

A large bison stands in a grassy field at sunset. The bison is the central focus, facing slightly to the right. The background is a vast, open landscape with a warm, golden light from the setting sun. The sky is a pale blue, and the ground is covered in tall, dry grasses.

KANSAS
WILDLIFE & PARKS

Our Mission

“ TO CONSERVE AND ENHANCE
KANSAS' WILDLIFE AND ITS HABITATS,
ENSURING CURRENT AND FUTURE
GENERATIONS APPRECIATE AND ENJOY
THESE LIVING RESOURCES AND
ASSOCIATED RECREATION, WHILE
INFORMING THE PUBLIC OF THE STATUS
OF KANSAS' NATURAL RESOURCES,
GAINING UNDERSTANDING AND SUPPORT
IN ACHIEVING THIS MISSION. ”

AGENDA
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING AND PUBLIC HEARING
Thursday, August 17, 2023
Pittsburg State University
Bicknell Center VIP Room
1711 S Homer St, Pittsburg KS
including a
Virtual ZOOM Meeting Option

A) Log Into Zoom

1. Visit https://ksoutdoors.zoom.us/meeting/register/tZcvde-vpjwoEtE8c_DOg4nbN8Fq8bgNTYxB
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: 832 2678 7285#
3. When a participant ID is requested, enter: #
4. For comments or questions, email: 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 12:00 pm (noon)

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

IV. APPROVAL OF June 22, 2023 MEETING MINUTES

V. DEPARTMENT REPORT

A. Public Hearing

1. **KAR 115-25-7 Antelope; open season, bag limit and permits (Matt Peek)**
2. **KAR 115-25-8 Elk; open season, bag limit and permit (Matt Peek)**

3. **KAR 115-25-9 Deer; open season, bag limit and permits (Levi Jaster)**
4. **KAR 115-25-9a Deer; open season, bag limit, and permits; additional considerations; Ft. Riley (Military Deer Seasons) (Levi Jaster)**
5. **KAR 115-7-10. Fishing, special provisions (and associated reference document outlining reference document K.S.A. 2019 Supp. 32-807--Kansas ANS Designated Waters) (Bryan Sowards)**
6. **KAR 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions (Bryan Sowards)**
7. **KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season (and associated reference document) (Bryan Sowards)**

VI. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

B. Secretary's Remarks

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

C. General Discussion

1. **Big game permanent regulations (Levi Jaster)**

D. Workshop Session

1. **KAR 115-4-11 Big game and wild turkey permit applications. (FY 2023 big game regulation review cycle.) (Levi Jaster)**
2. **CWD Update and Carcass Movement Regulation (Levi Jaster)**
3. **Turkey Regulations (Kent Fricke)**
4. **Boating Regulations (Eric Deneault)**
5. **Fishing Regulations (Bryan Sowards)**
6. **Aquatic Invasive Species Regulations (Chris Steffen)**
7. **KAR 115-20-2, Possession Limits Amphibians and Reptiles (Daren Riedle)**
8. **Furbearer Regulations (Matt Peek)**
9. **Public Land Regulations (Ryan Stucky/Stuart Schrag)**
10. **Pending Regulations (no presentation, presented multiple times) (Dan Riley)**

KAR 115-2-1 Amount of Fees

KAR 115-2-3 Camping, utility, and other fees

VII. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

VIII. OLD BUSINESS

IX. OTHER BUSINESS

A. Future Meeting Locations and Dates

X. ADJOURNMENT

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 7, 2023, Finnup Center, Lee Richardson Zoo, 312 E Finnup Drive, Garden City, KS. Times have changed to start at NOON and run until we are finished, with no recess.

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
Thursday, June 22, 2023
Acorns Resort
3710 Farnum Creek Rd, Milford, KS
including a
Virtual ZOOM Meeting Option**

Subject to
Commission
Approval

The June 22, 2023, meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 12:00 p.m.

Chairman Lauber and Commissioners Lauren Queal Sill, Troy Sporer, Delia Lister, Warren Gfeller and Emerick Cross were present. Phil Escareno attended via Zoom.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

(Mission Statement and Agenda - Exhibit B).

IV. APPROVAL OF THE March 9, 2023, MEETING MINUTES

Commissioner Phil Escareno moved to approve the minutes, Commissioner Emerick Cross second. *Approved* (Minutes – Exhibit C).

V. DEPARTMENT REPORT

A. Public Hearing (Notice of Public Hearing – Exhibit D; Kansas Legislative Research Department Letter – Exhibit D-2)

1. KAR 115-4-11. Big game and wild turkey permit applications – Kent Fricke, small game coordinator, presented this regulation to the Commission (Exhibit E, PowerPoint – Exhibit F). Seen declines for 15 years in turkey populations, consistent with other states in the Midwest. Turkey is low production. Made a number of changes in last seven years and reductions in turkey hunting opportunities. Reminder, last meeting in April, KAR 115-25-5 fall season, suspended fall season statewide and 115-25-6, spring season, reduced spring bag to one bird statewide. In Unit 4, the southwest, which is a resident-only draw, we removed adjacent unit allowance reduced the permit quota to 375 permits for residents and tenants, a drop of 25% from 500 permits. The commission also created a nonresident quota approved by unit. Our next step is to modify KAR 115-4-11, recommend change to create an application process for nonresidents. We keep resident spring turkey permits over the counter and unlimited. It defines nonresident spring turkey permit application timeline as beginning in early January going to second Friday of February, approximately 4-5 weeks. Any leftover permits will be offered on a first come first serve basis, if there are any. In regard to this, with transition to a nonresident draw, we will also need to modify KAR 115-2-1, amount of fees, which Jake George has presented on; As part of that we are creating an application fee, which is also a preference point fee.

Norman Mantle, Salina – Why are we even discussing permits when we have low number of turkeys? What is causing drop in production, is it chemicals or lack of habitat? Chairman Lauber – Discussed for several years. Rather than shut off the whole season we are trying to reduce the harvest to match the population. Mantle – You are accommodating recreational people.

Commissioner Warren Gfeller moved to approve KAR 115-4-11 as presented to the Commission. Commissioner Delia Lister second.

Kenny Graham – We have absolutely had a reduction in numbers. If we are really concerned, why leave residents with unlimited tags? I am a resident and pay taxes. If we are going to cut nonresidents who bring in a huge amount of economy, why don't we look at limited quota for residents? You have a wide-open season. Per your last meeting you talked about how much resident hunting was down. Why only looking at nonresidents and cutting 25% if it is a true biological decision. Can you tell me how many turkeys we have or what the harvest was last year. We can't because we depend on a survey only. Most states (copies of reports - Exhibit G) go into by-day accounts of birds killed per county, can see trends, show type of bird and that is updated daily through e-tag system. We do not make our e-tag mandatory. It would almost eliminate the reason for surveys to come up with numbers if we required every animal to be checked in. Deer or turkey, put into e-tag system. We could add questions for counties, area taken, public or private land, etc. Every state that touches Kansas, except Nebraska, does it. By the end of opening day of deer or turkey season they can tell how many birds were killed per county. Why aren't we doing that? It also exempts your tag, we still have a lot of guys using paper tags, eliminates that bar code on your tag. Do you balance your checkbook when you have only half of your information in? No, you wait. I am not trying to get you to stop the reduction, that is legitimate but let's do more on field side and try to get true information instead of just pieces of it.

Hunter Brewer – Why draw for turkeys rather than first come first serve for quota? Fricke – Two main components in coming forward with staff recommends for draw system. Frist, what is fairest to all hunters, whether ability to get on and purchase a tag at midnight on starting day for first come first serve versus being able to enter into draw for equal opportunities to obtain a tag. We feel there is overall fairness to hunters in that aspect. The second one is consistency among game species and how we approach limited opportunities limited numbers of permits. In turkeys, we currently have a draw system in place in Unit 4, the southwest for residents and tenants. Additionally, we have a draw system for limited number of permits for nonresident deer. We feel consistency across species types promotes consistency across all of our regulations.

The roll call vote to approve was as follows (Exhibit H):

Commissioner Cross	Yes
Commissioner Escareno	Yes
Commissioner Gfeller	Yes
Commissioner Lister	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion to approve KAR 115-4-11 passed 7-0.

2. KAR 115-8-23. Bait; hunting (public lands regulation) – Ryan Stucky, public lands assistant director, presented this regulation to the Commission (Exhibit I). Back to talking about not allowing baiting on public lands. The last time we discussed this we asked the commission to vote “no.” This had been workshopped 8-9 times, went through promulgation process and some of the wording we wanted taken out of the regulation was left in, so we asked commissioners to vote “no.”

That language was simply not allowing baiting while hunting or preparing to hunt on department lands, which are state owned and managed lands, those under lease and under contract like federal properties and WIHA and i-WIHA properties. We wanted that stricken out so no baiting at all would be allowed on department lands. That has now been corrected. So, no baiting on public land, all department lands including WIHA and iWIHA. This regulation and prohibition of baiting would not apply to licensed furharvesters, as permitted in KAR 115-5-1. Asking for prohibition of all baiting on department lands.

Kenny Graham – Not a problem, what you do on public ground, but it seems like it spills over onto private ground. Listened to your pre-meeting today on feeding. I can bring in six other PhDs who will counter what was said. It is an ongoing study whether feeding is beneficial or not, or what you are feeding, a variety of items. Economic impact is huge issue. Less impact because department only has 300,000 acres that they own, correct? Assistant Secretary Stuart Schrag – That is what we manage, that doesn't include what we own. WIHA is another million acres. Graham – About 5% of the land in Kansas. After the meeting in Bonner Springs, I asked Mr. Riley for a copy of the economic impact on turkey regs. It will spill over into this and if you take away bait stations or food plots. He said what they used for economic statement was \$68,000, strictly the loss of the 25% of license sales. That is an exceptionally low number, doesn't include hotels/motels and money spent within the community. Mr. Lauber agreed that \$1,000 to \$1,200 was a fair number spent. Your study didn't allow you to do anymore study for your economic impact, correct? It said you searched for any information related to Kansas-specific data reflecting economic contributions to local private businesses that served turkey hunters. You said you were unable to find data specific to turkey hunting and type of data on economic information. There is a lot of it there. Since no reliable information, only license cost and estimate was included. On May 13, I made a formal request for a copy of the economic impact study, and I never received it. I got an email saying this is precisely the type of data I was looking for when I drafted the economic impact study. Prior to that, we can give you numbers that were lost by outfitters, hotels and motels. All you have to do is go to the Department of Economic Development and they can tell you. May 15, asked, a collection of opinions, no matter how knowledgeable, that the sources don't provide the level of reliability we require for regulation for citizens or legislators. When you searched for that type of economic impact data, prior to submitting the turkey regulation there was none available. That is an indication we either need to request or contract with someone to gather the information, or need to determine if we have the expertise and manpower within KDWP to conduct research to collect the data. In Statute 2022, that is required on any regulation change. If you have done it on turkey change that is fine, all I am asking for is to see it. Moving into deer and animal baiting. I want to make sure the sign says stop, we stop, we don't do a rolling stop. A lot of things coming that are going to involve a lot of people and companies, a few I brought today, that it will impact considerably. We took 21 outfitters, average 31 hunters in 2023. Reliable information, we produce spreadsheets if you need them. These were on private lands, not public lands. That is 651 hunts that averaged \$1,214 a hunt, everything provided, which is \$790,000, cut out 25%, you cut \$197,578.50 out of economy. When an outfitter or landowner gets \$1,000, he spends it at the elevator, to buy gas, to live on, to do what he does, so money continues to turn over. KDWP took a Landowner Association, ran 168 outfitters in the state who run approximately 20 hunts a year, that is \$3.3 million brought in. Everybody agrees turkeys are down. When we pass rules and regs, do what is required by legislature, do the studies and if we don't have the expertise, get it and people in the business have that expertise. It is not just thrown together numbers, it can be shown on tax returns and spreadsheets. Please when you make a decision – you talked this morning about push back from economy and 50% of people who wanted baiting – look how it is going to affect counties. In Coffey County alone, it will put three people out of business, an ethanol business that buys ethanol byproduct to produce deer feed, not just corn, we feed peanuts and multitude of things for the health of the deer. I am asking if the sign says stop, then stop, don't yield and go through it. Chairman Lauber – I understand what the legislature requires, understand good to have that, but difficult for me to create ordinary Kansas

hunter as an irrelevant factor, can't manage this just to satisfy the outfitters. When it comes time for complaining, when it affects the pocketbook. If you asked a group of outfitters they couldn't care less about the ordinary hunter, they want the guy who pays money. Graham – That is totally incorrect. My number one resource is landowners who own the land. You will drive by very few homes in the country in this state that you don't see a feeder that has nothing to do with an outfitter. When you get ready to attack that it isn't going to just be the landowner and if you totally eliminate feeding, it will hit the birdwatchers and the ones who like to watch the deer in their year. I get tired of being looked down on because I am an outfitter. From September to December little house on the prairie doesn't get the most amount of tourism in Kansas it is the hunting industry. It is a lot of out of state hunters bringing money in but is also in-state hunters. We have land we offer doe hunting to anyone our county in January, and we contribute to the economy. We care about the habitat, we do as much for habitat as the state does. I manage 24,000 acres and we did 36 food plots last year and supplemental feeding we fed almost 30 tons last year, not dumping, alfalfa, corn and everything. We are out there getting our buck to doe ratios. Can you tell me what deer numbers are on public ground, on one piece of ground? No. But every outfitter or good reliable resident hunter manages his land, 40 to 1,000 acres, knows that. And 95% is managed by those people. You won't just get pushback from outfitters. Chairman Lauber – We expect push back. I understand what you are saying. Have heard rationalization that you care about the little guy but not sure I have seen evidence. At this point we will have this discussion often in the future. Graham – Appreciate your time.

Tim Weddington, Kinsley – I am an outfitter, second largest in the state of Kansas. I own a 6,000 square foot lodge and I was offended by fact that you tell me I don't care about the little man. I put on four hunts a year for children, and they don't pay, some residents some not. I have been in business for a little over 20 years. KDWP has not called me asking what kind of numbers I am seeing on my 50,000 acres, not once. I am on that ground 300 days a year. We want to see what those numbers are because that makes us successful. We don't just go out to kill animals, we manage and monitor that herd, with observation stations with cameras, water sources and food sources. I can tell you in a 10-year period, in 2012, I would see 3 to 1 buck ratio and now it is 6 to 1, and not talking about mature deer. You have greatest source of information standing right in front of you, all you have to do is ask. We will give you that information and tell you what we see. Talking about baiting and it being bad for the deer herd. I hunt all over country, some with highest number of CWD, and they have no baiting allowed and hasn't been for years. It is not affecting or helping them. If you come to my place, we will throw out an infrared scope and look at alfalfa fields that have 250 deer in it. You want to wipe all that out. That is also how I feed my cattle. If the spread of the disease is by feed than it will wipe everything out not just the feed station. The feed station gives us the ability to monitor our herd and that information is available to any one of you if you call a respectable outfitter, we would be happy to talk to you about that. Give you information we see in the field, not PhDs but have 20 years of experience watching animals to be successful and build my business.

Norman Mantle, Salina – Who owns the deer? The state does. You have control over whatever happens to the animals, you regulate them. We start talking about private ownership we will be in big lawsuits. I have information here, we do not own this land, we are occupying land of another nation that does not belong to us. We don't have the say as a private individual over these wild animals, not domesticated, there is a difference.

Commissioner Sporer – On controlled shooting areas (CSAs), is there any conflict buying deer and turkey and providing your own resource? Put and take. They buy chukers and quail. Is there anything in state statute that says they can't buy deer and turkey? Chief Council Dan Riley – Determination is whether it is wild or domesticated.

Weddingston – KDWP sends me a survey every year that I have to fill out for my CSA. It asks me if deer, turkey, quail, pheasant or quail were released. Your form asks me if I do, so I assume it would be legal. Assistant Secretary Schrag – We have been looking at the CSA and regulations surrounding that. There are some differences in the old CSA forms and species listed as to what the regulation allows. Most of the CSAs involves upland game birds, pheasants, quail and chukers. I haven't seen anyone who has released turkey and deer. Commissioner Sporer – It would be interesting the number of CSAs that are hunting pheasants and quail, how many of them started out hunting native birds and then went to a CSA. Schrag – We can look at that.

Andrew Clark, represent myself and silent majority of blue-collar western Kansas folks – My comment is on baiting on public land in regard to furharvesting. I know I, and several other folks, occasionally use a legally obtained deer carcass to trap bobcats after the upland bird season is closed. Are there any limitations on that? Assistant Secretary Schrag – In subsection 2, “this shall not apply to licensed furharvesters as permitted in KAR 115-5-1”.

Commissioner Lauren Sill moved to approve KAR 115-8-23 as presented to the Commission. Commissioner Troy Sporer second.

The roll call vote to approve was as follows (Exhibit J):

Commissioner Cross	Yes
Commissioner Escareno	Yes
Commissioner Gfeller	Yes
Commissioner Lister	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion to approve KAR 115-8-23 passed 7-0.

3. Cabin Rates – Linda Lanterman, parks division director, presented this update to the Commission (Exhibit K). We received a grant and purchased some canvas cottage tents for a glamping program we are going to start. We are going to do \$80 a night with no AC, or \$125 with air. We have ten of them, we will put five at Pomona State Park and five at Clinton State Park. If it goes well, we will add some more later. We have had a lot of demand for this. You can see them on the internet when you look up canvas cottage tents, they have doors and windows, and we can lock them up. We are grateful to the Department of Commerce; we got them through a Tourism grant. I may have to come back if we feel our expenses are not going to meet that fee. Also, we are going to purchase a wagon from a vendor to place at Historical Lake Scott State Park. We don't know what we are going to charge on that yet. Chairman Lauber – If no objections, you have a consensus.

VI. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Larry Fry, Great Bend – I want to commend KDWP on effort to propose regulation that would limit nonresident waterfowl hunters to three days a week. That is a step in the right direction. I'd like to address the issue of increased waterfowl hunting pressure on Kansas lands, primarily on lands set aside for public hunting. As you know, hunter pressure has been steadily increasing the last ten years or so, with the last four or five years seeing it rise to troubling levels, particularly on public lands. The 2021 season in particular showed a noticeable jump in hunter pressure, particularly from non-resident hunters. There are only two ways to reduce total hunter pressure; either reduce the number of hunters or increase the number of acres available for hunting. Since the number of acres in Kansas cannot be increased significantly, that leaves the other alternative as the remaining path to reduce hunter pressure. While there are several methods for reducing hunter

numbers in Kansas, one being the proposed reduced days for nonresidents. Is that a done deal? Chairman Lauber – No, it is under consideration. Fry - I want to address what I feel is the best option. Keep in mind that reducing hunter numbers will, no matter what method is utilized, reduce the revenue that Kansas has become used to receiving from the non-resident hunting community. The amount of any reduction remains to be seen. I have some numbers if you are interested at the end of this. At this point, I'd like to remind us that the stated purpose of the KDWP and its commission is: "to advise the Secretary and approve regulations governing outdoor recreation and fish and wildlife resources in Kansas". As far as I know, it is not to ensure the health of the Kansas Treasury or of private businesses. That is the responsibility of the Department of Commerce and Department of Tourism. I believe that the most expeditious way of reducing the number of hunters on Kansas acres, and therefore hunting pressure, is to reduce the daily bag limit to three ducks and three Canada geese. Here's why I think it would be the best path for Kansas to take: 1) The cost to implement this change would be minimal. All it would require is a change in several numbers in the Kansas waterfowl regulations, i.e., from "6" to "3". 2) It would require no additional regulations, regulations that would have to be approved legislatively. It would only require the approval of this commission.

3) It would require no additional law enforcement, either as additional personnel or additional duties for current law enforcement officers. Our present game wardens are already checking hunters for daily bag limit compliance. 4) It would reduce the number of hunters in the field in two ways: a) Increase the attractiveness of other states for non-resident hunters, states with higher daily bag limits. b) It could add some impetus to some resident hunters to reduce the number of days they spend afield. While this may have some effect on total hunter numbers, I believe the majority of hunter pressure reduction would come from nonresident hunters who, given a choice, would most likely select a state where they can kill the greatest number of birds each day. After all, when a duck hunter puts an out-of-state hunt together, whether it is on public or on private land, he/she fully expects to get the biggest return on his investment, I would too, that is human nature. 5) It would result in the hunters that do decide to hunt in Kansas spending less time "in the blind", as it is normally easier and quicker to kill three birds than to kill six. And less time in the field per hunter equals fewer hunters in the field at any given time, which is the very definition of reduced hunting pressure. 6) It would not single out and penalize one class of hunter, neither the non-resident hunter nor the Kansas resident hunter, would bear the brunt of reducing hunter pressure under this measure. Every hunter would be free to choose to purchase a Kansas hunting license and to hunt in Kansas, on any given day, or not. I believe enough would choose to not hunt on a given day that it would have a positive effect on hunting pressure.

Over the last two years, I have given much thought to alternative methods of reducing hunting pressure on Kansas waterfowl, as I hope, and assume, you have. I believe this is the easiest, least costly in terms of manpower and dollars to implement and enforce, and most equitable way of achieving the goal. Thank you for your time, your attention, and your patience.

Andrew Clark – My associates and I have resounding support for KAR 115-8-26. We also support reclassification of raccoons and opossums under the same guise as coyotes because of obvious issues. In the last meeting there was a brief discussion regarding nonresident applicants applying as residents. Out in western Kansas within the last several years we have noticed tons of out-of-state pressure, mostly deer and turkey pressure. This would make sense from what Jason Dickson's crew found. Quick numbers, residents that get a hunt/fish combo deer tag and turkey spend \$127, in order to do those same privileges, spend \$667, a \$540 difference. If you have 3,210 folks making those selections that is \$1.7 million dollars a year in lost revenue. Over the last five years that would cover the shortfall we are missing. What penalty is there for filing false residency and is there a task force trying to recoup losses from these false residency claims? Chairman Lauber – If one of our game wardens writes a ticket. Secretary Loveless – Colonel Greg Kyser who leads our law enforcement division will address that. Clark – What is penalty for false residency? Kyser – That is up to the court and judge in those counties. Chairman Lauber – If we write a ticket it goes to the

county attorney, we lose control and don't get any of the fines and don't have the ability, unless they ask us, to pursue any investigation. Kyser – Correct. We have actively been looking into many of those you are bringing up, and are in various stages of investigation, which we can't discuss. That is a topic we are looking at. Clark – It seems to be a widespread issue, alarming to me and my colleagues. It is one thing to do tax evasion but another thing entirely to evade paying license fees because those fees go directly to conservation. Chairman Lauber – There is also a significant number of kids who claim they are residents on the family farm and get a landowner permit. We try to monitor those things, but it is difficult and if we issue a ticket, it is out of our control. Kyser – Every year our wardens audit areas they are assigned as far as what they are seeing. There are a number we are aware of that we are investigating and some recently took place and are in an ongoing case. It is a problem. We are limited on personnel but will do the best we can.

Norman Mantle – Tourism and commercial hunting is a danger to wildlife. If anyone has been reading recent news about what happened in Yellowstone, a baby buffalo separated from its momma and mother won't reclaim it. Wildlife that gets used to humans presents a danger because a human will kill it when it comes to hunting season. This happened not only in Wyoming, happened in Onega, they picked up baby deer and hauling it around in a swather for 30 minutes, they did it to take pictures. That is illegal. I called the office in Topeka, your information officer. She said it was alright that they could do this. No, you can't. I don't know who the lady was that I talked to, but she said it was okay to pick up wildlife and touch it. Secretary Loveless – We would be interested in knowing who you talked to because it is well understood in our agency that you can't do that. I would be interested in what number you called so we can follow up on that. We can talk offline and follow up on that, so we put out accurate information. I apologize for that. Mantle – That is putting wildlife in danger. Who is legally entitled a fish and hunting license or not have one? Native Americans don't have to have a hunting and fishing license. The last I knew, one-eighth, 12.5% of people don't have to have a hunting and fishing license. You are doing it by records, paperwork, you should use DNA. Secretary Loveless – We just reviewed that regulation; Dan Riley might comment. Chief Counsel Dan Riley – That qualification is based on the individual being on the tribal role. So, rather than us trying to decide who is legitimately Native American we let the Native Americans make the decision. Mantle – That is just paperwork. Any records can be falsified, that is why we need to do DNA. Chairman Lauber – Are you suggesting that every time you go buy a fishing license you have to swab and hand it to the clerk? Mantle – You would have that on record.

Dan Witt, Hoisington – I have been writing a column, Marsh Musings, for Great Bend Tribune for 10 years. I am a retired physician, and I elected to stay here because of Cheyenne Bottoms. A few months ago, I got some information that a Spanish company was leasing land for a solar panel array on the south side of the Bottoms. I found out it is 125,000 acres. The company readily admitted they have never done anything in a wetland with an endangered species or in the Central Flyway. I won't bore you with the value of Cheyenne Bottoms. Their land is as close as me to you to the Bottoms, directly in the flyway of whooping cranes and all these birds. I wrote letter to you (the Secretary), commissioners and the Governor. Nobody has answered me yet. You have never stated a position, never said you had any interest in doing anything with it. You have muzzled your entire department, so no one can speak to me on that. I don't understand that. Secretary Loveless – Chris Berens in ecological services can address that. We can't demand data from a developer, we can ask them to provide it if they choose to, but we don't have any ability to require that. That is the heart of being able to respond in an informed way. Chris Berens, ESS division director – We have review of projects in state but have not received anything from this company yet. We have seen information from you and some of the general public and we have reviewed those. We don't have any official statements because we have no official documents from them. We refer everything to the county right now because they are the ones that have control of where it can be developed working with county right now. In the county you are in they are proactive with wind and everything else. Typically, the county has more control over where those things are positioned than what the state

does. Witt – At the present time we have a six-mile perimeter and a no-build zone until January 1. Put your saddle on the horse and let's ride for the brand, there is nothing more sacred in this state than Cheyenne Bottoms. That scared me, didn't hear anything from anybody. Fort Hays State has the best Wetland Education Center, they bring every kid from Barton County 3rd and 4th grades through that place. They have birding and hunting programs. Curtis Wolfe is a genius, but Fort Hays State has muzzled Curtis, and he can't speak about this. I don't get it. They get more credit and good press from that Wetlands Education Center than anything else. Berens – We look at the science, unfortunately with energy developments they occur so quickly that the science never catches up. The science shows us there are particular things with solar farms that are concerning to wildlife. Some of those research projects are in California, so how do we equate that to Kansas. Brad chairs a group within the Association of Fish and Wildlife Agencies, and we nationally talk about solar, wind and all kinds of energy developments and what kind of aspects the agencies can do to provide the best science available to understand how it is going to impact. Witt – The Audubon gave us a beautiful discussion. Who cares what the process is, it doesn't matter. If you are going to kill whooping cranes, it doesn't matter if you use a stick or a solar panel or a windmill, don't put it in their flyway. Nobody is speaking up for these birds, you can have a dead whooping crane in your legacy, you can't do that, and neither can this Governor have extinction of whooping cranes. If a tornado hits that and spreads that debris over the marsh, there is not enough money or time in the world to clean that up. Don't worry about science. They can put it somewhere else and accomplish the same thing they want to do. You have to protect your marshes and protect that Flyway. The science does not supersede the lives of these birds and the importance of this wetland.

