

115-25-8. Elk; open season, bag limit, and permits. (a) The unit designations in this regulation shall have the meanings specified in K.A.R. 115-4-6b, except that the area of Fort Riley, subunit 2a, shall not be included as part of Republican-Tuttle, unit 2.

(b) The open seasons for the taking of elk shall be as follows:

(1) The archery season dates and units shall be as follows:

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: the Monday after the second Saturday in September through the last day of the same year.

(B) Fort Riley, subunit 2a: the first day of September through the last day of September.

(2) The firearm season dates and units shall be as follows:

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: the first day of August through the last day of August; the Wednesday after Thanksgiving through the second following Sunday; and the first day of January through the 15th day of March.

(B) Fort Riley, subunit 2a:

(i) First segment: the first day of October through the last day of October.

(ii) Second segment: the first day of November through the last day of November.

(iii) Third segment: the first day of December through the last day of December.

(iv) Fourth segment: the first day of January through the last day of January.

(3) The muzzleloader season dates and units shall be as follows:

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: the first day of September through the last day of September.

(B) Fort Riley, subunit 2a: the first day of September through the last day of September.

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(c) A limited-quota either-sex elk permit shall be valid during any season using equipment authorized for that season. ~~Twelve~~ Fifteen either-sex elk permits shall be authorized.

(d) A limited-quota antlerless-only elk permit shall be valid during any season using equipment authorized for that season, except that a limited-quota antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only as follows:

(1) A first-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the first segment. ~~Six~~ Eight first-segment antlerless-only elk permits shall be authorized.

(2) A second-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the second segment. ~~Six~~ Eight second-segment antlerless-only elk permits shall be authorized.

(3) A third-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the third segment. ~~Six~~ Eight third-segment antlerless-only elk permits shall be authorized.

(4) All antlerless-only elk permits shall be valid on Fort Riley, subunit 2a, during the September archery and muzzleloader seasons, and the January firearm season.

(e) The bag limit shall be one elk as specified on the permit issued to the permittee.

(f) An unlimited number of hunt-on-your-own-land antlerless-only elk permits and either-sex elk permits shall be authorized in units 2 and 3. A hunt-on-your-own-land permit shall be valid during any open season. The bag limit for each hunt-on-your-own-land elk permit shall be one elk as specified on the permit.

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(g) An unlimited number of over-the-counter antlerless-only elk permits and either-sex elk permits shall be authorized in unit 3.

(h) Permits are not valid after March 15 following the date of issuance. (Authorized by and implementing K.S.A. ~~2023~~ 2025 Supp. 32-807 and K.S.A. 32-937; effective May 2, 1990; amended May 1, 1991; amended May 1, 1992; amended May 1, 1994; amended May 14, 1997; amended May 1, 1998; amended May 19, 1999; amended May 12, 2000; amended May 9, 2001; amended April 22, 2002; amended April 23, 2003; amended April 26, 2004; amended March 28, 2005; amended May 4, 2006; amended April 20, 2007; amended March 17, 2008; amended April 20, 2009; amended April 23, 2010; amended April 26, 2011; amended May 2, 2012; amended April 26, 2013; amended March 25, 2014; amended March 31, 2015; amended March 29, 2016; amended March 28, 2017; amended April 30, 2018; amended April 3, 2019; amended April 27, 2020; amended May 4, 2021; amended June 2, 2022; amended Aug. 18, 2023; amended Dec. 27, 2024; amended P-_____.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Department of Wildlife and Parks

Agency

Kurtis Wiard

Agency Contact

785-296-2281

Contact Phone Number

115-25-8

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 or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?
- ☐ Yes If “Yes,” then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for 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. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

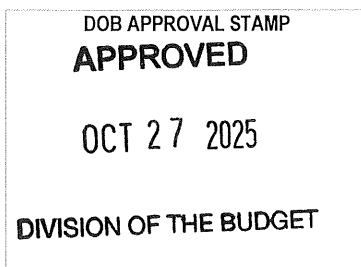
Brief description & analysis: This regulation establishes open seasons, bag limits, and permit numbers for elk hunting in Kansas. The proposed change would add a total of nine new elk tags. More specifically, it increases the number of elk permits valid on Fort Riley military installation (Unit 2a) from 12 to 15 for either-sex permits and from 18 to 24 antlerless elk permits. The current permit allocations (12 and 18) have been in place since 2018. These limited draw permits represent only a small percentage of the total elk permit KDWP sells on an annual basis, which averages approximately 200 over the past three seasons. The much larger share of elk permit sales come from landowners and tenants in Units 2 and 3 and residents in Unit 3, all of whom may purchase an unlimited number of elk permits from retailers. Scientific data reflecting a growing elk herd that cause property damage to adjoining landowners justifies the increase in number of permits.

