

**115-5-3a. Otters; management units.** The management units for otters shall be as follows:

- (a) Missouri unit: Doniphan, Brown, Atchison, Leavenworth, Jefferson, Wyandotte, Douglas, and Johnson counties;
- (b) Marais des Cygnes unit: Osage, Franklin, Miami, Anderson, Linn, and Bourbon counties;
- (c) Lower Neosho unit: Allen, Neosho, Crawford, Labette, and Cherokee counties;
- (d) Big Blue unit: Washington, Marshall, and Nemaha counties;
- (e) Kansas unit: Riley, Pottawatomie, Jackson, Geary, Wabaunsee, and Shawnee counties;
- (f) Upper Neosho unit: Morris, Marion, Chase, Lyon, Coffey, and Woodson counties;
- (g) Verdigris unit: Greenwood, Elk, Wilson, Chautauqua, and Montgomery counties;
- (h) Lower Arkansas unit: Harvey, Sedgwick, Butler, Sumner, and Cowley counties;
- (i) Republican unit: Jewell, Republic, Cloud, and Clay counties;
- (j) Solomon unit: Smith, Osborne, Mitchell, and Ottawa counties;
- (k) Smoky-Saline unit: Russell, Lincoln, Ellsworth, Saline, McPherson, and Dickinson counties;
- (l) Middle Arkansas unit: Barton, Rice, Stafford, Reno, Pratt, Kingman, Barber, and Harper counties; and
- (m) Western unit: that part of Kansas including Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, and Comanche counties and all counties west. (Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective P-\_\_\_\_\_.)

APPROVED

MAY 21 2019

APPROVED

MAY 23 2019

APPROVED

MAY 29 2019

**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT  
Agency

Christopher J Tymeson  
Agency Contact

785-296-1032  
Contact Phone Number

K.A.R. 115-5-3a  
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

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

This new permanent regulation sets the management units for otters in Kansas. The proposed regulation creates otter management units.

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

This is not a federal mandate. Oklahoma, Nebraska, Missouri and Colorado all have varying regulations dealing with furbearer seasons, requirements and units. The proposed regulation creates otter management units.

**III. Agency analysis specifically addressing following:**

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

The proposed version of the regulation will not enhance or restrict business activities and growth.

**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 and regulation and on the state economy as a whole;**

The proposed version of the regulation could have a collateral positive economic impact on grocery stores, hotels and motels, service stations, etc.

**C. Businesses that would be directly affected by the proposed rule and regulation;**

None.



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

The proposed regulation will allow for better management of otters. Without the regulation, otter populations will rise and negative human-wildlife conflicts will occur.

**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;**

There are no negative costs and impacts on businesses associated with this proposal.

**F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs associated with the proposed changes.

**An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs associated with the proposed changes.

**Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?**

YES  NO

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

There are no implementation or compliance costs associated with the proposed changes.

**Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period 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.**

YES  NO

The agency held public hearings on this regulation on December 13, 2018 in Wichita, where 5 members of the public signed the attendance roster, on January 17, 2019 in Lawrence, where 4 members of the public signed the attendance roster, on March 28, 2019 in Topeka, where 5 members of the public signed the attendance roster and will hold a meeting on June 13, 2019 in Salina.

**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**

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**League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- 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 to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