Mike Michaelis – To follow up on Dan's comments. When you talk to game wardens, area managers and Fort Hays, they have opinions. They are being told if they give these opinions they could be fired. Who is telling them that? Secretary Loveless – Not me. In our agency we have folks with real expertise when it comes to making evaluations on things like solar farms, that is Chris and his group. My guess is the reason those folks aren't speaking is because they don't have expertise in it, so we defer to Chris and ecological services who does. Michaelis - So, area game wardens who aren't saying anything or they are in jeopardy, they are just choosing to wait for the science as the gentleman said? Secretary Loveless – I would hope they would direct those questions to people in the divisions that do that every day. Witt – When this thing started, I found 125,000 acres, that is a lot of land, and it involves about 30 landowners and goes all the way to the edge of Great Bend. This company has 40,000 employees worldwide, provide 15% of total energy and have done beautiful projects in Peru and Costa Rico. They are smart, good businessmen. I think they honestly didn't realize what a wetland was, and I guarantee you that after they get in, they don't care about any of that. They hired local attorneys to go out and speak to landowners and then put everybody under a nondisclosure warning. What I have heard is they are offering landowners \$500 to \$700 per acre per month for up to 20 years. That is a lot of money. I can't guarantee that but that is what I have heard, I have no proof of that but there has to be a lot of money. Cheyenne Bottoms is owned by the people of Kansas and managed by your department, please do your job and don't let them put it in.

V. DEPARTMENT REPORT (continued)

B. Secretary's Remarks

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission. Our budget year ends on June 30 and begin FY24 on July 1. Our revenues in most of our funds have returned to pre-COVID levels. We saw a surge for a few years. What that means for our department we have to figure out a way to adjust expectations and spending to recognize those changes. Park Fee Fund (PFF), derived from entrance fees, camping fees and annual vehicle passes to state parks. Year to date revenue through end of May is \$9.2 million, we

expect about \$11 million by end of fiscal year. Balance in PFF on March 31 was about \$5 million, so revenue is less than previous three years but above pre-COVID. Cabin net revenue for parks and public land cabins through May was approximately \$860,000, a decline from previous year to date. Wildlife Fee Fund (WFF) that a lot of our divisions share is derived from sale of hunting and fishing licenses, game permits, tags, etc. to hunters and anglers. WFF revenue through June 16 was \$28.5 million. We are projecting total revenue for fiscal year to approach \$30 million. This is a decline of about \$5.6 million from FY 2022 and \$9 million from 2021, again has returned to pre-COVID levels. The Boating Fee Fund (BFF) is derived from boat registrations and with this money we provide boating safety, education and infrastructure for public access. FY 2023 receipts through May are \$939,000, a decline of about 15% from previous year. The balance at the end of May was \$2.4 million.

2. Legislative Update – Dan Riley, Legal Counsel, presented this update to the Commission (Exhibit M – Legislative Update from website). The legislature is no longer in session so nothing new since the last report. The three primary pieces of legislation out of the last session that impacted the agency were HB 2039, which involved disabled veterans with over 30% disability, certified by Kansas Commission on Veterans Affairs, is entitled to a free hunting and fishing license. HB 2331, which authorized bringing Lehigh Portland State Park into the state park system. HB 2198, which authorized movement of law enforcement personnel from KPERS system into Kansas Police and Fireman’s retirement system. Only other legislative involvement that is ongoing is with joint committee on administrative rules and regulations. All of our regulations have to go through that process. One thing that I put in briefing book is a handwritten flowchart (last page of briefing book) (Exhibit N). Please take a look at that, even if you think you are familiar with the steps and directions. It is a very involved process and tends to get more complicated as time goes on because it adds more levels and layers. The one thing we can always stand behind, in terms of our regulations is the fact that process by which they are reviewed and approved is very thorough. Regulations go through more scrutiny than statutes do.

Chairman Lauber – Do you want to bring up the lawsuit? Riley – There is a lawsuit filed on triple fatality drowning that took place in 2021 on Neosho River outside of Burlington. We received a letter several months ago indicating an intent to sue. That letter indicated they intended to name the agency and each of the individual commissioners. Received petition about a week and a half ago that it has been filed in district court. They no longer are naming individual commissioners, but agency is still listed. We are being represented by a Great Bend law firm arranged by the Attorney General’s office. We don’t anticipate the agency has any liability because we don’t control that stretch of the river. It was a tragic accident and lawsuit is related to lose of lives that occurred. If you have any questions in the future, I can try to answer them or put you in contact with the gentlemen responsible for the defense of the agency.

C. General Discussion

1. Turkey Regulations – Kent Fricke, small game coordinator, presented these regulations to the Commission (Exhibit O, PowerPoint – Exhibit P). In addition to this afternoon’s public hearing, we are moving forward with next round of discussion on turkey regulations. We don’t have data back yet from spring turkey harvest survey. This is to introduce the topic and get people thinking about turkey seasons and begin the process. As a brief reminder, changes made in 2022 and 2023 that wrapped up earlier, approved dates for 2024 spring season; suspended fall season beginning with 2023 season; reduced spring bag limit to one bird statewide; removed adjacent unit allowance in Unit 4; reduced Unit 4 quota to 375 permits; set nonresident spring quotas by unit; and this afternoon created draw process for nonresident permits. Regarding the draw process we will also be discussing, in the amount of fees regulation, the addition of an application and preference point fee and fees associated with that. In subsequent discussions we will be discussing 2025 season dates

and regulations associated with 115-25-6, which is spring season bag limits and quotas. Along those lines, we do try to adhere to Adaptive Harvest Strategy as much as possible and given the number of changes we made to both spring and fall season and general framework of Adaptive Harvest Strategy, we tend to look at things in terms of enacting managing action, especially bag limit and season dates, have a couple years to look at response to that and then make further recommendations after that. Overview of spring season structure: youth and disabled season always begins April 1; they get a full weekend; archery begins Monday after that first full weekend in April; and regular season begins the Wednesday after the second full weekend in April. In spring 2023 was one of earliest dates that the regular season started, 49 days this year. For next year with no changes, the way the calendar works we will move to shortest season lengths for spring season. That is primarily because first full weekend doesn't fall until April 6 and 7, more time for youth season, nine days for archery season and then regular season starts. What we are looking at going forward, if we don't change regulation for spring season dates in April 2025, a 43-day regular season. We just got data back from spring rural mail carrier survey, which is primary source of abundance data. We still have 15–16-year decline statewide in turkey population statewide. Across the state, ongoing drought continuing in the west and expect some declines associated with that, slight increases in central part of the state and promising trend in north central and little surprising in eastern part of the state that we did not see any bump or stabilization in northeast unit, Unit 3. In ancillary reports from biologists and hunters we had pockets of productions, and through the winter reports from biologists of stable to slightly increasing winter flocks in the northeast. This spring, seeing turkeys in areas they have not seen or 5-6 years. Attribute decline in data to this being patchy, which has been the case in the northeast in other years as well. We will see how that plays out and what brood survey looks like in July. From droughts in west to more turkeys in eastern portions of the state. Flipping to 2023 permit sales and long-term trends, residents and nonresidents. Stable in terms of recent years with residents and nonresidents. With nonresident quota next year will see dip in these numbers. Pressure has remained consistent. In addition, I reached out to education folks, no hunting incidents reported from spring turkey season. Spring Harvest survey ends July 1, analyze data in mid-July, chair turkey committee meeting that has representatives from private lands, public lands and law enforcement across the state, we will meet and discuss the new data, talk about needed regulation changes and recommendations related to bag limits and season dates and anything else related to turkey seasons. I will be here again in workshop on August 17, and we will discuss overall population trends, spring harvest estimates and recommendations. Just a reminder, we have a new statewide turkey research project with contract with K-State University and Kansas Research Coop Unit we are excited about. Spending a good chunk of money and neighboring states are looking at research as well. In next 4-6 years we will see a lot of good results from turkey research from Kansas and adjacent states which will inform how we move forward, adjust harvest strategy, so have more answers with recent and pertinent data.

Tim Nedeau, Osage County – With low numbers in turkey, on our property and adjacent lands, nobody in my area, allowed hunting this year. With floods we got we are concerned about our hatches. With numbers so low, in support of fall season gone, you still have 40-day season. Would it make sense to shut off hunting in May, most of the hunting is in April. Just eliminate those other 31 days or 3-4 weeks. Other states in our area come to Kansas because we have such a long season. Chairman Lauber – That has been discussed. We are not sure it would have that much dramatic effect on the harvest. Nedeau – Anything would help. Fricke – The other thing we have seen from other states when reductions have been made to season lengths is that typically we do not see any changes in harvest or hunter effort, it is just more condensed. Rather than a nonresident coming the second week of May they come in the last week of April because that is the only time it is open. Typically, that is what we see.

Kin Hickman – Back in around 2008, when this started to decline, I killed a bird in Jefferson County, turned into Randy Whiteaker. It had warts all over its head that we thought was maybe

avian pox. He sent is somewhere and said that it was a possible yes. That property had a robust population, it declined quickly after that and has never made it back. Are we still seeing avian pox showing up in the birds across the state and in other states? Fricke – Yes, avian pox and blackhead disease. Just like any wildlife species there are diseases associated with them. We keep a close eye on turkeys because of their close relationship with domestic facilities as well. We are keeping an eye that and that will also be a component of this research we are doing. Any dead turkey we find throughout the year gets turned in and sent to be analyzed. There is typically one to two reports each year statewide, which is pretty low. We will start getting data that is more relevant to actual prevalence across the landscape. Hickman – Are these diseases only in turkey or all birds? Fricke – Typically just turkeys but potential in all birds. There have been some discussions about potential for West Nile, which can have a population impact like we have seen in the east in states like Pennsylvania. We have done those studies on turkeys and not seen the population impact, which is good. Typically, avian pox and blackhead disease seems to be associated with individual birds and kills bird relatively quickly which reduces potential for larger spread, but there is always that potential for spread out there.

2. Boating Regulations – Eric Deneault, boating law enforcement officer, presented these regulations to the Commission (Exhibit Q). Three regulation changes for boating. Recently the Coast Guard notified me of some updates to their regulations and we get some of our funding from them, so we will need to update our regulations. During that time the program coordinator for the Coast Guard retired, got a new one hired. We will be working Mr. Riley to get those laws updated. No major issues or changes to the boating public, it is more wording and stuff like that. The first one is lifejacket/PFD terminology on personal watercraft (PWC). In 2021, we changed statute 32-1129 and updated regulation 115-30-3, which mirrors the statute. Lifejackets used to be types 1, 2, 3, etc., changed to numbers, 50, 70, 100, which didn't really change the lifejacket but changed terminology. One of the things we missed when we did that, we forgot to update the PWC statute, which has a specific regulation on lifejackets. It still has the old legacy terms of types 1, 2, 3, etc. We need to adjust that. I will get something put together and get that to you. The other two statutes they noticed was the fire extinguisher regulation, and ECOS (engine cut off switch), typically a switch you attach to your body and if you were to fly out it automatically shuts your boat off, like a kill switch on a PWC. The Coast Guard updated that regulation and since we have language on PWC lanyard switch, the lanyard requirement, we have to follow their regulation word for word. We are close to that but just a matter of sitting down with Coast Guard representative to make sure we have that. We were notified in December 2022 and the Coast Guard understands it takes time to get things through the regulation process. We will start on that and hopefully later this fall will have a regulation for you to look at. Commissioner Sporer – Other states don't require lifejackets out of storage. In Kansas says they have to be out. Is that a Kansas statute or a federal deal? Deneault – Required federally, almost all of our boating regulations mirror federal regulations. Basically, they require that to get our funding. I will check to make sure and get back with you.

3. KAR 115-20-3, possession limits amphibians and reptiles – Daren Riedle, wildlife diversity coordinator, in the Ecological Services section presented this to the Commission (Exhibit R, PowerPoint – Exhibit S). This started a few years ago when a few folks within the law enforcement division approached ecological services section (ESS) and we formed an Ad Hoc Working Group looking at amphibians and reptiles, as far as regulations. We, in ESS also provide outreach to law enforcement folks on we manage it and how we can work together. We discussed scientific collecting permits and how that works, helped LE folks with identification with native and nonnative amphibians and reptiles. Also, looked at field herping, which is a growing wildlife viewing opportunity, like birding. Kansas is becoming a destination state for that in the U.S. Also discussed difference between commercialization, illegal commercialization and take and field herping. There is a long history in the amphibian and reptile trade. In the 1990s it got really big, as

far as pet trade in the U.S., on who could bring in the coolest new pet back into the U.S. At the same time China opened its borders to international trade with other Asian countries. One big aspect of that was turtles and tortoises for food and pet trade. Within Asia they are actually describing new species coming into the meat markets. It wasn't just in Asia. There was a shipping container full of alligator snapping turtles bound for the U.S. so there were impacts on populations of turtles here. I am also a member of the ICUN tortoise and freshwater turtle specialist group, who looks at international trade for wildlife. In 2011, there were 320 species worldwide, 54% are now threatened with extinction, primarily due to this trade. Chairman Lauber – What was the name of the book on the previous slide? Riedle – Stolen World and Lizard King. In the early days of reptile trade, a little bit of Indiana Jones and My Name is Earl are mixed in there. There is just a handful of players responsible for all of the stuff you see in pet stores now. Which is also why I have worked with our folks on identifying nonnative animals as well. I was working in Oklahoma at one point, and they allowed commercial harvest of turtles, during my tenure there they exported close to 800,000 aquatic turtles out of Oklahoma, and we began to see impacts on some of the streams. In 2008 or 2009, Oklahoma issued a moratorium on commercial turtle harvest in public waters. A lot of other states followed suit. This is a nationwide issue. Some of the turtle activity has continued. In 2019, guy arrested in Oklahoma, he had shipped 1,200 box turtles to China for pet trade. Around this same time, there was a federal case in Johnson/Wyandotte county area where two gentlemen shipped 800 box turtles out of northeast Kansas to China. Those were primarily three-toed box turtles. According to federal officer, China would grade turtles on coloration on the head, in China they charge \$1,000 to \$5,000 a pair. There is a big demand. As we discuss the regulation changes we are proposing, important to note they are shipping out in boxes of 10. Current possession of five, two guys collect five each, box up and ship out; they were never over limit if stopped. Recognizing some of the issues, the Association of Fish and Wildlife Agencies began developing model state statutes regarding amphibians and reptiles. A group of taxa that historically has never really been looked at, but because of increase in world trade we started to look at them. A lot of individual state agencies are reviewing and rewriting their regulations and revisiting commercialization laws. CITES recently up listed all U.S. turtles, depending on where they fell out on appendices in CITES. What is interesting is all the horned lizards are also listed in CITES as well. That is the new pet in Europe and Asia and exports are increasing. In response to some of this, concerned citizens in Kansas introduced HB 2479 in 2022. It basically makes it illegal to touch, pick up or keep ornate box turtles in Kansas in response to this. Done outside of our sphere of influence. I think Brad discussed this with them before it went to the floor and let them know we were working on this. While we are concerned about this, the bill is stricter than what we were wanting and only covers one species rather than the multiple species that could be impacted. One of the things we wanted to do was look at possession limits. A lot of you probably got interested in wildlife as a kid and kept a turtle, snake or lizard for the summer. We don't want to discourage that. There has been a shift and with the pet trade it is what is the new thing we can get into the U.S. A lot of the other countries, in response to that, protect native amphibians and reptiles, so you can no longer keep native amphibians and reptiles, only keep exotic ones. Instead of stuff coming into the U.S. a lot of stuff is going out of the U.S. to supply pet markets elsewhere. Things that are showing up in South African pet trade are copperheads and timber rattlesnakes, western rat snakes and North American king snakes. Seeing similar situations elsewhere as we are having as North American species leave the country. Don't know what level it is taking place in Kansas, but we do know species are being bred and sold out there. Current regulations allow for five of any one species of amphibians and reptiles or mussels, which was in the original wording that we are not going to worry about right now in KAR 115-20-2. We worked together internally and had a working meeting Kansas Nongame Advisory Council, which is NGOs, Farm Bureau and other groups interested in nongame issues in the state, as well as Kansas Herpetological Society, which is a statewide NGO that is interested in amphibian and reptile conservation. We bounced around different ideas to approach this, a way to decrease number of individuals being taken out of the wild for pets. Also, to make it easier for our law enforcement to determine whether things are being collected for commercialization or not. As I

mentioned with box turtles those guys went out and collected ten, boxed them up and sold them. We are proposing reducing the number they could have. The changes we are going to make will be possession limit would be no more than five amphibians of any combination and no more than five live reptiles and no more than two individuals of any species per person or domicile.

Commissioner Lister – The Herp Society supports this? Riedle – Yes, I presented at their annual meeting in November and had zero questions. Most people are field herpers and not collectors, they like to go out see and count stuff but are not taking anything home, so this won't affect them at all. Most researchers and teachers, we have a scientific collecting permit process so they will be able to collect for research and education. Commissioner Lister – To me I don't think it goes far enough. Riedle – When we presented it, we got everything from zero to everything comments. Some states have tried to go to zero and have received a lot of public backlash. We are trying to find a happy medium.

Break

D. Workshop Session

1. Fishing Regulations – Bryan Sowards, fisheries division director, presented these regulations to the Commission (Exhibit T). Biggest changes to blue catfish at Clinton, Glen Elder, John Redmond, Melvern, El Dorado, Elk City and Milford for blue catfish. With the exception of El Dorado and Milford have been operating under a 5/day, 35-inch minimum length limit. They were first stocked in mid- to late-2000s and it has taken a long time to develop those populations and get natural reproduction, typically that takes 15-30 years. We have some smaller individuals that are exhibiting smaller growth, so it is time to encourage the harvest of more individuals below a certain length. We want to change to 10/day creel and only one fish 30 inches. That protects those larger fish and gives a trophy opportunity, which are easier to catch but are a smaller portion of the population. Those fish live 25-30 plus years. We are trying to encourage the public to harvest those fish. The ones that were a little different were El Dorado, still going with 10/day with one over 30 inches, but that one was operating under a slot limit. Milford was 25-40-inch slot, 5/day with one over 40 inches. Those are all going to 10/day with one over 30 inches. Some are in a different place of that population scale, but data is showing us they are going to the same place. The other change at the bottom of the list is removing a few locations from the list of legal paddlefish snagging locations. As I mentioned in April, those made it into the regulation but were never approved by the commission, so cleaning up that issue. Removing those from reference document tied to 115-25-14 (Neosho Falls Dam, Erie Dam, and Oswego Dam on the Neosho River, Coffeyville Dam on the Verdigris River, and Ottawa Dam on the Marais des Cygnes River).

2. Aquatic Invasive Species Regulations – Chris Steffen, aquatic invasive species coordinator, presented these regulations to the Commission (Exhibit U). Changing from aquatic “nuisance” species (ANS) verbiage to aquatic “invasive” species. ANS term has fallen out of favor in that aquatic invasive species (AIS) is easier for the general public to understand. Most states have made that change. Specifically, to move from nuisance to invasive would require changes within KAR 115-7-3, 115-7-2, 115-7-9 and 115-7-10. In all cases it is replacement of word nuisance with invasive. Chairman Lauber – We wouldn't want to be politically incorrect. Steffen - We are asking to move forward with an AIS affirmation for folks operating a boat registered in Kansas, within Kansas waters. We know boats are high risk factor for moving aquatic invasive species. We would add this in the licensing process. Boaters would have to read a short statement, modeled after programs in other states, including Minnesota, to get awareness of how critical it is to clean their boats to prevent the spread. One other change for KAR 115-17-3, a regulation for bait shops and commercial fish bait permit holders. We would like to ask that they complete an aquatic invasive species (AIS) certification course that exists on our website, takes 5-10 minutes to complete and explains risks and how to prevent the spread. The course is designed to hold information and print a

certificate at the end. Asking commercial bait operators to submit that with their other paperwork. There are about 200 permitted bait shops in the state. Commissioner Sill – Is there any cost on that or just completion of it? Steffen – Just completion of it. A couple of our lakes in the state require you to print it and put it on your dash when you launch a boat, so just adapting this to another area where we feel it would provide value. The last one is to AIS designated waters tied to KAR 115-7-10. We would like to add two locations, neither are new, one is an oversight, we forgot to add Riley County portion of the Kansas River for zebra mussels and potentially white perch. The other is Willow Lake, which is below the dam at Tuttle Creek. It is kind of attached to the river pond down there and we know the lake and river pond have zebra mussels and as that connection becomes more substantial, we would like to add them as an AIS designated water. Chairman Lauber – How do we list a part of a free-flowing river with no dams in between, we list upper part of Kansas River and not the lower part? Steffen – Everything downstream from those reservoirs with zebra mussels get listed because we know those zebra mussels are flowing downstream. Chairman Lauber – Is the whole Kansas River considered AIS? Steffen – Correct. We just missed one county when we listed the counties on that reg. Depending where you are at on the river, the lowest part of the river also has silver and bighead carp, so listed for multiple species in lowest part of Kansas River. Chairman Lauber – Do we know how they got there? Steffen – The carp were brought into the state of Arkansas in the early 1970s. Chairman Lauber – I know how they got there. For a long time, it was believed the Bowersock Dam in Lawrence would keep them from coming up. Steffen – It mostly has, they are abundant below that dam, we only have six records above the Bowersock Dam for bighead carp. When I say lower Kansas River, I am talking downstream of the Bowersock Dam. We have a couple of guys there taking those carp out.

3. KAR 115-4-11 Big Game permit applications – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit V). Need to clean up some language regarding pronghorn antelope permits and preference points. We made some changes, and some old language was left in that was supposed to be removed. We have seen this regulation several times now. We are ready to turn this over to be submitted if you are okay with it. Chairman Lauber – Submit it.

4. Deer 25 Series Regulations (KAR 115-25-9 Deer; open season, bag limit and permits) – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit W). After being submitted to the Department of Administration there was a site change. Because we were trying to make these durable and not list specific dates, in many cases, like archery, instead of beginning on a set date, it begins on second Monday following the first Saturday. What we had put in originally was it ran to December 31, and they didn't like that we put an actual date, so they said we need to change that to last day of calendar year. We do have some specific days but those had to be justified as to why we need those days. That was their hangup on how regulations are supposed to be written according to their guidebooks. We don't want to change this because it has gone through approval and we have posted it, so we should be voting on this at the next meeting. Just wanted to make you aware those minor changes had been made during the review process.

5. KAR 115-25-9a Deer; open season, bag limit, and permits; additional considerations; Ft. Riley (military deer seasons) – Levi Jaster, big game program coordinator, presented this regulation to the Commission (Exhibit X). This has also made it through the process, and we will vote on it at next meeting. That will get the military subunits seasons set. We are looking at ways to adjust these, so we don't have to go through this process every year. These are different because they are specific to the properties and what the managers there are needing to see to make sure we can hold a good season while conforming to different military missions.

6. Proposed CWD Carcass Import – Levi Jaster, big game program, coordinator, presented this update to the Commission (Exhibit Y, PowerPoint – Exhibit Z). For bringing wild cervid carcasses into Kansas, same thing we have seen in the last few meetings, except that we removed

listing for taxidermists to use a dumpster. As the commission pointed out that is hard for anyone to prove or find out in some cases. We are working through this whole process. On interstate carcass movement, we looked at this previously and did change some proof of sex regulations but didn't do anything on actual carcass movement. Following what other states have done, which hasn't changed since we last looked at it. We are limiting the worst parts to being moved around but still providing the most flexibility for folks to hunt without too onerous of a restriction. It is a process of trying to find what movement around a unit minimizes risk but also minimizes conflict and are not dividing large cities. Basically, the same language, talked about 30 miles, still reviewing that. It is a process trying to get around all the units. We are considering language, pulled waste disposal from dumpsters or landfill for taking it to a taxidermist. Likely most of the taxidermists, because of volume, have to do that anyway. Still working on it.

7. Furbearer Regulations – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit AA). Two topics, coyote night vision and raccoon harvest seasons. Covered these extensively at last meeting with a PowerPoint presentation and addressed a lot of issues and things the department took into consideration. We did not make a recommendation from department at that meeting. Starting with coyote night vision season, we heard from and are aware that night vision hunters themselves would like a lot more ability to hunt longer seasons, more species and different ways with vehicles. We also have heard opposition to the night vision season and some issues have arisen. The department's recommendation at this time is to keep the seasons where they are, keep three-month season, to do away with the permit, so hunters would no longer have to get a permit and it would be absorbed into the regular coyote hunting season and continue to monitor coyote harvest through the small game harvest survey. On raccoon harvest season, changes in harvest and landscape level changes in the state and throughout the Midwest have resulted in long-term increases in raccoon abundance. Evidence that raccoon populations are affecting other species, like gray fox through perpetuation of canine distemper and speculation of impacts on ground nesting birds, not proven, but not disproven either. Kent mentioned turkey research study so hope some clarity with that study. We are considering going to year-round open hunting and trapping season, with some limitations on trap type that could be used. Given the overlap in harvest techniques and high abundance of opossums, their potential and similar roles in nest predation we recommend they be included in year-round season. We are aware some traditional furharvesters will be opposed to this, as well as some of us in the department, but as we have gotten into this issue and looked into it further, and surveys of Kansas furharvesters, only 12% are opposed the establishment of a non-fur type season. This was a powerful piece of information, so who are we protecting this species for when we know there are some problems, they are responsible for on the landscape, so decided to make recommendation to allow additional harvest for those inclined to do so. Chairman Lauber – Agree with recommendation. If furbearer market comes back, or if overabundance takes care of itself through disease or something, we may want to change that. Commissioner Gfeller – What is the reason behind eliminating the permit and what information do we lose if we do that? Peek – I conducted three post season harvest surveys where we estimated the rate of harvest, what equipment they were using, how many days they were active, so we would lose that information specific to them. That information is still obtained through the small game harvest survey, but it would not have detail to night hunting specifically. For example, the small game survey asks them how many days they hunted for coyotes but does not determine how many days they used traditional methods versus night hunting. We would also lose the night vision specific harvest but would have total statewide coyote harvest. Commissioner Gfeller – The more specific data, why wouldn't we want that? Peek – It is a burden on people to buy, even though it is a free permit. If we can get the information we need from the basic survey, we don't need to impose that on every user. This is an interesting dilemma; we would always like to know every bit of information off every person. We could impose a requirement for everybody who harvests something to report to it, then theoretically we would know everything. The truth is you don't know everything in that case, because not everybody responds or tells the truth. What we would get from

the small game harvest survey would tell us the estimated coyote harvest, which is the main thing we need to know. Chairman Lauber – Also, the night hunting of coyotes, is baked into coyote harvest. It is part of the way we do it and way other states do it. While it would be good to have the information, I don't like free permits that cost \$3 either if we don't have to impose that on the people. Commissioner Sill – Does that permit afford law enforcement any benefit when they are looking at issues we had raised as concerns around night hunting? Peek – Greg is shaking his head no. Commissioner Sporer – One of the original reasons to not open thermal hunting up in November was law enforcement didn't feel they would be able to task that. The other thing you brought up is, if we were going to extend the season, we would like to do it in the spring. Nobody wants to hunt in the spring for lots of reasons. Like to see start in November and go to March, rather than go from March to April or May. Chairman Lauber – Will we be able to harvest raccoons with night vision? Peek – No, not recommending expansion of season. Kyser – Regarding question on night vision permits. I have not been briefed on any issues we have encountered with people not having the permits, we ran some enforcement selective during that hunting period and didn't hear of any huge issues. There are perceptions people are taking other game other than coyotes, but no proof of that. The permit is more for biological data collection than what we would use it for. Commissioner Gfeller – I can't help but think that information is not important information to have. Judging from the enthusiasm of the first year I don't think requiring the permit diminished any of the enthusiasm of the night hunters. More data on who is hunting, where how and when they are hunting, is pretty important data. I understand doing the survey, but that is not nearly as accurate. I also understand that everyone who gets a permit may not hunt at night but at least we know how many permits are out there and what the potential is. Unless it is just a major headache to issue these permits, don't see it is an inconvenience to the ones who want to hunt.

