

ENVIRONMENTAL BENEFIT STATEMENT

K.A.R. 115-15-3. Threatened and endangered wildlife; special permits, enforcement actions.

REGULATION DESCRIPTION: This permanent regulation designates when special permits are needed when dealing with threatened or endangered species and their habitats. An environmental benefit statement is required by law when amending an environmental rule or regulation. A regulation adopted by the Secretary of Wildlife, Parks and Tourism concerning threatened or endangered species of wildlife is defined as an environmental rule or regulation. Consequently, this environmental benefit statement has been prepared.

In conjunction with these proposed amendments, the department is also proposing amendments to K.A.R. 115-15-4, which deals with recovery plans for threatened and endangered species.

The Kansas Nongame and Endangered Species Act, K.S.A. 32-957 et seq., requires the department to adopt rules and regulations “which contain a list of the nongame species deemed by the secretary to be in need of conservation” (K.S.A. 32-959(a)). The law stipulates that this determination shall be on the basis of information related to population, distribution, habitat needs, limiting factors and other biological and ecological data concerning nongame species, gathered to determine conservation measures necessary for their continued ability to sustain themselves successfully.

The current proposed amendments stem from changes the legislature made during the 2016 Kansas legislative session.