Cost/Benefit quantification: General resident either-sex elk permits cost \$300, and general resident antlerless elk permits cost \$150. By adding nine new elk permits, KDWP will likely receive an additional \$1,800 in fees, or \$9,000 over the next 5 years. The financial impact might be slightly less depending on the number landowners, tenants, and youth who apply. If KDWP does not implement this regulation, the elk season will continue under the current regulation with fewer elk permits being issued. These permits are being allocated to limit the growth of the Fort Riley elk herd. If the elk herd is not properly managed, excessive amounts of elk can cause property damage to adjoining landowners. As a result, the benefits to the public through (1) additional hunting opportunities for a highly prized animal; (2) increased protection of private property through proper management of the herd; and (3) slight economic increases to businesses that sell sporting goods all outweigh any costs associated with the change in regulation.

Comparison to contiguous states: KDWP's approach to elk management is similar to that of contiguous states. However, suitable elk habitats vary greatly between Kansas and our neighboring states. All surrounding states have one or more large expanses of rugged terrain with comparatively limited agriculture. For example, Colorado has the Rocky Mountains; Oklahoma has the Wichita Mountains in the southwestern part of the state; Missouri has the Ozark Mountains; and Nebraska has the Pine Ridge escarpment in the far northwestern part of the state. Compared to Kansas, these regions can support larger numbers of elk with a lower likelihood of conflict. Missouri's permit allocations are currently low because this herd was recently introduced and is still being established. Colorado has more elk than any other state in the United States due to the vast expanse of the Rocky Mountains.

Below are the number of elk permits issued by each contiguous state:

State	Number of elk permits issued
Colorado	171,756
Nebraska	1134
Oklahoma	775
Missouri	5



Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

The proposed changes to the regulation are not mandated by federal law.

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;

This regulation will have a minor but positive impact on business activities by resulting in an additional nine opportunities to harvest elk in Kansas. The regulation will not restrict business activities. See below for the efforts KDWP took to solicit input from businesses.

- 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 will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The economic impact will be felt by individuals who are selected to receive the nine additional elk permits. The total cost will be \$1,800 per year, or \$9,000 over the next 5 years. However, these costs also come with the benefit of the opportunity to harvest a highly prized animal, so individuals will be receiving considerable benefit for their permit fees. There are no implementation or compliance costs imposed on businesses, sectors, public utility ratepayers, or local governments.

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

Some sporting goods stores could see a positive economic impact from this proposed regulation. Discussion of KDWP's efforts to solicit their input are detailed below.

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

The benefits of the proposed regulation are (1) nine individuals will have the opportunity to harvest an elk; (2) private landowners will see a reduction in damage to their property from elk; and (3) businesses could see a small increase in economic activity due to the increased number of permits. There are no costs associated with the proposed regulation.

- 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;

The only costs associated with the proposed regulation change are the additional fees associated with the permits. Since these costs are set by law, no efforts to minimize costs were made.

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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 individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$1,800

Total Annual Costs – \$1,800

(sum of above amounts)

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

The costs to individuals will be \$300 each for the three general resident either-sex elk permits (\$900) and \$150 for each of the six general resident antlerless elk permits (\$900). The total annual cost (\$1,800) represents the cost of these nine additional elk permits that will be sold to hunters.

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred
- ☐ No by or passed along to businesses, local governmental units and individuals as a result
- ☒ Not of the proposed rule and regulation, did the agency hold a public hearing to find that
- Applicable 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.

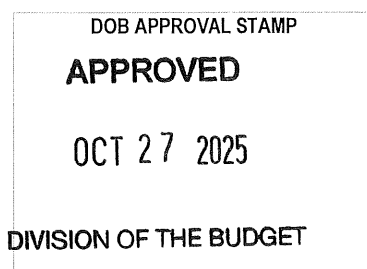
If applicable, click here to enter public hearing information.

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.

The proposed change will likely increase revenues to the Wildlife Fee Fund by approximately \$1,800 annually. No changes in expenditures will occur.

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.

The proposed regulation change will not have a significant immediate or long-range impact on individuals, small employers, or the general public. Businesses that provide hunting equipment for elk hunting may see a slight positive economic impact from the nine additional elk permits.



- 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.

The proposed rule change will not increase or decrease revenues of cities, counties, or school districts. Nor will it impose functions or responsibilities on cities, counties, or school districts.

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

Support and demand for elk permits is exceedingly high. A review of KDWP's license sales data indicates that in recent years, over 1000 individuals have applied for the 30 limited draw permits. Agricultural producers surrounding Fort Riley have contacted KDWP, informing the Department that the elk herd has been growing and is increasingly at risk of causing damage on private lands adjoining the military base.

KDWP publicized and discussed this proposed change to the elk regulations at two Wildlife and Parks Commission Meetings, during which members of the public were permitted to comment on. The proposed change will eventually be presented at a third Commission Meeting, where the public will again be permitted to comment on the regulation. These meetings are held in person at various locations around the state as well as online to accommodate those who are unable to travel to the meeting. KDWP has received no opposition to the proposed regulatory change.

KDWP solicited input from several sporting goods businesses (e.g. Scheels Academy Outdoor Sports, etc.). They expressed support for expanding the number of elk tags, though they stated that the economic impact would be slightly positive or net neutral given the small number of tags and the isolated location of the elk herd located on Fort Riley.

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 individuals or entities 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 individuals who will bear the costs.

[Click here to enter agency response.](#)

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- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will 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.](#)

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