Andrew Clark – Recently there was a turkey study released in Oklahoma, showing strong correlation between nest success and predation due to raccoons opossums. Please take that into consideration. He mentioned traditional furharvesting opposing an extended season, unfortunately traditional furharvesting relied on exportation. With establishment of BRICS nations, it looks like that expectation probably isn't going to continue for a long time. Some of those traditional values will probably change. Encourage extension of night vision thermal season to include raccoons and opossums during that time period when undulant don't have their head gear. Kin Hickman – When would this be in effect? Peek – I would have to defer to Dan. Dan Riley – We don't have a regulation in the process, this is just discussion. Chairman Lauber – It probably won't take affect this fall. Hickman – If and when this does come about, will it be on public land as well as private? Peek – The proposal right now, is just to be open, so an extension of the existing season on raccoon and opossum, on both public and private land.

Norman Mantle – When are we going to go back to allowing us to hunt coyotes with airplanes? That got throwed out a long time ago. Chairman Lauber – To be honest I don't know it is thrown out today. Mantle – It is illegal. Kenny Graham – Back in the 1980s we used to close coyote season during rifle deer season. It stopped a lot of poaching. With licenses going from November all the way through, I don't have any opposition against it for people who are legally hunting but it is an excuse to carry a thermal gun at night. I am sure law enforcement has found more than one deer that is cold and stiff that was illegally taken. Whatever you decide, but love to see that closed during antlered rifle season. That is a definite concern, saying they are coyote hunting when not, that creates a real issue. Chairman Lauber – Continue to reflect on whether to keep the night hunting permit or not, think about that and come back with recommendation. Some people on commission feel it is not harmful and a small price to pay. Peek – If perception that season might be changed substantially as a result of the date collected. I was of the impression that coyote harvest is going to be acceptable and desirable for harvest to be increased, therefore there are more social issues involved than biological. We will have some further discussions about that topic. Commissioner Sporer – Is this the second or third workshop for this? Peek – This is the first workshop where we actually made a recommendation. Chairman Lauber – We have a least another workshop and a public hearing. Commissioner Sporer – We are at least two commission meetings away, August

would be second workshop, September would be workshop and a vote. Chairman Lauber – If it gets through the gauntlet. Sometimes before we had some stuff that couldn't get through and Item number 10 is all the things that have workshopped that we can't get approved. I hope you are right that we can vote in September. Secretary Loveless – That would be the fastest.

8. Public Lands Regulations – Ryan Stucky, public lands assistant director, presented these regulations to the Commission (Exhibit BB). I have two proposals. The first one on the department's special use descriptions that are in our reference document and the second one I will be proposing is a new regulation that involves nonresident waterfowl access. We went over some of this 10 times in workshop. We table the changes in the reference document a few months ago because of one part in there where we asked for statewide check in and check out. Dustin Mengarelli is our coordinator on that, and he felt the system wasn't ready at the time. He has been working with our new license vendor, Brandt, and they feel it is ready to move forward. I don't believe that the public's copies of the document show the added wording as highlighted. On the first one, access restrictions, you see the following properties have been specified, "specified" was added and you can see the strike through. Moving down to region 3, there was a strike through on Neosho WA. There were some additional properties that wanted to be added to that restriction, some new wording was added which read, "no access into a wetland before 5:00 am and must exit the wetland within one hour after sunset". Neosho was already in that, but we wanted to add McPherson Valley Wetlands, Slate Creek Wetlands and Byron Walker WA. Move to next section, section 6, no motorized boats, added Jamestown WA, Move to Region 2, at bottom, added Perry WA. Under Region 3, add new subsection, "no vessels allowed" and for Cheyenne Bottoms WA the vessels permitted only during waterfowl season would be an additional restriction. Assistant Secretary Schrag – Back up one section access restrictions, after no access before 5:00 am, add Perry WA, for the record. Stucky – Moving to refuge, subsection 12, Region 3, add two areas, Perkins East and Bogner center tracts. Under daily hunt permits, added "all department managed lands and waters (wildlife areas and state fishing lakes), excluding Maxwell Wildlife Refuge, Big Basin Prairie Preserve, and all State Parks and all i-WIHA properties". WIHA is already in the check in system. Moving to section 16, daily use permits, two properties of Buck Creek WA and Noe WA were already in the system, but we changed some of the wording to read, "electronic daily use permits are required through the department's licensing system for all activities". They were in it we wanted to clean up the iSportsmen and make sure it was for all activities. Commissioner Sporer – Is state licensing system ready capable of check in and check out statewide now? Stucky – Yes. They are ready to import that information in, but it will take a while and will not take full effect right away. Once we get it in there is some education that will go with that. We will try to let folks know, in signage, etc. comes into play. That will also be in our regulation summaries and on internet. Commissioner Sporer – It all comes together with nonresidents, public lands, check in and check out, it is all important stuff. Secretary Loveless – This will take a little time to implement. Our officers are really good about approaching people who weren't aware or had trouble signing in for one reason or another and are good about coaching them through that. They have a great attitude and are customer friendly when it comes to doing this. Another issue is the habitual offenders, they approach that differently. I think this will be particularly valuable in the future because we have a lot of people besides anglers and hunters using public areas. This has potential for us to understand other users and their needs and desires when they use our ground. An issue we talk about a lot is relevancy, people understand the way we serve them and have a desire to serve them more, wildlife watchers and hikers and all the other folks we have out there. This will help us do a lot better job of understanding who is using it, what needs are and how we can better address those. Assistant Secretary Schrag – Add to that. When we talked about three-day nonresident restriction, which Ryan is getting ready to discuss, having these properties in the check in and check out system will help facilitate that regulation if passed. As Secretary said, public lands officers are really good at having an educational period, as part of enforcement efforts, staff are equipped with apps and laptop computers and can assist the public on checking in and out. Law Enforcement division has been

helping us with that endeavor the last couple of opening seasons at the Bottoms and different properties. We will continue to carry out those operations, from law enforcement standpoint, in public lands and law enforcement divisions to help implement this new check in and check out statewide. Commissioner Sill – Do you have to have a KDWP number to get ksoutdoors app to do check in and check out on? Assistant Secretary Schrag – You have to have the app and set up an account. Commissioner Sill – Do you have to have a KDWP number? Jason Dickson – Not to download the app, but to check in and out you will have to have an account. Commissioner Sill – An account or a number? My question is, for non-hunters and non-anglers, can they do check in and check out if they don't have the number? Dickson – It will create them a number when they set up their account. Commissioner Sill – So you don't have to have license? Dickson – Unlike the original system where the only way you could get a number was to buy a license, now you can sign up and create an account without buying a license. Commissioner Sill – So, for birders they may be a little education to teach them to get the app. Assistant Secretary Schrag – I want to clarify, for right now we are asking for this for the activity of hunting only, not asking anglers or birders or others to check in at this point, it is for hunting only. Commissioner Sill – This says all activities. Assistant Secretary Schrag – If you go to section 15, daily hunt permits, the last sentence of that opening paragraph says, “This requirement would be for hunting activity only.” Commissioner Sill – But what about daily use permit? Assistant Secretary Schrag – They are both daily use permits. It is electronic check in for both. The difference between subsection 16, on those two properties, check in and check out is required for all activities, birding or whatever, but only those two properties. Section 15 covers all statewide wildlife management areas for hunting only. Does that make sense? Commissioner Sill – Yes, it does. My main question was whether people could get there without having to have a license for check in and check out. Assistant Secretary Schrag – We have discussed that internally and see benefits in the future for expanding activities required for check in and check out. We just don't want to dive off into the deep end before we know how to swim. So, for now this is for hunting activity only.

Stucky – The next proposal is a new regulation, KAR 115-8-26. The last commission meeting was the first time we put this into workshop, proposed by Assistant Secretary Stuart Schrag. I would like to read in detail and then expand upon it, so those listening can understand it. “Information and data collected from staff since the 2020-2021 Kansas waterfowl season is showing that non-residents are spending more consecutive days on public waterfowl properties, hunting in larger groups, and spending more time per day on these specific properties pursuing waterfowl. This has changed waterfowl behavior to the point there is growing concern that ducks, specifically, are not able to utilize our public wetlands sufficiently to meet their dietary, energy, and resting needs because of the human pressure that has increased in intensity.

Resident waterfowl hunters are also reporting (in increasing volume) that this change in non-resident waterfowl hunting culture has decreased their opportunities on our department lands and waters. Staff from the Public Lands and Wildlife Divisions have been meeting regularly and discussing these growing issues over the past few hunting seasons. Several potential recommendations have been vetted and continue to be discussed but the Department believes the following recommendation has the greatest potential to address the non-resident pressure issue.” When Stuart was talking about it the last time, he talked some on overcrowding and said that it is more pressure than overcrowding. We do have certain properties where overcrowding is an issue. The recommendation is that nonresident waterfowl hunting on department lands and waters be restricted to Sundays, Mondays, and Tuesdays throughout the duration of the established Kansas waterfowl season, including September teal season. There was a question if it did include the Spring Snow Goose Conservation Order and the three-day restriction are for the regular duck and goose seasons, not to include the Spring Snow Goose Conservation Order which starts in February and ends the end of April. Nonresidents would not be allowed to hunt waterfowl on department lands and waters Wednesday through Saturday, and this would include WIHA and iWIHA properties. One of the things we looked at was if we implemented this on state-owned properties but what

about other properties we manage, like federal properties. So, we are in talks with the U.S. Army Corps of Engineers, Bureau of Reclamation and U.S. Fish and Wildlife Service and they all were favorable and supported this but one question they had was on the wording. They want to see some final wording before they gave us an answer but are supportive. They want to see this workshopped a few more times to see how the wording would change. One of the things they asked about was boating. We are not interested in restricting boating on reservoirs but more on state-owned properties, marshes and stuff like that, not necessarily on reservoir water. Assistant Secretary Schrag – He is referring to vessel use by nonresidents on those days where they shouldn't be hunting, Wednesday through Saturday. We are looking specifically at wetland pools that allow boating and whether we need to implement some specific nonresident restrictions for vessel use on specific wetlands. Stucky – When we talk about nonresidents there are a few nonresidents that qualify for residency. Those are active military, nonresident lifetime license holders, and nonresident college students, which follows suit with other privileges they are allowed. The department believes this proposed recommendation will have the least amount of negative economic impact over other options. Nonresidents will still be allowed to hunt waterfowl seven days a week, they can do so by hunting four days on private land and three days on public land. If you are looking at three out of seven days, that is 43%. We are not looking to not allow nonresidents we are looking at access restrictions. If you look at the different zones they can hunt in, that open and close at different times, in total they have an opportunity to hunt close to 50% of those open days. We are still discussing regulations and language and nonresident vessel use on some lands and waters. There also has been some public input through emails and phone calls, positive and not in favor of it. The ones that are positive are residents and not positive are nonresidents. Jason Deal was asked to provide information in podcasts and done other interviews with other organizations. Those went well and he has gotten feedback on those, residents more in favor, nonresidents are not. There was a question last time on when this would be implemented, not this season, looking at 2024/25 waterfowl season. Also, we are in discussions about creating a nonresident state stamp, in discussion but not in workshop phase yet but wanted to mention it while on the subject of nonresident waterfowl. Assistant Secretary Schrag – A couple closing remarks on outreach we have been undertaking. We designated Jason Deal, regional public land supervisor out of Chanute, as our spokesperson on this hot topic and he has done a good job. It sounds like, from entities that represent the nonresident component, that they didn't realize how minimal acres of wetland we have in the state and once they put that into perspective, they are getting a better sense and understanding of what we are trying to do. Regarding nonresident specific waterfowl stamp, that is something that will have to go through the Kansas legislature because it is a state statute and not through this commission process. The department is looking at several statutes that are out of date and in need of revision. This will be one included in a long list of statutes we would take to the legislature for amendments or additions. Commissioner Sporer – Thought about this, with small amount of land we have. I have hunted public lands in Kansas my whole life, our refuge systems and public hunting areas are built on traditional waterfowling. Things have changed and it is not traditional anymore. That is why we are here and having to implement this, things change, and we are trying to maintain the quality of hunting with lands and small areas we have to hunt. That is why we are making this decision. It is what we are faced with and trying to do the best we can.

Hunter Brewer (online) – I love the check in check out process but when it comes to law enforcement, I have personally never seen a law enforcement officer on any public lands. What does the state or commission have planned to increase law enforcement in order to police these new policies? Stucky – We are trying. Assistant Secretary Schrag – Ask him to let us know what properties he has been hunting.

Assistant Secretary Schrag – One final thought is where we go from here in this promulgation process. This is the second time we have workshopped this, August will be the third. From my perspective it would be nice to have everything established so we can write the language of the

regulation to present at the August meeting, if everybody is okay at that point, we will then submit to Dan for promulgation process. Stucky – If we can get the final wording, we would get with federal partners to make sure they agree. Assistant Secretary Schrag – I don't want to rush this and want to allow everybody ample opportunity to provide input, commissioners and public. If we feel we are ready in August we will proceed, if we are not ready then workshop additional times. Dan Riley – I suggest we maintain and include with that is all that documentation and contacts from all the people we have heard from. One of the things we are going to have to do when we introduce this into the promulgation process is support for it because we will be challenged on revenue basis, because it won't be revenue neutral and input from hunters you have had contact with. Kenny Graham – The Outfitters Association probably couldn't care less. We do care what happens on public ground, but we don't run hunts on public ground, it is all private. It doesn't affect us at all because we still have seven days. Personally, I don't run duck hunts, but I do enjoy duck hunting. I go to Arkansas; friends go to Oklahoma and other states to hunt and hunt public ground. I want you to take into account, go to other states and ask what the push back would be from them. In 1994, when they allowed out of state deer hunting here it was because Oklahoma was going to shut down Kansas residents from going to Oklahoma. It can be retroactive, and you will get push back and reciprocation back. Same thing with deer and elk hunting and other things in other states. Commissioner Sporer – North Dakota, South Dakota and Minnesota all have restrictions for nonresidents. Missouri has a draw system on public lands, you stand in line at 4:30 in the morning and you either get a draw or don't. Graham – Public and non-public land. Commissioner Sporer – Public lands only. Kenny Graham – In state or out of state. I hunted Missouri. Commissioner Sporer – We are not the first implementing nonresident waterfowl hunting restrictions in the United States. Andrew Clark – Nebraska, in the rainwater basin, is another. I implore you to support this measure. As far as the outfitters, I feel they have a lot in this game. If somebody can come up and hunt the three days and wants to hunt private ground for upland, or released birds on CSAs it could increase the economic benefit that comes their direction.

9. KAR 115-2-3 Camping, utility, and other fees – Linda Lanterman, parks division director, presented this regulation to the Commission (Exhibit CC, PowerPoint Exhibit DD). If you have not gone by Cedar Point campground here at Milford State Park, you need to. It was the one that was flooded, and we had a lot of people who wanted input on how we designed it. It looks incredible and they will open next Wednesday. It is probably one of the best campgrounds we have in the state. It was FEMA dollars and used \$2 million from the Governor who gave us state general funds. It took all of that and then some. We hope to be reimbursed back. The project is complete, just a few things left to do but it is incredible. We have lowest daily fees and we have gone through this several times. I want to give you one more thing to look at. The seasonal camp program, I proposed \$100 increase. I changed the Group A. The reason why is because every one of the people who has a seasonal camp program has to get an annual camp. The \$100 increase, mostly in smaller parks, would be a discount of more than they pay now. So, I went back and talked to our team, and we want to go to \$150 on smaller parks. You are talking about Cedar Bluff, Cross Timbers, Eisenhower, Fall River, Glen Elder, Kanopolis, Lovewell, Pomona, Historic Lake Scott and Webster. It will do away with annual camp, they won't need that anymore but went up \$150 per month on Group A, which is one utility. Four people last year utilized the one utility. Two utilities are the one that is most utilized, because that is the sites we have. It is still a good savings from what it would be on a daily basis. This program, although we don't want them to look like they are living there, is good for us because we know who is there. It is easier for us to enforce as long as they keep their site clean. A good program for us. We had a meeting with the Corp of Engineers yesterday and they allowed us to do it at El Dorado. We are hopeful that program takes off well. The only thing I changed was Group A, one, two and three utilities, up \$150 because they don't have to have annual camp. Commissioner Sporer – People who stay in same spot? Lanterman – For 30 days and that is the cost proposed for 30 days. If the fees go through, \$15 a night increase, it will be a savings on the other side. If they stayed there and moved every 14 days, like they are supposed

to, it would be that much of a discount. Some discount is good because we had the legislature talk to us about giving seniors a discount. The 14-day will give a \$2 a night discount, if they want to do that and not utilize this and this would be another discount, we can allow everyone, not just seniors, but it does allow a discount. Commissioner Sporer – What does this have to do with long-term, what is the difference. Lanterman – We call it seasonal camping, not long-term. Commissioner Sporer – So, nobody can stay in the same spot for more than 30 days? Lanterman – No, they can April to October, but every month they have to renew. Commissioner Sporer – So somebody can stay from April to October? Lanterman – Yes, but it is a per month contract. They don't get a blanket contract; it is per month. Commissioner Sporer – They can walk in and get the same spot and stay. Lanterman - It is a draw, we do it at a certain time in the beginning of the year and if we only have 20 sites and we have 25 people who want it, we do a draw. They put in what sites they want, and we select them out. They may not get the site they want. In some locations, if we have 20 sites and 10 that apply, we still do a draw. Commissioner Sporer – The number of sites is not going to change in Kansas for this program? Lanterman – No, we submit that to the Corp of Engineers every year. It may decrease some. As demand increases in state parks these numbers will decrease. It is a successful program we have. We received \$563,000 from this program last year. But we need to keep up with utilities.

10. Pending Regulations – Chairman Lauber - We have the same pending regulations that have been presented multiple times and they are not ready to go yet. Dan Riley – The first three on the list will be going for a vote in August, with exception of 2-1, which is the fee increase regulation, all of those will be on the agenda for vote in August. I referred earlier to the flow chart in the terms of process. One other thing we are working on is a written explanation and description of the process, from workshop to concept of regulation that has been workshopped enough and commission is in favor of it, then it enters the promulgation process, so that is work in progress. I want to ask the commission for input on how that designation is made. When you have heard the presentation enough times. When you are satisfied all the questions and issues have been resolved, we need something that makes it distinctive in terms of saying yes that we have reached that point. The reason why is the dialog is a little different in each presentation. What we need is something communicated from presenter to commission asking if commission is satisfied and the regulation is ready to be promulgated. Sometimes we end up in between, sometimes I think it is to that point and it isn't and the consequences of that are never good once it has entered the process it is difficult to make changes. I would like the commission to consider how we signal that distinctively and have a clear sign of when it is ready to go to the next phase. Secretary Loveless – Would we recommend that we put that question at the end of a presenters talk? Dan Riley – I think so. I don't think there will ever be a time when we have a set number of times to workshop an issue because that depends on the issue. Sometimes it might be 10, sometimes two. I don't think we want to dictate that. Whenever it gets to the point that the presenter feels it is ready to move forward. Chairman Lauber – I will try to make sure on each workshop item that we firm up when it is ready to go. Riley – That will help everybody, knowing exactly where we are at. If there is ever any question, Sheila can go back in minutes and look to see that was the endpoint.

- Turkey
 - KAR 115-4-11 Big game and wild turkey permit applications.
- Fishing
 - KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season (and associated reference document).
 - KAR 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions.
 - KAR 115-7-10. Fishing, special provisions (and associated reference document outlining reference document K.S.A. 2019 Supp. 32-807--Kansas ANS Designated Waters).

- KAR 115-2-1 Amount of Fees.
- KAR 115-8-1 Hunting, furharvesting and discharge of firearms (reference document).
- KAR 115-25-7 Antelope; open season, bag limit and permits.
- KAR 115-25-8 Elk; open season, bag limit and permit.

VII. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VIII. OLD BUSINESS

None

IX. OTHER BUSINESS

A. Future Meeting Locations and Dates

August 17, Pittsburg, Pittsburg State University, Bicknell Center VIP Room (morning tour??)

September 7, Finnup Center (Lee Richardson Zoo) Garden City

November 9, Emporia

Commissioner Sporer – I had someone ask if this morning’s pre-meeting was televised and recorded and if it would be on our website? Sheila Kemmis – It will be on our website with the commission meeting.

X. ADJOURNMENT

Adjourned at 3:18 p.m.

Public Hearing

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Volume 42 - Issue 26 - June 29, 2023

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission (the Commission) at 12:00 p.m., Thursday, August 17, 2023, at Pittsburg State University, Bicknell Center VIP Room, 1711 S. Homer St., Pittsburg, KS 66762, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

The public hearing will begin at 12:00 p.m., August 17, 2023, at the location above. Other Commission business will follow and will include general discussions, which may include educational presentations, workshop sessions, and public comment opportunities following the public hearing and again toward the end of the meeting. The meeting will continue until all business is complete.

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 30-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, 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. 115-25-7. This regulation amendment covers the provision and restrictions for the antelope open season, bag limit, and permits.

Economic Impact Summary: No implementation or compliance costs for any sector or individuals is anticipated and any economic impact would be minimal due to the minimal extent of the changes being made. The number of general resident draw permits is reduced by a total of two (2) permits, and the landowner tenant permits are also reduced by a total of two (2). Overall reduction from 160 draw permits to 156, a 2.5% decrease, resulting in anticipated lost revenue to KDWP of \$150. The regulation also would eliminate the late archery season which would impact approximately forty (40) archery hunters, who hunt only the late season. The estimated loss to KDWP is \$2,000 (40 X \$50). The general economic

loss created by the reduction of those forty (40) permits is expected to be minimal because historically those late season antelope hunters are concurrently deer hunters, so the goods and services they purchase would be expected to be unchanged.

K.A.R. 115-25-8. This regulation amendment covers the provision and restrictions for the elk open season, bag limit, and permits.

Economic Impact Summary: No enhancement or restriction of business growth is anticipated. No implementation or compliance costs is anticipated, and the only changes made by the proposed regulation involves the dates for the open seasons. No changes related to the number of permits available are involved, so no economic impact is anticipated. Businesses with direct involvement with the dates of the open elk season may be affected. No benefits/costs have been identified; the proposed regulation is benefit/cost neutral. There are no costs or impacts which are anticipated to businesses or economic development, so no measures to minimize same are indicated.

K.A.R. 115-25-9. This regulation amendment covers the provision and restrictions for the deer open season, bag limit, and permits.

Economic Impact Summary: No implementation or compliance costs for any municipal sector or private individuals is anticipated. The number of antlerless deer hunting days will increase slightly in Deer Management Unit #12 (DMU12), which is anticipated to provide more hunting opportunity as well as reduce crop damage due to an increased deer harvest. The benefits of the proposed rule are intended to be increased hunting opportunity in DMU12 and increased antlerless deer harvest in areas experiencing excessive crop damage. No immediate or long-range impact is anticipated to any category of employer, municipality, or individual members of the public.

Copies of the complete text of the regulations and economic impact statements may be obtained by writing the Chairperson of the Commission at the address above, electronically on the Department's website at <http://www.ksoutdoors.com>, or by calling 785-296-2281.

Gerald Lauber
Chairman
Wildlife and Parks Commission

Doc. No. 051271

[Kansas Register](#) / [Issue 28 - July 13, 2023](#) / Wildlife and Parks Commission

Volume 42 - Issue 28 - July 13, 2023

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted by the Wildlife and Parks Commission (the Commission) at 12:00 p.m., Thursday, August 17, 2023, at Pittsburg State University, Bicknell Center VIP Room, 1711 S. Homer St., Pittsburg, KS 66762, to consider the approval and adoption of a proposed administrative regulation of the Kansas Department of Wildlife and Parks.

Other Commission business will follow and will include general discussions, which may include educational presentations, workshop sessions, and public comment opportunities following the public hearing and again toward the end of the meeting. The meeting will continue until all business is complete.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation 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 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulation.

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, 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 regulation. 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 regulation.

The regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

K.A.R. 115-25-9a. This regulation sets deer seasons on military installations in the state and adjusts the dates from the previous season.

Economic Impact Summary. The proposed amendments will not enhance or restrict business activities and growth. The proposed amendments would have an economic effect on businesses surrounding the military installations and individuals who purchase permits to hunt deer on those installations. However, any economic impact would be included in K.A.R. 115-25-9, statewide deer seasons, because permits are not available specifically for military installations and it is impossible to estimate the number of participants. There are no costs associated with this proposal. Any data is included in the general deer regulation, K.A.R. 115-25-9.

Copies of the complete text of the regulation and economic impact statement may be obtained by writing the Chairperson of the Commission at the address above, electronically on the Department's website at <http://www.ksoutdoors.com>, or by calling 785-296-2281.

Gerald Lauber
Chairman
Wildlife and Parks Commission

Doc. No. 051316

Volume 42 - Issue 21 - May 25, 2023

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 12:00 p.m., Thursday, August 17, 2023, at Pittsburg State University, in the Bicknell Center VIP Room, Pittsburg, Kansas, to consider the approval and adoption of a proposed administrative regulations of the Kansas Department of Wildlife and Parks.

The public hearing will begin at 12:00 p.m., August 17, 2023, at the location above. Other commission business will follow and will include general discussions, which may include educational presentations, workshop sessions, and public comment opportunities following the public hearing and again toward the end of the meeting. The meeting will continue until all business is complete.

