling they were expending 16 fulltime staff to it. Commissioner Sporer – Only culling in the hot spots? Jaster – Yes. They are spending a lot more money and have a lot more staff. Commissioner Sporer – They have been culling for how many years? Jaster – Since about 2010. That was their selected method on very first deer. Their incidences were more like a single or a couple at a time.

Commissioner Lister – What is break down of people who field dress? Jaster – Many people that haul the whole carcass are still field dressing, taking the guts out but the number that do that versus quartering or boning it I can't tell you, not that many that do. Many that did it before did it because of convenience because they had to carry it a long way. Now that I quarter it I am not going back it is a lot easier to take quarters out and not have waste in my garage. Commissioner Lister – Makes me wonder if going to be increased carcasses, and that is going to ultimately be an increase in lead poisoning. Jaster – I don't know. More non-toxic shot available and people are switching to that. Chairman Lauber - Probably be more carcasses on the landscape but deposited in an area where they were already. About 40-50% are hauled to a processor and one would think as a general rule that might be safer than hauling to various individual locations. Most of the time national byproducts don't buy them and most of that goes into a landfill. You have an opinion on that? Jaster – Better in landfill than dumped in a ditch somewhere. That is one of the questions asked on survey, whether or not they home processed or commercial processed, whether changed practice in last couple of years and whether that was related to our messaging or related to COVID and having more time and wanting to stay home. We hope we can get to how they are processing it, if home processed or if commercial and has their processor changed, are they taking whole carcasses or requiring only quarters or boned out meat. Stuart Schrag – Kurt Ratzlaff with Backcountry Hunters and Anglers is here today and they do a lot of

processing and boning out clinics and presentations within their group in Kansas and at national level. It is becoming a popular thing. Kurt, I would like to get your perspective on this conversation. Kurt Ratzlaff, chair for Backcountry Hunters and Anglers – We do a lot of clinics and workshops talking about processing your own deer and on hunter podcasts. We do advocate strongly for quartering method. It is easier, once you get past, this is how dad and grandpa did it, it is 100% easier. Talk a lot about processing your own deer and half to three-fourths of our membership eats most of their meat off of animals they get on public land. Need to work more on testing. It is easier and more practical after you do it a couple of times. Schrag – In clinics promoting boning in field? Ratzlaff – At least quarter. When I take a deer out of the field it is boneless, but I grew up in a butcher shop. Realistically quartering is super easy, and we talk about that on national scale. Chairman Lauber – Whether quartering and don't bone it you are still leaving high-risk material in the field. Ratzlaff – Absolutely. If want to take trophy head with you cut off and leave entire spine in the field and take it to taxidermist and they can take it from there. Commissioner Gfeller – Seeing more in our country and more demand for knowledge like yours. Chairman Lauber – It is getting harder to find a processor. Commissioner Cross – Is it possible to put a video out there on our website on how to quarter it to understand exactly what you are talking about? Jaster – I believe so. We put one out a few years ago about how to pull the lymph node samples using the same knife you would cut the deer up with. There are probably several very good ones we could use. Commissioner Sill – For those who aren't boning out but want to be cautious and responsible when they haul a deer. They are careful where they butcher it and they bag up and take to the landfill the remnants. Is there a difference in landfills? This morning you talked about permitted landfills in other states. What can a person do to make that as safe as possible? I understand that increases the risk of spread but I don't quite get how taking that to the landfill risks spread but leaving that to degrade in the field in the soil where plants can pick it up, a generation later deer comes along and eats the grass. Removing it and putting it in a landfill seems like it would help. What is permitted landfill, what can you do to make that safer, and is there some benefit to putting it there? Jaster – In a permitted landfill means don't take it to landfill that is pile out back. Some of those have additional requirements on how they are built and are sealed and how they take care of fluid coming out. The risk is that if you move it from where it is already occurring, what happens if somebody decides it is going to cost me to dump it at the landfill and decides to put it in the ditch for the coyotes to clean it up. That is the next option rather than leaving it in place. It is already there and there for a long time. Ideally, we could make them go away entirely but effectively we haven't figured out how to do that. Commissioner Gfeller – Talked about idea of reducing the size of the herd seems to be a good management tool. In doing that you take does and young bucks. So, in educating people or incentivizing hunters to take does and young bucks to help us with CWD is that going to encourage other hunters not to take them because they are afraid of CWD? Jaster – Potentially, that is where messaging comes across. It is also hard message when you tell them we want them to kill them to save them. It is a tough message but once you work through it we are not saying we are going to wipe them all out but trying to reduce movement. It has always been highly contentious on whether you should remove does at all in many places. It is a case of moving some of that effort to reduce the herd away from that small proportion of herd that is older bucks. We still need to harvest them because they are where we are finding it first and highest prevalence rates in a herd but once they are in a territory they are staying there, moving around some while they breed but not spreading around like a young buck does that moves ten miles down the road to a new territory. And are much larger segment of the whole population so taking pressure off of one group and putting it on another and still moving animals into that older age class. When you try to increase harvest, want to do different things. Commissioner Gfeller – Something we need to figure it out. That is management tool the same way as transporting a carcass. At some point we have to make the call. Jaster – Right. Mantel – Hunters aren't going to

like it but you are going to have to make a demand toward ports of entry. Used to have port of entry in this state, bringing in corn or other products.

### **C. Workshop Session**

1. Turkey Regulations - Kent Fricke, small game coordinator, presented these regulations to the Commission (Exhibit H, PowerPoint – Exhibit I). Going over spring and fall season dates for 2024 and bag limit recommendations for 2023. Last year during 2021, we increased spring turkey season youth eligibility to 17 years and younger, tried to do that department-wide for all youth seasons; we set 2023 spring and fall season dates; and included handguns as legal equipment for spring and fall seasons. We are overreviewing recommendations coming for 2023 and 2024 and include boundary definition, valid units for Unit 4 permits, spring and fall season structure for 2024 and 2023 spring and fall bag limits and permit quotas. At end of June meeting in general discussion several questions were asked about some of the broader topics in terms of aspects of harvest management and turkey biology and ecology. The intent of leadership is to have a meeting, like you did this morning with CWD, at our next meeting in September have similar session for turkeys. There are a number of changes we are proposing. Focus on background behind changes and address broader harvest management at that turkey meeting in September. The first change is language clean up, a couple of years ago we noticed both spring and fall unit definitions in the regulation that there was a slight error; 183 was in there twice and it should have been Highway 81. 5-The spring season dates, 115-25-6 got changed but the fall season didn't so this is simply a number change to that regulation. In Unit 4, the southwest unit, is currently a resident-only draw, half of the permits for landowner/tenants and half, or whatever is left over, for Kansas residents. In 2018 was the first time we had applications over the 500 permit quota and since then have seen a relatively large increase in the number of applications for those Unit 4 permits for the spring season. Biologists and turkey committee started hearing feedback from residents of Unit 4 who would like the opportunity to hunt in Unit 4 but because of higher number of applications were having a tougher time hunting in their own unit. We have heard this for several years now. Unit 4 permits are currently allowed in adjacent units as well, similar to deer units. If drew you drew a Unit 4 permit you could hunt in Units 1, 2 and 5. We want to try and maintain opportunity for the residents of Unit 4 so we recommend removing the adjacent allowance. If approved if you drew Unit 4 permit you would only be able to hunt in Unit 4. That falls in line with drawing for a permit and hunting specifically in that unit. Population trends will be discussed at September meeting. Kansas not only state seeing turkey declines in last 15 years. From spring rural mail carrier survey, we have seen population declines at the statewide level, peaked in 2008 and consistent declines since then due to lack of production. This is the story throughout the Midwest. Trying to figure that out but low turkey production equals low turkey populations and that is something we are struggling with, how to deal with harvest management aspect of that. Western Kansas has similar trend as well as central Kansas and broader declines in eastern units as well; consistent decline across the state. Did not have post season harvest survey at June meeting, got that July 1. Had committee meeting in early July and developed briefing items. Spring and fall season structures, spring is set up where youth and disabled always begins April 1, get a full weekend; archery starts Monday after first full weekend, 9 days; and regular firearm season starts Wednesday after second full weekend in April. For fall season, beginning in 2020, was changed from October 1 to January 31, a four-month season, which was reduced to a 41-day season from October 1 to November 10. For 2023, earliest start for regular season, April 12, before calendar begins repeating itself. Youth/disabled season will be April 1 and 2, followed by archery nine days of archery and regular season starting on April 12 and October 1 through November 10 fall season. For 2024, have latest start date to regular season if season structure stays the same.

Recommending no change to spring structure. Also recommending no change to the season date structure for the fall season. Overview of harvest surveys for this spring. Just got data in and analyzed internally. Bag limits in each unit, Units 1 and 2, northwest and north central, still at two-bird bag limits and Units 3, 5 and 6 at one-bird bag limit and Unit 4 was limited draw with 500 permits with one-bird bag limit. Estimated harvest and total number of permits and game tags sold and overall success rate is in the briefing book. Over time we have decreased significantly in terms of overall hunter success, keeping in mind that in early 2010s we had as high as 71%. Compared to 2021 season, last several years have seen consistent decline of about 10-12% in resident permit buyers but also consistent now with nonresidents as well. We have been hovering around 15,000 for nonresidents for 5-6 years, plateaued and this is first year we saw 10% dip. In 2020 we had Covid and spring season was basically suspended for nonresidents. Have seen consistently high rate of nonresident participation for quite a while. Typically, between 35% and 40% and with that 10% decline in nonresidents this year, 43% nonresident turkey hunters this year. Overall harvest was 21% decrease from 2021 which had the same regulation structure in place. Overall harvest success 40%, with 35% for residents and 45% for nonresidents. Typical harvest in age structure, 85% toms and 15% jakes. Seen significant declines from peak harvest estimated in 2015. Basically, at same level even with decrease we saw in 2020 due to Covid. With increase of hunters back we still had a low year in terms of harvest. Overall, as continue to see shift in lower number of satisfied hunters and over time see hunters on dissatisfied side of spectrum stop buying permits and we stop surveying them. Harvest strategy, we have adaptive harvest strategy lays out various regulation packages in terms of spring and fall bag limits, thresholds in terms of spring harvest and what the looks like through time in terms of guiding recommendations for bag limits. Harvest strategy is a simple document has regulation packages and we enter data into that. The highlighted aspects of table is when the thresholds were not met and consecutive years of below thresholds we then would recommend changes. All six units were below thresholds for consecutive years, so for the 2023 season we would be recommending changes based on the harvest strategy. If we move specifically with the regulation packages as recommended by the harvest strategy we would see reducing spring bag limit in Units 1 and 2, from two to one, removal of fall season in Units 3, 5 and 6 and Unit 4 was below the threshold as well so reduction of resident draw permits as well. However, committee and management staff felt that in one sense it wasn't enough and there were other aspects we felt we needed to look into. Rather than moving directly with the prescription made by the harvest strategy we want to be more consistent statewide and address concerns about the number of nonresidents statewide and in a few units in particular. We are making overall recommendation to reduce bag limits from two to one in Units 1 and 2. So statewide one bird bag limit for spring and not including Unit 4, which is resident only, reduce nonresident hunters by 25% and therefore creating a draw system for the first time for turkeys. We came up with numbers in post season spring harvest survey I asked what county they primarily hunted in. From that data we get estimates per unit of residents and nonresidents and from that I developed five-year average, taking out 2020 because it was an anomaly and would have skewed the data, 2017 to 2022, not including 2020 to come up with five-year average. From that we decided 25% reduction would be good starting point to make nonresident reductions and rounded to the nearest 100. Those are the numbers we used to make our recommendations for quotas for units. As I mentioned Unit 4 will be reduced from 500, unit bounces around a lot and low sample size. It is the unit most effected by weather over time. This year we saw a 50% hunter success in Unit 4 but still below the threshold we identified in harvest strategy. In speaking to biologists and public land managers in Unit 4 they thought the strategy was making a good recommendation in terms of further reductions. To remain consistent with 25% reduction, we are recommending reducing 500 permits to 375, half for landowners and tenants by statute. If not all of those are used by landowner/tenants they roll over to the broader draw. We have not ever met that 250

quota for landowners and tenants and it will roll over if not filled. For fall season, number of permit buyers statewide continues to decline consistently, 15-20% per year. When we moved to a statewide one bird bag limit, with reduced season length, we thought numbers would plateau, but continue to see decline, don't expect that to change. We used to sell more game tags for fall hunters but those have been removed and harvest has continued to decline. Given there has been no bottom plateau we are not recommending any change to fall season, same season dates, one bird limit stays the same, no changes to nonresidents, less than 750 per year; no permit quota, hunt statewide, other than Unit 4. There are a number of changes we are proposing; clarifying Unit 2 boundary language cleanup for Unit 2 in fall regulation; removing adjacent unit allowance for Unit 4 permits; no change to spring or fall season structure; reduction of spring bag limits in Units 1 and 2 from two to one bird; reducing Unit 4 spring quota to 375 permits; and creating draw system for nonresidents to 25% level. I want to clarify that part of recommendation for nonresident draw is to apply for specific unit, and if you draw only hunt that unit and no adjacent units. Youth permits for nonresidents would also be included in that draw. Chairman Lauber – Will that take place in 2024 or 2023? Fricke – The hope is to have it established for 2023 spring season, see how it goes through the process. Going over overview of recommendations today, have information morning session September 8, in workshop that afternoon spend time on population trends and recommendations and have public hearing vote at the November 19 meeting. If that occurs, currently the Unit 4 draw occurs early- to mid-January and that is the goal. Chairman Lauber – Will nonresidents be notified there is going to be a draw? Fricke – We will work with public relations, information and education to get that word out. It will be a short turn around. Commissioner Sill – Those are landowner/tenant tags not hunt-your-own-land tags? Fricke – Correct. Chairman Lauber – Landowner/tenant tags only in that area? If you own land in Unit 2 as landowner/tenant can you apply in Unit 4? Frick – No, have to own land in the unit. Commissioner Gfeller – One of main concerns I have is about taking hens. Fricke – Typically one-third to one-half of fall harvest. Commissioner Gfeller – Did math calculation and maybe my assumption is high on how many hens you take. For the sake of example, if only 500 hens in the season, those hens, if you didn't take them, would produce 14 eggs of which four poults might be raised and two might be hens, so those 500 hens would raise 1,000 turkeys, so next year you now have 1,500 hens; in year two same exercise, by time you get to year four dropping off year one hens, for that year alone you have 36 additional turkeys of which 18,000 are hens. The point is it is exponential so, taking of any hen seems to have significant effect on population. Fricke – The assumption of first year, 500, is a little faulty, from that some won't make it and more importantly, in terms of nest success, even in a good year you are saying 33-50%. Commissioner Gfeller – Four out of 14 is 30%. Fricke – I am just saying that nest hatching any, so, rather than 500 nests successful looking at more like 250 on the high end. Of that it is rare that all 14 hatch and make it beyond poults, talking two to three per nest. Commissioner Gfeller – Cut by 75%, still a significant number of hens that don't exist because we are taking hens. Fricke – I understand that. Discussed at length in the turkey committee and with other state biologists and given that a large amount of thought. Chairman Lauber – I am proponent of fall season. I calculated 140 hens harvested statewide. From last harvest, 487 birds, of which 35% were hens, harvest 400 birds with 140 hens with increase of 1.1 offspring per hen, not sure a significant number. That is why I hate to close that season. Commissioner Gfeller – It is exponential, just math. Fricke – That is something we can go into more at the next meeting. From turkey harvest management standpoint, the fall season that includes the harvest of hens is always a question mark in terms of recommendation for the season. That season is likely always to be one of the most biologically relevant seasons to make reductions in if concerned about production, which we are. I believe that the number continues to decline, consideration for opportunity remaining, but also we are learning more of the impacts of spring season, while a lot of uncertainty remains about the impact of the spring season and removal of toms on the

landscape, from a number of angles unrelated to season dates, fall harvest pressure and that kind of thing, that is becoming more of an issue. Within the agency we feel we are able to make more impact on that end of things. Not to say there might not be potential on fall season as well and keeping that in mind. Commissioner Gfeller – When it comes to spring season, reducing the bag, just eliminating taking of toms. So, our expectations, equivalency question, it will improve success rates but don't expect it to increase the size in the fall. Fricke – Uncertainty on that. With lower bag limit and related to reducing numbers of hunters on the landscape as well during that spring season, concern continues to be removal of toms through time don't know if hens are being bred. We don't have a good answer to that and that continues to be a question mark. The overall goal is to allow there to remain some number of toms on the landscape that would have been harvested otherwise. Mantle – Glad you are concerned about the hens. We discussed that at wetlands in Great Bend last year. I and another gentleman got up and said, you don't shoot the hens, you shoot hens you lose the factory, lose factory, lose production. We need to close the season for hens if not entirely for all of them. Our population is going down. My land that I closed down has exploded and hunters are mad at me because I won't let them in. We are more concerned about us than the wildlife, that is our problem. Commissioner Sporer – A dead hen doesn't get bred. Audience – Thought about trapping, getting rid of possums and skunks so they leave the hens alone? I took out 62 coons. Have chickens in your yard, feed them grain they will produce, same in nature. I had 17 in one nest 19 in another.

### *Break*

2. Commercial Harvest of Mussels – Jordan Hofmeier, aquatic ecologist, presented this update to the Commission (Exhibit J, PowerPoint – Exhibit K). Talk about commercial mussel harvest regulations. Historically used in pearl button industry and for cultured pearl production using native freshwater mussel shells. We have four native species previously permitted for harvest and one non-native species. Since the beginning of 2003 we have had a moratorium on commercial mussel harvest due to declines; and extended one time. The current moratorium is set to sunset at the end of this year. We have seen good results from the moratorium, an increase in monkeyface mussel and seen prevention of decline in some other species but species like the washboard have failed to recover yet from previous harvest. Harvest in other states, most occurring in Tennessee, but cultured pearl producers are more frequently looking elsewhere than the U.S. because they don't see our supply as a long-term viable supply as it is largely unsustainable. Oklahoma hasn't issued a harvest permit since 2013 and Arkansas only issues a single permit and those states speak to the lack of a market. Missouri removed regulations allowing commercial harvest in 2009 and Nebraska also closed commercial harvest. Concerns with commercial harvest are that mussels have pretty specific habitat requirements which leads to concentrations of mussels in one location and leads to concentrated harvest and drastic depletions in population numbers. Mussels have to have a lot of things going right for them to successfully reproduce. There are many threats, old and new that affect mussels, ranging from water quality to invasive species and potentially new emerging diseases. Regulatory listing processes take a look at commercial harvest as a potential point of concern and whether a species should be listed as threatened or endangered. By removing commercial harvest that helps check that box to remove that as a potential concern. Mussels are challenging to identify; mussels of same species can look different and a lot of different mussel species look similar. Tom Mosher, when he was in fisheries research, found regulation compliance was lacking in previous harvest reporting. There were thousands of pounds of mussels harvested that went unreported every year. There is no market for them anymore. They shifted techniques in Asia to create pearls, they have their own native material they use to produce those cultured pearls. All these things speak to the sustainability of practice and why we are proposing to replace five existing regulations related to

commercial harvest, salvage and sale of freshwater mussels with a single regulation that prohibits the commercial harvest, salvage and sale of freshwater mussels. Moving forward with that and dealing with new regulation requirements at the state level. Hopefully vote on this at next meeting or two.

3. Fishing Regulations – Bryan Sowards, fisheries assistant director, presented these regulations to the Commission (Exhibit L). The first item is changes to the reference document which outlines the length and creel limits for individual impoundments that is different than statewide regulations. Full list in briefing book but will mention most notable ones. We are proposing to remove 10-inch minimum length limit on crappie at Cedar Bluff Reservoir. Instituted in 2018, based on response to poor recruitment and rapid growth. Since lake filled up in 2019 and growth has slowed, recruitment has improved, so more eight and nine inch fish competing for resources and there isn't that many 10-inch fish showing up. Proposing a 6-inch to 9-inch protected slot on sunfish at Antelope Lake in Graham County. Part of statewide research to see how these protected slots to see if regulations limit harvest enough to shift the population to larger individuals. We have seen some success over last couple of years but still getting information on how that is working. An eight-inch bluegill in a Kansas impoundment is very rare. At Pomona and Melvern Reservoirs we are proposing an 18-inch minimum length limit on saugeye, started stocking them there in 2021 and already have walleye that are protection by an 18-inch minimum length limit and due to the species identification concerns we like to keep those the same minimum length limit. Chairman Lauber – What would it take to reduce Pomona's crappie limit to 20? There are a lot of constituents commenting to me because it is close to Topeka and Kansas City and gets a lot of pressure. It may not make any difference but there is a perception that there are a lot of limits being caught there. It has been good and able to withstand it but public is clamoring for reduced limit. Sowards – Had that at several impoundments where we get human component that is just enough outcry to make that change. Chairman Lauber – I don't think numeric limits make any difference on the species but the social benefit of responding makes people feel like something is being done. Sowards – I agree, we can look into that. Commissioner Sporer – I get that all the time, people wanting to reduce the limit from 50 to 20. Consideration might be going 20 statewide and 50 where you think it needs to be. It may not change things but so many people see people taking 50. Make sense to go 20 statewide and increase to 50 where needed. That may make more sense to the public. Sowards – There used to be unrestricted creel on crappie, doing surveys back then and changed it to 50 and it actually increased amount of crappie people took home because it gave them a target. Right now, a lot of our human dimensions stuff is showing the average angler takes home between 10 and 20 crappie or less. The thought process is that if you go from 50 to 20 someone who normally would have stopped at 15 or 16 would hang around to get that limit of 20 so, it might not have the effect you want. Back to Chairman Lauber's point, it might make more people happy so that is something we will look at. Commissioner Sporer – I have caught a limit of crappie one time in my life and that will be the last time because you got to clean them.

KAR 115-7-4. Fish; processing and possession. Change this regulation to read: (a) "Each person who takes any fish *with a statewide length limit or a water body specific length limit* from a body of water shall leave the head, body, and tail fin attached while person is in possession of those fish on the water." We added with head attached, before when taking a gizzard shad or legally captured bait and using it as cut bait for channel and blue cat fishing, technically was illegal in the language.

KAR 115-1-1. Definitions. In response to use of umbrella rigs with up to five hooks. In the past umbrella rigs were legal but could only have two hooks on them. We felt the use of umbrella rigs

with five hooks is not likely to have population effects of any particular species and we haven't seen any scientific research to the contrary at this point. There have been a few issues of snagging but feel that is covered adequately in other regulations that restrict snagging as a means to capture fish and requires the release of fish that are accidentally snagged outside the mouth. First change to allow this is in definitions, KAR 115-1-1, changing definition of an artificial lure; means a man-made fishing device made of artificial or non-edible natural materials, used to mimic single prey, we took out the word "single" and added a sentence. "*Devices mimicking individual prey shall be limited to no more than three hooks, devices mimicking multiple prey shall be limited to no more than five hooks*". This would change KAR 115-7-1 also. Change this regulation to: "*Fishing lines with not more than two baited hooks or two artificial lures per line. The latter, artificial lures, shall not exceed six hooks per line.*" That would keep a person from using two umbrella rigs on one line, but you would still be able to use two crank or jerk baits with three hooks each. A treble hook is considered a single hook.

KAR 115-17-3. Commercial fish bait permit; requirement, application and general provisions. We want to add dead fish twice under part a. "A commercial fish bait permit that shall be required for harvest, sale or purchase or resale of fish bait except for the commercial fish bait permit shall not be required for *non-living, commercially packaged fish bait or the harvest or sale of anilids or insects or for purchase of anilids or insects for resale*". Exempt shops that only selling dead fish, like Walmart. That way we don't have to do commercial bait permitting at all of these additional facilities just selling dead fish.

KAR 115-7-10. Fishing; special provisions. We want to remove the term "Asian Carp" throughout and replace with silver and bighead carp to be more specific. We want to add rusty crayfish to the prohibited species list and add Lebo City Lake to the "Kansas Aquatic Nuisance Species Designated Waters" reference table due to the 2021 zebra mussel infestation. Last year, started a two-year study on crayfish sampling at state fishing lakes and found rusty crayfish at McPherson State Fishing Lake. Currently the only one we found it in out of 10 lakes sampled. This species is native to the Ohio River basin, but range is expanding west and south. Not huge concerns at this point but there are negative interactions with other crayfish species and can typically push those out of systems and create a monoculture of rusty crayfish. They can have issues with juvenile fishes if they obtain great densities. A lot of our state lakes have high volume abundance of predators, whether largemouth bass, drum or saugeye, we don't have too many concerns that they will overpopulate but jury is still out on that.

Last item is changes to trout water. King Lake-Emporia, add as a Type 1 trout water. OJ Watson Park-Wichita add as a Type 1 trout water; Wichita KDOT-East, remove from trout waters list. There are two types, type 1 water needs trout stamp to fish during season, we designate trout 1 waters in areas where trout is only opportunity during that time of year.

4. Furbearer Regulations – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit M). Three changes to recommend to furbearer regulations.

KAR 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions. Proposing allowing the use of laser sights to take furbearers that are treed by dogs. Currently furbearers taken under those conditions can only be taken with hand-held battery-powered flashlights, hat lamp or hand-held lantern. The laser light would be used with a firearm, simply a tool to improve accuracy of the firearm, not used to detect the furbearer, it functions similar to a scope.

KAR 115-25-11. Furbearers; open seasons and bag limits. Other two changes are in this regulation. One proposal is to extend the general furbearer season by about two weeks by changing closure of the season from February 15 to the last day of February. There recently has been a lot of people expressing concern about furbearer overpopulation and it is true that furbearer harvest has declined in recent years due to low pelt values. This season extension will give people who feel additional fur harvest is needed additional time amounting to three and half months total in which they can address furbearer management issues. Those saying we need more trapping it gives them more time to go out and participate. The other change is to increase otter season bag limit from five to 10 otters. Associated with that is we are also increasing the bag limit from five to 10 on the Lower Neosho and Marais des Cygnes otter management units and from two to five on the Verdigris and Missouri units. I gave a presentation on otters specifically a couple of meetings ago. They are doing well and damage concerns related to otters are fairly common. An employee at Lovewell said they saw a female otter with five young, so they are pretty widespread in the state and on the increase. When they get into people's ponds, they are not too happy about it. Their impact on ponds is not always negative but sometimes it is. This is the fifth time I have presented these regulations and we hope to have a vote on these recommendations to the Commission in time for them to go into effect this season. They are caught up in the legislative review process. Once that is completed there will be a 60-day public comment period for 115-5-1 recommendation and 30-day for 115-5-2 and 25-11. It is uncertain as to when you will have an opportunity to vote on these but we are going to keep presenting them and hopefully vote occurs in time to be enacted for this season.

5. Public Land Regulations – Ryan Stucky, public lands assistant director, presented these regulations to the Commission (Exhibit N). Talked to chief counsel, Dan Riley, about how many times a regulation gets worked. Basically, they are hung up in our external process with DofA so we don't know how many more times they will be workshopped. The four I am presenting today have been workshopped three times, so I won't go over all the details just the main points.

KAR 115-8-23, baiting. It outlines baiting and restrictions on department lands. We are recommending that we prohibit placing bait on any department lands and WIHA and iWIHA for any activities. This would not apply to licensed furharvesters that trap on public lands. Talked a lot this morning in our round table discussion on CWD and this regulation change parallels or CWD talks and trying to help slow that spread

KAR 115-8-9, our camping regulation on covering camping restrictions on department lands and waters. On public lands, state fishing lakes and wildlife areas we are seeing influx issues with vagrant homeless folks living on wildlife areas and state fishing lakes. It has caused a lot of extra law enforcement issues and is also a deterrent to our regular users. We are recommending reducing the number of consecutive camping days allowed on state fishing lakes and wildlife areas from 14- to 7-days. This would not affect state parks. Keeping track of someone who is there on our areas for 14 days is very difficult for us to do on random patrols. At state parks they have camp hosts and regular patrol. It is troubling to keep track of these folks but when they do come in and set up residence they start accumulating things and it is hindering what our vision and purpose is of these recreational areas. After talking with most of the managers around the state they all recommended this 7-day opportunity would be plenty. And we decided if someone is there wants to stay past the 7-days that manager could give them that option. It still allows 14 days with managers' approval. Along with that, when we allow these folks to come in and set up residence not for the purpose of recreating they are having some trouble in their life. Instead of

enabling them and allowing them to stay there maybe they should watch closer and keep them in place where they could get that help and support from programs, so that is other aspect to that. Commissioner Cross – Is there a maximum time? Stucky – Currently 14 days, with permission from manager they can extension of another 14 days for 28 total. That is still in place for state parks. We would have at state fishing lakes and wildlife areas, 7-day and, with permission of manager, a possibility of another 7 days for 14-day total. Then you have to leave the property for five days. Mantle – Is that per individual for time limit? One family member reserves it for seven days and another family member will come along and reserve for another seven days. Stucky – Reservations are different than we are talking about. Mantle – It is still camping. Stucky – If you set up campsite you will be able to stay for seven days, currently 14 days. If a family member comes in they can camp there but if you come in and set up a campsite you would have to take your property and leave after the allotted time. Mantle – What if it is joint property? Stucky - If you bring it in you have to take it out. Mantle – They are going to try. Stucky – I have seen it all. KAR 115-8-25, this is a new proposed public land regulation to address trail cameras, game cameras or other devices. Currently, no regulation that covers trail or game camera and other devices regulation on department lands and waters. Our recommendation is that they not be allowed. Again, this applies to WIHA and iWIHA properties. Stuart, in the last three presentations, has talked about fair chase and Model of Wildlife Conservation and how technology has grown and he has visited with folks from other states and why they have implemented these regulations. He has done due diligence with staff, managers, law enforcement and biologists in looking at this. Our recommendation is they not be allowed on department lands and waters. Schrag – Only other thing was satellite imagery as part of the regulation, subsection (b) no person shall use images of wildlife produced to transmit it from a satellite in addition to regular trail cameras. This is a new regulation.

KAR 115-8-1, public lands special use restrictions reference document. The first section is under refuges, addition to Cherokee Lowlands Wildlife Area, Perkins East and Bogner Center tracts. Daily hunt permit section, having all public land properties be in electronic check-in and check-out system. We have done trials around the state, our staff is pleased with results and rest of staff that did not have them on their properties are now requesting that they do. This is for hunting only. There would be two properties for all activities, Buck Creek and Noe Wildlife Areas. Three areas are excluded, Maxwell Wildlife Refuge, Big Basin Prairie Preserve and all state park properties. Commissioner Sill – What is penalty for being checked in but not on the property? Schrag – For instance someone checks in and goes home and forgets to check out they get an email. Commissioner Sill – I know, it took me three days to get checked out. I am thinking of people who may be hunting multiple areas adjacent to public lands and going back and forth, may be checked in but not on it at the moment. What is best? Schrag – Look at that on 24-hour basis, if going back and forth during the day we don't expect you to check out every time you cross the property line, if coming back that same day. Commissioner Sill – Can you be checked into two areas at the same time? Schrag – I don't believe so; you have to check out from one before the system will let you check into another. Stucky – Some people check in ahead of time because they don't have service or have poor service, check-in early when they have service but may not be there/ Schrag – We had a select few in the past as part of iSportsman check-in, check-out system, mostly for waterfowl reasons. If this is approved we are going statewide with this and a lot of properties. Having the new system with Brandt we will work closely with them deciding we add all properties at one time or some at a time regionally or whatever the case may be. The thought process is working with Brandt to facilitate the best implementation of this moving forward. Commissioner Sporer – Are there any penalties for not checking in? Schrag – It is a misdemeanor in our regulation and can be cited for such, however we try to take an educational approach to begin with. There could be varying reasons why they didn't or couldn't

check in. what we have seen over the years is there are certain individuals that use these properties who blatantly don't want to check in so we focus on enforcement of those folks but the majority we are trying to educate why this information is so important to us. Ultimately it helps us provide better management and better decision making, not only on public lands side of things but as we talked about waterfowl issues, this data is important. Yes, someone can be cited for not checking in. Unknown Audience – Can I ask question about public ground and WIHA. If you have a navigable river, like the Arkansas River, who owns that? Stucky – I believe the Secretary of State office monitors that property. Audience – Is it okay to bait along the Arkansas River for deer? Riley – Technically we don't have any jurisdiction over it so we can't say. That is not exactly the answer to your question, but we don't control it so regulations we are talking about only applies to land we manage. Audience – Which land. Stucky – Department owned and that includes WIHA. Riley – We don't own WIHA but have control over it. Audience – so it is legal to hunt on state ground? Riley – The regulation you heard don't apply unless it is land we have control over. You need to ask whoever has control of the land, ultimately the Secretary of State's office. Schrag – We currently prohibit baiting on department lands and waters, but there was some verbiage in the regulation that allowed people to place it prior to this. It said, "No person shall place, deposit, expose or scatter bait while hunting or preparing to hunt on department lands..." What our officers found out was that people were using that as an excuse to place bait for wildlife viewing or photography but hunting over it. So, we just made a blanket statement that you can't bait on department lands, period.