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, 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. 115-7-10. The proposed amendment will change the date of the reference document "Kansas aquatic nuisance species designated waters" from October 16, 2020 to November 17, 2022. This change is to mark that the reference document was amended to add and remove certain waterbodies, waters downstream, the aquatic nuisance species, and counties.

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

K.A.R. 115-18-10. The proposed amendment will add rusty crayfish to list of species that is prohibited to be imported, possessed, or released in Kansas.

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

K.A.R. 115-25-14. The proposed amendment will add and remove locations where a trout permit shall be required for each individual who wants to fish at the locations listed. These changes are in reference to the "Kansas special size limits, creel limits, and bait restriction tables" document.

Economic Impact Summary: This amendment is not expected to have any measurable 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 <https://www.ksoutdoors.com>, or by calling 785-296-2281.

Gerald Lauber
Chairman
Wildlife and Parks Commission

115-25-7. Antelope; open season, bag limit, and permits. (a) The open season for the taking of antelope shall be as specified in this subsection. The unit designations in this subsection shall have the meanings specified in K.A.R. 115-4-6.

(1) Archery season.

(A) The archery season dates shall be ~~September 24, 2022 through October 2, 2022 and October 15, 2022 through October 31, 2022~~the Saturday prior to the last Friday in September through the Sunday following the last Friday in September.

(B) The taking of antelope during the established archery season shall be authorized for Smoky Hill, unit 2; West Arkansas, unit 17; and Cimarron, unit 18. Unlimited archery permits for residents and nonresidents shall be authorized for the area.

(2) Firearm season.

(A) The firearm season dates shall be ~~October 7, 2022 through October 10, 2022~~the first Friday in October through the following Monday.

(B) The open units for the taking of antelope during the established firearm season and the number of permits authorized shall be as follows:

(i) Smoky Hill, unit 2: ~~Eighty-eight~~88 resident firearm permits shall be authorized for the unit.

(ii) West Arkansas, unit 17: ~~Thirty-two~~30 resident firearm permits shall be authorized for the unit.

(iii) Cimarron, unit 18: Four resident firearm permits shall be authorized for the unit.

(3) Muzzleloader-only season.

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JUN 20 2023

ATTORNEY GENERAL

Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

115-25-7
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.

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DOB APPROVAL STAMP (If Required)

Section I

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

The proposed regulation establishes the open seasons, bag limits and the available permits for the Antelope hunting season in Kansas.

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.)*

No applicable federal law exists.

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 enhancement or restriction of business growth is 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 implementation or compliance costs for any sector or individuals are anticipated and any economic impact would be minimal due to the minimal extent of the changes being made. The number of general resident draw permits are reduced by a total of two (2) permits, and the landowner tenant permits are also reduced by a total of two (2). Overall reduction from 160 draw permits to 156, (2.5%), resulting in anticipated lost revenue to KDWP of \$150.

The regulation also would eliminate the late archery season which would impact approximately 40 archery hunters, who hunt only the late season. The estimated loss To KDWP is \$2000 (40X \$50). The general economic loss created by the reduction of those 40 permits is expected to be minimal because historically those late season antelope hunters are concurrently deer hunters, so the goods and services they purchase would be expected to be unchanged.

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

Businesses that serve the antelope hunters during the season may be impacted proportionately to the change in the number of overall hunters.

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

The anticipated benefits of the proposed rules would be to reduce the harvest of antelope in response to declining herd numbers related to ongoing drought. The cost would be a slight reduction in revenue generated by the reduced permits available

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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;

Due to the minimal anticipated impact no measures have been taken.

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 implementation or compliance costs are anticipated as a result of this regulation

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 measurable costs are anticipated.

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.

No change in state revenue or expenditures is anticipated due to the minimal extent of the changes.

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.

It is anticipated that if any changes result they will be negligible.

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

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

No increase or decrease in revenue to any city, county or school district is anticipated.

- 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. The regulation was presented a total of five times at commission. There was a total of 38 members of the public in attendance to these meetings.

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.

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DOB APPROVAL STAMP (If Required)

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: ~~September 12, 2022~~ the Monday after the second Saturday in September through December 31, 2022 the last day of the same year.

(B) Fort Riley, subunit 2a: ~~the first day of September 1, 2022~~ through the last day of September 30, 2022.

(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 1, 2022~~ through the last day of August 31, 2022; November 30, 2022 the Wednesday after Thanksgiving through the second following Sunday December 11, 2022; and the first day of January 1, 2023 through the 15th day of March 15, 2023.

(B) Fort Riley, subunit 2a:

(i) First segment: ~~the first day of October 1, 2022~~ through the last day of October 31, 2022.

(ii) Second segment: ~~the first day of November 1, 2022~~ through the last day of November 30, 2022.

(iii) Third segment: ~~the first day of December 1, 2022~~ through the last day of December 31, 2022.

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

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(A) Statewide, except Fort Riley, subunit 2a, and unit 1: the first day of September 1, 2022 through the last day of September 30, 2022.

(B) Fort Riley, subunit 2a: the first day of September 1, 2022 through the last day of September 30, 2022.

(c) A limited-quota either-sex elk permit shall be valid during any season using equipment authorized for that season. Twelve 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 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 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 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 1, 2022 through September 30, 2022 archery and muzzleloader seasons.

(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.

~~This regulation shall have no force and effect on and after April 1, 2023.~~ (h) Permits are not valid after March 15 following the date of issuance. (Authorized by and implementing K.S.A. ~~2021~~2022 ~~Supp.~~Supp.-32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. ~~2021~~2022 ~~Supp.~~Supp.-32-937; amended P-_____.)

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JUN 20 2023

ATTORNEY GENERAL

Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
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 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.

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ATTORNEY GENERAL

DOB APPROVAL STAMP (If Required)

Section I

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

The proposed regulation would establish open seasons, bag limits and permit conditions for Elk hunting in Kansas.

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.)*

No applicable federal law exists.

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 enhancement or restriction of business growth is 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 implementation or compliance costs are anticipated, and the only changes made by the proposed regulation involve the dates for the open seasons. No changes related to the number of permits available are involved, so no economic impact is anticipated.

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

Businesses with direct involvement with the dates of the open elk season may be affected.

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

No benefits/costs comparison have been identified, the proposed regulation is benefit/cost neutral.

- 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 costs or impacts are anticipated on businesses or economic development, no measures to minimize are indicated.

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- 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. The regulation was presented a total of five times at commission. There was a total of 38 members of the public in attendance to these meetings.

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.

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ATTORNEY GENERAL

DOB APPROVAL STAMP (if Required)

115-25-9. Deer; open season, bag limit, and permits. (a) The open season for the taking of deer shall be as follows:

(1) Archery season.

(A) The archery season in all deer management units shall ~~be September 12, 2022~~begin on the second Monday following the first Saturday in September and shall be valid through December 31, 2022~~the last day of the same calendar year.~~

(B) Archery deer permits also shall be valid during the portion of the extended firearm ~~season~~seasons beginning on January 1, ~~2023~~ and extending through the last open day in units open during an extended firearm season and shall be valid with any legal equipment authorized during a firearm season, but shall be valid only for antlerless white-tailed deer during those dates.

(C) The number of archery deer permits shall be based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information.

(D) The urban antlerless-only white-tailed deer archery season shall begin on ~~January 23, 2023~~ and extend through January 31, 2023~~the third Monday following January 4 and shall continue through January 31~~ in all units designated as an urban deer management unit.

(2) Firearm season.

(A) The regular firearm season dates in all deer management units shall ~~be November 30, 2022~~ through December 11, 2022~~begin the Wednesday following Thanksgiving and shall continue for a total of 12 days including the opening day.~~

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(B) The pre-rut white-tailed deer antlerless-only season in all deer management units shall be ~~October 8, 2022 through October 10, 2022~~ begin on the Saturday immediately preceding Columbus Day and shall continue for a total of three days including the opening day.

(C) The extended pre-rut white-tailed deer antlerless-only season in deer management unit 12 shall begin the Tuesday immediately following Columbus Day and continue for a total of six days including the opening day.

~~(C)~~(D) During the regular and extended firearm deer seasons, white-tailed either-sex deer permits issued for a deer management unit adjacent to or encompassing an urban deer management unit shall be valid in both the designated unit and the urban deer management unit.

~~(D)~~(E) The number of firearm deer permits for each management unit shall be based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information.

(3) Muzzleloader-only season.

(A) The muzzleloader-only season in all deer management units shall be ~~September 12, 2022 through September 25, 2022~~ begin on the second Monday following the first Saturday in September and shall continue for a total of 14 days including the opening day. Muzzleloader deer permits shall also be valid during the established firearm seasons using muzzleloader equipment, except that during the portion of the extended firearm season beginning on January 1, ~~2023~~ and extending through the last open day in units open during an extended firearm season, these permits shall be valid with any legal equipment authorized during a firearm season. During an extended firearm season, only muzzleloader deer permits for deer management units open during these dates shall be valid, and only for antlerless white-tailed deer.

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(B) The number of muzzleloader deer permits issued for each management unit shall be based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information.

(4) Season for designated persons.

(A) The season for designated persons to hunt deer shall be ~~September 3, 2022 through September 11, 2022 in all deer management units~~begin on the first Saturday of September and shall continue for a total of 9 days including the opening day.

(B) Only the following persons may hunt during this season:

(i) Any person 17 years of age or younger, only while under the immediate supervision of an adult who is 18 years of age or older; and

(ii) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4 or a disability assistance permit issued according to K.A.R. 115-18-15.

(C) All resident and nonresident deer permits shall be valid during this season.

(D) All persons hunting during this season shall wear blaze orange according to K.A.R. 115-4-4.

(5) Extended firearm seasons.

(A) Each unfilled deer permit valid in unit 6, 8, 9, 10, or 17, as applicable, shall be valid during an extended antlerless-only firearm season beginning on January 1, ~~2023 and extending through January 8, 2023 in those units~~and continuing through the first Sunday occurring after the third day in January.

(B) Each unfilled deer permit valid in unit 1, 2, 3, 4, 5, 7, 11, 14, or 16, as applicable, shall be valid during an extended antlerless-only firearm season beginning January 1, ~~2023 and extend through January 15, 2023 in those units~~and continuing through the second Sunday occurring after the third day in January.

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(C) Each unfilled deer permit valid in unit 10A, 12, 13, 15, or 19, as applicable, shall be valid in an extended antlerless-only firearm season beginning January 1, ~~2023~~ and extend through January 22, ~~2023~~ in those units and continuing through the third Sunday occurring after the third day in January.

(D) Only antlerless white-tailed deer may be taken.

(E) Permits restricted to a specific unit shall remain restricted to that unit during the extended firearm season.

(F) Equipment legal during a firearm season shall be authorized with any permit.

(b) Unlimited resident hunt-on-your-own-land, special hunt-on-your-own-land, and nonresident hunt-on-your-own-land deer permits shall be authorized for all units. These permits also shall be valid during the portion of the extended firearm season beginning on January 1, ~~2023~~ and extending through the last open day in units open during an extended or special extended firearm season, but shall be valid only for antlerless white-tailed deer during an extended or special extended firearm season.

(c) Any individual may apply for and obtain multiple deer permits, subject to the following limitations:

(1) Any individual may apply for or obtain no more than one deer permit that allows the taking of an antlered deer, except when the individual is unsuccessful in a limited quota drawing and alternative permits for antlered deer are available at the time of subsequent application.

(2) Any individual may obtain no more than five antlerless white-tailed deer permits. One antlerless white-tailed deer permit shall be valid statewide, except in unit 18, including lands managed by the department. Four additional antlerless white-tailed deer permits shall be valid in units 1, 2, 3, 4, 5, 7, 10A, 11, 12, 13, 14, 15, 16, and 19 on lands not managed by the department, except Berentz-Dick, and Elk City Wildlife Areas.

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(3) Any resident may obtain no more than one either-species, either-sex permit through the application period ~~described~~specified in K.A.R. 115-4-11.

(4) Nonresidents shall be eligible to obtain antlerless white-tailed deer permits. Otherwise, a nonresident shall be eligible to apply for and obtain only those permits designated as nonresident deer permits.

(5) No resident or nonresident shall purchase any deer permit that allows the taking of antlerless-only deer without first having obtained a deer permit that allows the taking of antlered deer, unless the antlerless-only deer permit is purchased after December 30, ~~2022~~.

(6) Any individual may obtain one antlerless-only either-species deer permit, subject to the number of antlerless-only either-species deer permits authorized.

(d) The bag limit for each deer permit shall be one deer, as specified on the permit issued to the permittee.

(e) No deer permit ~~issued pursuant to this regulation~~ shall be valid after January 31, ~~2023~~ following the date of issuance. ~~This regulation shall have no force and effect on and after March 1, 2023.~~ (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-937; amended P-
_____.)

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JUN 16 2023

ATTORNEY GENERAL

Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP

Agency

Dan Riley

Agency Contact

296-1032

Contact Phone Number

115-25-9

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.

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Section I

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

The proposed regulation establishes the open seasons, bag limits and the available permits for the Kansas white-tailed deer season.

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.)*

No applicable federal law exists.

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 enhancement or restriction of business growth is 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 implementation or compliance costs for any sector or individuals are anticipated. The number of antlerless deer hunting days will increase slightly in management unit # 12(DMU 12), which would be anticipated to provide more hunting opportunity and reduce crop damage due to an increased deer harvest. Otherwise, there are no changes that would be expected to have any impact on the economic impact.

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

Businesses impacted by the number of days of deer hunting in DMU 12 and businesses that benefit from the reduction of deer population reductions which reduce crop damage.

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

The benefits of the proposed rule are intended to be increased hunting opportunity in DMU 12 and increased antlerless deer harvest in areas experiencing excessive crop damage. No costs are 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 costs or negative impacts are 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; no methodology required.

- 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 measurable costs are anticipated.

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.

No measurable changes in revenue or expenditures is anticipated.

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.

No immediate or long-range impact is anticipated on any category of individual, employer or member of the public.

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.

No impact on revenue or expenditures is anticipated for any city, county or school district.

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- 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. The regulation was presented a total of seven times at commission. There was a total of 45 members of the public in attendance to these meetings.

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.
- 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.

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115-25-9a. Deer; open season, bag limit, and permits; additional considerations; military subunits. (a) In addition to the pre-rut antlerless whitetail deer only season for ~~designated persons~~ specified in K.A.R. 115-25-9, in the Fort Riley subunit the antlerless white-tailed deer only season for ~~designated persons~~ shall also be ~~October 8, 2022 through October 10, 2022.~~ November 24, 2023, through November 26, 2023.

(b) In the Fort Riley subunit, the open firearm season for the taking of deer shall be December 16, 2023, through December 23, 2023 ~~November 25, 2022 through November 27, 2022; December 17, 2022 through December 23, 2022; and December 26, 2022 through December 27, 2022.~~ A deer hunter may use only one white-tailed antlerless-only permit in Fort Riley.

(c) ~~In addition to the archery season specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall be September 1, 2022 through September 11, 2022 and January 1, 2023 through January 31, 2023 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.~~

(d) ~~In the Fort Riley subunit, the pre-rut white-tailed deer antlerless-only season specified in K.A.R. 115-25-9 shall be closed.~~

(e) ~~In the Fort Riley subunit, the extended firearms season for the taking of antlerless-only white-tailed deer shall be closed.~~

(f) In the Fort Leavenworth subunit, the open firearm season for the taking of deer shall be ~~November 12, 2022 through November 13, 2022; November 19, 2022 through November 20, 2022; November 24, 2022 through November 27, 2022; December 3, 2022 through December 4, 2022; and December 10, 2022 through December 11, 2022~~ November 11, 2023, through November 12, 2023; November 18, 2023, through November 19, 2023; November 23, 2023, through November 26, 2023;

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December 2, 2023, through December 3, 2023; and December 9, 2023, through December 10, 2023.

(gd) In the Fort Leavenworth subunit, the extended firearms season for the taking of antlerless-only white-tailed deer shall be ~~January 1, 2023~~ January 1, 2024, through ~~January 23, 2023~~ January 22, 2024.

(he) In the Fort Leavenworth subunit, the extended archery season for the taking of antlerless-only white-tailed deer shall be ~~January 23, 2023~~ January 22, 2024, through January 31, ~~2023~~ 2024.

(if) In the ~~Smokey~~ Smoky Hill subunit, the open firearm season for the taking of deer shall be ~~November 30, 2022 through December 11, 2022~~ November 29, 2023, through December 10, 2023. Five additional antlerless white-tailed deer permits shall be valid in subunit 4a. This regulation shall have no force and effect on and after March 1, ~~2023~~ 2024. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. 32-937.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

115-25-9a
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.

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Revised 05/05/2022
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Section I

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

This proposed version of the regulation sets deer seasons on military installations in the state and adjusts the dates from the previous season.

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 is not a federal mandate. Missouri, Oklahoma, Nebraska, and Colorado all have varying regulations dealing with deer seasons.

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;

The proposed amendments 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(s) and regulation(s) and on the state economy as a whole;

The proposed amendments would have an economic effect on businesses surrounding the military installations and individuals who purchase permits to hunt deer on those installations. However, any economic impact would be included in K.A.R. 115-25-9, statewide deer seasons, because permits are not available specifically for military installations and it is impossible to estimate the number of participants.

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

Any business that sells products or services to deer hunters, including sporting goods retailers, outfitters, grocery stores, service stations, hotels, etc.

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

If there were no regulations and no deer season, there would be lost collateral economic impact to the state and deer numbers would increase, thereby causing negative human/wildlife interactions.

- 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 costs associated with this proposal. Any data is included in the general deer regulation, K.A.R. 115-25-9.

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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.

There are no implementation or compliance costs with this proposal. Any data is included in the general deer regulation, K.A.R. 115-25-9.

- 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 and regulation(s), did the agency hold a public hearing to find that the estimated costs
- No
- Not Applicable 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 measurable costs are anticipated.

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.

There are no implementation or compliance costs associated with this proposal. Any data and methodology is included in the general deer regulation, K.A.R. 115-25-9. .

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.

There are no implementation or compliance costs associated with this proposal. Any data and methodology is included in the general deer regulation, K.A.R. 115-25-9.

- 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

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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).

The information regarding the amendment to the regulation was presented at public meetings held on April 27, 2023, and June 22, 2022. For both meetings, approximately 51 members of the public attended either in person or by Zoom. The proposed regulation was published in the Kansas Register and on 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.

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115-7-10. Fishing; special provisions. (a) A person who takes any fish from a body of water shall not tag, mark, brand, clip any fin of, mutilate, or otherwise disfigure any fish in a manner that would prevent species identification, examination of fins, recovery of tags, or determination of sex, age, or length of the fish before releasing the fish back into the body of water, unless a permit authorizing this activity has been issued to that person by the department.

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament. During a department-permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic nuisance species waters shall be those specified in the department's "Kansas aquatic nuisance species designated waters," dated ~~October 16, 2020~~ November 17, 2022, which is hereby adopted by reference.

(c) No person may fish or collect bait within, from, or over a fish passage, fish ladder, fish steps, or fishway. "Fish passage, fish ladder, fish steps, or fishway" shall mean a structure that facilitates the natural migration of fish upstream on, through, or around an artificial barrier or dam. (Authorized by and implementing K.S.A. 2019 ~~Supp.~~ 32-807; effective Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013; amended Nov. 15, 2013; amended Nov. 14, 2014; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Dec. 25, 2020; amended P-_____.)

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SECRETARY OF STATE**

**Kansas Administrative Regulations
Economic Impact Statement (EIS)**

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

115-7-10
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.

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Section I

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

The proposed amendment will change the date of the reference document "Kansas Aquatic nuisance species designated waters" from October 16, 2020 to November 17, 2022. This change is to mark that the reference document was amended to add and remove certain waterbodies, waters downstream, the aquatic nuisance species, and counties.

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.)*

KDWP biologists and Midwestern states' fish and game commissions utilize the same scientifically accepted research and methodologies when determining whether a body of water contains nuisance species.

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 measurable 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 measurable economic effect is anticipated.
- 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;
There are 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 economic impact is 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
 - No
 - Not Applicable
- 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 measurable costs are anticipated.

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.

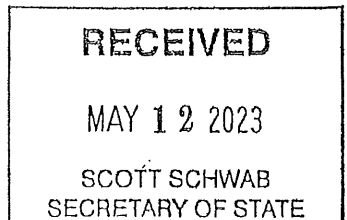
Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate 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

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- 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)

RECEIVED
MAY 12 2023
SCOTT SCHWAB
SECRETARY OF STATE

Kansas Aquatic Nuisance Species Designated Waters

November 17, 2022

It is illegal to transport live fish from Aquatic Nuisance Species (ANS) Designated Waters. To help prevent the spread of aquatic hitchhikers from these and other waters, always follow Clean – Drain – Dry procedures, do not move fish between waters or upstream, and remove plants and debris from equipment before leaving a water area.

FEDERAL RESERVOIRS, STATE FISHING LAKES & STATE WILDLIFE AREAS

WATERBODY	WATERS DOWNSTREAM	AQUATIC NUISANCE SPECIES	COUNTIES
Browning Oxbow		Bighead Carp, Silver Carp, White Perch	Doniphan
Cedar Bluff Reservoir	Smoky Hill River, Kansas River	Zebra Mussel	Trego
Chase State Fishing Lake	Prather Creek, Cottonwood River, Neosho River, John Redmond Reservoir	Zebra Mussel	Chase
Cheney Reservoir	North Fork Ninnescah River, Ninnescah River, Arkansas River	White Perch, Zebra mussel	Kingman, Reno, Sedgwick
Clinton Reservoir	Wakarusa River, Kansas River	Zebra Mussel	Douglas
Council Grove Reservoir	Neosho River, John Redmond Reservoir	Zebra Mussel	Morris
El Dorado Reservoir	Walnut River	White Perch, Zebra Mussel	Butler
Geary State Fishing Lake	Geary SFL outflow, Lyons Creek, Smoky Hill River	Zebra Mussel	Geary
Glen Elder Reservoir	Solomon River, Smoky Hill River, Kansas River	Zebra Mussel	Mitchell, Osborne
Hillsdale Reservoir	Bull Creek, Marais Des Cygnes River	Zebra Mussel	Johnson, Miami
John Redmond Reservoir	Neosho River	Zebra Mussel	Coffey, Lyon
Kanopolis Reservoir	Smoky Hill River, Kansas River	Zebra Mussel	Ellsworth
Lyon State Fishing Lake	Lyon SFL outflow, Duck Creek, Marais Des Cygnes River, Melvern Reservoir	Zebra Mussel	Lyon
Marion Reservoir	Cottonwood River, Neosho River, John Redmond Reservoir	Zebra Mussel	Marion
McPherson State Fishing Lake		Rusty Crayfish	McPherson

Melvern Reservoir	Marais Des Cygnes River, Melvern River Pond and Rearing Pond	Zebra Mussel	Lyon, Osage
Melvern River Pond and Rearing Pond	Marais Des Cygnes River	Zebra Mussel	Osage
Milford Reservoir	Republican River, Kansas River	Zebra Mussel	Clay, Dickinson, Geary
Osage State Fishing Lake	Osage SFL outflow, 110-Mile Creek, Pomona Reservoir, Marais Des Cygnes River	Zebra Mussel	Osage
Perry Reservoir	Delaware River, Kansas River	Zebra Mussel	Jefferson
Pomona Reservoir	110-Mile Creek, Marais Des Cygnes River	Zebra Mussel	Osage
Tuttle Creek Reservoir and River Pond	Big Blue River, Kansas River	Zebra Mussel	Marshall, Pottawatomie, Riley
Wilson Reservoir	Saline River, Smoky Hill River, Kansas River	White Perch, Zebra Mussel	Lincoln, Russell

CITY, COUNTY AND PRIVATE WATERS

WATERBODY	WATERS DOWNSTREAM	AQUATIC NUISANCE SPECIES	COUNTIES
Coffey County Lake – Wolf Creek Generating Station <i>Boat inspection required</i>	Wolf Creek, Neosho River	Zebra Mussel	Coffey
Council Grove City Lake <i>Aquatic Nuisance Species Course certificate required to boat or fish this lake</i>	Canning Creek, Council Grove Reservoir, Neosho River, John Redmond Reservoir	Zebra Mussel	Morris
El Dorado – East Park Pond	Walnut River	Zebra Mussel	Butler
Emerald Bay		White Perch, Zebra Mussel	Sedgwick
Eskridge – Lake Wabaunsee <i>Boat inspection required</i>	Lake Wabaunsee outflow, East Branch Mill Creek, South Branch Mill Creek, Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
Hutchinson – Carey Park Lagoon		White Perch	Reno
Hutchinson – Carey Park Pond		White Perch	Reno
Jeffrey Energy Center Auxiliary Lake and Make-up Lake	Kansas River	Zebra Mussel	Pottawatomie
Kingman – Hoover Pond	South Fork Ninnescah River, Ninnescah River, Arkansas River	White Perch	Kingman
Lebo City Lake		Zebra Mussel	Coffey
Linn County – Linn Valley Lakes – Main Lake	Linn Valley Lakes – Main Lake outflow,	Zebra Mussel	Linn

	Middle Creek, Marais Des Cygnes River		
McPherson County – Emerald Lake	Smoky Hill River, Kansas River	Zebra Mussel	McPherson
Paola – Lake Miola (Paola City Lake)	Dorsey Branch, South Wea Creek, Bull Creek, Marais Des Cygnes River	Zebra Mussel	Miami
Sedgwick County – Lake Afton	Clearwater Creek, Ninnescah River, Arkansas River	White Perch, Zebra Mussel	Sedgwick
Sedgwick County Park Lakes: Vic's Lake, Horseshoe Lake, Tom Scott Lake, Moss Lake, Kids Lake		White Perch	Sedgwick
Shawnee County – Lake Shawnee	Deer Creek, Shunganunga Creek, Kansas River	Zebra Mussel	Shawnee
Spirit/Boeing Employee Association Lake		White Perch	Sedgwick
Wellington City Lake	East Prairie Creek, Prairie Creek, Chikaskia River	Zebra Mussel	Sumner
Wichita – South Lake	Wichita – South Lake outflow, MS Mitch Mitchell Floodway, Arkansas River	White Perch	Sedgwick
Wichita – West KDOT Lake		White Perch	Sedgwick
Winfield City Lake	Timber Creek, Walnut River, Arkansas River	Zebra Mussel	Cowley
Wyandotte County Lake	Marshall Creek, Missouri River	Zebra Mussel	Wyandotte

RIVERS AND STREAMS

***Note:** All tributary streams supplying the Kansas River below the Bowersock Dam and Missouri River in Atchison, Brown, Douglas, Jefferson, Johnson, Leavenworth, Marshall, and Wyandotte counties are considered to be inhabited by Bighead Carp, Silver Carp, even if the tributaries are not listed below. Some tributaries may be unnamed or known by local names.*