Chairman Lauber – Public items need to be publicly heard at time published, which is this evening. Because of the aforementioned problems in Department of Administration our 30 days isn't up today but is tomorrow morning. That is why we will have to vote on those tomorrow but have discussion today. Tomorrow morning on the Zoom call we will authorize anyone from public who wants to have any discussion on them speak. Don't expect there to be any. The workshop item Levi has on big game permit applications, I don't see any reason we can't have it now rather than when we reconvene this evening.

6. KAR 115-4-11 Big game permit application - Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit O). This is big game and wild turkey permit applications. This is to address potential point creep for pronghorn. Currently, a hunter can apply for a firearm or muzzleloader pronghorn permit and get a point if they don't draw and still be able to get an over-the-counter archery permit. We want to modify this so that they can either apply and get a permit for firearm/muzzleloader or get that preference point or they can get an archery permit over-the-counter and would not get that point if they did not draw a firearm permit. That is to minimize that due to increase of folks hunting pronghorn and also get a point. If we continually see pronghorn numbers reduce we may have to reduce some tags and this would exacerbate that. People can still get a tag and a point at the same time. This regulation would modify so a pronghorn hunter must either get an archery permit or apply for a limited draw permit. They would not be able to apply for firearm/muzzleloader and buy a preference point, or buy a preference point and purchase an archery tag during the same season. Commissioner Sill – Do preference points have a time frame on them? In other states you don't buy a preference point every year or apply or you risk losing what is there. Do we have requirement like that? Jaster – Yes, we have a limitation that if you do not purchase a point or apply for the draw and get a point if unsuccessful every five years you will lose points. You cannot get a point for four years but you have to do something fifth year to keep it.

Chairman Lauber – Someone who does a lot to keep the Commission informed and involved is Jason and I appreciate all he does for us. I often ask him to do something for me or send me an

email for something. He is responsible for the communications that comes out to all of us Commissioners. I appreciate him. You will also notice that Delia Lister is attending her first meeting and we are glad to have her on the Commission. I think she will be a welcomed and productive member. We got to know each other over lunch today. She has a lot of knowledge about buzzards. Lister – Turkey vultures. Chairman Lauber – It is time to recess the meeting and reconvene at 6:30 p.m. We will discuss the two public hearing items tonight; however, we will not vote on them until tomorrow's Zoom meeting. I hope we can get this resolved, but don't know what we can do. We are stuck with slow pace that a lot of people are involved in. Dan Riley – I promise I won't display the rant I did at the last Commission meeting; I will restrain my comments about the process and the legislature. The primary reason for our abnormal agenda on those two regs is the fact that the publication deadline for the register is on Thursday. They were submitted for publication in a timeframe that would have given us 34-35 days' notice as of today, unfortunately at the same time the fiscal year ended, and I was not aware that the Secretary of State's office pushes back all their deadlines to accommodate end of fiscal year. What happened was Thursday deadline was moved back to Monday. One day makes all the difference. We have 29 days of notice on those two regulations which require 30. Fortunately, our agenda always has a next day provision built in there. I don't know when that originated but it always mentions the fact that potentially, if business is not completed, the meeting may be readjourned on the next day which is exactly what we are going to do tomorrow to allow anyone who has a day 30 comment to make that and to vote on those. Hopefully the things that caused the process to move so slowly will be corrected. Some of the pressure put on the system by forces outside of the system are causing a lot of the problem. It has always been a laborious process, the reg promulgation process has always been famous for taking a lot longer than it seems like it should. The slow-down in last few months has been problematic, for not just us, but other agencies also. Some of the agencies are having problems are some of the agencies involved in the process. The Secretary of State's office had a tremendous backlog on regulations they need to have in place for voting this week and they had problems getting theirs through the process too. It is not just us and something we hope will improve. I promise you will have a slug of regulations at the next meeting for approval, seven next time, many of the ones you have heard workshopped over and over again. We will dispatch quite a few at September meeting. Many of the ones you heard discussed today are in various stages in the process. Have a few at the Department of Administration, the public lands ones and another batch that has moved onto the Attorney General's office. Matt's furbearer regs are in stage two of the process. Typically, a batch will be entered and will move through the process as a unit but certain regulations seem to slow things down. So, I am breaking them up now and moving them through in smaller groups and consequently will have them scattered out now. I am open to trying anything to see what works best and hopefully will get it loosened up and rolling. I apologize for complicated agenda bifurcated over two days. Under the circumstances those regulations need to be heard at this meeting because of the timeframe of the seasons coming up. Levi's regs needed to be heard at August meeting so our only option was to accommodate the way we have. Chairman Lauber – At next meeting in Chanute, are you planning to have a meeting in morning as well or look at Neosho or what? Secretary Loveless – Haven't finalized that. We talked about two options. One was if people choose they could come the day before to Neosho Wildlife Area and then morning technical session in Chanute. We haven't finalized yet. Chairman Lauber – What are you proposing for the topic? Secretary Loveless – It is a turkey conversation. If that continues to be valuable sessions like this morning to the Commission, we would like to continue that. We see an opportunity to provide a lot of good information that we normally can't. If you still think it is valuable we think it is too. Turkey in morning and if people want to come early to see Neosho we have a lot to showcase down there the afternoon before. Assistant Secretary Schrag – Travis and Monte at Neosho are ready and prepared and excited to have you there. We are planning on

that tour the day before and will finalize those details. Regulatory process is creating new challenges. One of the things last week is a lot of these may be voted on and passed during open seasons, after hunting regulations have already gone to print We are going to have to make a concentrated effort to get the word out on changes to the regulations. We have discussed that internally, maybe on the web page or the new Brandt app. I wanted to let you know that has already discussed and taken into consideration with this new process for getting regulations passed.

Mantle – On Native American issue, you changed it from one-eighth to one-sixteenth to have a hunting and fishing license. You said by tribal roles, why not DNA? Chairman Lauber – We don't do DNA. Mantle – You can get tests and have DNA done. Chairman Lauber - If on tribal role they have made that determination and we didn't need to second guess them. Dan Riley – The change was made for consistency standpoint because we found the tribal roll conducts the determination and no one is on the tribal roll unless they meet that criteria. So, rather than us trying to determine somebody's lineage and percentage, we rely on tribe's determination.

**VII. RECESS AT 4:08 p.m.**

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

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

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

Lynn Bixler – Glen Elder, fishing is poor, guide services has ruined lake on catfish. The guides pour soybeans in the lake, bring in pontoons with 8-10 guys on them and last week they pulled in 900 catfish the guide told me. They have 3-4 pontoons at a time doing this. These chum piles are all over the lake. This needs to be stopped. I fish at Milford, a guide there on blue catfish and channel catfish but no baiting. A lot of fish there. All you can catch at Glen Elder is drum, depleted catfish and can't get on the rivers up here anymore, they put posts out. I am 70 years old. Like to fish the river too. Boulder Park boat ramp is completely shot, have to be careful how you drive on it because the middle is out of it. Walleye fishing is poor, just like Cheney and other lakes, catch them when they are spawning and don't have good walleye like we used to. Daughter and son-in-law from Minnesota says you can't fish when spawning. I am a catfish fisherman. Caught a lot of whitefish at Milford on the Republican River, caught four and we let them go. Caught 40-pound blues at Milford and we turn them back. From one to 24 we can eat them but bigger ones have to be turned back. Glen Elder has no rules on any of this chumming. Guides have their own houses they put people in and come up give them \$125 to \$150 a day to fish and come home with a sack of fish every day. I don't think that is right. Chairman Lauber – Our biologists will review that. Bixler – I just want you to realize what is going on, there is 8-10 cars parked up there every day to go fishing. Guy at marina used to be a guide too. It is a chummers lake, so fish caught out of there. Think about this. It is like fishing in a rain barrel, drop line with a little cheese, or soybeans in this case, and you have them in the boat. Not the way to fish. Like hunting up here, get pheasants for \$10 to \$15 a piece, put them in a clump of grass and dogs sniff them and you shoot them, not very good. I wanted to bring to your attention. Chairman Lauber – Thanks for your input.

**VI. DEPARTMENT REPORT**

**D. Public Hearing**

Chairman Lauber – We will hear public hearing items now and vote tomorrow.

*Notice Form (Exhibit P).*

6. KAR 115-25-9a Deer; open season, bag limit, and permits; additional considerations; Fort Riley (military subunits) – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit Q).

Fort Riley is asking for adjustment of dates for their rifle season, same number of days as usual. Firearm season dates are November 25-27, 2022, December 17-23, 2022, and December 26-27, 2022. They are only going to allow one antlerless permit for whitetail deer at the Fort. Has asked for additional archery days, September 1-11, 2022 and January 1-31, 2023 for those individuals authorized by the Fort, typically those individuals who are going to be either deployed or coming back from deployment. They want to close the pre-rut season and replace that with additional youth and people with disabilities, from October 8-10, 2022. They will be closed for extended firearm antlerless-only season in January.

Fort Leavenworth has requested the firearm season, November 12-13, 2022, November 19-20, 2022, November 24-27, 2022, December 3-4, 2022, and December 10-11, 2022, again the same number of days. They would like to be in the longest extended firearm season, January 1-22, 2023. Also, participate in extended archery season, in Unit 19 from January 23-31, 2023, for antlerless whitetail deer; and want to be able to use up to five whitetail antlerless-only permits in their subunit 10a.

Smoky Hill has requested to have same season as statewide deer hunting seasons as set in KAR 115-25-9 and they want the five, whitetail deer antlerless-only permits, same as Unit 4.

Chairman Lauber – We will vote on this tomorrow morning.

2. KAR 115-25-20. Sandhill crane; management unit, hunting season, shooting hours bag and possession limit and permit validation – Richard Schultheis, migratory game bird biologist presented this regulation to the commission (Exhibit R). This is straightforward change to this regulation and has to do with sandhill crane. The only change to the regulation is on the second page. Changing wording of that requirement for the annual online sandhill crane identification examination to be completed before hunting versus before you purchase the tag. This primarily has to do with our new system and online system and online purchasing of permits and it makes sense to make requirement before hunting, which was the intent of the regulation before.

Chairman Lauber – We will vote on this tomorrow.

## **XII. OLD BUSINESS**

## **XIII. OTHER BUSINESS**

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

Chairman Lauber – Our next meeting date is in September in Chanute. Our next meeting date is actually tomorrow at 9:00 am. Commissioner Escareno – We are having a pre-meeting the day

before? Chairman Lauber – That is our intent, yes. Secretary Loveless – We will go to Neosho Wildlife Area, so we will get that information out to you.

*September 8, Chanute, Holiday Inn Express*

*November 17, Colby, Colby Event Center*

*January 12, Wichita, Great Plains Nature Center*

#### **XIV. ADJOURNMENT**

Adjourned at 6:44 p.m.

**Kansas Department of Wildlife and Parks  
Commission Meeting Minutes  
Friday, August 5, 2022  
Dillon Nature Center  
3002 E 30<sup>th</sup> Ave, Hutchinson, KS  
including a  
Virtual ZOOM Meeting Option**

Subject to  
Commission  
Approval

**XV. RECONVENE AT 9:00 a.m.**

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

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

*None*

**XVIII. DEPARTMENT REPORT**

Chairman Lauber – We had no calls, inquiries or comments to yesterday’s meeting. Jason Dickson – None.

6. KAR 115-25-9a Deer; open season, bag limit, and permits; additional considerations; Fort Riley (military subunits) – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit Q).

Chairman Lauber – We have already heard that. Levi is here do we want him to discuss that or go from last night’s discussion and have a vote? I propose we take last night’s discussion and go for a vote. Need a motion that KAR 115-25-9a be approved as presented.

**Commissioner Troy Sporer moved to approve KAR 115-25-9a, Commissioner Lauren Sill seconded.**

**The roll call vote to approve KAR 115-25-9a as recommended was as follows (Exhibit S):**

<b>Commissioner Cross</b>	<b>Yes</b>
<b>Commissioner Escareno</b>	<b>Yes</b>
<b>Commissioner Gfeller</b>	<b>Yes</b>
<b>Commissioner Lister</b>	<b>Yes</b>
<b>Commissioner Sill</b>	<b>Yes</b>
<b>Commissioner Sporer</b>	<b>Yes</b>
<b>Commissioner Lauber</b>	<b>Yes</b>

**The motion to approve KAR 115-25-9a as presented passed 7-0.**

2. KAR 115-25-20. Sandhill crane; management unit, hunting season, shooting hours bag and possession limit and permit validation – Richard Schultheis, migratory game bird biologist presented this regulation to the commission (Exhibit R).

Chairman Lauber – Regarding sandhill cranes. We have had this workshopped quite a bit and had discussion last night under public hearing. I would like a motion for approval of KAR 115-25-20 as presented.

**Commissioner Troy Sporer moved to approve KAR 115-25-20, Commissioner Warren Gfeller seconded.**

**The roll call vote to approve KAR 115-25-20 as recommended was as follows (Exhibit T):**

<b>Commissioner Cross</b>	<b>Yes</b>
<b>Commissioner Escareno</b>	<b>Yes</b>
<b>Commissioner Gfeller</b>	<b>Yes</b>
<b>Commissioner Lister</b>	<b>Yes</b>
<b>Commissioner Sill</b>	<b>Yes</b>
<b>Commissioner Sporer</b>	<b>Yes</b>
<b>Commissioner Lauber</b>	<b>Yes</b>

**The motion to approve KAR 115-25-20 as presented passed 7-0.**

Chairman Lauber – That is all the business we have. You all understand that we didn't have much choice but to have this vote today in the event that somebody had public comment within the 30 days that expires today. I am going to adjourn the meeting. See you all in September.

### **XIII. ADJOURN**

Dan Riley – Thank you.

Meeting adjourned at 9:05 am.

**We will recess on August 4, 2022, to reconvene August 5, 2022 via zoom for the vote on the public hearing items, at 9:00 a.m., at the same location to complete their business. Time will be made available for public comment. If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter, call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911. The next commission meeting is scheduled for Thursday September 8, Holiday Inn Express, Chanute, KS.**

# **Secretary's Remarks**

**Agency and State Fiscal Status**

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

# **General Discussion**

## **KAR 115-25-7**

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

#### **Background**

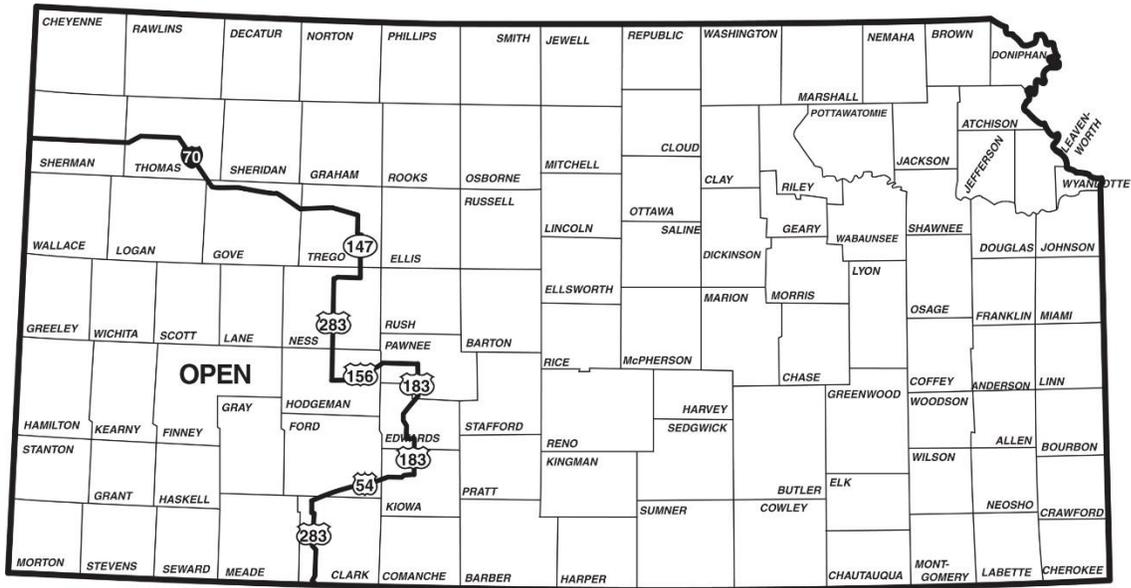
This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for pronghorn antelope.

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.

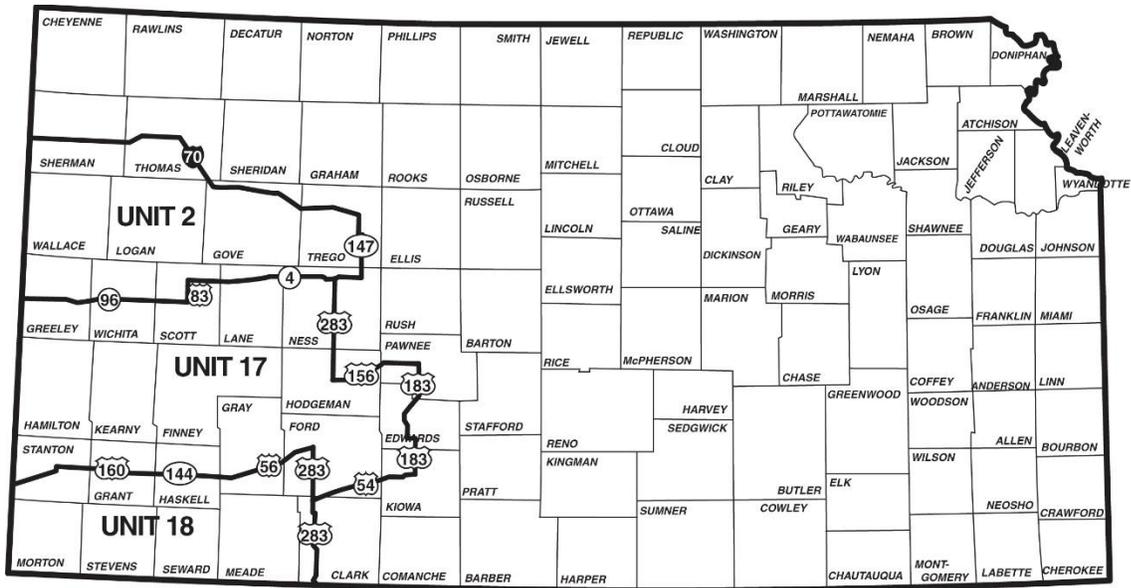
#### **Discussion & Recommendations**

Poor production in Kansas and rangewide have caused apparent declines in pronghorn populations in many areas. In Kansas this year, this can be partially attributed to drought. As such, the Department is considering several approaches to reducing harvest. Limited permit allocations are easily reduced, but unlimited archery permits require other actions. We have a proposed regulation change under consideration in a different regulation (K.A.R. 115-4-11) that would remove the opportunity for hunters to both purchase an archery permit and obtain a preference point for a future limited draw (firearms or muzzleloader) permit. For this regulation, we are considering a recommendation to eliminate the late archery season which accounts for about 8% of the archery harvest. Following the upcoming 2022 harvest season and winter population surveys, we will also consider whether to issue any limited draw permits for Unit 18 in 2023. We expect that other aspects of this regulation including season structure, bag limits, and permit types will remain consistent.

# Archery Pronghorn Unit



# Firearm, Muzzleloader Pronghorn Units



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

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

#### **Background**

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

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

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

#### **Discussion & Recommendations**

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

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

The proposed season dates on Fort Riley are:

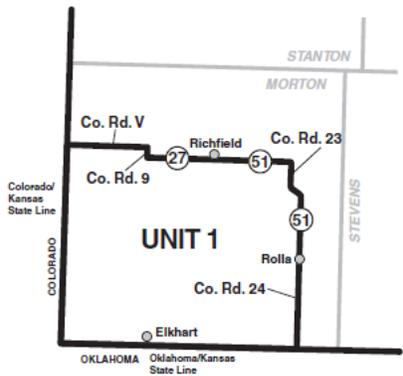
- a) September 1-30, 2023 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2023 for the firearms season.
  - a. Any elk permits are valid during all three months.
  - b. One-third of the antlerless only permits valid during each of the following segments:
    - 1) First segment: October 1-31, 2023.
    - 2) Second segment: November 1-30, 2023.
    - 3) Third segment: December 1-31, 2023.

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

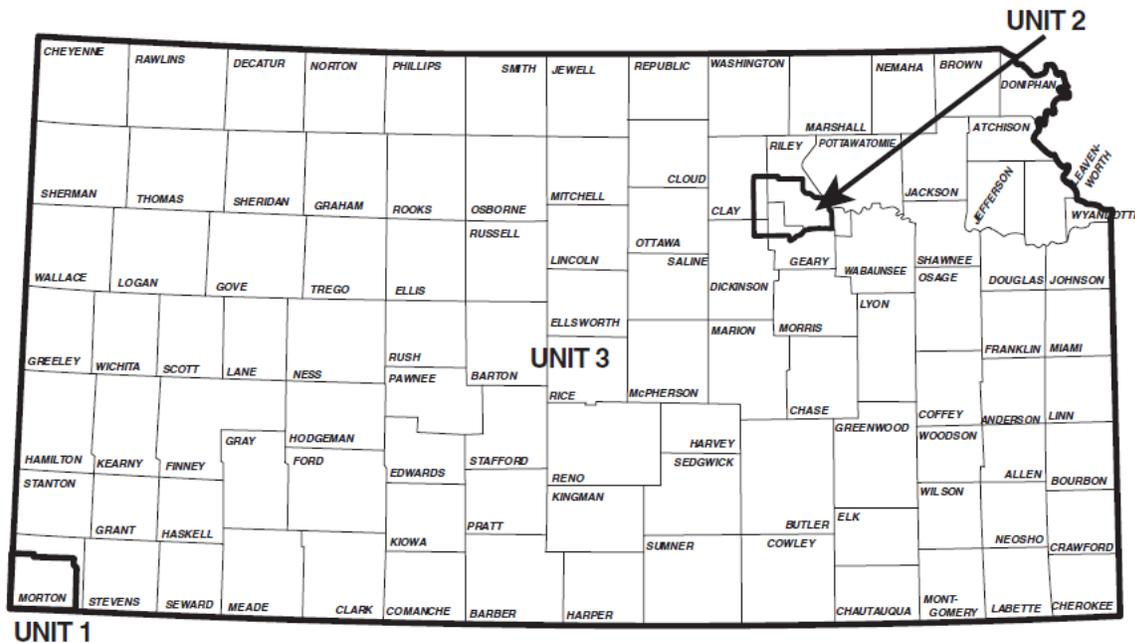
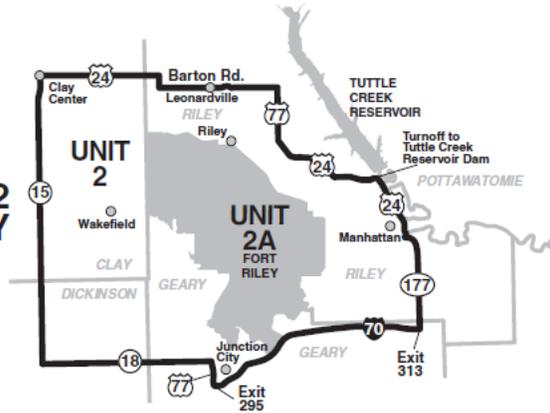
- a) September 1-30, 2023 for the muzzleloader season.
- b) September 11-December 31, 2023 for the archery season.
- c) August 1-31, 2023, November 29-December 10, 2023, and January 1-March 15, 2024 for the firearms seasons.

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



# **Workshop Session**

## **VI. DEPARTMENT REPORT**

### **C. Workshop Session**

#### **1. Big Game Permanent Regulations.**

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

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

#### **Background**

This regulation contains the following items:

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

#### **Discussion**

In 2020, changes to this regulation included modifying proof-of-sex regulations for antlerless deer and elk to allow hunters to voluntarily help prevent spreading chronic wasting disease by leaving the most infective parts of a carcass, the head and spine, at the site of harvest.

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

#### **Background**

This regulation contains the following items:

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

## **Discussion**

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

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

## **Background**

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

## **Discussion**

Recent changes were implemented to correct this regulation for recent road name changes that occurred on the boundary roads of some management units.

### **d) K.A.R. 115-4-11. Big game and wild turkey permit applications. FY2023 big game regulation review cycle.**

## **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**

Recommended changes to the pronghorn application and lottery procedures introduced during the 2022 fiscal year regulation review cycle are under current Commission consideration for implementation during fiscal year 2023. Potentially, other additional recommendations may be developed and presented to the Commission for consideration for implementation as part of the fiscal year 2023 big game permanent regulation review cycle.

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

## **Background**

This regulation contains the following items:

- Creates permit types that include:

- White-tailed deer, either-sex (WTES) permit or white-tailed deer antlerless only (WTAO) permit for residents of Kansas. These permits are valid during all seasons with equipment authorized for that season.
- White-tailed deer, either-sex permit for nonresidents valid for one equipment type and one unit. Nonresident hunters may designate one adjacent unit where they may hunt.
- Either-species, either-sex permit, restricted to a season or seasons and units where they may be used by resident and nonresident deer hunters.
- Hunt-on-your-own-land permits, including resident HOYOL, nonresident HOYOL, and special HOYOL permits for certain direct relatives of the landowner or tenant.
- Each deer permit is valid only for the species and antler category specified on the permit.
- Antlerless deer are defined as a deer without a visible antler plainly protruding from the skull.

### **Discussion**

Starting with the 2016 season, Either-species Antlerless Only Permits (ESAO) were no longer issued in Kansas. This was done to address the changing mule deer population to reduce harvest of female mule deer. Mule deer population status in other DMUs within the East and West mule deer hunt zones currently are stable at low density or in decline.

## **VI. DEPARTMENT REPORT**

### **C. Workshop Session**

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

##### **Background**

The regulation contains the following items:

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

##### **Discussion**

Annual adjustments will be made in the deer hunting season dates. This review process initiates the discussion of potential changes in deer hunting seasons for 2023-2024. The recommendations currently follow the traditional season structure.

##### **Recommendation**

The proposed season dates suggested for deer hunting during 2023-24 are as follows:

Youth and Disability	Sept. 2, 2023 – Sept. 10, 2023
Early Muzzleloader	Sept. 11, 2023 – Sept. 24, 2023
Archery	Sept. 11, 2023 – Dec. 31, 2023
Pre-Rut WAO	Oct. 7, 2023 – Oct. 9, 2023
Regular Firearm	Nov. 29, 2023 – Dec. 10, 2023
1 <sup>st</sup> Extended WAO	Jan. 1, 2024 – Jan. 7, 2024
2 <sup>nd</sup> Extended WAO	Jan. 1, 2024– Jan. 14, 2024
3 <sup>rd</sup> Extended WAO	Jan. 1, 2024 – Jan. 21, 2024
Extended Archery (DMU 19)	Jan. 22, 2024– Jan. 31, 2024

## **VI. DEPARTMENT REPORT**

### **C. Workshop Session**

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

#### **4. KAR 115-4-11 Big game and wild turkey permit applications**

#### **Background**

The 2022 spring turkey season was open April 1-May 31 and included 3 segments: youth/disabled, archery, and regular. The fall 2021 season was open October 1 to November 10. Hunting regulations are set within 6 management units for both spring and fall seasons (Figure 1).

For the spring 2022 season, 32,034 hunters purchased 39,692 carcass tags. Nonresidents accounted for 43 percent of Kansas' spring hunters. Estimated spring harvest was 12,893, a 22% decrease from 2021 (Table 1). Statewide spring hunter success declined to 40% (Table 1).

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

Turkey abundance in Kansas has been declining since the late 2000s (Figure 3). Nesting and brood rearing seasons in 2022 in eastern Kansas were likely been impacted by heavy precipitation in April and May with very dry conditions in June and July. In central and eastern Kansas, production was low in 2022. Production was low in most areas of Kansas in 2022. Reduced turkey production is a trend that has been noted throughout the Midwest in the past 15 years and is a primary concern as turkey populations decline across the region.

#### **Harvest Management**

The department utilizes an adaptive harvest strategy to help guide staff recommendations on wild turkey permit allotments during both the spring and fall seasons. The intent of the strategy is to maintain high hunter success in each management unit while maintaining relatively high populations. The strategy provides a consistent and transparent method of developing staff recommendations and includes a hierarchy of regulation packages for both the spring and fall seasons as well as established triggers for when and how changes to bag limits will be recommended. The strategy has been in place now for 12 years and includes data for the last 19 hunting seasons.

An analysis of the spring 2022 harvest data revealed that resident hunter success was below thresholds in all 6 hunt units during the spring season for two or more seasons.

## **Recommendations**

### **KAR 115-25-5      Fall season, bag limits and permits**

#### **Unit 2 boundary definition**

Upon review, a slight language adjustment will need to be made to correctly define Unit 2 as described in KAR 115-25-05:

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-~~81 183~~, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 2.

#### **Fall bag limits**

The number of fall turkey hunters statewide has decreased substantially since 2015, at a rate of approximately 20% per year. Estimated annual statewide fall harvest is less than 500 birds. This reduced harvest is not likely to be a biologically significant factor at the statewide or unit levels.

**Staff do not recommend any bag limit changes for the fall 2023 season.**

In 2019, the statewide fall turkey season dates were reduced from October 1-January 31 to October 1-November 10, beginning in fall 2020.

**Staff do not recommend any season structure changes**, which would result in the following 2024 Fall Turkey season dates:

All Legal Methods      October 1–November 10

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### **KAR 115-25-6      Spring season, bag limits and permits**

#### **Spring bag limits and permits**

To reduce overall turkey harvest, **staff recommend reducing bag limits in Unit 1 (northwest) and Unit 2 (northcentral) from 2 birds to 1 bird.**

To reduce overall hunting pressure and reduce turkey harvest, **staff recommend reducing nonresident hunters by 25% in each unit by utilizing a draw system.**

Estimated number of active nonresidents in each hunt unit.

Year	Estimated Active Nonresidents						
	Northwest	Northcentral	Northeast	Southwest	Southcentral	Southeast	Statewide
2017	1,326	2,652	3,836	118	1,066	4,428	15,533
2018	972	3,392	4,178	103	1,324	4,488	14,912
2019	1,036	3,180	3,751	143	929	4,716	14,540
2020	290	618	733	39	328	849	3,011
2021	980	3,720	3,475	178	1,537	3,274	14,991
2022	643	3,235	3,324	44	1,241	2,637	13,383
5-Yr Avg (w/o 2020)	991	3,236	3,713	117	1,219	3,909	14,672
75% of 5-Yr Avg	744	2,427	2,785	88	915	2,931	11,004
75% (nearest 100)	700	2,400	2,800	100	900	2,900	11,000

In Unit 4 (Southwest), a resident-only draw with a quota of 500 is in place. **Staff recommend decreasing the quota to 375 (75%).** By state statute, if a draw is in place for residents, at least 50% of the quota must be offered for landowners. **Staff recommend setting the landowner quota for Unit 4 at 200 to ensure all landowners can hunt on their own property.** If applications are unfilled for landowner/tenants, they do become available for general resident applicants.

**Recommended nonresident quotas:**

**Non-resident draw, specific to the unit that is applied for, with the following quotas:**

- **Unit 1 (northwest) 700**
- **Unit 2 (northcentral) 2,400**
- **Unit 3 (northeast) 2,800**
- **Unit 4 (southwest) no nonresident permits (no change)**
- **Unit 5 (southcentral) 900**
- **Unit 6 (southeast) 2,900**
- Total available 9,700 (13,383 active nonresidents in 2022, 27.5% reduction)**

**Unit 4 Permits in Adjacent Units**

Currently, Unit 4 permits are valid in adjacent units—similar to draw deer permits. For several years, staff have heard from some residents in Unit 4 that they are no longer able to successfully apply for Unit 4 permits. Prior to 2018, most years did not see all permits allocated in Unit 4. Since 2018, the number of general resident applications has risen significantly. It is understood that some of these successful applicants take advantage of the adjacent unit allowance, especially when they also have a game tag. With the objective of ensuring Unit 4 residents have the utmost opportunity to successfully apply for a Unit 4 permit, **staff recommend removing the allowance of Unit 4 permits being allowed in adjacent units.**

## Season Structure

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

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

**Staff do not recommend any season structure changes**, which would result in the following 2024 Spring Turkey season dates:

### Spring

- Youth / Disabled      April 1 - 16
  - Early Archery        April 8 - 16
  - Regular Firearm      April 17 - May 31
- 

## **115-4-11      Big game and wild turkey permit applications**

Add text to create an application period in January-February for non-residents to apply for a specific hunt unit (Units 1, 2, 3, 5 or 6) in which to be entered for a draw and—if successful—to receive a permit valid for that hunt unit.