WATERBODY	WATERS DOWNSTREAM	AQUATIC NUISANCE SPECIES	COUNTIES
110-Mile Creek from Osage SFL outflow to confluence with Marais Des Cygnes River	Pomona Reservoir, Marais Des Cygnes River	Zebra Mussel	Osage
Arkansas River from Ninnescah River to the Oklahoma State Line		White Perch, Zebra Mussel	Cowley, Sumner
Arkansas River from MS Mitch Mitchell Floodway to confluence with Ninnescah River	Arkansas River	White Perch	Sedgwick, Sumner
Betts Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Wyandotte
Big Blue River from Tuttle Creek Reservoir dam to confluence with Kansas River	Kansas River	Zebra Mussel	Pottawatomie, Riley

Big Slough from Sedgwick County Park to confluence with MS Mitch Mitchell Floodway		White Perch	Sedgwick
Blue River to the Missouri State Line	Missouri River	Bighead Carp, Silver Carp	Johnson
Branch Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Brenner Heights Creek to confluence with Muncie Creek	Muncie Creek, Kansas River	Bighead Carp, Silver Carp	Wyandotte
Brewery Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Atchison
Brush Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan
Brush Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Buckhorn Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Bull Creek from Hillsdale Reservoir dam to confluence with Marais des Cygnes River	Marais des Cygnes River	Zebra Mussel	Miami
Burger Creek to confluence with Turkey Creek	Turkey Creek, South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Buttermilk Creek to confluence with South Fork Wolf River	South Fork Wolf River, Wolf River, Missouri River	Bighead Carp, Silver Carp	Brown
Buttermilk Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Camp Branch to confluence with Blue River	Blue River, Missouri River	Bighead Carp, Silver Carp	Johnson
Camp Creek to confluence with Cedar Creek	Cedar Creek, Kansas River	Bighead Carp, Silver Carp	Johnson
Camp Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Atchison
Canning Creek from Council Grove City Lake dam to Council Grove Reservoir	Council Grove Reservoir, Neosho River, John Redmond Reservoir	Zebra Mussel	Morris
Captain Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Douglas, Johnson
Cedar Creek from Olathe Lake dam to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Johnson
Cedar Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan
Charlie Creek to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Chicken Creek to confluence with Washington Creek	Washington Creek, Wakarusa River, Kansas River	Bighead Carp, Silver Carp	Douglas
Chikaskia River to Oklahoma State Line		Zebra Mussel	Sumner

Clear Creek to confluence with Mill Creek	Mill Creek, Kansas River	Bighead Carp, Silver Carp	Johnson
Clear Creek to confluence with Turkey Creek	Turkey Creek, South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Marshall, Nemaha
Clearwater Creek from Lake Afton dam to confluence with Ninnescah River	Ninnescah River, Arkansas River	White Perch, Zebra Mussel	Sedgwick
Coal Creek from Douglas State Fishing Lake dam to confluence with Wakarusa River	Wakarusa River, Kansas River	Bighead Carp, Silver Carp	Douglas
Coffee Creek to Blue River	Blue River, Missouri River	Bighead Carp, Silver Carp	Johnson
Cold Ryan Branch to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Connor Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Wyandotte
Coon Creek to confluence with Mill Creek	Mill Creek, Kansas River	Bighead Carp, Silver Carp	Johnson
Coon Creek to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Corral Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth
Cottonwood River from Marion Reservoir dam to confluence with Neosho River	Neosho River, John Redmond Reservoir	Zebra Mussel	Chase, Lyon, Marion
Cow Creek to confluence with Ninemile Creek	Ninemile Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Cramer Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Crooked Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Atchison, Jefferson
Dawson Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson, Leavenworth
Deer Creek from Lake Shawnee dam to confluence with Shunganunga Creek	Shunganunga Creek, Kansas River	Zebra Mussel	Shawnee
Deer Creek from Sabetha City Lake dam to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Deer Creek to confluence with Independence Creek	Independence Creek, Missouri River	Bighead Carp, Silver Carp	Atchison
Delaware River from Perry Reservoir dam to confluence the Kansas River	Kansas River	Zebra Mussel	Jefferson
Dorsey Branch from Lake Miola dam to confluence with South Wea Creek	South Wea Creek, Bull Creek, Marais Des Cygnes River	Zebra Mussel	Miami
Duck Creek	Marais Des Cygnes River, Melvern Reservoir	Zebra Mussel	Lyon
East Branch Mill Creek from Lake Wabaunsee outflow to confluence with South Branch Mill Creek	South Branch Mill Creek, Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
East Prairie Creek to confluence with West Prairie Creek	Prairie Creek, Chikaskia River	Zebra Mussel	Sumner

Eddy Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Wyandotte
Euchre Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Bighead Carp, Silver Carp	Brown
Fall Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson, Leavenworth
Fisher Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Fivemile Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth
Fourmile Creek to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Nemaha
Fox Creek to confluence with Cedar Creek	Cedar Creek, Missouri River	Bighead Carp, Silver Carp	Brown, Doniphan
Geary State Fishing Lake outflow from Geary SFL dam to confluence with Lyons Creek	Lyons Creek, Kansas River	Zebra Mussel	Geary
Halling Creek to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Harris Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Hog Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Honey Creek to confluence with Island Creek	Island Creek, Missouri River	Bighead Carp, Silver Carp	Wyandotte
Honey Creek to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Nemaha
Howard Creek to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson
Hulls Branch to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson
Illinois Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Independence Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Atchison, Doniphan
Indian Creek to confluence with Walnut Creek	Walnut Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson
Indian Creek to the Missouri State Line		Bighead Carp, Silver Carp	Johnson
Island Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth, Wyandotte
Jarbalo Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Jersey Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Wyandotte
Jordan Creek to confluence with Independence Creek	Independence Creek, Missouri River	Bighead Carp, Silver Carp	Doniphan

Kansas River from Bowersock Dam to confluence with Missouri River		Bighead Carp, Silver Carp, White Perch, Zebra Mussel	Douglas, Leavenworth, Johnson, Wyandotte
Kansas River to Bowersock Dam	Kansas River	White Perch, Zebra Mussel	Douglas, Geary, Jefferson, Pottawatomie, Shawnee, Wabaunsee
Kenney Creek to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Kent Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Leavenworth
Kill Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Johnson
Lake Wabaunsee outflow from Lake Wabaunsee dam to confluence with East Branch Mill Creek	East Branch Mill Creek, South Branch Mill Creek, Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
Linn Valley Lakes – Main Lake outflow to confluence with Middle Creek	Middle Creek, Marais Des Cygnes River	Zebra Mussel	Linn
Little Cedar Creek to confluence with Cedar Creek	Cedar Creek, Kansas River	Bighead Carp, Silver Carp	Johnson
Little Kaw Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Leavenworth
Little Mill Creek to confluence with Mill Creek	Mill Creek, Kansas River	Bighead Carp, Silver Carp	Johnson
Little Sandy Creek to confluence with Little Stranger Creek	Little Stranger Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Little Snell Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth
Little Stranger Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Atchison
Little Stranger Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Little Turkey Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Wyandotte
Little Wakarusa Creek to confluence with Wakarusa River	Wakarusa River, Kansas River	Bighead Carp, Silver Carp	Douglas
Little Walnut Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Atchison
Lyon State Fishing Lake outflow from Lyon SFL dam to confluence with Duck Creek	Duck Creek, Marais Des Cygnes River, Melvern Reservoir	Zebra Mussel	Lyon
Lyons Creek from outflow of Geary SFL to confluence with Kansas River	Kansas River	Zebra Mussel	Geary
Manly Creek to confluence with Pole Creek	Pole Creek, Turkey Creek, South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Marshall, Nemaha

Marais Des Cygnes River to the Missouri State Line		Zebra Mussel	Franklin, Linn, Lyon, Miami, Osage
Marshall Creek from Wyandotte County Lake dam to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp, Zebra Mussel	Wyandotte
Mattoon Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Wyandotte
Middle Creek to confluence with Marais Des Cygnes River	Marais Des Cygnes River	Zebra Mussel	Linn
Middle Fork Wolf River to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Brown
Mill Creek from South Branch Mill Creek to confluence with Kansas River	Kansas River	Zebra Mussel	Wabaunsee
Mill Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Wyandotte
Mill Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Johnson
Mill Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan
Mission Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan
Missouri River		Bighead Carp, Silver Carp, White Perch, Zebra Mussel	Atchison, Doniphan, Leavenworth, Wyandotte
Mooney Creek to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Atchison, Jefferson
Mosquito Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan
MS Mitch Mitchell Floodway from Big Slough to confluence with Arkansas River	Arkansas River	White Perch	Sedgwick
Mud Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Douglas, Jefferson, Leavenworth
Mulberry Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Bighead Carp, Silver Carp	Brown
Muncie Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Wyandotte
Murray Creek to confluence with Little Stranger Creek	Little Stranger Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Nearman Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Wyandotte
Negro Creek to confluence with Blue River	Blue River, Missouri River	Bighead Carp, Silver Carp	Johnson
Negro Creek to confluence with Clear Creek	Clear Creek, Turkey Creek, South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha

Nelson Creek to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
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Neosho River from Council Grove Reservoir dam to the Oswego dam	Neosho River	Zebra Mussel	Allen, Coffey, Labette, Lyon, Morris, Neosho, Woodson
Neosho River from the Oswego dam to the Oklahoma State Line		Bighead Carp, Silver Carp, Zebra Mussel	Cherokee, Labette
Ninemile Creek to confluence with Sevenmile Creek	Sevenmile Creek, Missouri River	Bighead Carp, Silver Carp	Leavenworth
Ninemile Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson, Leavenworth
Ninnescah River to confluence with Arkansas River	Arkansas River	White Perch, Zebra Mussel	Sedgwick, Sumner
Noharts Creek to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Brown
North Branch Independence Creek to confluence with Independence Creek	Independence Creek, Missouri River	Bighead Carp, Silver Carp	Doniphan
North Fork Ninnescah River from Cheney Reservoir dam to Ninnescah River	Ninnescah River, Arkansas River	White Perch, Zebra Mussel	Sedgwick
North Fork Stranger Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Atchison
North Fork Wildcat Creek to Wildcat Creek	Wildcat Creek, South Fork Big Nemaha River	Bighead Carp, Silver Carp	Nemaha
North Fork Wolf River to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Brown
Osage State Fishing Lake outflow from Osage SFL dam to confluence with 110-Mile Creek	110-Mile Creek, Pomona Reservoir, Marais Des Cygnes River	Zebra Mussel	Osage
Owl Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Atchison
Pedee Creek to confluence with Pony Creek	Pony Creek, Missouri River	Bighead Carp, Silver Carp	Brown
Pennell Creek to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Peters Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan
Piper Creek to confluence with Wolf Creek	Wolf Creek, Kansas River	Bighead Carp, Silver Carp	Wyandotte
Plum Creek to confluence with Mud Creek	Mud Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson
Plum Creek to confluence with Salt Creek	Salt Creek, Missouri River	Bighead Carp, Silver Carp	Leavenworth
Pole Creek to confluence with Turkey Creek	Turkey Creek, South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Marshall, Nemaha
Pony Creek from Sabetha - Pony Creek Lake dam to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Brown

Pony Creek to confluence with Ninemile Creek	Ninemile Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Prairie Creek to confluence with Chikaskia River	Chikaskia River	Zebra Mussel	Sumner
Prairie Creek to confluence with Walnut Creek	Walnut Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson, Leavenworth
Prather Creek from Chase State Fishing Lake dam to confluence with Cottonwood River	Cottonwood River, Neosho River, John Redmond Reservoir	Zebra Mussel	Chase
Quarry Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth
Rattlesnake Creek to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Nemaha
Republican River from Milford Reservoir dam to Kansas River	Kansas River	Zebra Mussel	Geary
Rittenhouse Branch to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Rock Creek to confluence with Independence Creek	Independence Creek, Missouri River	Bighead Carp, Silver Carp	Doniphan
Rock Creek to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Nemaha
Roys Creek to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Brown
Saline River from Wilson Reservoir dam to confluence with Smoky Hill River	Smoky Hill River, Kansas River	White Perch, Zebra Mussel	Lincoln, Ottawa, Russell, Saline
Salt Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth
Scatter Creek to confluence with Walnut Creek	Walnut Creek, Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson
Sevenmile Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth
Shunganunga Creek from Deer Creek to confluence with Kansas River	Kansas River	Zebra Mussel	Shawnee
Smith Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan
Smoky Hill River from Cedar Bluff Reservoir dam to confluence with Saline River	Smoky Hill River, Kansas River	Zebra Mussel	Ellis, Ellsworth, McPherson, Rush, Russell, Saline, Trego
Smoky Hill River from Saline River to Kansas River	Kansas River	White Perch, Zebra Mussel	Dickinson, Geary, Saline
Solomon River from Glen Elder Reservoir dam to confluence with Smoky Hill River	Smoky Hill River, Kansas River	Zebra Mussel	Cloud, Dickinson, Mitchell, Ottawa, Saline
South Branch Mill Creek from East Branch Mill Creek to confluence with Mill Creek	Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
South Fork Big Nemaha River to the Nebraska State Line		Bighead Carp, Silver Carp	Nemaha

South Fork Ninescah River from Byron Walker Wildlife Area to confluence with Ninescah River	Ninescah River, Arkansas River	White Perch	Kingman, Sedgwick
South Fork Wildcat Creek to Wildcat Creek	Wildcat Creek, South Fork Big Nemaha River	Bighead Carp, Silver Carp	Nemaha
South Fork Wolf River to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Brown
South Wea Creek from Dorsey Branch to confluence with Bull Creek	Bull Creek, Marais Des Cygnes River	Zebra Mussel	Miami
Spoon Creek to confluence with Kill Creek	Kill Creek, Kansas River	Bighead Carp, Silver Carp	Johnson
Spring Branch to confluence with Walnut Creek	Walnut Creek, Missouri River	Bighead Carp, Silver Carp	Brown
Spring Creek to confluence with Cedar Creek	Cedar Creek, Missouri River	Bighead Carp, Silver Carp	Brown, Doniphan
Spring Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Atchison
Spring Creek to confluence with Wakarusa River	Wakarusa River, Kansas River	Bighead Carp, Silver Carp	Douglas
Spring Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Bighead Carp, Silver Carp	Brown
Springs Branch to confluence with Cold Ryan Branch	Cold Ryan Branch, Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Squaw Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Brown, Doniphan
Stranger Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Atchison, Leavenworth
Striker Branch to confluence with Wolf River	Wolf River, Missouri River	Bighead Carp, Silver Carp	Doniphan
Tennessee Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Terrapin Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Bighead Carp, Silver Carp	Brown
Threemile Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Leavenworth
Timber Creek from Winfield City Lake dam to confluence with Walnut River	Walnut River, Arkansas River	Zebra Mussel	Cowley
Tomahawk Creek to confluence with Indian Creek	Indian Creek	Bighead Carp, Silver Carp	Johnson
Tonganoxie Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
Turkey Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Johnson, Wyandotte
Turkey Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Wakarusa River from Clinton Reservoir dam to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp, Zebra Mussel	Douglas
Walnut Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Doniphan

Walnut Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Atchison
Walnut Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Jefferson, Leavenworth
Walnut Creek to the Nebraska State Line	Missouri River	Bighead Carp, Silver Carp	Brown
Walnut River from El Dorado Reservoir dam to confluence with Arkansas River	Arkansas River	White Perch, Zebra Mussel	Butler, Cowley
Washington Creek from Lonestar Lake dam to confluence with Wakarusa River	Wakarusa River, Kansas River	Bighead Carp, Silver Carp	Douglas
West Brush Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Bighead Carp, Silver Carp	Leavenworth
West Mission Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Wyandotte
Whiskey Creek to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Atchison
Wichita – South Lake outflow	MS Mitch Mitchell Floodway, Arkansas River	White Perch	Sedgwick
Wildcat Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Wolf Creek from Coffey County Lake dam to confluence with Neosho River	Neosho River	Zebra Mussel	Coffey
Wolf Creek to Blue River	Blue River, Missouri River	Bighead Carp, Silver Carp	Johnson
Wolf Creek to confluence with Kansas River	Kansas River	Bighead Carp, Silver Carp	Leavenworth, Wyandotte
Wolf Pen Creek to confluence with Deer Creek	Deer Creek, South Fork Big Nemaha River, Missouri River	Bighead Carp, Silver Carp	Nemaha
Wolf River to confluence with Missouri River	Missouri River	Bighead Carp, Silver Carp	Brown, Doniphan

115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions. (a) The importation, possession, or release in Kansas of the following live wildlife species shall be prohibited, except as authorized by terms of a wildlife importation permit issued by the secretary:

- (1) Walking catfish (*Clarias batrachus*);
- (2) silver carp (*Hypophthalmichthys molitrix*);
- (3) bighead carp (*Hypophthalmichthys nobilis*);
- (4) black carp (*Mylopharyngodon piceus*);
- (5) snakehead fish (all members of the family Channidae);
- (6) round goby (*Neogobius melanostomus*);
- (7) white perch (*Morone americana*);
- (8) zebra mussel (*Dreissena polymorpha*);
- (9) quagga mussel (*Dreissena bugensis*);
- (10) New Zealand mudsnail (*Potamopyrgus antipodarum*);
- (11) diploid grass carp (*Ctenopharyngodon idella*);
- (12) marbled crayfish (*Procambarus virginalis*);
- (13) monk parakeet (*Myiopsitta monachus*);
- (14) Asian raccoon dog (*Nyctereutes procyonoides*);
- (15) crucian carp (*Carassius carassius*);
- (16) largescale silver carp (*Hypophthalmichthys harmandi*);
- (17) Prussian carp (*Carassius gibelio*);
- (18) wels catfish (*Silurus glanis*);
- (19) Eurasian minnow (*Phoxinus phoxinus*);

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- (20) stone moroko (*Pseudorasbora parva*);
- (21) European perch (*Perca fluviatilis*);
- (22) Nile perch (*Lates niloticus*);
- (23) roach (*Rutilus rutilus*);
- (24) amur sleeper (*Percottus glenii*);
- (25) zander (*Sander lucioperca*); ~~and~~
- (26) common yabby (*Cherax destructor*); and
- (27) rusty crayfish (*Orconectes rusticus*).

(b) Any live member of a wildlife species listed in subsection (a) and possessed before the following dates may be retained in possession, in closed confinement, by making application to the secretary that provides information detailing the circumstances, including the location, by which the animal came into the applicant's possession:

- (1) February 1, 1978 for fish and bird species other than black carp, snakehead fish, round goby, white perch, zebra mussel, quagga mussel, New Zealand mudsnail, and diploid grass carp;
- (2) February 1, 1986 for mammal species;
- (3) October 1, 2000 for black carp;
- (4) May 1, 2003 for snakehead fish;
- (5) August 1, 2004 for round goby, quagga mussel, and zebra mussel;
- (6) May 15, 2005 for New Zealand mudsnail;
- (7) February 15, 2007 for white perch;
- (8) January 1, 2008 for diploid grass carp;
- (9) January 30, 2019 for marbled crayfish; and

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(10) January 1, 2021 for crucian carp, largescale silver carp, Prussian carp, wels catfish, Eurasian minnow, stone moroko, European perch, Nile perch, roach, amur sleeper, zander, and common yabby.

The manner in which the animal is to be used shall be identified in the application.

(c) Any wildlife importation permit for the importation or possession of live members of the wildlife species listed in subsection (a) may be issued by the secretary for experimental, scientific, display, or other purposes subject to any conditions and restrictions contained or referenced in the wildlife importation permit.

(d) Each individual wanting to import or possess live members of the wildlife species listed in subsection (a) shall apply to the secretary for a wildlife importation permit. The application shall be submitted on forms provided by the department and shall contain the following information:

- (1) The name, address, and telephone number of applicant;
- (2) the wildlife species to be imported or possessed and the number of wildlife involved;
- (3) the purpose or purposes for importation or possession;
- (4) a description of the facilities for holding and using the wildlife species;
- (5) a description of plans to prevent the release of the wildlife species; and
- (6) other relevant information as requested by the secretary.

(e) Each wildlife importation permit, once issued, shall be valid during the time period specified on the permit.

(f) In addition to other penalties prescribed by law, any wildlife importation permit may be refused issuance or revoked by the secretary if any of the following conditions is met:

- (1) The application is incomplete or contains false information.

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(2) Issuance of a permit would not be in the best interest of the public or of the natural resources of Kansas.

(3) The permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 2019 Supp. 32-807 and K.S.A. 32-956; implementing K.S.A. 32-956; effective Dec. 27, 1993; amended Sept. 22, 2000; amended April 18, 2003; amended July 23, 2004; amended May 20, 2005; amended Feb. 9, 2007; amended Nov. 16, 2007; amended Dec. 21, 2018; amended Dec. 25, 2020; amended P-_____.)

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**Kansas Administrative Regulations
Economic Impact Statement (EIS)**

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

115-18-10
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.

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Section I

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

The proposed amendment will add rusty crayfish to list of species that is prohibited to be imported, possessed, or released in Kansas.

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.)*

KDWP biologists and Midwestern states' fish and game commissions utilize the same scientifically accepted research and methodologies when determining whether a species is invasive and/or to limit its importation into the state.

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 measurable 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 measurable economic effect is anticipated.
- 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;
There are 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 economic impact is 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 measurable costs are anticipated.

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

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- 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.

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115-25-14. Fishing; creel limit, size limit, possession limit, and open season. (a) The open season for the taking of fish in Kansas shall be January 1 through December 31, with the following exceptions:

(1) The flowing portions and backwaters of the Missouri river and any oxbow lake through which the Kansas-Missouri boundary passes, for which the open snagging season for the taking of paddlefish shall be March 15 through May 15;

(2) the flowing portions of the Kansas river from its origin downstream to its confluence with the Missouri river and the flowing portions of the Arkansas river from its origin downstream to the Kansas-Oklahoma border and on federal reservoirs from 150 yards away from the dam to the upper end of the federal property, for which the open hand-fishing season for the taking of flathead catfish shall be from sunrise to sunset, June 15 through August 31;

(3) for floatline fishing, only on designated federal reservoirs; and

(4) those areas closed by posted notice.

(b) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish on the following waters during the specified time periods: from November 1 through April 15 (~~type one waters~~):

(A) November 1 through April 15 (type one waters):

(1) Dodge City Lake Charles;

(2) Coffeyville LeClere Lake;

(3) Colby Villa High Lake;

(4)(3) Eisenhower State Park Pond;

(5)(4) Fort Scott Gun Park Lake;

(6)(5) Garnett Crystal Lake;

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~~(7)(6)~~ Glen Elder Reservoir Outlet;

~~(8)(7)~~ Glen Elder State Park Pond;

~~(9)(8)~~ Kanopolis Seep Stream;

~~(10)~~ ~~KDOT East Lake, located in Wichita;~~

~~(11)(9)~~ Lake Henry, located in Clinton State Park;

~~(12)(10)~~ Unit number 30, located in the Mined Land Wildlife Area;

~~(13)(11)~~ Pratt Centennial Pond;

~~(14)(12)~~ the following Sedgwick County Park waters:

~~(A)(i)~~ Vic's Lake; and

~~(B)(ii)~~ Slough Creek;

~~(15)(13)~~ Scott State Park Pond;

~~(16)~~ ~~Sherman County Smoky Gardens Lake;~~

~~(17)(14)~~ Topeka Auburndale Park;

~~(18)(15)~~ Walnut River Area, located in El Dorado State Park;

~~(19)(16)~~ Webster Stilling Basin; and

~~(20)(17)~~ Willow Lake, located in Tuttle Creek State Park;

~~(18)~~ ~~King Lake-Emporia; and~~

~~(19)~~ ~~OJ Watson Park.~~

~~(B)~~ ~~November 1 through October 31: unit number 30, located in the Mined Land Wildlife Area.~~

~~(c)~~ Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish for and possess trout on the following waters from November 1 through April 15 (type two waters):

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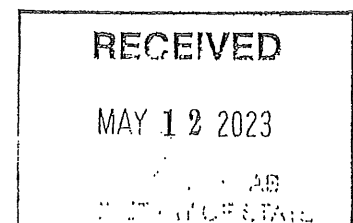
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- (1) Atchison City Lake No. 1;
- (2) Belleville City Lake (Rocky Pond);
- (3) Cameron Springs, located on Fort Riley;
- (4) Cedar Bluff Stilling Basin;
- (5) Cherryvale City Lake (Tanko);
- (6) Cimarron Grasslands Pits;
- (7) Great Bend Veterans Memorial Park Lake;
- (8) Great Bend Stone Lake;
- (9) Herington-Father Padilla Pond;
- (10) Holton-Elkhorn Lake;
- (11) Hutchinson Dillon Nature Center Pond;
- (12) Kanopolis State Park Pond;
- (13) Lake Shawnee, located in Shawnee County;
- (14) Meade State Fishing Lake;
- (15) Moon Lake, located on Fort Riley;
- (16) Salina Lakewood Lake;
- (17) Sandsage Bison Range and Wildlife Area Sandpits;
- (18) Scott State Fishing Lake
- (19) the following Sedgwick County Park waters:
 - (A) Moss Lake; and
 - (B) Horseshoe Lake;
- (20) Solomon River between Webster Reservoir and Rooks County #2 Road; and

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(21) Syracuse-Sam's Pond;

(22) Colby-Villa High Lake; and

(23) Sherman County Smokey Gardens Lake.

(d) The following daily creel limits and size limits shall apply to each pond, lake, impoundment, and other water of the state that is open to public fishing access and to all perennial and intermittent watercourses of the state, unless special creel limits and size limits apply pursuant to subsection (f).

<u>Species</u>	<u>Creel Limit</u>	<u>Size Limit</u>
Black bass: largemouth, spotted, or smallmouth	5*	15"
Channel catfish (fewer than 30 rays in the anal fin)	10	--
Blue catfish (30 or more rays in the anal fin)	5	--
Trout	5*	--
Flathead catfish	5	--
Walleye, sauger, saugeye	5*	15"****
Pike family: northern pike, tiger, or muskellunge	2*	30"
Striped bass	5	--
Wiper: striped bass hybrid	5	--
Paddlefish	2**/2#	--
Crappie: white or black	50*	--
All other species	No limit	--

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* The daily creel limit shall be composed of a single listed species or a combination of the species in the listed species group.

** The total snagging creel limit of paddlefish per calendar year shall be six paddlefish.

*** The 15" length limit on walleye, sauger, and saugeye shall not apply to streams, rivers, and tailwaters.

Any individual younger than 16 years of age may use an adult's paddlefish permit while accompanied by that adult with at least one unused carcass tag in possession. Each paddlefish snagged and kept by the individual younger than 16 years of age shall be included as part of the daily creel limit of the permit holder.

(e) The possession limit shall be three daily creel limits.

(f) Special size limits, creel limits, and bait restrictions for designated waters shall be those limits and restrictions specified in the department's "Kansas special size limits, creel limits, and bait restriction tables," dated ~~August 2, 2021~~ November 17, 2022, which is hereby adopted by reference. All fish caught from these designated waters that are of a size or number that is illegal to possess shall be released unrestrained to the water immediately. ~~This regulation shall be effective on and after January 1, 2022.~~ (Authorized by and implementing K.S.A. 2020 Supp. 32-807; amended P-_____.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

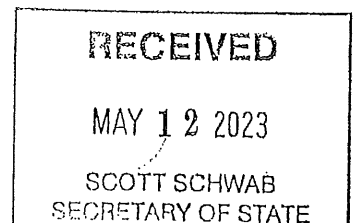
115-25-14
K.A.R. Number(s)

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 and remove locations where a trout permit shall be required for each individual who wants to fish at the locations listed. These changes are in reference to the "Kansas special size limits, creel limits, and bait restriction tables" document.