Table 1. Kansas wild turkey permit sales, total harvest, and hunter success for each of the last 5 seasons, 2017-2022.

Year	Spring			Fall			
	Permits & Game Tags	Total Harvest	Success (%)	Permits & Game Tags	Total Harvest	Hen Harvest (%)	Success (%)
2017	65,818	30,441	51	6,262	1,183	36	25
2018	60,545	22,639	43	5,475	1,275	35	30
2019	56,388	23,568	47	4,570	487	--	--
2020	32,324	12,645	46	3,459	--	--	--
2021	45,263	16,476	45	2,779	--	--	--
2022	39,692	12,893	40	--	--	--	--

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

Table 2. Spring turkey permit and game tag sales for 2021 and 2022.

Permit Type	2021	2022	Difference
Carcass Tags	45,263	39,692	-12.3%
Permit Buyers	35,587	32,034	-10.0%
Game Tags	9,676	7,658	-20.9%
Resident Permit Buyers	20,306	18,274	-10.0%
Nonresident Permit Buyers	15,281	13,760	-10.0%
Resident Game Tags	3,727	2,996	-19.6%
Nonresident Game Tags	5,949	4,665	-21.6%

Table 3. Spring turkey season resident hunter success (%), 2018-2022.

Year	Northwest (Unit 1)	Northcentral (Unit 2)	Northeast (Unit 3)	Southwest (Unit 4)	Southcentral (Unit 5)	Southeast (Unit 6)	Statewide
2018	37.8	41.8	37.3	37.5	44.3	35.5	36.9
2019	56.3	56.0	40.7	57.1	47.1	42.9	42.9
2020	61.1	58.2	45.7	69.6	44.8	37.7	45.6
2021	43.8	43.4	41.3	52.4	40.5	35.6	39.1
2022	25.0	39.2	39.9	50.0	39.1	34.2	35.9

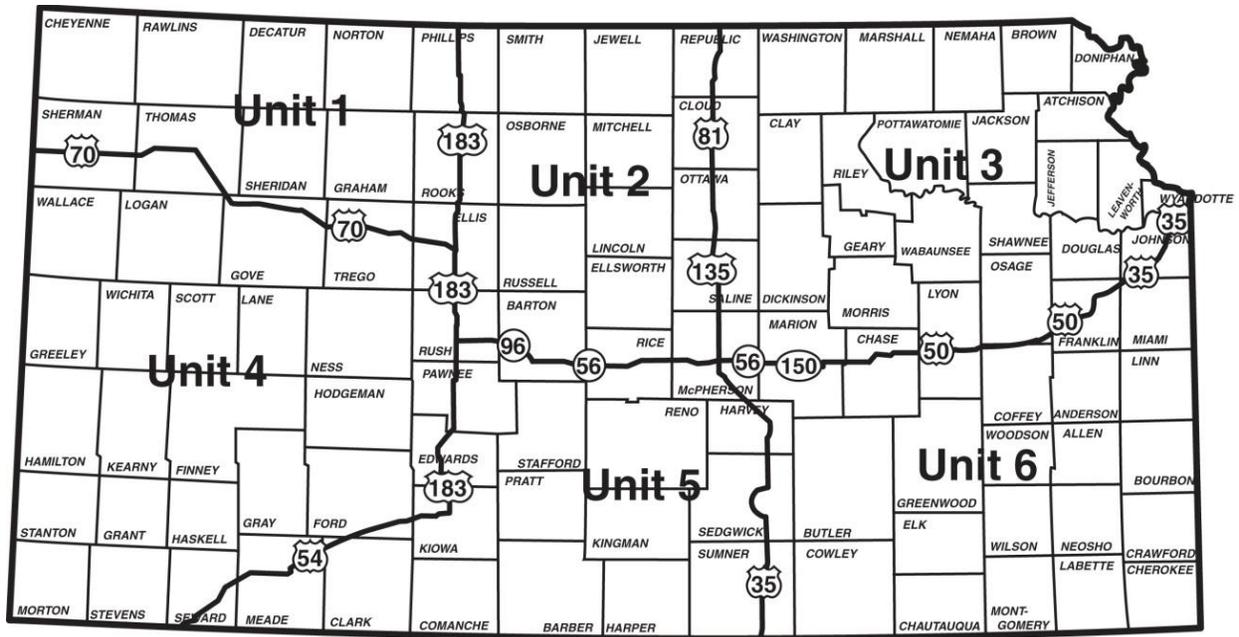


Figure 1. Kansas turkey hunt units.

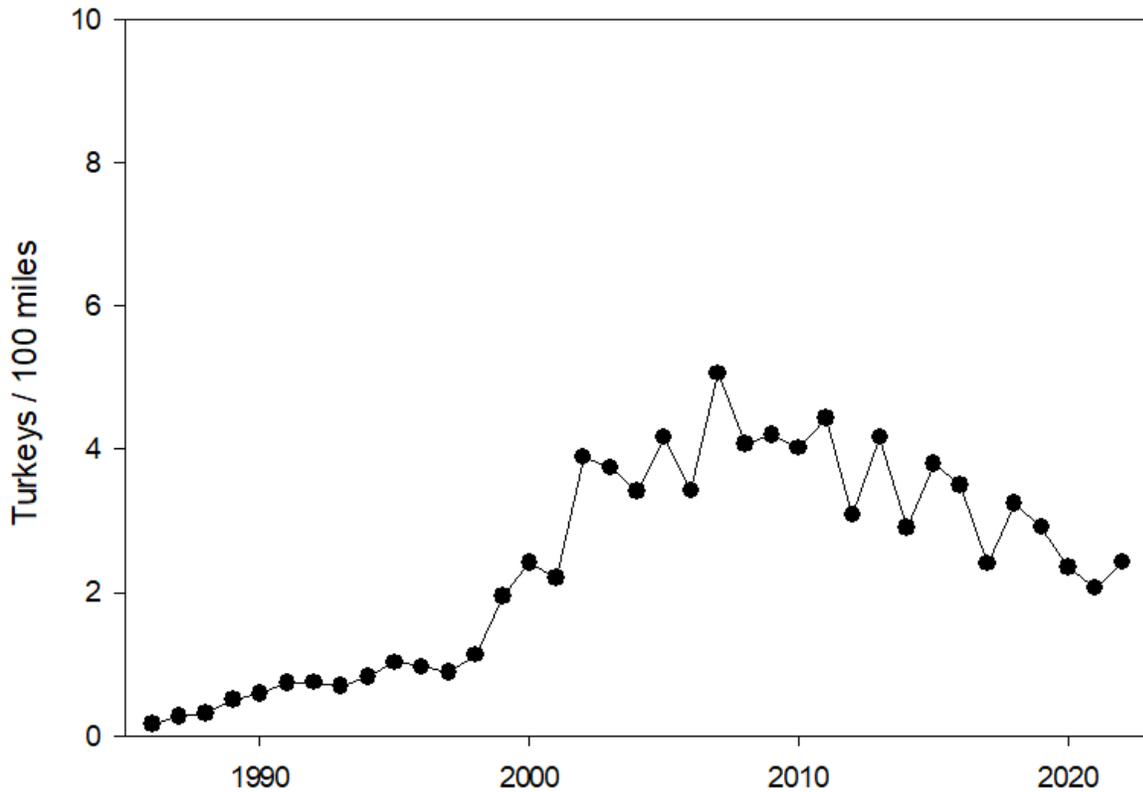


Figure 2. Statewide turkey spring rural mails carrier survey index, 1986-2022.

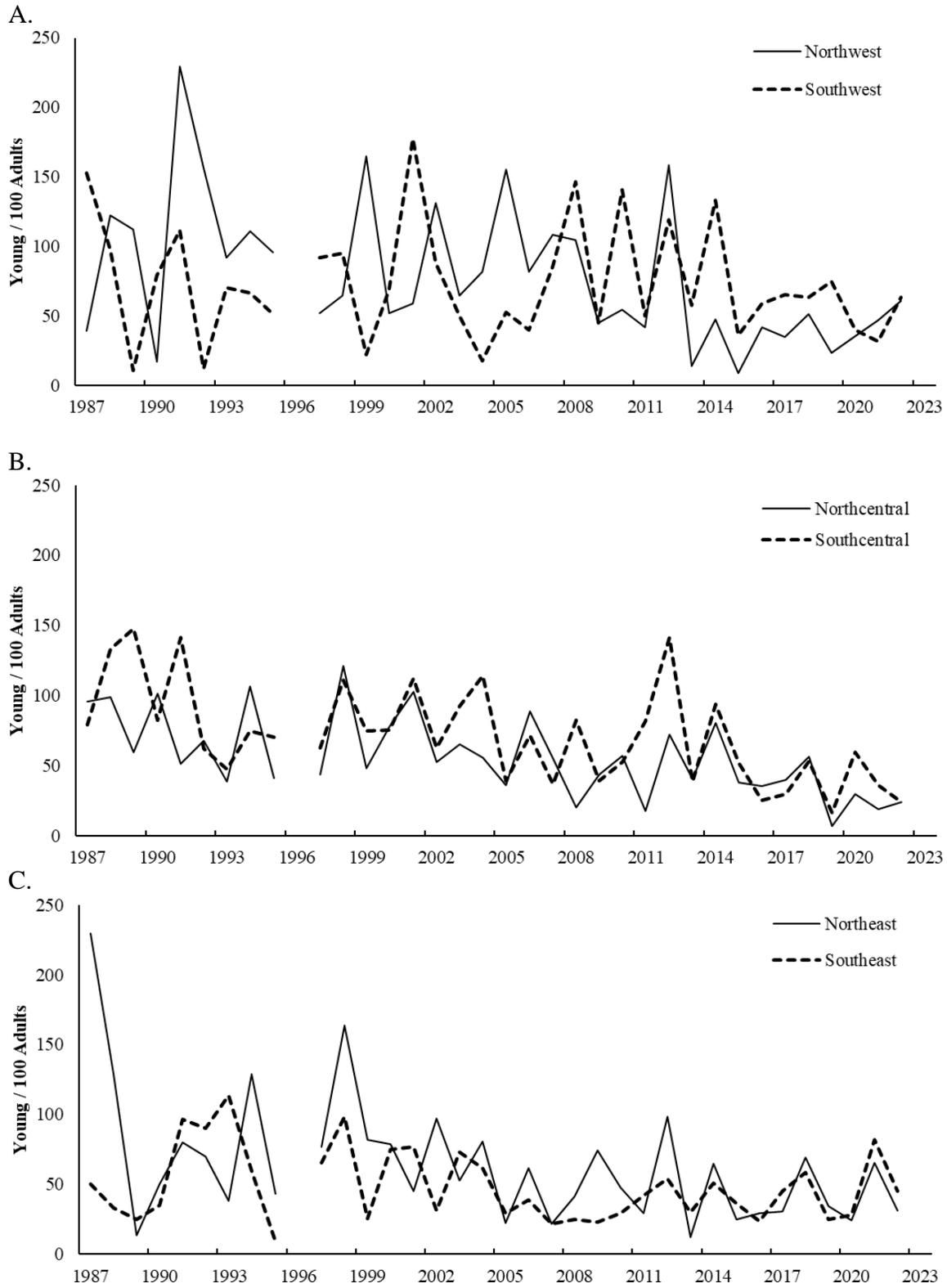


Figure 3. Turkey production indices for western (A), central (B), and eastern (C) Kansas, 1987-2022. Data from Summer Rural Mail Carrier Survey.

## **Commercial Harvest of Mussels**

A moratorium for the commercial harvest, salvage, and sale of freshwater mussels has been in place for nearly 20 years and is set to sunset on January 1, 2023. KDWP plans to revoke Regulations KAR 115-17-6, 7, 8, 9 and 14 related to the commercial harvest, salvage, and sale of freshwater mussels. A new regulation may be drafted specifically prohibiting the commercial harvest, salvage, and sale of freshwater mussels. One of the existing regulation numbers may be retained to insert this language.

## **Furbearer Regulations**

**KAR 115-5-Series; Furbearers and coyotes. KAR 115-6-1; Furdealers. KAR 115-13-4; Field Trial Permit, furbearer and coyotes. KAR 115-25-11; Furbearer seasons.**

### **Background:**

These regulations referencing furbearers are permanent regulations that are not considered every year. Most of these were last in front of the Commission in 2020.

### **Discussion and Recommendations:**

#### **K.A.R. 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.**

- Furbearers treed with the aid of dogs may be taken with handheld, battery-powered flashlight, hat lamp, or handheld lantern. We would like to allow laser sights to be used as well.

#### **K.A.R. 115-25-11. Furbearers; open seasons and bag limits.**

- The general furbearer season currently runs from the first Wednesday after the second Saturday in November (which is the Wednesday after the upland bird opener) through February 15. We would like to extend the closure of the furbearer season through the last day of February.
- We recommend increasing the season bag limit of otters from 5 to 10. We recommend increasing the unit bag limit in the Lower Neosho and Marais des Cygnes Units to 10 and the Verdigris and Missouri Units to 5. The population is healthy and established to the west of these units. Demand for additional harvest is high at times, particularly related to damage concerns, and we would like to allow legal harvest to be used in these situations to greater degree. Like muskrats and beavers for which harvest is unlimited, otters will always be scarce or absent in the state where water is lacking. This change will allow those who live in areas where otters are common to better use the resource while not impacting otters where they are less abundant.

# OTTER MANAGEMENT UNITS

Trappers may take up to 5 otters in any combination of units as long as they do not exceed the unit bag limit in any unit.

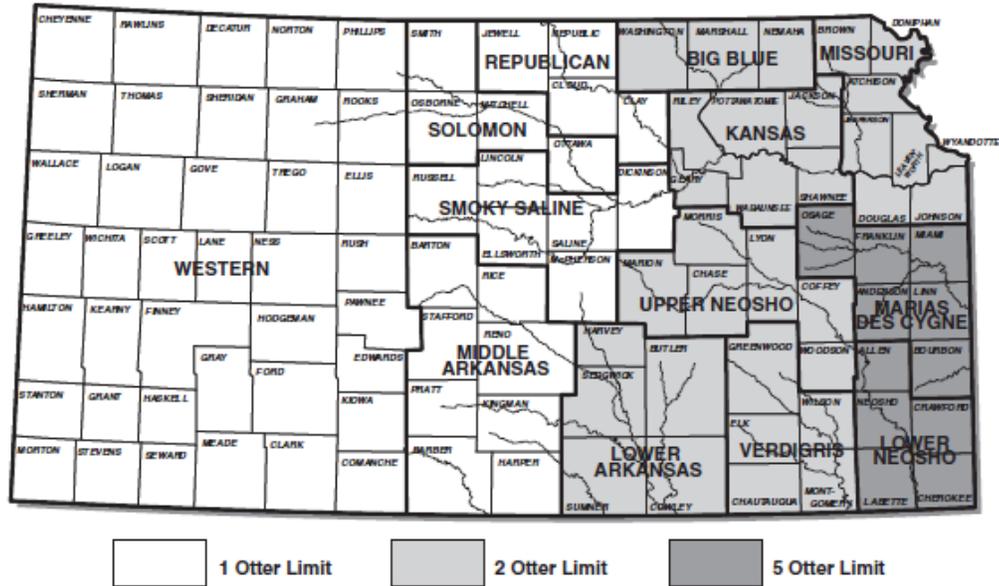


Figure 1. Otter Management units and associated unit bag limits

## Workshop Session #5

### Public Lands Baiting Regulation

September 8, 2022

**KAR 115-8-23**

#### **Baiting**

##### Background:

This regulation outlines the provisions and restrictions of baiting on department lands.

##### Discussion:

Department staff have discussed amending this regulation to prohibit baiting on department lands and waters for **all activities**, not just for hunting or preparing to hunt as the current regulation states. Department officers are reporting a trend of bait being placed on department lands and WIHA for “wildlife viewing or photography” with the bait being hunted over.