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 laws or standards. KDWP biologists and Midwestern states' fish and game commissions utilize the same scientifically accepted research and methodologies when determining appropriate fish stocking practices and creel lengths and limits.

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 measurable 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 measurable economic effect is anticipated.
- 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;
There are 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 economic impact is anticipated.

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Proposed

- 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 measurable costs are anticipated.

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

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Proposed

- 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.

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Kansas Department of Wildlife, Parks, and Tourism

Kansas Special Size Limits, Creel Limits, and Bait Restriction Tables

Dated: November 17, 2022

Blue Catfish Creel Limits

2 fish daily creel limit

Wilson Reservoir

5 fish daily creel limit

Cheney Reservoir, Clinton Reservoir, El Dorado Reservoir, Elk City Reservoir, Glen Elder Reservoir, John Redmond Reservoir, Kanopolis Reservoir, LaCygne Reservoir, Lovewell Reservoir, Melvern Reservoir, Perry Reservoir, Pomona Reservoir, Tuttle Creek Reservoir, Wilson Reservoir

10 fish daily creel limit

The entirety of the Caney River and all of its tributaries, the entirety of the Little Caney River and all of its tributaries, the Verdigris River from the Oklahoma-Kansas state line to the Toronto Reservoir dam and all of its tributaries including the Elk River to the Elk City Reservoir dam, the Fall River to the Fall River Reservoir dam and Big Hill Creek to the Big Hill Reservoir dam, the Neosho River from the Oklahoma-Kansas state line to the John Redmond Reservoir dam and all its tributaries including Labette Creek to the Parsons City Lake dam and Wolf Creek to the Coffey County Lake dam, the Arkansas River from the Oklahoma-Kansas state line to the 21st Street North dam in Wichita, the Ninnescah River from its the confluence with the Arkansas River to its confluence with the South Fork of the Ninnescah River and the South Fork of the Ninnescah River to the Kingman City dam.

Blue Catfish Length Limits

25 - 40-inch slot limit with no more than 1 fish 40-inch or larger. Blue Catfish between the lengths of twenty-five (25) and forty (40) inches are protected and must be returned to the water immediately when taken from the following waters:

Milford Reservoir

25 - 35-inch slot limit with no more than 2 fish 35-inch or larger. Blue Catfish between the lengths of twenty-five (25) and thirty-five (35) inches are protected and must be returned to the water immediately when taken from the following waters:

El Dorado Reservoir

32 – 40-inch slot limit with no more than 1 fish 40-inch or larger. Blue Catfish between the lengths of thirty-two (32) and forty (40) inches are protected and must be returned to the water immediately when taken from the following waters:

Wilson Reservoir

35 inch minimum. Blue catfish of a length less than thirty-five (35) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir, Clinton Reservoir, Elk City Reservoir, Glen Elder Reservoir, John Redmond Reservoir, Kanopolis Reservoir, Lovewell Reservoir, Melvern Reservoir, Perry Reservoir, Tuttle Creek Reservoir

Channel Catfish Creel Limits

2 fish daily creel limit

Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Blue Mound City Lake, Bonner Springs - North Park Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Buhler City Pond, Butler State Fishing Lake, Chanute City Lake, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Columbus - VFW Pond, Colwich City Lake, Emporia - Jones Park Ponds, Emporia - Peter Pan Park, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Gardner City Lake, Garnett City Lake North, Garnett City Lake South, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Hays - Vineyard Park Pond, Haysville - Riggs Lake, Humboldt - Franklin Street Pond, Hutchinson - North Pond, Impounded F.I.S.H. Waters, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, Lansing City Lake, Lansing - Billy Blackwell Lake, Lawrence - Mary's Lake, Lawrence - Oregon Trail Park Pond, Lawrence Pat Dawson Billings N & S, Lawrence - Sandra Shaw Community Health Park Pond, Leavenworth - Jerry's Lake, Leavenworth State Fishing Lake, Leawood - Ironwoods Park Pond, Leawood - Tomahawk Parkway Middle, Leawood - Tomahawk Parkway North, Leawood - Tomahawk Parkway South, Lebo City Lake, Lebo Kid's Pond, Lenexa - Mize Blvd. Lake, Lenexa - Rose's Pond, Linn Co. - Critzer Reservoir, Linn Co. Strip Pits, McPherson State Fishing Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, Mound City Lake, Mt. Hope - Woodland Park Pond, Mulberry City Park Lake, Mulvane - Cedar Brook Pond, Nebo State Fishing Lake, New Strawn City Lake, Newton - Spring Lake Ponds, North Newton - Sunfield Pond, Olathe - Black Bob Park Pond, Olathe - Cedar Lake, Olathe - Frisco Lake, Olathe - Mahaffie Farmstead Pond, Olathe - North Waterworks Park Lake, Olathe - Oregon Trail Park Pond, Olathe - Prairie Center Park Pond, Olathe - Prairie Center Pond, Olathe - Settler's Park Pond, Olathe - Waterworks Lake, Olpe - Jones Park Pond, Osage State Fishing Lake, Overbrook City Lake, Overbrook - Kids' Pond, Overland Park - Amesbury Lake, Overland Park - Kingston Lake, Overland Park - Regency Lake, Overland Park - South Lake, Overland Park - Summercrest Lake, Overland Park - Wilderness Lake, Parker City Lake, Pittsburg - Lincoln Park Pond, Pittsburg - Lakeside Park Lake, Pittsburg - Wilderness Pond, Pleasanton City Lake - East, Pleasanton City Lake - West, Pratt County Lake, Richmond City Lake, Rose Hill - School Street Pond, Salina - Lakewood Lake, Shawnee Co. Shawnee Jr., Sherman County - Smoky Gardens, Spring Hill Woodland Ridge Pond, Topeka-Auburndale Park Stream, Topeka - Cedar Crest Pond, Topeka - Central Park Lake, Topeka - Clarion Lake, Topeka - Freedom Valley Lake, Topeka - Governor's Ponds East & West, Topeka-Horseshoe Bend Park Pond, Topeka - West Lake, Uniontown School Pond, Valley Center - McLaughlin Pond, Wichita - Harrison Park Lake, Windom City Pond, Woodson State Fishing Lake, Wyandotte Co. Big 11, Wyandotte Co. Bonner Lake, Wyandotte Co. Pierson Park Lake, Yates Center - South, Yates Center Reservoir - New

5 fish daily creel limit

Agra City Lake, Altamont City Lake, Arkansas City - Knebbler #2, Arkansas City 6th Street Pond, Arkansas City, Knebbler #1, Atchison City Lakes 1-4, 6-9, 23, 24, Atchison County Lake, Atwood Lake, Barber Lower, Barber Upper, Belleville City Lake (Rocky Pond), Benton - Poling Lake, Black Kettle State Fishing Lake, Bone Creek Reservoir, Chase State Fishing Lake, Cherryvale City Lake (Tanko), Cimarron Grasslands Fishing Pits, Clark State Fishing Lake, Clearwater - Chisholm Ridge Lake, Coffeyville-LeClere Lake, Colby - Villa High Lake, Coldwater City Lake, Concannon State Fishing Lake, Council Grove City Lake, Cowley State Fishing Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Dodge City - Mariah Hills Golf Course, Douglas State Fishing Lake, Edna City Lake, Ellis City Lake, Eureka City Lake, Finney State Fishing Lake, Ford State Fishing Lake, Fort Scott - Rock Creek Lake, Garnett - Cedar Valley Reservoir, Geary State Fishing Lake, Goodman State Fishing Lake, Graham County - Antelope Lake, Great Bend Stone Lake, Great Bend Veteran's Park, Hain State Fishing Lake, Hamilton State Fishing Lake, Harvey County East Lake, Harvey County West Lake, Herington - Father Padilla Pond, Hiawatha City Lake, Hodgeman State Fishing Lake, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Holyrood City Lake, Horsethief Reservoir, Horton Little Lake, Horton Mission Lake, Howard - Polk Daniels Lake, Hutchinson - Carey Park Lagoon, Hutchinson - Carey Park Pond, Hutchinson - Dillon Nature Center, Independence Community College - Campus Pond, Jackson County - Banner Creek , Jeffrey Energy Center, Jetmore City Lake, Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Junction City - Bluffs, Junction City – Helland Pond, Junction City - Rim Rock Lake, Junction City - Riverwalk, Junction City - Wetland Park, Kiowa State Fishing Lake, LaCrosse Warren Stone Memorial , Lenexa - Resurrection Pond, Liberal-Arkalon Recreation Area, Logan City Lake, Logan State Fishing Lake, Louisburg City Lake, Louisburg - Lewis Young Park Lake, Louisburg - Middle Creek, Lyon State Fishing Lake, Madison City Lake, Marion County Lake, Meade State Fishing Lake, Miami State Fishing Lake, Milford State Park Pond, Mined Land Wildlife Area, Moline New City Lake, Moline Old City Lake, Montgomery State Fishing Lake, Neodesha City Lake, Neosho State Fishing Lake, Neosho Wildlife Area Pond, Newton-Sand Creek, Ogden City Lake, Olathe - East High School Pond, Olathe - Heatherstone Park Pond, Olathe - Lake Olathe, Olathe - Oregon Trail Pond, Olathe - Stagecoach Park Pond, Olpe City Lake, Osage City Lake, Osawatomie - Beaver Lake, Osawatomie City Lake, Ottawa State Fishing Lake, Park City - Chisholm Pointe, Parsons City Lake, Plainville Township Lake, Pottawatomie 1, Pottawatomie 2, Pottawatomie Co. Cross Creek Lake, Prescott City Lake, Rooks State Fishing Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Saline State Fishing Lake, Sandsage Bison Range & Wildlife Area, Scott State Fishing Lake, Sedan New City Lake, Sedan Old City Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Severy City Lake, Shawnee - Monticello Springs Lake, Shawnee State Fishing Lake, Sheridan State Fishing Lake, Sherman County - Smoky Gardens, Sherman State Fishing Lake, St. Francis - Keller Lake, St. Francis Sand Pits, Syracuse-Sam's Pond, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Ulysses City Lake, Washington State Fishing Lake, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - K-96 Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Wilson State Fishing Lake, Wyandotte Co. Lake

Channel Catfish Length Limits

15 inch minimum. Channel catfish of a length less than fifteen (15) inches are protected and must be returned to the water immediately when taken from the following waters:

Agra City Lake, Altamont City Lake, Arma City Lake, Atchison City Lakes 1-4, 6-9, 23, 24, Atchison County Lake, Atchison State Fishing Lake, Atwood Lake, Belleville City Lake (Rocky Pond), Black Kettle State Fishing Lake, Blue Mound City Lake, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Butler State Fishing Lake, Chanute City Lake, Chase State Fishing Lake, Cherryvale City Lake (Tanko), Columbus - VFW Pond, Cowley State Fishing Lake, Crawford State Fishing Lake, Douglas County - Lonestar Lake, Douglas State Fishing Lake, Edgerton - Bridgewater Lake, Edna City Lake, Emporia - Jones Park Ponds, Emporia - Peter Pan Park, Eureka City Lake, Fall River State Park Kid's Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Gardner City Lake, Garnett City Lake North, Garnett City Lake South, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Harvey County West Lake, Humboldt - Franklin Street Pond, Hutchinson - North Pond, Hiawatha City Lake, Holton Elkhorn Lake, Holton City Prairie Lake, Horton Little Lake, Horton Mission Lake, Howard - Polk Daniels Lake, Independence Community College-Campus Pond, Jackson County - Banner Creek Reservoir, Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kingman State Fishing Lake, Leavenworth State Fishing Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Linn Co. Strip Pits, Logan City Lake, Louisburg-Middle Creek SFL, Lyon State Fishing Lake, Madison City Lake, Marion County Lake, McPherson State Fishing Lake, Melvern River Pond, Miami State Fishing Lake, Mined Land Wildlife Area, Moline New City Lake, Moline Old City Lake, Montgomery State Fishing Lake, Mound City Lake, Mulberry City Park Lake, Nebo State Fishing Lake, Neodesha City Lake, Neosho State Fishing Lake, Neosho Wildlife Area Pond, New Strawn City Lake, Olathe-Stagecoach Park Pond, Olpe City Lake, Olpe - Jones Park Pond, Osage City Lake, Osage State Fishing Lake, Osawatอมie - Beaver Lake, Osawatอมie City Lake, Overbrook City Lake, Overland Park - Amesbury Lake, Overland Park - Summercrest Lake, Overland Park - Wilderness Lake, Parker City Lake, Parsons City Lake, Pittsburg - Lincoln Park Pond, Pittsburg - Lakeside Park lake, Pittsburg - Wilderness Pond, Pleasanton City Lake - East, Pleasanton City Lake - West, Pottawatomie 1, Pratt County Lake, Prescott City Lake, Richmond City Lake, Rose Hill - School Street Pond, Sabetha City Lake, Sabetha - Pony Creek Lake, Sedan New City Lake (South), Sedan Old City Lake (North), Severy City Lake, Sherman County - Smoky Gardens, Spring Hill Woodland Ridge Pond, Thayer City Lake (New), Thayer City Lake (Old), Troy 4-H Lake, Uniontown School Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wilson State Fishing Lake, Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir - New

Crappie Creel Limits

10 fish daily creel

Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Holton - Elkhorn Lake, Humboldt - Franklin Street Pond, Lebo City Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, New Strawn City Lake, Osage State Fishing Lake, Pleasanton City Lake - West, Troy - 4-H Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - K-96 Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - South Lake, Wichita - Watson Park Lake, Wichita - West KDOT, Woodson State Fishing Lake, Yates Center - South

20 fish daily creel

Atchison State Fishing Lake, Bone Creek Reservoir, Brown State Fishing Lake, Clinton Reservoir, Council Grove City Lake, Council Grove Reservoir, El Dorado Reservoir, Frontenac City Lake, Glen Elder

Reservoir, Hillsdale Reservoir, Jackson County - Banner Creek, Kanopolis Reservoir, Lovewell Reservoir, Marion County Lake, Marion Reservoir, Melvern Reservoir, Perry Reservoir, Sabetha - Pony Creek Lake, Thayer City Lake (New), Thayer City Lake (Old), Wellington City Lake, Winfield City Lake, Yates Center Reservoir - New

Crappie Length Limits

10 inch minimum. Crappie species of a length less than ten (10) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir, Clinton Reservoir, Frontenac City Lake, Garnett City Lake North, Garnett City Lake South, Glen Elder Reservoir, Gridley City Lake, Hillsdale Reservoir, Humboldt - Franklin Street Pond, Lebo City Lake, Lovewell Reservoir, Melvern Reservoir, Melvern River Pond, Perry Reservoir, Pleasanton City Lake – West, Woodson State Fishing Lake, Yates Center - South

Largemouth Bass Creel Limits

2 fish daily creel limit

Agra City Lake, Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Benton - Poling Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Brown State Fishing Lake, Buhler City Pond, Carbondale East Lake, Chanute City Lake, Clearwater - Chisholm Ridge Lake, Coffeyville - LeClere Lake, Columbus - VFW Pond, Colwich City Lake, Concannon State Fishing Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Emporia-Jones Park Ponds, Emporia - Peter Pan Park, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Greenbush Community Lake, Harvey Co. Camp Hawk, Harvey County West Lake, Hiawatha City Lake, Holton City (Prairie) Lake, Horton Little Lake, Horton Mission Lake, Humboldt - Franklin Street Pond, Hutchinson - North Pond, Impounded F.I.S.H. Waters, Jackson County - Banner Creek, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kanopolis State Park Pond, Kechi Lake, Lansing City Lake, Lebo City Lake, Lebo Kid's Pond, Linn Co. - Critzer Reservoir, Linn Co. Strip Pits, Louisburg - Middle Creek, Madison City Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, Mt. Hope - Oak Street Park Pond, Mulberry Park Lake, Mulvane - Cedar Brook Pond, Nebo State Fishing Lake, New Strawn City Lake, Newton - Spring Lake Ponds, North Newton - Sunfield Pond, Olpe - Jones Park Pond, Osage City Lake, Overbrook City Lake, Overbrook - Kids' Pond, Overland Park - Kingston Lake, Overland Park - Regency Lake, Overland Park - South Lake, Park City - Chisholm Pointe, Parker City Lake, Pittsburg - Lincoln Park Pond, Pittsburg - Lakeside Park lake, Pittsburg - Wilderness Pond, Pleasanton City Lake - East, Pleasanton City Lake - West, Pratt County Lake, Richmond City Lake, Rose Hill - School Street Pond, Sabetha - Pony Creek Lake, Sabetha City Lake, Sandsage Bison Range & Wildlife Area, Sedgwick Co. Park Lakes, Shawnee County - Lake Shawnee, Sherman County - Smoky Gardens, Uniontown School Pond, Valley Center - Arrowhead Park Lake, Valley Center - McLaughlin Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - K-96 Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Wyandotte Co. Bonner Lake

Largemouth Bass Length Limits

13 -18 inch slot limit. Largemouth bass between the lengths of thirteen (13) and eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Altamont City Lake, Bone Creek Reservoir, Chase State Fishing Lake, Council Grove City Lake, Douglas County - Lonestar Lake, Douglas State Fishing Lake, Garnett City Lake South, Goodman State Fishing Lake, Graham County - Antelope Lake, Harvey County East Lake, Holton - Elkhorn Lake, Howard - Polk Daniels Lake, Jetmore City Lake, Lenexa - Lake Lenexa, Linn Co. Strip Pits, Louisburg City Lake, Lyon State Fishing Lake, Marion County Lake, McPherson State Fishing Lake, Meade State Fishing Lake, Melvern River Pond, Miami State Fishing Lake, Mined Land Wildlife Area, Moline Old City Lake, Montgomery State Fishing Lake, Mound City Lake, Osage State Fishing Lake, Osawatomie - Beaver Lake, Osawatomie City Lake, Overbrook City Lake, Paola - Lake Miola, Parker City Lake, Pottawatomie Co. Cross Creek Lake, Richmond City Lake, Sedan New City Lake, Sedan Old City Lake, Severy City Lake, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Woodson State Fishing Lake

15 -21 inch slot limit. Largemouth bass between the lengths of fifteen (15) and twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Big Hill Reservoir, Garnett City Lake North, Yates Center Reservoir – New

18 inch minimum. Largemouth bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Agra City Lake, Alma City Lake, Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Benton - Poling Lake, Black Kettle State Fishing Lake, Brown State Fishing Lake, Buhler City Pond, Carbondale East Lake, Centralia City Lake, Cherryvale City Lake (Tanko), Clearwater - Chisholm Ridge Lake, Clinton Reservoir, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Coffeyville - LeClere Lake, Colwich City Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Douglas State Fishing Lake, Edna City Lake, Emporia-Jones Park Ponds, Emporia-Peter Pan Park, Eskridge - Lake Wabaunsee, Eureka City Lake, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Ford State Fishing Lake, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Garnett - Cedar Valley Reservoir, Glen Elder Park Pond, Glen Elder Reservoir, Greenbush Community Lake, Harvey County West Lake, Harveyville City Lake, Herington City Lake - New, Herington City Lake - Old, Herington - Father Padilla Pond, Hillsdale Reservoir, Holton City (Prairie) Lake, Horton - Mission Lake, Horton Little Lake, Humboldt - Franklin Street Pond, Hutchinson - North Pond, Impounded F.I.S.H. Waters, Jackson County - Banner Creek, Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Johnson Co. - Kill Creek North Pond, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Kill Creek South Pond, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, LaCygne Reservoir, Lebo City Lake, Lebo Kid's Pond, Linn County Critzer Reservoir, Logan City Lake, Louisburg - Middle Creek, Madison City Lake, Marion Reservoir, Melvern Reservoir, Moline New City Lake, Mt. Hope - Oak Street Park Pond, Mulvane - Cedar Brook Pond, Nebo State Fishing Lake, Neosho State Fishing Lake, Olathe - Cedar Lake, Olathe - Lake Olathe, Olpe City Lake, Olpe-Jones Park Pond, Osage City Lake, Park City - Chisholm Pointe, Perry Reservoir, Plainville Township Lake, Pratt County Lake, Rooks State Fishing Lake, Rose Hill - School Street Pond, Sabetha - Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Salina - Lakewood Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Shawnee Co. Lake

Shawnee, Sherman County - Smoky Gardens, Tuttle Creek Reservoir, Tuttle Creek Willow Lake, Uniontown School Pond, Valley Center-Arrowhead Park Lake, Valley Center - McLaughlin Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - K-96 Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Yates Center - South

21 inch minimum. Largemouth bass of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Big Hill Wildlife Area, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Fort Scott - Gunn Park Lake West, Harvey Co. Camp Hawk, Linn Co. - Critzer Reservoir, New Strawn City Lake, Pleasanton City Lake - East, Pleasanton City Lake - West

Smallmouth Bass Creel Limit

2 fish daily creel limit

Atchison State Fishing Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Douglas County - Lonestar Lake, Fort Scott - Lake Fort Scott, Garnett City Lake North, Gridley City Lake, Jackson County - Banner Creek, Johnson Co. - Kill Creek Park Lake, Leavenworth State Fishing Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Milford Hatchery Water Supply Pond, New Strawn City Lake, Osage State Fishing Lake, Overbrook City Lake, Pleasanton City Lake - East, Pleasanton City Lake - West, Sabetha - Pony Creek Lake, Shawnee Co. Lake Shawnee, Woodson State Fishing Lake

Smallmouth Bass Length Limit

18 inch minimum. Smallmouth bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Alma City Lake, Atchison State Fishing Lake, Big Hill Reservoir, Clinton Reservoir, Douglas County - Lonestar Lake, Eskridge - Lake Wabaunsee, Fort Scott - Lake Fort Scott, Garnett City Lake North, Glen Elder Park Pond, Great Bend Stone Lake, Gridley City Lake, Jackson County - Banner Creek, Johnson Co. - Kill Creek Park Lake, LaCygne Reservoir, Leavenworth State Fishing Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Marion County Lake, Melvern Reservoir, New Strawn City Lake, Osage State Fishing Lake, Overbrook City Lake, Perry Reservoir, Sabetha - Pony Creek Lake, Shawnee Co. Lake Shawnee, Winfield City Lake, Woodson State Fishing Lake, Wyandotte Co. Lake

21 inch minimum. Smallmouth bass of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Glen Elder Reservoir

Spotted Bass Creel Limit

2 fish daily creel limit

Chanute City Lake, Fort Scott - Lake Fort Scott, Melvern River Pond, Milford Hatchery Water Supply Pond

Spotted Bass Length Limit

18 inch minimum. Spotted bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Eureka City Lake, Melvern Reservoir

Walleye Creel Limits

2 fish daily creel limit

Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Carbondale East Lake, Cheney Reservoir, Crawford State Fishing Lake, El Dorado Reservoir, Fort Scott - Lake Fort Scott, Garnett - Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Harvey County East Lake, Jackson County - Banner Creek , Jeffery Energy Center, Johnson Co. - Kill Creek Park Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Marion County Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, Milford Reservoir, Mined Land Wildlife Area, Mound City Lake, New Strawn City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Paola - Lake Miola, Pleasanton City Lake - East, Pratt County Lake, Richmond City Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Sedgwick Co. Lake Afton, Shawnee Co. - Lake Shawnee, Wichita - Chisholm North Lake, Woodson State Fishing Lake, Wyandotte Co. Lake, Yates Center - South, Yates Center Reservoir - New

Walleye Length Limits

18 inch minimum. Walleye of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Alma City Lake, Big Hill Reservoir, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Carbondale East Lake, Centralia City Lake, Chase State Fishing Lake, Council Grove City Lake, Crawford State Fishing Lake, Eskridge - Lake Wabaunsee, Eureka City Lake, Fort Scott - Lake Fort Scott, Garnett - Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Glen Elder Reservoir, Harvey County East Lake, Harveyville City Lake, Herington City Lake - New, Hillsdale Reservoir, Jackson County - Banner Creek, Johnson Co. - Kill Creek Park Lake, Kanopolis Reservoir, Keith Sebelius (Norton) Reservoir, Kingman State Fishing Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Lovewell Reservoir, Lyon State Fishing Lake, Marion County Lake, Melvern River Pond, Melvern Reservoir, Mined Land Wildlife Area, Mound City Lake, Osage City Lake, Perry Reservoir, Pleasanton City Lake - East, Pomona Reservoir, Pratt County Lake, Richmond City Lake, Sabetha City Lake, Scott State Fishing Lake, Shawnee Co. - Lake Shawnee, Wellington City Lake, Wichita - Chisholm North Lake, Wilson State Fishing Lake, Winfield City Lake, Woodson State Fishing Lake, Wyandotte Co. Lake

21 inch minimum. Walleye of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Cedar Bluff Reservoir, Cheney Reservoir, El Dorado Reservoir, Marion Reservoir, Milford Reservoir, Sabetha - Pony Creek Lake, Sedgwick Co. Lake Afton

Sauger Creel Limit

2 fish daily creel limit

Jackson County - Banner Creek, Jeffrey Energy Center, Milford Hatchery Water Supply Pond

Sauger Length Limits

18 inch minimum. Sauger of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Jackson County - Banner Creek, Melvern Reservoir, Perry Reservoir

Saugeye Creel Limits

2 fish daily creel limit

Bone Creek Reservoir, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Carbondale East Lake, Chanute City Lake, Crawford State Fishing Lake, Douglas State Fishing Lake, Gardner City Lake, Harvey County East Lake, Harvey County West Lake, Louisburg - Middle Creek, Marion County Lake, McPherson State Fishing Lake, Meade State Fishing Lake, Milford Hatchery Water Supply Pond, Nebo State Fishing Lake, Pleasanton City Lake - East, Sabetha City Lake, Sedgwick Co. Lake Afton, Sherman County - Smoky Gardens, Sterling City Lake, Washington State Fishing Lake, Wellington - Hargis Creek Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Watson Park Lake

Saugeye Length Limits

18 inch minimum. Saugeye of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Bone Creek Reservoir, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Carbondale East Lake, Centralia City Lake, Chanute City Lake, Chase State Fishing Lake, Crawford State Fishing Lake, Douglas State Fishing Lake, Eskridge - Lake Wabaunsee, Eureka City Lake, Gardner City Lake, Geary State Fishing Lake, Graham County - Antelope Lake, Harvey County East Lake, Harvey County West Lake, Harveyville City Lake, Howard - Polk Daniels Lake, Kanopolis Reservoir, Keith Sebelius (Norton) Reservoir, Louisburg - Middle Creek, Lyon State Fishing Lake, Madison City Lake, Marion County Lake, Meade State Fishing Lake, Melvern Reservoir, Moline New City Lake, Nebo State Fishing Lake, Olpe City Lake, Parsons City Lake, Perry Reservoir, Pleasanton City Lake - East, Pomona Reservoir, Sabetha City Lake, Scott State Fishing Lake, Sherman County - Smoky Gardens, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Watson Park Lake

21 inch minimum. Saugeye of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

McPherson State Fishing Lake, Sedgwick Co. Lake Afton, Sterling City Lake, Washington State Fishing Lake

Striped Bass Creel Limits

2 fish daily creel limit

Cheney Reservoir, Glen Elder Reservoir, LaCygne Reservoir, Pleasanton City Lake – East, Wilson Reservoir

Striped Bass Length Limits

18 inch minimum. Striped bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

LaCygne Reservoir, Pleasanton City Lake – East

21 inch minimum. Striped bass of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir

Trout Creel Limits

2 fish daily creel limit

Salina – Lakewood Lake

Wiper Creel Limits

2 fish daily creel limit

Atchison City Lake #7, Atwood Lake, Carbondale East Lake, Cedar Bluff Reservoir, Centralia City Lake, Council Grove Reservoir, Cheney Reservoir, Clinton Reservoir, Crawford State Fishing Lake, Ellis City Lake, El Dorado Reservoir, Eureka City Lake, Great Bend Stone Lake, Glen Elder Reservoir, Garnett City Lake North, Garnett City Lake South, Garnett - Cedar Valley Reservoir, Gridley City Lake, Herington City Lake – New, Horton Little Lake, Harvey County West Lake, Impounded F.I.S.H. Waters, Region 1 & 3, Johnson Co. - Shawnee Mission Park Lake, Johnson Co. - Kill Creek Park Lake, Jeffrey Energy Center, John Redmond Reservoir, Jetmore City Lake, Kanopolis Reservoir, Kanopolis State Park Pond, Kiowa State Fishing Lake, Lawrence - Mary's Lake, Louisburg City Lake, LaCygne Reservoir, Lebo City Lake, Lovewell Reservoir, Lyon State Fishing Lake, Madison City Lake, Middle Creek State Fishing Lake, Melvern Reservoir, Melvern River Pond, Milford Hatchery Water Supply Pond, Mined Land Wildlife Area, Marion County Lake, Moline New City Lake (North), New Strawn City Lake, Olathe - Lake Olathe, Olpe City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Overbrook - Kids' Pond, Pleasanton City Lake – East, Pomona Reservoir, Pratt County Lake, Plainville Township Lake, Salina - Lakewood Lake, Sabetha - Pony Creek Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Sterling City Lake, Topeka - West Lake, Wellington City Lake, Wichita - Watson Park Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - East KDOT, Wichita - West KDOT, Winfield City Lake, Woodson State

Fishing Lake, Wyandotte Co. Lake, Wyandotte Co. Bonner Lake, Yates Center - South (Owl), Yates Center Reservoir - New

Wiper Length Limits

18 inch minimum. Wipers of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Atchison City Lake #7, Carbondale East Lake, Chanute City Lake, Clinton Reservoir, Council Grove Reservoir, Crawford State Fishing Lake, Douglas County - Lonestar Lake, Garnett - Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Great Bend Stone Lake, Gridley City Lake, Harvey County West Lake, Horton Little Lake, Jetmore City Lake, Kiowa State Fishing Lake, LaCygne Reservoir, Leavenworth State Fishing Lake, Lebo City Lake, Louisburg - Middle Creek, Marion County Lake, Melvern River Pond, Mined Land Wildlife Area, New Strawn City Lake, Olathe - Cedar Lake, Olathe - Lake Olathe, Osage City Lake, Osage State Fishing Lake, Ottawa State Fishing Lake, Overbrook City Lake, Plainville Township Lake, Pleasanton City Lake - East, Pomona Reservoir, Pratt County Lake, Sabetha - Pony Creek Lake, Shawnee Co. Lake Shawnee, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - East KDOT, Wichita - Watson Park Lake, Wichita - West KDOT, Winfield City Lake, Woodson State Fishing Lake, Wyandotte Co. Lake, Yates Center - South, Yates Center Reservoir - New

21 inch minimum. Wipers of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir, El Dorado Reservoir, Sedgwick Co. Park Lakes

Paddlefish Length Limits

34-inch minimum length limit. Measured from eye to middle of fork of tail.

Marais des Cygnes River

Length and Creel Limits for the Missouri River (Kansas-Missouri Boundary Waters which includes the Browning Oxbow):

Length limits on that portion of the Missouri River which bound the Kansas-Missouri state boundary (Kansas-Missouri Boundary Waters and the Browning Oxbow): Black bass (largemouth, spotted and smallmouth bass) of a length less than twelve (12) inches, Channel Catfish, Sauger, and Walleye of a length less than fifteen (15) inches, and only paddlefish of a length less than twenty-four (24) inches are protected and must be returned to the water immediately.

Daily creel limits on that portion of the Missouri River which bound the Kansas-Missouri state boundaries (Kansas-Missouri Boundary Waters and the Browning Oxbow): Catfish (Blue and Flathead) daily creel limit of five (5) fish each; Channel Catfish daily creel limit of ten (10) fish; Crappie (white and black; single species or in combination) daily creel limit of thirty (30) fish; Walleye, Sauger and their hybrids (single

species or in combination) daily creel limit of four (4) fish; *Morone sps.* (Yellow bass, Striped bass, White bass and their hybrids; single species or in combination) daily creel limit of fifteen (15) fish; Paddlefish daily creel limit of two (2) fish; Black Bass (Largemouth, Spotted, and Smallmouth; single species or in combination) daily creel limit of six (6) fish; all other species (excluding T&E and SINC species) daily creel limit of fifty (50) fish.

All fish caught from the Missouri River Boundary Waters that are a size or number that is illegal to possess, shall be released unrestricted to the water immediately.

Kanopolis Seep Stream (Sand Creek):

Artificial bait only (lures or fly fishing) at power poles number 9 through number 16.

Pratt Backwaters, Pratt Centennial Pond & Pratt Kids' Fishing Pond:

Pratt Centennial Pond: Fishing hours shall be from 6 a.m. to 10 p.m. All species of fish caught shall be immediately returned to the waters of Centennial Pond, except there shall be a daily creel limit of two (2) rainbow trout.

Pratt Kids' Fishing Pond: Fishing Hours shall be from 6 a.m. to 10 p.m. Children ten (10) years of age or less shall be accompanied by a person sixteen (16) years of age or older. The following creel limits apply on the Pratt Kids' Fishing Pond: Two fish of a single species or a combination of species per day.

Pratt Backwaters: Fishing Hours shall be from 6 a.m. to 10 p.m.

Dodge City Demon Lake:

Fishing Hours shall be from 6 a.m. to 10 p.m. Children ten (10) years of age or less shall be accompanied by a person sixteen (16) years of age or older. Licensed adults may fish only if accompanied by a person younger than sixteen (16) years of age who is actively engaged in fishing. The following creel limits apply on Dodge City Demon Lake: Catch and release only.

Emporia - Peter Pan Park Pond:

No cast nets and seining allowed.

Garden City Kids' Fishing Pond:

Fishing Hours shall be from 6 a.m. to 10 p.m. Children ten (10) years of age or less shall be accompanied by a person sixteen (16) years of age or older. The following creel limits apply on the Garden City Kids' Fishing Pond: Two fish of a single species or a combination of species per day.

Sherman County – Smoky Gardens:

Catch and release only for largemouth bass, bluegill, and redear sunfish.

Youth/Mentor Fishing Locations:

Licensed adults may fish only if accompanied by a person younger than sixteen (16) years of age who is actively engaged in fishing. Normal creel limits apply on Youth/Mentor locations.

Elk City State Park Pond
Emporia - Jones Park Ponds. No cast nets and seining allowed.
Fall River State Park Pond
Kanopolis State Park Pond
Melvern Mentoring Pond
Olpe - Jones Park Pond. No cast nets and seining allowed.
Wilson State Park Pond

Length and Creel Limits for Coffey County Lake:

Length limits on Coffey County Lake: Wipers of a length less than twenty-one (21) inches, largemouth bass of a length less than eighteen (18) inches, smallmouth bass of a length less than eighteen (18) inches, walleye of a length less than twenty-one (21) inches, and crappie (black and white species) of a length less than twelve (12) inches are protected and must be returned to the water immediately.

Daily creel limits on Coffey County Lake: Wiper creel limit of one (1), largemouth bass creel limit of two (2), smallmouth bass creel limit of two (2), crappie, black and white species (single species or in combination) creel limit of five (5), walleye creel limit of two (2), blue catfish creel limit of five (5), and channel catfish creel limit of ten (10) per day.

No trotlines or setlines allowed.

Paddlefish Snagging Locations:

Locations open to paddlefish snagging during the paddlefish season (March 15-May 15): Posted areas inside the city parks at Burlington and Chetopa on the Neosho River, Neosho River at lola downstream from dam downstream to posted lola city property boundary, Marais des Cygnes River below Osawatomie Dam downstream to posted boundary, Neosho Falls Dam, Erie Dam, and Oswego Dam on the Neosho River, Coffeyville Dam on the Verdigris River, Ottawa Dam on the Marais des Cygnes River, Marais des Cygnes River on the upstream boundary of the Marais des Cygnes Wildlife Area downstream to Kansas-Missouri state line, and the Browning Oxbow Lake of the Missouri River.

At the posted area inside the city park at Chetopa on the Neosho River, each individual fishing for paddlefish shall use barbless hooks while fishing. "Barbless hook" shall mean a hook without barbs or upon which the barbs have been bent completely closed.

Float Fishing Locations:

Locations open to float fishing during the float fishing season (July 15-September15): Council Grove Reservoir, Elk City Reservoir, Fall River Reservoir, Glen Elder Reservoir, Hillsdale Reservoir, John

Redmond Reservoir, Kanopolis Reservoir, Lovewell Reservoir, Pomona Reservoir, Toronto Reservoir, Tuttle Creek Reservoir, Wilson Reservoir.

Tallgrass Prairie Preserve F.I.S.H. Properties:

All species of fish are protected and must be returned to the water immediately when taken from this property.

Wichita - Chisholm Island Pond:

All fishing shall be with artificial flies and lures only and shall be the only tackle allowed on such person while fishing this water, except for during KDWP-sponsored fishing clinics. All species of fish caught shall be immediately returned to the waters of Wichita - Chisholm Island Pond.

Sedgwick County - Slough Creek:

All fishing during trout season (October 15-April 15) will be done with flies only. A fly is defined as: a device constructed on a single-pointed hook from feather, chenille, yarn, silk, rayon, nylon thread or floss, with or without a spinner. The following are not flies and are not allowed in your possession while fishing this area: Molded plastic or rubber baits; foods and organic baits such as worms, grubs, crickets, leeches, minnows and fish eggs; and manufactured baits, including imitation fish eggs, dough baits and stink baits.

Length and Creel Limits for Grand Osage Wildlife Area:

Length limits on Grand Osage Wildlife Area: Largemouth bass between the lengths of thirteen (13) and eighteen (18) inches, and channel catfish of a length less than fifteen (15) inches are protected and must be returned to the water immediately.

Daily creel limits on Grand Osage Wildlife Area: Largemouth bass creel limit of five (5), and channel catfish creel limit of two (2).

Trophy Sunfish Length and Creel Limits:

A 6- to 9-inch slot length limit 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.

Graham County-Antelope Lake, Jewell State Fishing Lake, Lenexa - Lake Lenexa, Miami State Fishing Lake, Pottawatomie State Fishing Lake No. 2.

Length and Creel Limits for Johnson County Kill Creek Park Lake:

15-inch minimum length limit and a 2/day creel limit for Channel Catfish, 15- to 18-inch slot length limit and a 10/day creel limit for Largemouth Bass, 18-inch minimum length limit and a 2/day creel limit for Smallmouth Bass, 18-inch minimum length limit and a 2/day creel limit for Walleye, 18-inch minimum

length limit and a 2/day creel limit for Wiper, 50/day creel limit for Black and White Crappie (single species or combination), and 4/day creel limit for Rainbow Trout.

Length and Creel Limits for Johnson County Lexington Park Lake:

15-inch minimum length limit and 2/day creel limit for Channel Catfish, 10-inch minimum length limit and 15/day creel limit for Black and White Crappie (single species or combination), 15- to 18-inch slot length limit and 5/day creel limit for Largemouth Bass, and 4/day creel limit for Rainbow Trout.

Secretary's Remarks

Agency and State Fiscal Status

No briefing book items – possible handout after the meeting

General Discussion

VI. DEPARTMENT REPORT

C. General Discussion

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. 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.

Workshop Session

VI. DEPARTMENT REPORT

D. Workshop Session

KAR 115-4-11 Big game and wild turkey permit applications. FY2023 big game regulation review cycle.

f) K.A.R. 115-4-11.

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

During the 2021-2022 review cycle this regulation was changed to limit pronghorn antelope hunters to receive either a draw permit, preference point or over-the-counter permit each year as opposed to being able to get a preference point and an over-the-counter permit in the same year. Some additional modification of the language in this regulation is needed to clearly define the limitations set forth in this regulation regarding acquiring pronghorn antelope permits or preference points in the same year.

Recommendation

Adopt the changes in language needed to clearly state the action of the regulation regarding acquiring pronghorn antelope permits or preference points.

CURRENT TEXT

(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) antelope permit applications. In awarding 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 an antelope permit.

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

(3) If an applicant obtains 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 wants to apply for a preference point for an antelope permit that and does 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.

(6) Applications for resident 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 received 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 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 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 **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 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.

(B) If the individual fails to **submit** at least one application or purchase one preference point within 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 **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,

WITH TECHNICAL EDITS

(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) antelope permit applications. In awarding antelope permits allocated in a limited number, 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 applies unsuccessfully for an antelope permit.

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

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall

(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 wants to apply for a preference point for an antelope permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee 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 that in which the individual is applying for a permit.

(6) Applications for resident 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 the last day of the season.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) An individual may not purchase a preference point or apply for a limited permit and obtain an unlimited permit during the same calendar year.

(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 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 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 **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 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.

(B) If the individual fails to **submit** at least one application or purchase one preference point within 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 **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,

CWD Update and Carcass Movement Regulation
No briefing book items – possible handout after the meeting

VI. DEPARTMENT REPORT

C. Workshop

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

Background

The 2023 spring turkey season was open April 1-May 31 and included 3 segments: youth/disabled, archery, and regular. The fall 2022 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 2023 season, 32,427 hunters purchased 39,742 carcass tags. Nonresidents accounted for 44 percent of Kansas' spring hunters. Estimated spring harvest was 14,989, an 8% increase from 2022 (Table 1). Statewide spring hunter success increased to 45% (Table 1).

Population Status and Productivity

Turkey abundance in Kansas has been declining since the late 2000s. Nesting and brood rearing conditions in 2023 in eastern Kansas have been fair to good. In central and western Kansas, extensive drought during the last two years continued to have a negative impact on nesting conditions, but June and July precipitation have improved overall habitat conditions. At the time of this writing, the 2023 brood survey is being conducted, so production for 2023 has not been estimated. 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 provide 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 13 years and includes data for the last 20 hunting seasons.

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:

- 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

Several changes were made during 2023 to turkey harvest regulations, including:

KAR 115-25-5: Fall season, bag limits and permits—Closed the fall season, beginning in 2023

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

- Reduced Unit 4 permit quota to 375 permits (residents and tenants)
- Removed adjacent unit allowance for Unit 4 permits
- Reduced spring bag limits in Units 1 and 2 to one bird
- Created nonresident permit quota, by unit:

Unit 1 (Northwest)	700
Unit 2 (Northcentral)	2,400
Unit 3 (Northeast)	2,800
Unit 5 (Southcentral)	900
<u>Unit 6 (Southeast)</u>	<u>2,900</u>
Total Available	9,700

KAR 115-4-11 (Big game and wild turkey permit applications)

- Defines application process for nonresidents
- Keeps resident spring turkey permits over the counter
- Defines nonresident spring turkey application timeline as early January to second Friday of February (approximately 4 weeks)

Recommendations

Staff do not recommend any changes to spring bag limits, permits, or season structure.

No changes would result in the following 2025 Spring Turkey season dates:

- Youth / Disabled April 1 - 15
- Early Archery April 7 - 15
- Regular Firearm April 16 - May 31

Table 1. Kansas wild turkey permit sales, total harvest, and hunter success for each of the last 5 seasons, 2018-2023.

Year	Spring			Fall			
	Permits & Game Tags	Total Harvest	Success (%)	Permits & Game Tags	Total Harvest	Hen Harvest (%)	Success (%)
2018	60,545	22,639	43	5,475	1,275	35	30
2019	56,388	23,568	47	4,570	487	29	35
2020	32,324	13,404	46	3,459	506	45	20
2021	45,263	17,611	45	2,779	313	51	16
2022	39,692	13,830	40	2,984	318	44	16
2023	39,742	14,989	45		No Season		

Success: percentage of active hunters harvesting ≥ 1 bird

Table 2. Spring turkey permit sales for 2022 and 2023.

Permit Type	2022	2023	Difference
Permit Buyers	32,034	32,427	1.2%
Resident Permit Buyers	18,274	18,175	-0.5%
Nonresident Permit Buyers	13,760	14,252	3.6%

Table 3. Spring turkey season resident hunter success (%), 2019-2023.

Year	Northwest (Unit 1)	Northcentral (Unit 2)	Northeast (Unit 3)	Southwest (Unit 4)	Southcentral (Unit 5)	Southeast (Unit 6)	Statewide
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
2023	44.4	41.8	47.3	31.6	36.8	42.6	40.9

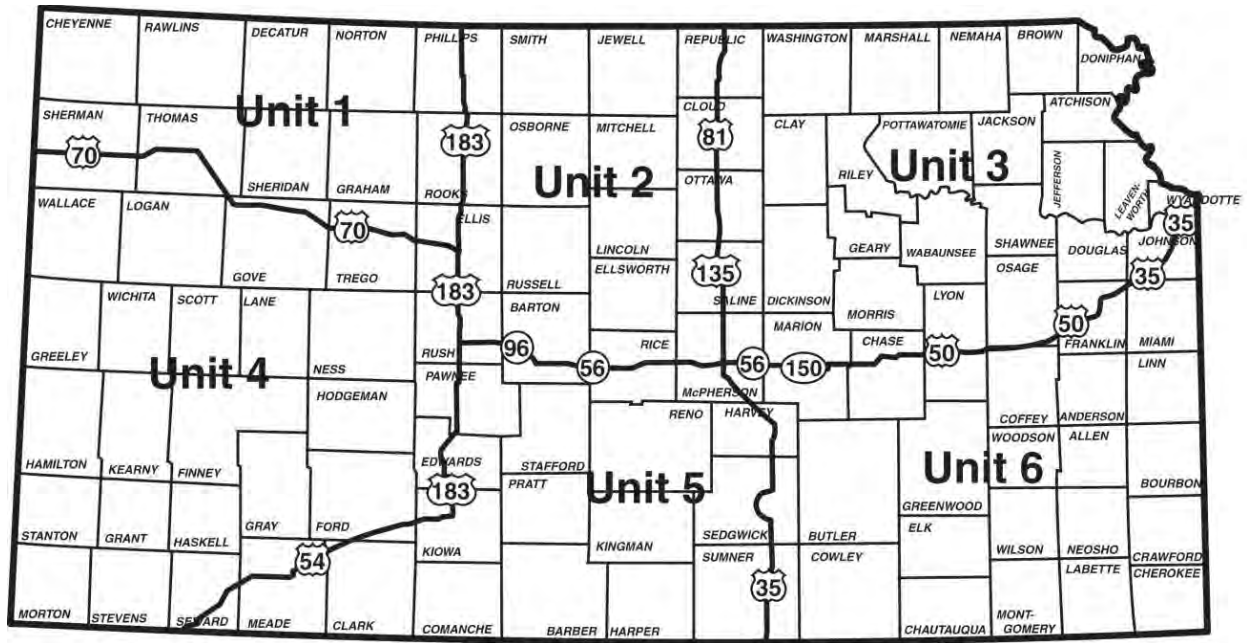


Figure 1. Kansas turkey hunt units.



Figure 2. Statewide turkey spring rural mails carrier survey index, 1986-2023.

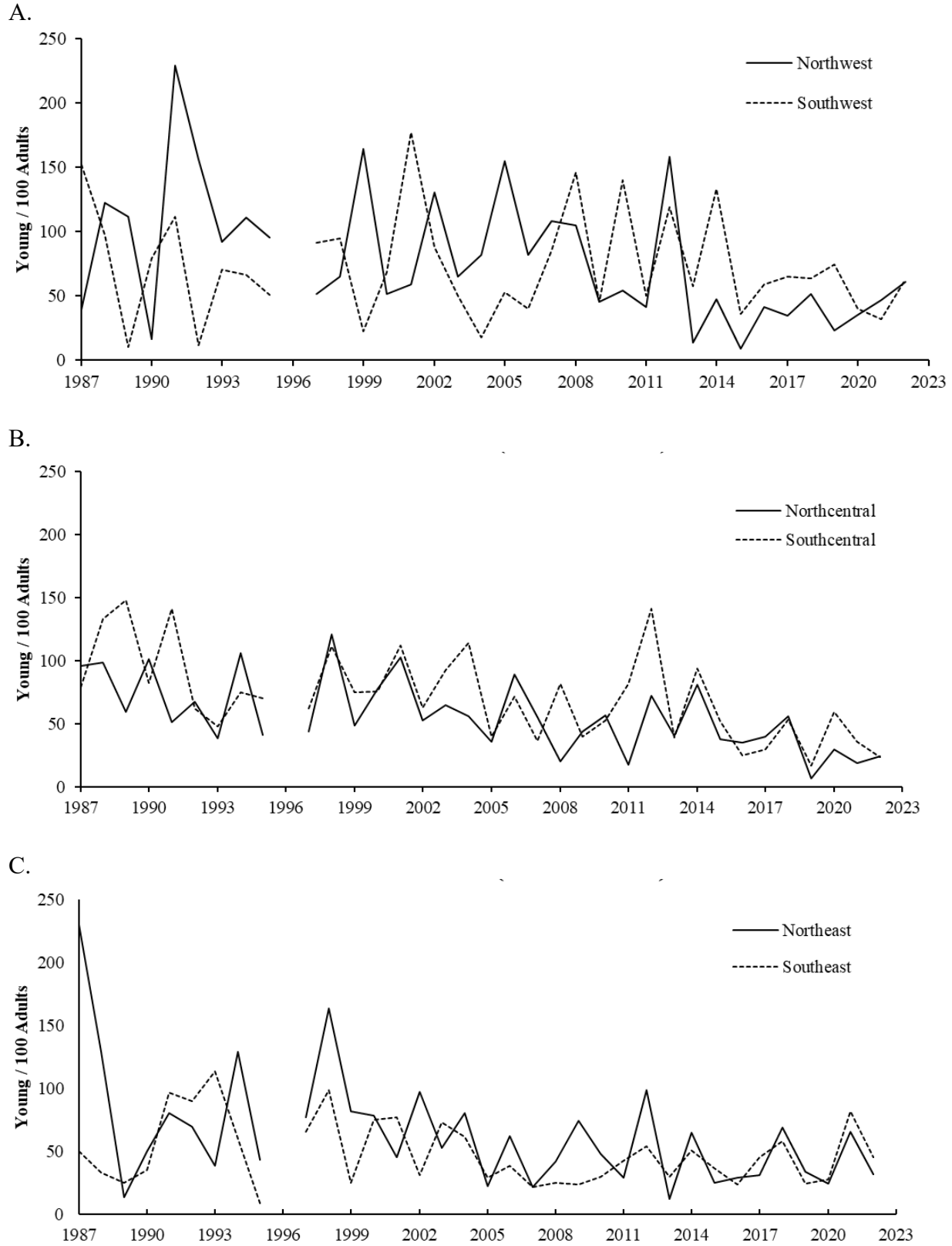


Figure 3. Turkey production indices for western (A), central (B), and eastern (C) Kansas, 1987-2022. Data from Summer Rural Mail Carrier Survey.

Boating Regulations

There are three regulation proposal changes.

1. Personal Watercraft; definition, requirements, and restrictions. K.A.R. 115-30-10 (1)-PFD Language
2. Personal Watercraft; definition, requirements, and restrictions. K.A.R. 115-30-10 (2)– ECOS/Lanyard
3. Fire extinguisher; requirements K.A.R. 115-30-4

115-30-10. Personal watercraft; definition, requirements, and restrictions.

(a) Personal watercraft shall mean any vessel that uses an inboard motor powering a jet pump as the vessel's primary source of

propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than the conventional manner of sitting, standing, or kneeling inside the vessel.

(b) Personal watercraft shall be subject to all applicable laws and regulations that govern the operation, equipment, registration, numbering, and all other matters relating to vessels whenever a personal watercraft is operated on the waters of this state, except as follows:

(1) A personal watercraft shall not be operated unless each person aboard the personal watercraft is wearing a **type I, type II, type III, or type V** United States coast guard-approved personal floatation device.

(2) **Each person operating a personal watercraft equipped by the manufacturer with a lanyardtype engine cutoff switch shall attach the lanyard to the operator=s person, clothing, or personal floatation device, as appropriate.**

(3) A person shall not operate a personal watercraft between sunset and sunrise.

(4) Each person shall operate a personal watercraft at no-wake speeds of five miles per hour or less when within 200 feet of the following:

- (A) A dock;
- (B) a boat ramp;
- (C) a person swimming;
- (D) a bridge structure;
- (E) a moored or anchored vessel;
- (F) a sewage pump-out facility;
- (G) a nonmotorized watercraft;

(H) a boat storage facility; or

(I) a concessionaire's facility.

(5) A person shall operate a personal watercraft in a reasonable and prudent manner.

Maneuvers that endanger life, limb, or property shall be prohibited. This prohibition shall include weaving through congested vessel traffic or jumping the wake produced by another vessel at an unsafe distance.

(6) A person shall not operate a personal watercraft unless the person is facing forward.

(7) A person shall not operate or use a personal watercraft to tow a person on waterskis, kneeboards, inflatable crafts, or any other device unless the personal watercraft is designed to accommodate more than one person.

(8) No person in possession of a personal watercraft shall permit another person to operate the personal watercraft unless that person has met the boater education requirements as specified in K.S.A.

32-1139 and amendments thereto.

(c) A boat livery shall not lease, hire, or rent a personal watercraft to, or for the operation by, any person who has not met the boater education requirements as specified in K.S.A. 32-1139 and amendments thereto.

(d) The provisions of paragraphs (b) (4), (5), (6), and (8) shall not apply to a person participating in a regatta, race, marine parade, tournament, or exhibition that has been authorized or permitted by the department or is otherwise exempt from this authorization or permit requirement.

(e) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 32-1103 and K.S.A. 2006 Supp. 32-1119; effective June 13, 1994; amended June

11, 1999; amended Jan. 1, 2008.)