##### Recommendation:

The Department recommends adding language to the existing regulation that would prohibit placing bait on department lands and WIHA/iWIHA for all activities.

This would not apply to licensed furharvesters as permitted in KAR 115-5-1.

**115-8-23. Baiting; ~~hunting~~.** (a) No person shall place, deposit, expose, or scatter bait ~~while hunting or preparing to hunt~~ on department lands or place, deposit, expose, or scatter bait in a manner that causes another person to be in violation of this regulation.

**(1) This regulation applies to WIHA and iWIHA properties**

**(2) This shall not apply to licensed furharvesters as permitted in KAR 115-5-1.**

~~(b) Hunting shall be prohibited within 100 yards of any bait placed, deposited, exposed, or scattered on department lands. Bait shall be considered placed, deposited, exposed, or scattered on department lands for 10 days following complete removal of the bait.~~

~~(e)-(1)~~ (b) Nothing in this regulation shall prohibit the hunting or taking of wildlife over any of the following:

(A) Standing crops, grain found or flooded standing crops, including aquatic crops.

(B) standing, flooded, or manipulated natural vegetation.

(C) flooded harvested croplands.

(D) lands or areas where seeds or grains have been scattered solely as the result of normal agricultural planting, harvesting, postharvest manipulation, or soil stabilization practice; or

(E) standing or flooded standing agricultural crops over which grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed wildlife.

(2) The taking of wildlife, except migratory waterfowl, coots, and cranes, on or over any lands or areas meeting the following conditions shall not be prohibited:

(A) Are not otherwise baited; and

(B) have grain or other feed that has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, scattered solely as the result of normal agricultural operations, or scattered solely as the result of normal weather conditions.

(d) For the purposes of this regulation, “bait” shall mean any grain, fruit, vegetable, nut, hay, salt, sorghum, feed, other food, or mineral that is capable of attracting wildlife. Liquid scents and sprays shall not be considered bait. (Authorized by and implementing K.S.A. 2012 Supp. 32-807; effective July 20, 2012; amended July 26, 2013.)

## Workshop Session #5

### Public Lands Camping Regulation

September 8, 2022

#### **KAR 115-8-9            Camping**

##### Background:

This regulation covers the provisions and restrictions for camping on department lands and waters.

##### Discussion:

Department staff have discussed reducing the current 14-consecutive-day camping stay limit at state fishing lakes and wildlife areas. Area managers are faced with the ever-growing issue of vagrant and homeless people basically living at state fishing lakes and wildlife areas. This has required extra enforcement and maintenance man-hours combating the issues that arise. Degradation and destruction of the natural resources and conflicts with traditional users are growing problems, and there is also the financial burden associated with removing abandoned personal property left at this camping areas.

The main complaint from primary constituents is that they eventually avoid using these areas.

##### Recommendation:

The Department is recommending reducing the number of consecutive camping days allowed at state fishing lakes and wildlife areas from 14 to seven days.

This would NOT affect state parks.

Managers at state fishing lakes and wildlife areas would still have the discretion to post their campgrounds or issue a permit allowing 14-day camping, if warranted.

**115-8-9. Camping.** (a) Camping shall be allowed only in designated areas on department lands and waters and shall be subject to provisions or restrictions as established by posted notice.

(b) All campers and camping units **in state parks** shall be limited to a stay of not more than 14 consecutive days in a campground unless otherwise established by posted notice or as otherwise authorized by the department.

(1) Upon completing 14 consecutive days in a campground, each person and all property of each person shall be absent from that campground for at least five days.

(2) One extended camping stay of not more than 14 additional consecutive days at the same campground may be granted through a written permit issued by the department if vacant camping sites are available. Upon completing 28 consecutive days at the same campground, each

person and all property of each person shall be absent from the department-managed area for at least five days, except as authorized in subsection (b)(3).

(3) Long-term camping in state parks shall be allowed on designated camping sites for six consecutive months through a written permit issued by the department if vacant long-term camping sites are available. Upon completing six consecutive months at the same state park, each person and all property of each person shall be absent from the state park for at least five days.

(c) All campers and camping units **at a state fishing lake or wildlife area** shall be limited to a stay of not more than seven consecutive days ~~in a campground~~ **on that property** unless otherwise established by posted notice or as otherwise authorized by the department. **Upon completing seven consecutive days on the same property, each person and all property of each person shall be absent from the department-managed area for at least five days.**

(1) One extended camping stay of not more than seven additional consecutive days ~~at the same campground~~ **on the same property** may be granted through a written permit issued by the department if vacant camping sites are available. Upon completing 14 consecutive days ~~at the same campground~~ **on the same property**, each person and all property of each person shall be absent from the department-managed area for at least five days.

(d) Unless authorized by the department or located on a prepaid state park campsite reserved through the department's electronic reservation system, camping units shall not be left unoccupied in a campground for more than 24 hours.

(e) Except as ~~Unless~~ authorized by the department or located on a prepaid state park campsite reserved through the department's electronic reservation system, vehicles or other property shall not be left unattended upon department lands or waters for more than 24 hours.

(f) Except as authorized by the department, any property unoccupied or unattended for more than 48 hours, unless the property is on a prepaid state park campsite reserved through the department's electronic reservation system, and any property abandoned upon department lands or waters shall be subject to removal by the department and may be reclaimed by the owner upon contacting the department.

(g) A campsite shall not be left unoccupied in a campground for more than 24 hours, unless the department so authorizes, or the campsite is a prepaid state park campsite reserved through the department's electronic reservation system. (Authorized by and implementing K.S.A. 32-807; effective March 19, 1990; amended Feb. 10, 1992; amended Oct. 12, 1992; amended Sept. 12, 2008; amended Nov. 14, 2011.)

## **Workshop Session #5**

### **Public Lands Trail (Game) Camera Regulation**

**September 8, 2022**

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

#### **Trail (Game) Cameras and Other devices:**

##### Background:

There is no current regulation specifically addressing the use of trail cameras on department lands and waters nor is there any related regulation that would cover the use of trail cameras on department lands and waters.

This regulation would be a new Kansas Administrative Regulation (KAR) and would cover the provisions and restrictions for the use of trail (game) cameras on department lands and waters.

##### Discussion:

Department staff have been discussing the use of trail (game) cameras on department lands for several years. Research has been conducted as to what other states do or do not allow on public lands. Many Kansas public lands, including WIHA and iWIHA, are being inundated with trail cameras. Constituent reports of camera theft and misuse of trail cameras on public lands are on the rise.

Staff discussions have also considered the North American Model of Wildlife Conservation and the concept of fair chase, specifically, the use of new or evolving technology and practices that provide hunters with an improper or unfair advantage.

Other related discussion points included: conflicts in the field among public land users, the growing number of trail cameras on the landscape (monopolizing PL's), and the potential disturbance to wildlife of frequent visits to set and check trail cameras.

States with existing trail camera regulations include: Arizona, Nevada, and Utah (Private and public lands); Montana, New Hampshire, and Alaska (partial ban = no wireless or cellular cameras during any open hunting season)

##### Recommendation:

The Department recommends enacting this regulation prohibiting trail (game) cameras on department lands and waters.

**K.A.R. 115-8-25. Trail (Game) Camera's and other devices.** (a) No person shall place, maintain, or use a trail camera, or images and video, including location, time, or date from a trail camera on department lands and waters, for any purpose.

(1) This regulation also applies to WIHA and iWIHA properties.

(b) No person shall use images of wildlife produced or transmitted from a satellite for the purpose of taking or aiding in the take of wildlife or locating wildlife for the purpose of taking or aiding in the take of wildlife on department lands and waters.

- (1) This subsection does not prohibit the use of mapping systems or programs.
- (2) For this subsection, the definition of take is adopted as outlined in KSA 32-701.
- (3) This subsection also applies to WIHA and iWIHA properties.

(c) For this regulation, the definition of trail (game) camera shall be any remote motion-activated or infrared camera where the shutter is activated via sound triggers, proximity sensation, radio transmitters, or the self-timer built into the camera.

(d) This regulation shall not apply to any trail (game) camera that is owned by the department or a designated agent and is used for department operations or research on department lands and waters.

## Workshop Session #5

### Public Lands Reference Document

September 8, 2022

#### **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.

##### Discussion

This reference document within the regulation is reviewed annually for revisions.

The Department is discussing amendments to the following sections:

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

*After Cheyenne Bottoms staff discussed further, no additional restrictions are being recommended at this time.*

##### **XII.) Refuges** (Add tracts listed below in Region 3)

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**

*After extensive internal discussions, 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:

##### **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~~

**Statewide**

- iWIHA
- All Department managed lands and waters (Wildlife Areas and State Fishing Lakes)  
\*Excluding Maxwell Wildlife Refuge, Big Basin Prairie Preserve, and all State Parks

**XVI. Daily Use Permits**

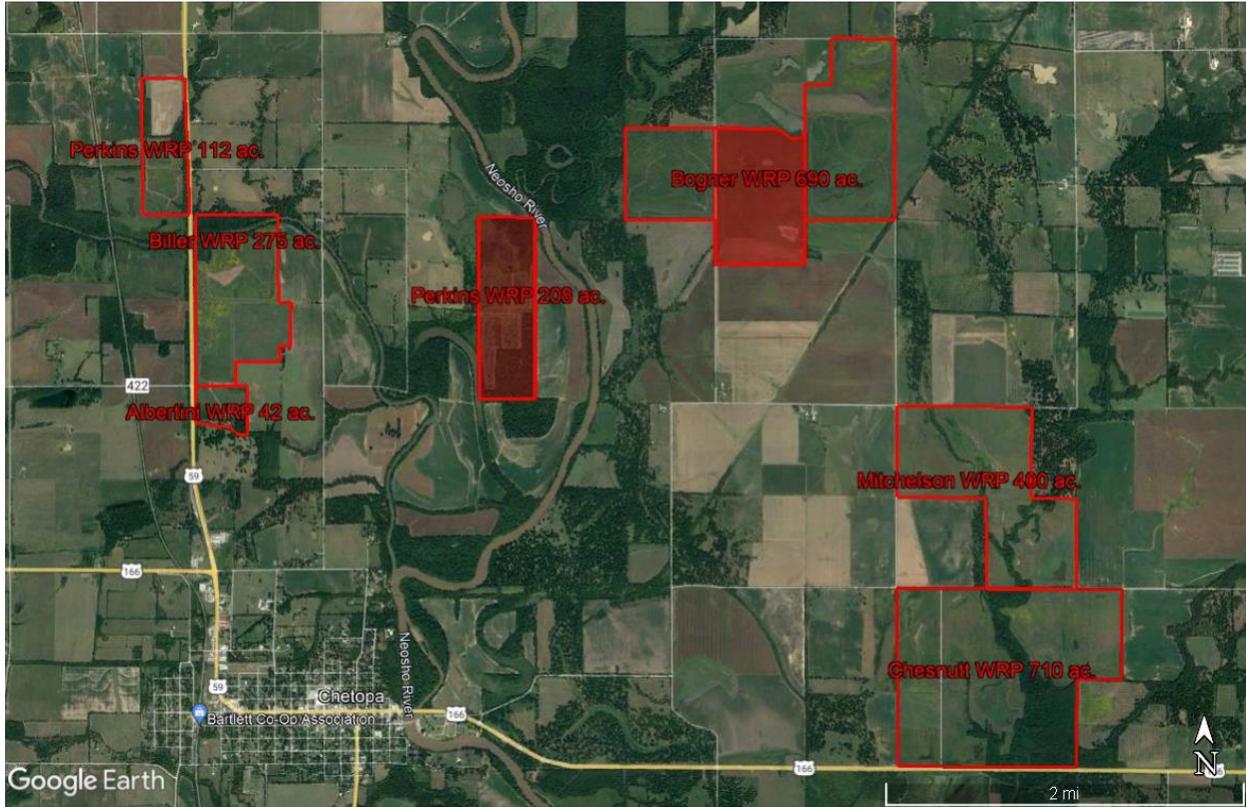
~~Electronic~~ daily use permits are ~~available~~ required electronically through ~~I-Sportsman e-permit~~ the department's licensing system for ALL activities.

**Region 2**

- Buck Creek WA
- Noe WA

\*The Department is considering implementing electronic daily use permits for our river access sites on department lands and waters. This would be an effort to learn more about non-motorized vessel use.

\*After discussing internally with staff who coordinate and plan hunts through the Department's Special Hunts Program, for the 2022-2023 fall and winter hunts, 75% - 80% of those Special Hunts will be restricted to Kansas residents only.



# **Public Hearing**

Wildlife and Parks Commission  
Notice of Public Hearing

A public hearing will be conducted by the Wildlife and Parks Commission at 6:30 p.m., Thursday, September 8, 2022, at Neosho County Community College, 800 West 14<sup>th</sup> Street, Chanute, Kansas to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

An education session for commissioners may be conducted beginning at 9:00 a.m., September 8, 2022, at the location listed above. A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:00 p.m., September 8, 2022, at the location listed above. The meeting will recess at approximately 5:00 p.m. and then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening 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., September 9, 2022, at the location listed above.

Any individual with a disability may request an 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 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 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 [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 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. 115-1-1.** This permanent regulation amendment simplifies and expands the definition of “artificial lure” to include advances in fishing technology including “umbrella rigs.”

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

**K.A.R. 115-2-1.** This permanent regulation amendment adds “Resident Kids lifetime hunting and fishing combination license” to the KDWP license fee schedule.

**Economic Impact Summary:** The economic impact will be directly proportionate to the number of the licenses sold, and that number is unknown.

**K.A.R. 115-4-11.** This permanent regulation amendment will clarify antelope permit types and prevent “double dipping” by individuals who currently purchase a permit preference point and obtain an additional antelope permit.

**Economic Impact Summary:** The economic impact is estimated to be a reduction in the number of preference point sales of 80 with a total loss of revenue of \$880 for KDWP.

**K.A.R. 115-7-1.** This permanent regulation amendment will increase the number of hooks allowable on a fishing line with two artificial lures to a total of six.

**Economic Impact Summary:** The proposed amendment is not expected to have any economic impact on the department, other agencies, or the public.

**K.A.R. 115-7-4.** This permanent regulation amendment will clarify the requirement to leave intact any fish taken that is subject to length limit while the fisherman possesses the fish on the water.

**Economic Impact Summary:** The proposed amendment is not expected to have any economic impact on the department, other agencies or the public.

**K.A.R. 115-9-3.** This permanent regulation amendment adds the Kansas Kids lifetime hunting and fishing license to other lifetime licenses that may be purchased prior to obtaining a hunter education course.

**Economic Impact Summary:** The proposed amendment is not expected to have any economic impact on the department, other agencies, or the public.

**K.A.R. 115-17-3.** This permanent regulation amendment will clarify and exclude non-living, commercially packaged fish bait from the requirement for a commercial fish bait permit.

**Economic Impact Summary.** The proposed amendment is not expected to have any economic impact on the department, other agencies, or the public.

Copies of the complete text of the regulations and 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.ksoutdoors.com](http://www.ksoutdoors.com), or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

**DEREK SCHMIDT**  
ATTORNEY GENERAL

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

June 24, 2022

Dan Riley  
Kansas Department of Wildlife and Parks  
1020 S. Kansas Ave.  
Topeka, KS 66612

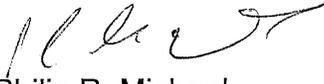
RE: **K.A.R. 115-1-1; K.A.R. 115-2-1; K.A.R. 115-4-11; K.A.R. 115-7-1; K.A.R. 115-7-4; K.A.R. 115-9-3; K.A.R. 115-17-3; K.A.R. 115-25-20**

Dear Dan:

Pursuant to the Rules and Regulations Filing Act, K.S.A. 77-415, *et seq.*, we have reviewed the above-referenced regulations for legality. Finding no issues of concern, we have approved them. The stamped original regulations are enclosed.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL  
DEREK SCHMIDT

  
Philip R. Michael  
Assistant Attorney General

PRM:PRM  
Enclosures

cc: Sen. Kellie Warren, Chair, Joint Committee on Rules and Regulations  
Rep. Barbara Wasinger, Vice Chair, Joint Committee on Rules and Regulations  
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on  
Rules and Regulations  
Jill Shelley, Legislative Research, State Capitol, Room 68-W  
Natalie Scott, Office of Revisor, State Capitol, Room 24-E

**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
Resident disabled veteran hunting license (valid for one year from date of purchase, 30 percent or more service-connected disabled).....	12.50
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).....	95.00
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
General resident youth (under 16 years of age): deer permit .....	10.00
General resident: antlerless-only deer permit .....	20.00

**APPROVED**

**MAY 10 2022**

**DEPT. OF ADMINISTRATION**

**APPROVED**

**JUN 24 2022**

**ATTORNEY GENERAL**

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 .....	85.00
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) .....	60.00
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

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

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**MAY 10 2022**

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**JUN 24 2022**

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
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) .....	415.00

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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
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

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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).....	50.00
Resident calendar day fishing license.....	3.50
Nonresident calendar day fishing license .....	7.50
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.

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

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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

(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

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

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**JUN 02 2022**

**JUN 24 2022**

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

(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

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**MAY 10 2022**

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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

~~This regulation shall be effective on and after January 1, 2021.~~ (Authorized by K.S.A. 2019  
Supp. 32-807 and K.S.A. 2019 Supp. 32-988; implementing K.S.A. 2019 Supp. 32-807, K.S.A. 2019  
Supp. 32-988, and K.S.A. 2019 Supp. 32-9,100, and 2022 HB 2456, 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 January 1,

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**JUN 02 2022**

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**JUN 24 2022**

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 P-\_\_\_\_\_.)

APPROVED

JUN 02 2022

DEPT. OF ADMINISTRATION

APPROVED

JUN 24 2022

ATTORNEY GENERAL

# 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)

## Section I

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

The proposed amendment will add the Resident Kids lifetime hunting and fishing combination license for children from birth through seven years of age to the KDWP license fee structure.

## 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.)*

There are no know relevant federal laws or standards or similar provisions in contiguous states.

## 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 significant restriction or enhancement 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;  
Compliance and implementation costs are anticipated to be proportionate to the number of licenses sold.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);  
None anticipated.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;  
Benefits/costs are anticipated to proportionate to the number of licensees sold, and consistent with other lifetime license categories.
- 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 measures required, all impact anticipated will be borne by KDWP.

DOB APPROVAL STAMP (If Required)

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 – \$None

**Total Annual Costs – \$None**

(sum of above amounts)

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

No costs 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
- Not Applicable

No significant costs are anticipated, however the agency will hold a hearing (virtual) on May 27, 2022 at 3:30 pm.

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.

Not applicable.

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.

Not applicable, no impact anticipated.

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

DOB APPROVAL STAMP (If Required)

H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases statewide, public hearings with on-line access, 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.](#)

DOB APPROVAL STAMP (if Required)

**115-9-3. Purchase of lifetime hunting or lifetime combination hunting and fishing licenses without certificate of completion of an approved hunter education course.** (a) Any individual may purchase a lifetime hunting or lifetime combination hunting and fishing license ~~on behalf of~~ for a Kansas resident born after July 1, 1957, ~~under procedures specified in pursuant to K.S.A. 1988 Supp. 32-104m, as amended by L. 1989, Ch. 118, Sec. 67, prior to 32-920 and amendments thereto, before issuance to that resident of a~~ certificate of completion of an approved hunter education course.

(b) Any resident may purchase a lifetime hunting or lifetime combination hunting and fishing license ~~prior to~~ a resident Kansas kids lifetime combination hunting and fishing license before issuance of a certificate of completion of an approved hunter education course to that resident.

(c) Each lifetime licenses license purchased under ~~provisions of~~ subsection (a) and or (b) shall be issued with a notice that the lifetime license is not valid until the recipient of the lifetime license has been issued a certificate of completion of an approved hunter education course. (Authorized by ~~L. 1989, Ch. 118, Sec. 9~~ K.S.A. 32-807 and ~~K.S.A. 1988 Supp. 32-401 as amended by L. 1989, Ch. 118, Sec. 61~~ 32-920; implementing ~~K.S.A. 1988 Supp. 32-401 as amended by L. 1989, Ch. 118, Sec. 61~~ 32-920 and 2022 HB 2456, sec. 1; effective Dec. 26, 1989; amended P-\_\_\_\_\_.)

APPROVED

JUN 23 2022

DEPT. OF ADMINISTRATION

APPROVED

JUN 24 2022

ATTORNEY GENERAL

# Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP  
Agency

Dan Riley  
Agency Contact

296-1032  
Contact Phone Number

115-9-3  
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)

## Section I

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

The proposed amendment will add the Resident Kids lifetime hunting and fishing combination license to the current list of licenses available for purchase prior to obtaining a hunter education certificate.

## 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.)*

There are no know relevant federal laws or standards or similar provisions in contiguous states.

## 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 significant restriction or enhancement 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;

Compliance and implementation costs are anticipated to be proportionate to the number of licenses sold.

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

None anticipated.

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

No anticipated benefits or costs.

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;

None required.

DOB APPROVAL STAMP (if Required)

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 – \$None

**Total Annual Costs – \$None**  
(sum of above amounts)

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

No costs 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
- Not Applicable

No significant costs are anticipated, however the agency will hold a hearing (virtual) on May 27, 2022 at 3:30 pm.

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.

Not applicable.

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.

Not applicable, no impact anticipated.

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

DOB APPROVAL STAMP (If Required)

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases statewide, public hearings with on-line access, 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.

DOB APPROVAL STAMP (if Required)

**115-4-11. Big game and wild turkey permit applications.** (a) General application provisions.

(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one antlered or horned big game or wild turkey permit for each big game species or wild turkey, except when the individual is unsuccessful in a limited quota drawing and alternative permits for the species are available at the time of subsequent application or when the individual is the final recipient of a commission permit.

(2) Unless otherwise authorized by law or regulation, each big game or wild turkey permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated application deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A hunt-on-your-own-land permit shall not be tabulated in a priority draw system if the permit would otherwise reduce the applicant's odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) Subject to any priority draw system established by this subsection, in awarding deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a deer permit that allowed the taking of an antlered deer. All other deer permit applicants shall be given equal priority.

(2) In awarding a limited number of deer 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 deer permit that allows the taking of an antlered deer.

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

(C) If an applicant obtains, by a priority draw system, a deer permit that allows the taking of an antlered deer, 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 ~~desires~~ wants to apply for a preference point for a deer permit that allows the taking of antlered deer and not receive a permit, the person may apply for and receive a preference point by paying the proper application or 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) If an individual is a final recipient of a commission deer permit, the individual shall not possess more than one regular antlered deer permit and one commission deer permit.

(4) Applications for nonresident limited-quota antlered deer permits shall be accepted in the Pratt office from the earliest date that applications are available through the last Friday of April each year. Any nonresident applicant may select, at the time of application, one deer management unit and up to one adjacent management unit where that permit shall be valid.

(5) Applications for resident firearms either-species, either-sex permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday of June.

(6) Applications for resident any-season white-tailed either-sex deer permits, resident archery deer permits, resident muzzleloader either-species either-sex permits, and hunt-on-your-own-land deer

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permits shall be accepted at designated locations from the earliest date that applications are available through December 30.

(7) Each resident applicant for either-species, either-sex muzzleloader or firearm deer permits shall select, at the time of application, the unit where the permit shall be valid. The west unit permit shall be valid in units 1, 2, 17, and 18. The east unit permit shall be valid in units 3, 4, 5, 7, and 16.

(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) ~~Firearm~~ Antelope permit applications. In awarding ~~firearm~~ 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 a ~~firearm~~ an antelope permit.

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

(3) If an applicant obtains a ~~firearm~~ 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 ~~desires~~ wants to apply for a preference point for an antelope ~~firearms~~ permit that allows the taking of an antelope and does not receive a permit, the person may apply for and receive

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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 ~~firearm and muzzleloader~~ 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 receives 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

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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 a period of 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 ~~desires~~ 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

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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.

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(B) If the individual fails to ~~make~~ submit at least one application or purchase one preference point within a ~~period of~~ 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 ~~desires~~ 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, from the earliest date in the year that applications are available through 5:00 p.m. on January 30 of the following year.

(4) Applications for spring wild turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued.

(5) Spring wild turkey permits in unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits,

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and game tags in unit 1, unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations from the earliest date that applications are available until midnight on the day before the closing date for the season. (Authorized by K.S.A. 2018 Supp. 32-807, K.S.A. 2018 Supp. 32-937, K.S.A. 2018 Supp. 32-969, and K.S.A. 2018 Supp. 32-970; implementing K.S.A. 2018 Supp. 32-937, K.S.A. 2018 Supp. 32-969, and K.S.A. 2018 Supp. 32-970; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001; amended April 18, 2003; amended Feb. 18, 2005; amended May 15, 2009; amended Feb. 5, 2010; amended April 8, 2011; amended May 24, 2013; amended Nov. 30, 2015; amended April 21, 2017; amended April 26, 2019; amended P-\_\_\_\_\_.)

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# Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP  
Agency

Dan Riley  
Agency Contact

296-1032  
Contact Phone Number

115-4-11  
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)

## Section I

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

The proposed amendment will clarify antelope permit types and also prevent “double dipping” by individuals who currently purchase a permit preference point and also obtain an additional antelope 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.)*

This regulation is consistent with all relevant federal laws or standards. Nebraska and Colorado have antelope hunting with similar provisions.

## 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 significant restriction or enhancement 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 compliance or implementation costs are anticipated.

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

Businesses that engage in antelope hunting.

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

Benefits- equity and fairness in licensing, costs an estimated reduction in preference point sales of 80, with a total loss of revenue to KDWP of \$880.

- 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 measures required, all impact anticipated will be borne by KDWP.

DOB APPROVAL STAMP (if Required)

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 – \$None

**Total Annual Costs – \$None**  
(sum of above amounts)

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

No costs 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
- Not Applicable

No significant costs anticipated, however the agency held a hearing on September 24, 2021( 8 public attendees) November 18, 2021, (45 public attendees) January 13, 2022 (virtually) 28 members of the public attended, March 31, 2022 in Topeka (30 members of the public in attendance).

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.

Not applicable.

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.

Not applicable, no impact anticipated.

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

DOB APPROVAL STAMP (if Required)

H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases statewide, public hearings with on-line access, 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.

DOB APPROVAL STAMP (if Required)

## **2023 Reference Document Proposed Changes for Special Length and Creel Limits:**

### **Overview of length and creel limits as a fisheries management tool.**

- Cedar Bluff Reservoir – Remove 10” minimum length limit on crappie
- Ford State Fishing Lake – Change to an 18” minimum length limit on Largemouth Bass
- Graham County-Antelope Lake – Change to a 6-inch to 9-inch protected slot on bluegill, redear sunfish, green sunfish, and their hybrids. In addition, a 5/day creel limit (single species or in combination) for any of these species greater than 9 inches and unlimited creel number for fish under 6 inches.
- Pomona Reservoir – Change to an 18-inch minimum length limit on saugeye
- Melvern Reservoir – Change to an 18-inch minimum length limit on saugeye
- Jeffrey Energy Center – Change to a 15-inch minimum length limit and 2/day creel limit on Sauger
- Centralia City Lake – Change to a creel limit of 10/day on Channel Catfish
- Yates Center City Lake – Change to 15-inch to 21-inch protected slot, creel of 5/day on Largemouth Bass
- Garnett City Lake (North) – Change to 15-inch to 21-inch protected slot, creel of 5/day on Largemouth Bass
- Madison City Lake – Change to an 18-inch minimum length limit, creel of 2/day on Largemouth Bass

**115-1-1. Definitions.** (a) Except as specified in subsection (b), the following definitions shall apply to all of the department's regulations:

(1) "Arrow" means a missile shot from a bow or a crossbow.

(2) "Artificial lure" means a man-made fishing fish-catching device made of artificial or non-edible natural materials used to mimic a single prey item. ~~Artificial lures may be constructed of natural, nonedible, or synthetic materials. Multiple hooks, if present, shall be counted as a single hook on an artificial lure. Each device mimicking individual prey shall be limited to no more than three hooks. Each device mimicking multiple prey shall be limited to no more than five hooks.~~

(3) "Bag limit" means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

(4) "Bait fish" means a member of the minnow or carp family (*Cyprinidae*), sucker family (*Catostomidae*), top minnows or killifish family (*Cyprinodontidae*), shad family (*Clupeidae*), and sunfish family (*Centrarchidae*), but excluding black basses and crappie. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

(5) "Bird dog" means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

(6) "Bow" means a handheld device with a cord that connects both of its two ends and that is designed to propel an arrow. This term shall include long, recurve, and compound bows.

(7) "Bridle path" means an established, maintained, and marked pathway for the riding of animals.

(8) "Camping" means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

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(9) "Camping unit" means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

(10) "Cast net" means a circular or conical weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

(11) "Creel limit" means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

(12) "Crossbow" means a transverse-mounted bow with a cord that connects the two ends and that is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

(13) "Culling" means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

(14) "Department lands and waters" means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the jurisdiction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

(15) "Depth finder" means an electronic device used to locate fish or determine underwater structures.

(16) "Dip net" means a handheld net that has rigid support about the mouth and is used to land fish.

(17) "Draft livestock" means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

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(18) "Drag event" means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

(19) "Dryland set" means any trapping device that is placed or set on land or is not in contact with water.

(20) "Eyass" means a young of the year raptor not yet capable of flight.

(21) "Falconer" means the holder of a falconry permit.

(22) "Falconry" means the taking of wildlife with a trained raptor.

(23) "Field trial event for dogs" means a competitive event involving at least six dogs that are judged on hunting or running ability.

(24) "Firearm" means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.

(25) "Fire ring" means an open-topped, man-made, fire-retaining device.

(26) "Fireplace" means an enclosed, man-made, fire-retaining device.

(27) "Fishing line" means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

(28) "Fish trap" means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

(29) "Fully automatic firearm" means a firearm capable of firing more than one round with a single trigger pull.

(30) "Gaff" means a hook attached to a rigid pole.

(31) "Gig" means a hand-operated spear with one or more prongs with or without barbs.

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(32) "Group camping area" means any area within a state park designated by posted notice for camping by organized groups.

(33) "Haggard" means an adult raptor in mature plumage.

(34) "Hook" means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

(35) "Imping" means the repair of damaged feathers.

(36) "Kill site" means the location of the wildlife carcass as positioned in the field immediately after being harvested.

(37) "Length limit" means the minimum length of a fish allowed in order to take it and not release it to the water immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.

(38) "Moorage site" means a location designated for the fastening or securing of a vessel.

(39) "Nonsport fish" means common carp, silver carp, bighead carp, black carp, grass carp, drum, threadfin and gizzard shad, goldfish, gar, suckers including carpsuckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.

(40) "Orthopedic device" means a device that attaches to the body and is required to enable a handicapped person to walk.

(41) "Overflow camping area" means an area in a state park that is separate from the designated overnight camping area and that may be used for a maximum of 24 continuous hours of camping if no alternative camping facilities are available within reasonable driving distances.

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- (42) "Passage" means an immature raptor on first fall migration still in immature plumage.
- (43) "Pen-raised wildlife" means any wildlife raised in captivity.
- (44) "Pets" means domesticated wildlife, including dogs and cats.
- (45) "Possession limit" means the maximum total number of a species that can be retained per person at any one time.
- (46) "Prime camping site" means any site within a state park so designated by posted notice of the secretary and subject to an additional charge.
- (47) "Raptors" means members of the order Falconiformes or Strigiformes and specifically falcons, hawks, and owls.
- (48) "Raw pelt" means the undressed skin of an animal with its hair, wool, or fur in its natural state, without having undergone any chemical preservation converting the skin to a leather condition.
- (49) "Recreational vehicle" means a vehicle or trailer unit that contains sleeping or housekeeping accommodations, or both.
- (50) "Running" means the pursuing or chasing of furbearers or rabbits with hounds. This term shall not include the capturing, killing, injuring, or possessing of furbearers or rabbits or having a firearm or other weapon in possession while running, except during established furbearer or rabbit hunting seasons.
- (51) "Sanctioned or licensed coyote field trial" means a competitive event that involves only sight or trail hounds and that has been advertised in one of the national foxhound journals at least 30 days before the event.
- (52) "Sanctioned or licensed furbearer field trial" means a competitive event in which dogs

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pursue unrestrained furbearers and that is sanctioned or licensed by any of the national kennel or field dog organizations for the express purpose of improving the quality of the breed through the awarding of points or credits toward specific class championships or other national recognition.

(53) "Seine" means a net with a float line and lead line designed to be pulled through the water for the purpose of catching fish.

(54) "Set line" means a string or cord that is anchored at one point by an anchor weighing at least 25 pounds or is attached to a fixed and immovable stake or object, does not have more than two hooks, and is not associated with a hand-operated mechanical reel.

(55) "Sight hound" means a dog used to pursue furbearers, rabbits, hares, or coyotes by sight.

(56) "Skin and scuba diving" means swimming or diving while equipped with a face mask or goggles, allowing underwater vision and possibly involving an underwater breathing apparatus.

(57) "Snagging" means the hooking of a fish in any part of its anatomy other than the inside of the mouth.

(58) "Speargun" means a device used to propel a spear through the water by mechanical means or compressed gas.

(59) "Sport fish" means northern pike, walleye, saugeye, sauger, yellow perch, striped bass, white bass, black bass including largemouth, spotted, and smallmouth bass, striped bass hybrid, trout, muskellunge, tiger muskie, channel catfish, blue catfish, flathead catfish, paddlefish, and panfish including bullhead, black and white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.

(60) "State fishing lake" means a department facility that contains the words "state fishing lake" in the name of the area.

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(61) "Tip-up" means an ice fishing device designed to signal the strike of a fish.

(62) "Trail hound" means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.

(63) "Transfer" means either of the following:

(A) To reassign one's license, permit, or other issue of the department to another individual; or

(B) to exchange any license, permit, or other issue of the department between individuals.

(64) "Trot line" means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.

(65) "Turkey" means wild turkey.

(66) "Unattended fishing line" means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.

(67) "Wake" means the waves thrown by a vessel moving on water.

(68) "Water race" means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.

(69) "Water set" means any trapping device that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.

(b) Exceptions to the definitions in this regulation shall include the following:

(1) The context requires a different definition.

(2) The defined term is specifically defined differently within the department's other regulations. (Authorized by and implementing K.S.A. 2020 Supp. 32-807; effective Dec. 26, 1989;

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amended June 8, 1992; amended Sept. 19, 1997; amended Nov. 21, 2003; amended July 22, 2011;  
amended Nov. 26, 2012; amended Nov. 30, 2015; amended Dec. 25, 2020; amended April 23, 2021;  
amended P-\_\_\_\_\_.)

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ATTORNEY GENERAL

# Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP  
Agency

Dan Riley  
Agency Contact

296-1032  
Contact Phone Number

115-1-1  
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)

## Section I

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

The proposed amendment will simplify and expand the definition of “artificial lure” to accommodate advances in fishing equipment technology including devices known as “umbrella rigs”.

## 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.)*

There are no relevant federal laws or standards. Missouri, Oklahoma, Nebraska and Colorado all have corresponding similar provisions.

## 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;  
Possibly an increase in sales of fishing devices as defined by the change.
- 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 compliance or implementation costs are anticipated.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);  
Businesses that engage in fishing or the sale of fishing devices.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;  
No costs anticipated, benefits related to fishing.
- 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 measures required, no cost or significant impact anticipated.

DOB APPROVAL STAMP (If Required)

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 – \$None

**Total Annual Costs – \$None**  
(sum of above amounts)

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

No costs 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
- Not Applicable

No anticipated costs, however the agency held a hearing on January 13, 2022 (virtually) 28 members of the public attended, and April 21, 2022 in Beloit, Kansas with a total of 19 public attendees.

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.

Not applicable.

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.

Not applicable

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

DOB APPROVAL STAMP (If Required)

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases statewide, public hearings with on-line access, 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.

DOB APPROVAL STAMP (If Required)

**115-7-1. Fishing; legal equipment, methods of taking, and other provisions.** (a) Legal equipment and methods for taking sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line. If two artificial lures are used, the fishing line shall not exceed six hooks;

(2) trotlines, except that ~~any~~ all float material used with a trotline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(3) setlines, except that any float material used with a setline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(4) tip-ups;

(5) using a person's hand or hands for flathead catfish in waters designated as open to hand fishing, subject to the following requirements:

(A) An individual hand fishing shall not use hooks, snorkeling or scuba gear, or other man-made devices while engaged in hand fishing;

(B) an individual hand fishing shall not possess fishing equipment, other than a stringer, while engaged in hand fishing and while on designated waters or adjacent banks;

(C) stringers shall not be used as an aid for hand fishing and shall not be used until the fish is in possession at or above the surface of the water;

(D) each individual hand fishing shall take fish only from natural objects or natural cavities;

(E) an individual hand fishing shall not take fish from any man-made object, unless the object is a bridge, dock, boat ramp, or riprap, or other similar structure or feature;

(F) no part of any object shall be disturbed or altered to facilitate the harvest of fish for hand

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fishing; and

(G) an individual hand fishing shall not take fish within 150 yards of any dam;

(6) snagging for paddlefish in waters posted or designated by the department as open to the snagging of paddlefish, subject to the following requirements:

(A) Each individual with a filled creel limit shall cease all snagging activity in the paddlefish snagging area until the next calendar day;

(B) each individual taking paddlefish to be included in the creel and possession limit during the snagging season shall sign the carcass tag, record the county, the date, and the time of harvest on the carcass tag, and attach the carcass tag to the lower jaw of the carcass immediately following the harvest and before moving the carcass from the site of the harvest; and

(C) each individual snagging for paddlefish shall use barbless hooks while snagging for paddlefish. "Barbless hook" shall mean a hook without barbs or upon which the barbs have been bent completely closed;

(7) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the following requirements:

(A) All floatlines shall be under the immediate supervision of the angler setting the floats.

"Immediate supervision" shall mean that the angler has visual contact with the floatlines set while the angler is on the water body where the floatlines are located;

(B) all floatlines shall be removed when float fishing ceases;

(C) floatlines shall not contain more than one line per float, with not more than two baited hooks per line;

(D) all float material shall be constructed only from plastic, wood, or foam and shall be a closed-

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cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(8) bow and arrow with a barbed head and a line attached from bow to arrow; and

(9) crossbow and arrow with a barbed head and a line attached from arrow to crossbow.

(b) Legal equipment and methods for taking ~~non-sport~~ nonsport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line;

(2) trotlines;

(3) setlines;

(4) tip-ups;

(5) bow and arrow with a barbed head and a line attached from bow to arrow;

(6) crossbow and arrow with a barbed head and a line attached from arrow to crossbow;

(7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line;

(8) gigging;

(9) snagging in waters posted by the department as open to snagging; and

(10) floatlines in waters posted or designated by the department as open to floatline fishing,

which shall be subject to the requirements specified in paragraphs (a)(7)(A) through (D).

(c) Dip nets and gaffs may be used to land any legally caught or hooked fish.

(d) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.

(e) Fish may be taken with the aid of boats, depth finders, artificial lights, sound attracters, and scents.

(f) Fish may be taken by legal means from vehicles.

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(g) The following additional requirements shall apply in the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes:

(1) Each individual shall place all legally caught fish on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, separate from those fish caught by any other individual.

(2) The equipment and methods specified in paragraphs (b)(5) and (b)(6) shall be legal only from sunrise to midnight.

(3) The equipment and method specified in paragraphs (b)(9) and (b)(10) shall be legal only from sunrise to sunset.

(h) The equipment and method specified in paragraphs (a)(8) and (a)(9) shall be legal, except on rivers and streams, only for the following species of sport fish where no size limit exists for any of these species of fish:

- (1) Blue catfish;
- (2) channel catfish; and
- (3) flathead catfish.

(i) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light shall be valid for use on bows and crossbows.

(Authorized by and implementing K.S.A. 2018-Supp. 32-807; effective Dec. 26, 1989; amended Feb. 10, 1992; amended Oct. 1, 1999; amended Dec. 8, 2000; amended Sept. 27, 2002; amended Nov. 29, 2004; amended Nov. 27, 2006; amended Nov. 16, 2007; amended Dec. 1, 2008; amended Nov. 20, 2009; amended April 16, 2010; amended Nov. 19, 2010; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended P-\_\_\_\_\_.)

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# Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP  
Agency

Dan Riley  
Agency Contact

296-1032  
Contact Phone Number

115-7-1  
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)

## Section I

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

The proposed amendment will increase the number of hooks allowable on a fishing line with two artificial lures to a total of six..

## 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.)*

There are no relevant federal laws or standards. Missouri, Oklahoma, Nebraska and Colorado all have corresponding similar provisions.

## 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;  
Possibly an increase in sales of fishing devices as defined by the change.
- 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 compliance or implementation costs are anticipated.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);  
Businesses that engage in fishing or the sale of fishing devices.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;  
No costs anticipated, benefits related to fishing.
- 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 measures required, no cost or significant impact anticipated.

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- 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 – \$None

**Total Annual Costs – \$None**

(sum of above amounts)

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

No costs 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
- Not Applicable

No anticipated costs, however the agency held a hearing on January 13, 2022 (virtually) 28 members of the public attended, and April 21, 2022 in Beloit, Kansas with a total of 19 public attendees.

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.

Not applicable.

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.

Not applicable

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

DOB APPROVAL STAMP (If Required)

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases statewide, public hearings with on-line access, 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.

DOB APPROVAL STAMP (If Required)

**115-7-4. Fish; processing and possession.** (a) Each person who takes any fish from a body of water ~~subject to any length limit, either statewide or water body-specific,~~ shall leave the head, body, and tail fin attached while the person has possession of the fish on the water.

(b) Each person who has taken any fish shall retain the fish in that person's possession until any of the following occurs:

(1) The fish is consumed or processed for consumption.

(2) The fish is transported to the person's domicile or given to another person. Legally taken sport fish may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number.

(3) The fish is transported to a place of commercial preservation or place of commercial processing for consumption.

(4) The fish is returned unrestrained to the waters from which the fish was taken.

(5) The fish is disposed of at a location designated for fish disposal or at a designated fish cleaning station.

(c) Each paddlefish permittee shall meet either of the following requirements:

(1) Nonelectronic carcass tags. The paddlefish permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the carcass in a visible manner immediately before reducing the paddlefish to permanent possession. The carcass tag shall remain attached to the carcass until the conditions of ~~paragraphs~~ paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the carcass tag until the paddlefish is consumed, given to another, or otherwise disposed of.

(2) Electronic carcass tags. Using the department's electronic carcass tag system, the paddlefish

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permittee shall record the county, the date, and the time of kill and enter a photograph of the entire carcass, with sufficient clarity to display the species immediately before reducing the paddlefish to permanent possession. The paddlefish permittee shall possess the confirmation number until the conditions of paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the confirmation number until the paddlefish is consumed, given to another, or otherwise disposed of.

(d) For paddlefish parts, the following additional requirements shall apply:

(1) No person shall possess any eggs that are attached to the egg membrane of more than one paddlefish.

(2) No person shall possess more than three pounds of processed paddlefish eggs or fresh paddlefish eggs removed from the membrane. "Processed paddlefish eggs" shall mean any eggs taken from a paddlefish that have gone through a process that turns the eggs into caviar or into a caviar-like product.

(3) No person shall ship into or out of, transport into or out of, have in possession with the intent to transport, or cause to be removed from this state any raw unprocessed paddlefish eggs, processed paddlefish eggs, or frozen paddlefish eggs.

(4) Each harvested paddlefish carcass shall have all internal organs removed before transporting the carcass from Kansas. (Authorized by and implementing K.S.A. 2019-Supp. 32-807; effective Dec. 26, 1989; amended Nov. 27, 2006; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended P-\_\_\_\_\_.)

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# Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP  
Agency

Dan Riley  
Agency Contact

296-1032  
Contact Phone Number

115-7-4  
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)

## Section I

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

The proposed amendment will clarify the requirement to leave intact any fish taken that is subject to length limit, while the fisherman possesses the fish while on the water.

## 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.)*

There are no relevant federal laws or standards. Missouri, Oklahoma, Nebraska and Colorado all have corresponding similar provisions.

## 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;  
None 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 compliance or implementation costs are anticipated.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);  
Businesses that engage in fishing on Kansas waters.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;  
No costs anticipated.
- 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 measures required, no cost or significant impact anticipated.

DOB APPROVAL STAMP (If Required)

- 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 – \$None

**Total Annual Costs – \$None**  
(sum of above amounts)

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

No costs 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
- Not Applicable

No anticipated costs, however the agency held a hearing on January 13, 2022 (virtually) 28 members of the public attended, and April 21, 2022 in Beloit, Kansas with a total of 19 public attendees.

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.

Not applicable.

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.

Not applicable

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

DOB APPROVAL STAMP (If Required)

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases statewide, public hearings with on-line access, 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.](#)

DOB APPROVAL STAMP (If Required)

**115-17-3. Commercial fish bait permit; requirement, application, and general provisions.** (a) A commercial fish bait permit shall be required for the harvest, sale, or purchase for resale of fish bait, except that a commercial fish bait permit shall not be required for the sale of nonliving, commercially packaged fish bait, the harvest or sale of annelids or insects, or for the purchase of annelids or insects for resale.

(b) Any person may apply to the secretary for a commercial fish bait permit. The application shall be submitted on forms provided by the department and completed in full by the applicant. Each incomplete application shall be returned to the applicant.

(c) Each commercial fish bait permit shall be valid for only those wildlife species specified in the permit.

(d) Each commercial fish bait permit shall authorize the permittee to perform any of the following:

(1) Sell fish bait to any person for use as fish bait;

(2) purchase fish bait for resale as fish bait, if the purchase is made from a person who meets at

least one of the following requirements:

(A) Possesses a valid commercial fish bait permit;

(B) is a commercial fish grower, as defined by K.S.A. 32-974 and amendments thereto; or

(C) is authorized by another state to export and sell fish bait; or

(3) import fish bait for sale as fish bait.

(e) Each permittee harvesting or purchasing fish bait shall maintain records of the following information and, if requested by the secretary, shall provide a report to the department containing the

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following information:

- (1) The permittee's name;
- (2) the permit number;
- (3) the number, location, and species of wildlife harvested;
- (4) the number and species of wildlife sold;
- (5) for each permittee purchasing fish bait, the name, address, and phone number of each individual distributor or producer from whom the permittee purchased; and
- (6) for each permittee purchasing fish bait, the delivery date of each purchase.
- (f) Each permittee shall make records required under the permit available for inspection by any law enforcement officer or department employee upon demand.
- (g) Each permittee shall make the fish and the distribution or retail holding tanks that are subject to sample testing pursuant to K.A.R. 115-17-2a available for inspection by any law enforcement officer or department employee upon demand.
- (h) Each permittee shall respond to any survey regarding activities conducted under the permit if requested by the secretary.
- (i) In addition to other penalties prescribed by law, a commercial fish bait permit or application may be denied or revoked by the secretary if either of the following conditions is met:
  - (1) The application is incomplete or contains false information.
  - (2) The permittee fails to meet permit requirements or violates permit conditions.

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(j) Each commercial fish bait permit shall expire three years after the date the permit is issued.

(k) A permittee may possess and sell legally acquired wildlife for fish bait for not more than 30 days following expiration of the permit.

~~This regulation shall be effective on and after January 1, 2018.~~ (Authorized by and implementing K.S.A. ~~2016 Supp.~~ 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended Jan. 1, 2012; amended Jan. 1, 2018; amended P-\_\_\_\_\_.)

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JUN 24 2022

ATTORNEY GENERAL

# Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP  
Agency

Dan Riley  
Agency Contact

296-1032  
Contact Phone Number

115-17-3  
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)

## Section I

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

The proposed amendment will clarify and exclude non-living, commercially packaged fish bait sales from the requirement for a commercial fish bait 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.)*

There are no known relevant federal laws or standards or similar provisions in contiguous states.

## 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 significant restriction or enhancement 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;  
Compliance and implementation costs are anticipated to be proportionate to the number of licenses sold.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);  
Businesses selling non-living, commercially packaged fish bait.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;  
Affected businesses would no longer be uncertain of commercial fish bait license compliance.
- 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;  
None required.

DOB APPROVAL STAMP (if Required)

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 – \$None  
**Total Annual Costs – \$None**  
(sum of above amounts)

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

No costs 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
- Not Applicable

No significant costs are anticipated, however the agency will held a hearing (virtual) on January 13, 2022 (virtual) attended by 28 public members and April 21, 2022 in Beloit with a total of 19 public attendees.

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.

Not applicable.

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.

Not applicable, no impact anticipated.

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

DOB APPROVAL STAMP (if Required)

- 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).

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Click here to enter agency response.

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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.

DOB APPROVAL STAMP (If Required)