115-30-4. Fire extinguishers; requirements. (a) United States coast guard approved hand portable fire extinguishers of type B, size I or type B, size II or both shall be carried on board each motorboat as determined by the following classes:

(1) Class A: at least one type B, size I fire extinguisher shall be carried if any one or more of the following conditions exist:

(A) an inboard engine;

(B) closed compartments under thwarts and seats where portable fuel tanks may be stored;

(C) double bottom construction not sealed to the hull or not completely filled with flotation materials;

(D) closed compartments in which combustible or flammable materials are stored; or

(E) permanently installed fuel tanks. Fuel tanks that cannot be moved in case of fire or other emergency or if the weight of the fuel tank precludes movement of the tank by an individual on board shall be considered permanently installed.

(2) The provisions of subsection (1) shall not apply if the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(3) Class 1: at least one type B, size I fire extinguisher shall be carried, except the provisions of this subsection

not apply if the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(4) Class 2: at least two type B, size I fire extinguishers or one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least one type B, size I fire extinguisher.

(5) Class 3: at least three type B, size I fire extinguishers or one type B, size I fire extinguisher and one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least two type B, size I fire extinguishers or one type B, size II fire extinguisher.

(b) Each vessel, including each motorboat having an approved built-in or affixed fire extinguisher in the motor area, that has enclosed living spaces or galleys shall carry at least one United States coast guard approved type B, size I or type B, size II fire extinguisher in the living space or galley. (Authorized by and implementing K.S.A. 1989 Supp. 32-1119; effective Jan. 1, 1991.)

2024 Fishing Regulations

Reference Document Proposed Changes for Special Length and Creel Limits:

- Clinton Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Glen Elder Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- John Redmond Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Melvern Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- El Dorado Reservoir – Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Elk City Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Milford Reservoir - Change to a 10/day creel limit, with a 28" to 40" slot length limit, including only 1 fish 40" or longer, on Blue Catfish
- Graham County – Trexler Lake – Change to a 5/day creel limit on Channel Catfish
- Graham County – Trexler Lake – Change to a 2/day creel limit and 18" minimum length limit on Walleye
- Great Bend – Veteran's Lake – Change to a 21" minimum length limit on Saugeye
- Sherman County – Smokey Gardens - remove the 2/day creel limit on Channel Catfish
- Sherman County – Smokey Gardens - remove Catch and Release Only on Largemouth Bass
- Marquette - Eisenhower Park Pond - Add a 2/day creel limit and 15" minimum length limit on Channel Catfish

Remove Neosho Falls Dam, Erie Dam, and Oswego Dam on the Neosho River, Coffeyville Dam on the Verdigris River, and Ottawa Dam on the Marais des Cygnes River, from the list of Paddlefish Snagging Locations.

2024 Aquatic Invasive Species Regulations

KAR(s)??? Require completion of an ‘AIS Affirmation’ prior to participating in these KDWP licensed activities that have a high risk of spreading AIS:

Operating a boat registered in Kansas in Kansas waters

The ‘AIS Affirmation’ would be a short summary to educate and raise awareness of what AIS are, their impacts, and how they are spread.

Potentially KAR 115-17-3? Require successful completion of ‘AIS Certification’ (<https://programs.ksoutdoors.com/Programs/Aquatic-Nuisance-Species-Certification-Course>) of applicants for a Commercial Fish Bait Permit.

KAR 115-7-3: Replace the word “nuisance” with “invasive” in all four instances in which it occurs.

KAR 115-7-2: Replace the word “nuisance” with “invasive” in all three instances in which it occurs.

KAR 115-7-9: Replace the word “nuisance” with “invasive” in the one instance in which it occurs.

KAR 115-7-10: Replace the word “nuisance” with “invasive” in all ten instances in which it occurs. Replace “ANS” with “AIS” in the one instance in which it occurs. Add Willow Lake and the Riley County portion of the Kansas River to the Kansas Aquatic Nuisance (Invasive) Species Designated Waters list.

Commission Briefing

115-20-2 Possession Limits Amphibians and Reptiles

In roughly 2018-19 a joint working group between law enforcement and Ecological Services Section was formed to discuss and review current regulations regarding collection and commercialization of amphibians and reptiles. Part of those discussions centered on current investigations, and a recent federal cases involving turtle trafficking across the United States. The working group decided to review alternatives to these possession limits. While we were working internally at KDWP, The Kansas House Bill #2479 was being developed that would disallow the handling or take of any Ornate Box Turtles in Kansas. Realizing that House Bill #2479 would result in stricter regs than we were looking for, while only protecting one species, we stepped up our process of regulating possession limits for all amphibians and reptiles. The proposed regulations would reduce possession of amphibians to a combination of no more than five total live amphibians, and no more than five live reptiles and no more than two individuals of any reptile species per person or domicile. We feel that the reduction in overall possession limits per domicile will reduce the overall take of amphibians and reptiles from the wild. These reductions will also aid in field stops by law enforcement personnel. These proposed changes have been presented internally to law enforcement and ecological services staff, twice to the Kansas Nongame Wildlife Advisory Council, and once to the Kansas Herpetological Society. Feedback has been mostly neutral to positive and incorporated into discussions and regulation development.

Proposed changes to 115-20-2

115-20-2. Certain wildlife; legal equipment, taking methods, possession, and license requirement. (a) Subject to federal and state laws and regulations, wildlife listed in subsection (b) may be taken for personal use on a noncommercial basis.

(b) For purposes of this regulation, wildlife shall include the following, excluding any species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2:

- (1) Amphibians, except bullfrogs;
- (2) armadillo;
- (3) commensal and other rodents, excluding game and furbearing animals;
- (4) exotic doves;
- (5) feral pigeon;
- (6) gopher;
- (7) ground squirrel;
- (8) invertebrates;
- (9) kangaroo rat;
- (10) mole;
- (11) porcupine;

- (12) prairie dog;
- (13) reptiles, except common snapping turtles and soft-shelled turtles;
- (14) woodchuck; and
- (15) wood rat.

(c) Wildlife listed in subsection (b) shall be taken only with any of the following legal equipment or methods:

- (1) Bow and arrow;
- (2) crossbow;
- (3) deadfall;
- (4) dogs;
- (5) falconry;
- (6) firearms, except fully automatic firearms;
- (7) glue board;
- (8) hand;
- (9) net or seine;
- (10) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light;
- (11) pellet and BB gun;
- (12) poison, poisonous gas, or smoke, if the toxicant is registered and labeled for that use and if all permit requirements for use of the poison, poisonous gas, or smoke have been met;
- (13) projectiles hand-thrown or propelled by a slingshot;
- (14) snare or noose; or
- (15) trap.

(d) The open season for the taking of wildlife listed in subsection (b) shall be year-round.

(e) There shall be no maximum daily bag or possession limit for wildlife listed in subsection (b), except that no more than five of any one species of amphibian, reptile, or mussel may be possessed and total of any combination of amphibian may be possessed per person and/or domicile, whichever is reached first, and no more than five reptiles and no more than two individuals of any reptile species per person and/or domicile, whichever is reached first. noNo more than five live specimens of mussels may be possessed. Two opposing shells shall constitute one mussel.

(f) For the purpose of this regulation, “domicile” shall mean the address you declare in legal documents to pay taxes, receive social security, vote, bank, permanent abode, and register vehicles and animals.

(f)(g) Each exotic dove possessed in excess of the aggregate daily bag limit or aggregate possession limit for migratory doves during the open season for migratory doves established in K.A.R. 115-25-19 shall retain a fully feathered wing. For the purpose of this regulation, “migratory dove” shall mean any mourning dove or white-winged dove, and “exotic dove” shall mean a Eurasian collared dove or ringed turtledove.

(g)(h) Legally taken wildlife listed in subsection (b) may be possessed without limit in time.

(h)(i) A hunting license shall not be required to take invertebrates. (Authorized by K.S.A. 2016 Supp. 32-807; implementing K.S.A. 2016 Supp. 32-807 and K.S.A. 2016 Supp. 32-919; effective Sept. 10, 1990; amended Nov. 30, 1998; amended July 13, 2001; amended Nov. 22, 2002; amended Feb. 18, 2005; amended July 28, 2017; amended P-_____.)

Furbearer Regulations

KAR 115-5-1; Furbearers and coyotes; legal equipment, taking methods, and general provisions. KAR 115-25-11; Furbearer seasons.

Background:

Two primary subjects were reviewed by the Department during this regulatory session. After 3 years of the night vision coyote hunting season, the Department has reviewed the components of this season. The Department has also reviewed various aspects of raccoon and opossum harvest and biology. The raccoon population has been on a long-term increase in the state, which is believed to be having a detrimental impact on some species indirectly as a disease vector and possibly directly through predation. They are also responsible for various agricultural and property damage. Average harvest of these two species has declined by over 50% since 2015 due to low pelt prices, which are not predicted to recover in the near future. The biology of these species would allow for a substantial increase in harvest prior to any detectable impact, and there are few furharvesters (~12%) who oppose a proposal to extend the harvest season for these species beyond the traditional fur season.

- The specifics of the coyote night hunting season are described in K.A.R. 115-5-1.
- Furbearer season dates are established in K.A.R. 115-25-11.

Discussion and Recommendations:

- The Department recommendation is to leave most aspects of this season unchanged. We have considered eliminating the permit requirement for the night vision coyote hunting season. Many of the proponents of an expansion of this season have indicated damage control was a primary motive. Laws and regulations currently allow property owners and licensed Wildlife Control Permit holders to address damage with this equipment, and all other legal hunting and trapping techniques would be available to licensed hunters and furharvesters. Thus, many options for damage control already exist. Coyote harvest will continue to be monitored as a component of the annual Small Game Harvest Survey, and we will revisit various aspects of this season in a couple more years.
- The Department recommends extending the raccoon and opossum harvest season to year-round, but that traps used outside the existing furbearer harvest season would be limited to cage and foot-encapsulating (dog-proof) traps. The Department will monitor harvest that occurs during this new season through the annual Furbearer Harvest Survey. If the pelt market and related harvest for these species recovers in the future, we will revisit this open season with strong favor towards the opinion of furharvesters who are making use of the harvested animal.

Workshop Session

Public Lands Reference Document

August 17, 2023

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

Discussion

The issue of excessive pressure on our public waterfowl hunting areas and concern over the negative impacts on waterfowl and resident hunter satisfaction has prompted additional action by the Department.

Recommendations

I.) Access Restrictions

The following properties have **specified** access restrictions (~~curfews~~) during specific times during a 24-hour period.

Region 1

- Hain WA & SFL-no vehicle access during waterfowl seasons
- Greeley WA- Closed to all activities February 1 through August 31
- Pratt Backwater Channel-open 6 a.m. through 10 p.m.
- Sandsage Bison Range & WA--access subject to Posted Notice

Region 2

- Benedictine WA-use of parking lot ½ hour after sunset to ½ hour before sunrise restricted to individuals authorized by permit
- Pillsbury Crossing WA-open 6 a.m. through 10 p.m.

Region 3

- Grand Osage WA – Access by Special Permit Only
Access Through Main Gates Only
- Maxwell Wildlife Refuge-access restricted to main road, area closed to all activities, except during special events
- ~~-Neosho WA—no access into the wetland before 5:00AM and must exit wetland by one hour after sunset~~
- No access into a wetland before 5:00AM and must exit the wetland within one hour after sunset
 - Neosho WA
 - McPherson Valley Wetlands
 - Slate Creek Wetlands
 - Byron Walker WA
 - Perry WA Wetlands

Section VI. Boating Restrictions:

a.) No Motorized Boats

Region 1

- Cheyenne Bottoms WA and Jamestown WA-motorized watercraft permitted only during the waterfowl seasons. No boats permitted from 4/15 through 8/15. No out of water propeller driven watercraft permitted at any time.
- Cheyenne Bottoms WA – Pool 3A
- Cheyenne Bottoms WA – Pool 4A after 1:00PM only
- Jamestown WA- Pintail, Puddler, Buffalo Creek, and Gamekeeper West Marshes
- Talmo Marsh

Region 2

- Milford WA-no motorized boats are allowed in any wetland areas except Mall Creek/Peterson Bottoms
- Perry WA -motorized watercraft permitted in wetlands only during waterfowl seasons

Region 3

- Elk City WA-Widgeon, Simmons, Housemound Marshes
- McPherson Valley Wetlands
- Neosho WA-motorized watercraft permitted only during waterfowl seasons. No motorized watercraft in Pools 4A and 4B. No out of water propeller driven watercraft permitted at any time

Add subsection (d) No vessels allowed

-Cheyenne Bottoms WA = vessels permitted only during waterfowl seasons

Vessel = watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel (USCG)

XII.) Refuges

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

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:

Statewide

-All Department managed lands and waters (Wildlife Areas and State Fishing Lakes)

*Excluding Maxwell Wildlife Refuge, Big Basin Prairie Preserve, and all State

Parks

-iWIHA 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~~

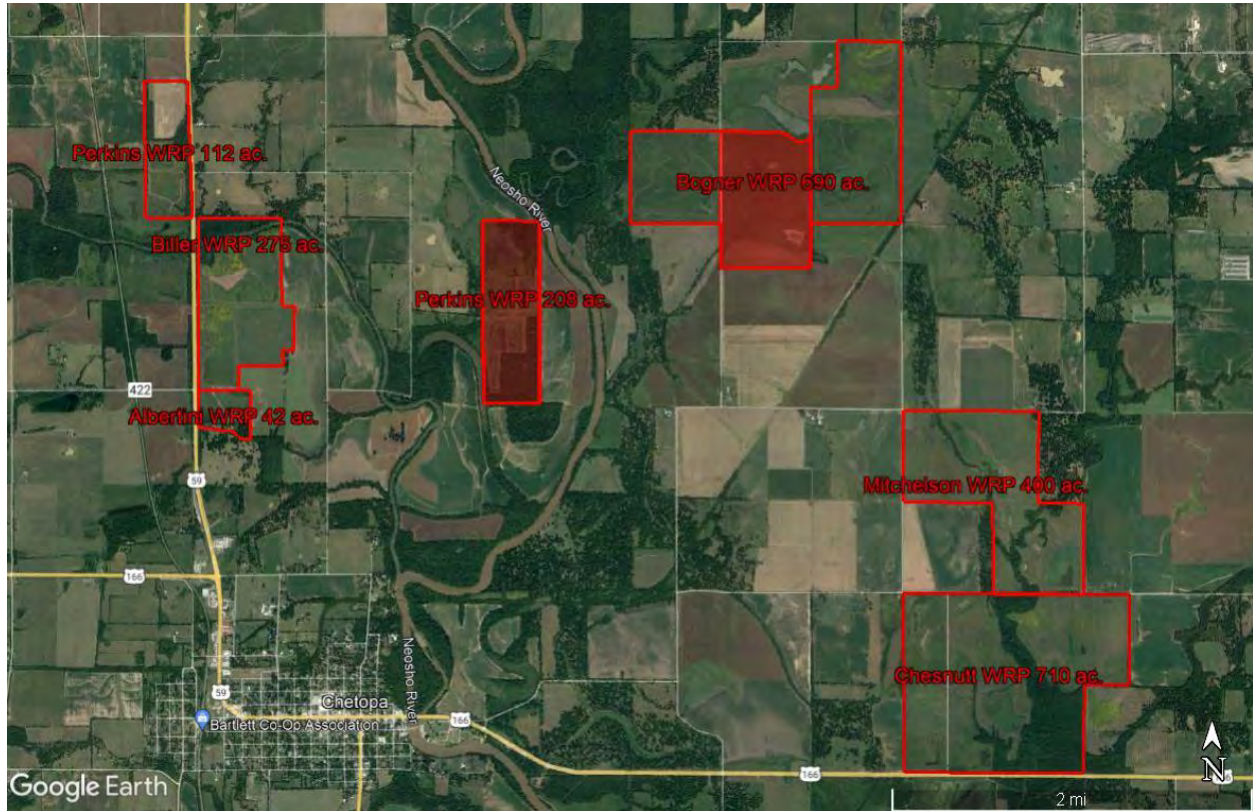
XVI. Daily Use Permits

Electronic ~~D~~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



Workshop Session

Public Lands Regulations

August 17, 2023

Discussion

Information and data collected from staff since the 2020-2021 Kansas waterfowl season is showing that non-residents are spending more consecutive days on public waterfowl properties, hunting in larger groups, and spending more time per day on these specific properties pursuing waterfowl. This has changed waterfowl behavior to the point there is growing concern that ducks, specifically, are not able to utilize our public wetlands sufficiently to meet their dietary, energy, and resting needs because of the human pressure that has increased in intensity. Resident waterfowl hunters are also reporting (in increasing volume) that this change in non-resident waterfowl hunting culture has decreased their opportunities on our department lands and waters.

Staff from the Public Lands and Wildlife Divisions have been meeting regularly and discussing these growing issues over the past few hunting seasons. Several potential recommendations have been vetted and continue to be discussed but the Department believes the following recommendation has the greatest potential to address the non-resident pressure issue.

Recommendation

The Department is proposing a new Kansas Administrative Regulation (KAR) under the 115-8 series to potentially help alleviate the above-mentioned concerns:

KAR 115-8-26

Non-resident Access (new KAR)

Non-residents waterfowl hunting on KDWP department lands and waters shall be restricted to Sunday's, Monday's, and Tuesdays throughout the duration of the established Kansas waterfowl seasons, including September Teal season.

Non-residents would not be allowed to hunt waterfowl on department lands and waters Wednesday through Saturday.

This would include WIHA and iWIHA properties.

The Department has been discussing this recommendation with our partners at the Bureau of Reclamation and the U.S. Army Corps of Engineers for implementation of this non-resident restriction on federal waters in Kansas. They have indicated support for this recommendation. A meeting with USFWS is planned for early May to discuss implementation on federal refuges as well.

Active Military, NR Lifetime License holders, and NR college students would still be classified as Residents (to follow suit with other privileges).

The Department believes this proposed recommendation will have the least negative economic impact compared to other potential restrictions.

Language will need to be developed under this new regulation that restricts non-resident vessel use for waterfowl hunting on specified department lands and waters to Sunday's, Monday's, and Tuesday's during the waterfowl season.

****KDWP also plans to request that the Kansas Legislature amend KSA 32-939 (Waterfowl habitat stamp) and KSA 32-988 (Fees) to establish a non-resident Migratory Waterfowl Habitat Stamp and at a higher fee than a resident stamp.**

Pending Regulations (the items listed below will have no presentation, they have been presented multiple times – regulation included in briefing book for your convenience)

KAR 115-2-1. Amount of Fees

KAR 115-2-3. Camping, utility, and other fees

Workshop: Amount of Fees (K.A.R. 115-2-1)

Historically, KDWP has not reviewed or increased the amount of fees charged for licenses and permits on a regular basis. The last fee increase was passed in 2015 and implemented in 2016. Prior to this, Kansas' hunting and fishing license fees had not increased since 2002, and resident deer and turkey permits had remained unchanged since 1986.

We have been able to continue operations under such conditions in the past by finding ways to reduce expenditures from the Wildlife Fee Fund (WFF). These have included cutting costs where we are able and finding alternative funding sources to supplement the WFF. In doing so, we have managed to underspend our legislatively appropriated WFF budget annually. Currently, if we were to expend the extent of our WFF budget, it would exceed our annual revenue. In other words, even prior to recently increasing costs, we were only able to keep from dipping into our WFF balance each year through cost cutting measures.

To review fees more regularly, and in response to the hyper-inflation we have all been experiencing, we will be completing an analysis of the fees within K.A.R. 115-2-1 in total. This will include identifying which fees are already at their statutory caps, which fees have room for potential increases, a comparison of current and proposed fees with other states, further justification of the need for some increased fees, and finally, specific recommendations for increases.

K.A.R. 115-2-1 Final Review

The following pages include a modified version of K.A.R. 115-2-1, with an added column to identify the statutory caps to the right of our current fees. **Those fees in bold are already at our statutory cap.** All other fees have room to increase within the current caps. **The fees with proposed increases are highlighted, with strike-through of the old fee and the new fee added (in bold if it reaches the statutory cap).** *The addition of the application fee for nonresident turkey permits is in italics.*

Second Workshop Updates:

Historical Review of Fee Increases

- KDWP Licenses & Permit Fees: Key Changes/Years

Wildlife Fee Fund Revenue Overview

- Changes Over Time
- Hunting vs. Fishing Revenue
- Resident vs. Nonresident Revenue

Regional and National Comparisons (respective to proposed increases)

- Nonresident Hunting Licenses
- Nonresident Fishing Licenses
- Nonresident Turkey Permits
- Nonresident Deer Permits

Other Considerations

- Permit Demand
- Potential for Pushback

Final Recommendations & Conclusions

The table below includes all permits with recommended increases, the additional application fee for nonresident turkey, and the total estimated increase in revenue based on sales from previous years.

Proposed Fee Reg Changes and Fiscal Impacts					
License/Permit Type	Current Fee	Proposed Fee	Amt of Increase	Approx # Sold	Est Inc Revenue
NR Hunting License	\$95.00	\$125.00	\$30.00	66,000	\$1,980,000.00
NR: spring turkey permit	\$60.00	\$75.00	\$15.00	9,700	\$145,500.00
NR: turkey permit application fee	N/A	\$10.00	\$10.00	11,000	\$110,000.00
NR: combination 2-deer permit	\$415.00	\$450.00	\$35.00	22,000	\$770,000.00
NR Fishing License	\$50.00	\$75.00	\$25.00	15,250	\$381,250.00
NR calendar day fishing license	\$7.50	\$10.00	\$2.50	20,500	\$51,250.00
NR combo hunting and fishing license	\$135.00	\$200.00	\$65.00	5,500	\$357,500.00
					\$3,795,500.00

As you can see, this falls short of the \$4-6 million goal that was originally identified. We looked extensively at all our options for increases and did not feel that we could currently justify additional increases beyond those identified here. This was either based on decreasing demand for specific permits or regional/national comparisons where we were already at or above averages.

Although the nearly \$3.8 million in additional revenue will not afford us much room, we will be able to fully utilize our appropriated budget from WFF without having to dip into the fund balance annually. If costs continue to rise, this may not be the case for long. We will need to identify areas to further cut costs in future years where we can, while redoubling our efforts to identify alternative or non-traditional funding sources to help support our mission.

We will plan to review the fee regs on a 3-year cycle moving forward, ensuring that we remain current with our cost-revenue analysis. In the interim, the revenue committee will continue to meet and discuss options for enhancing current revenue and identifying potential alternative funding sources.

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.

	Cap
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)	95.00 125.00 125.00
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
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 75.00 400.00
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
<i>Nonresident: turkey permit application fee.....</i>	<i>10.00</i>
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
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	120.00

(2-bird limit).....	10.00	60.00
Resident landowner/tenant: turkey permit and game tag combination (2-bird limit).....	17.50	60.00
Nonresident: turkey permit and game tag combination (2-bird limit).....	85.00	430.00
Nonresident tenant: turkey permit and game tag combination (2-bird limit).....	42.50	430.00
Nonresident youth (under 16 years of age): turkey permit and game tag combination (2-bird limit).....	20.00	430.00
Nonresident big game hunting permit:		
Nonresident hunt-on-your-own-land: deer permit.....	85.00	400.00
Nonresident tenant: deer permit.....	85.00	400.00
Nonresident: deer permit (antlered deer)	400.00	
Nonresident youth (under 16 years of age): deer permit (antlered deer).....	75.00	400.00
Nonresident: deer permit (antlerless only).....	50.00	400.00
Nonresident: combination 2-deer permit (antlered deer and antlerless white-tailed deer).....	415.00	450.00 800.00
Nonresident youth (under 16 years of age): combination 2-deer permit (antlered deer and antlerless white-tailed deer)	90.00	800.00
Nonresident: antelope permit (archery only)	300.00	400.00
Nonresident tenant: antelope permit	85.00	400.00
Nonresident youth (under 16 years of age): antelope (archery only).....	100.00	400.00
Nonresident tenant: either-sex elk permit	300.00	350.00
Nonresident tenant: antlerless-only elk permit.....	150.00	350.00
Nonresident: deer permit application fee.....	25.00	
Nonresident: mule deer stamp.....	150.00	
Field trial permit: game birds	20.00	25.00
Lifetime hunting license.....	500.00	
or eight quarterly installment payments of	67.50	75.00
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	125.00
Resident disabled veteran fishing license (valid for one year from date of purchase, 30 percent or more service-connected disabled)	12.50	N/A (25.00)
Resident senior fishing license (valid for one year from date of purchase, 65 years of age through 74 years of age).....	12.50	
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	125.00
Nonresident fishing license (valid for one year from date of purchase)	50.00	75.00 75.00
Resident calendar day fishing license.....	3.50	10.00
Nonresident calendar day fishing license.....	7.50	10.00 10.00
Three-pole permit (valid for one year from date of purchase).....	6.00	No Max
Tournament bass pass (valid for one year from date of purchase)	12.00	No Max
Paddlefish permit (six carcass tags).....	10.00	No Max
Paddlefish permit youth (under 16 years of age) (six carcass tags).....	5.00	No Max
Hand fishing permit.....	25.00	No Max
Lifetime fishing license.....	500.00	
or eight quarterly installment payments of	67.50	75.00

Five-day nonresident fishing license	25.00	
Institutional group fishing license.....	100.00	200.00
Special nonprofit group fishing license	50.00	200.00
Trout permit (valid for one year from date of purchase).....	12.00	No Max
Youth trout permit (under 16 years of age, valid for one year from date of purchase).....	4.50	No Max
(c) Combination hunting and fishing licenses and permits.		
Resident combination hunting and fishing license (valid for one year from date of purchase).....	45.00	50.00
Resident combination hunting and fishing license (valid for five years from date of purchase).....	180.00	250.00
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	N/A (50.00)
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	25.00
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	250.00
Resident lifetime combination hunting and fishing license.....	960.00	1000.00
or eight quarterly installment payments of	130.00	150.00
Resident senior lifetime combination hunting and fishing license (one-time purchase, valid 65 years of age and older)	40.00	N/A (25/yr)
Nonresident combination hunting and fishing license (valid for one year from date of purchase).....	135.00200.00	200.00
(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	75.00
Nonresident furharvester license (valid for one year from date of purchase).....	250.00	400.00
Nonresident bobcat permit (1-bobcat limit per permit).....	100.00	
Resident fur dealer license	100.00	200.00
Nonresident fur dealer license	400.00	
Field trial permit: furbearing animals.....	20.00	25.00
(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	200.00
Nonresident mussel fishing license.....	1,000.00	1,500.00
Mussel dealer permit.....	200.00	
Missouri river fishing permit.....	25.00	200.00
Game breeder permit.....	10.00	15.00
Controlled shooting area operator license	200.00	400.00
Commercial dog training permit	20.00	25.00
Commercial fish bait permit (three-year permit).....	50.00	200.00
Commercial prairie rattlesnake harvest permit (w/o 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		
exhibition permit	10.00	
Raptor propagation permit	0	100.00

Rehabilitation permit.....	0	50.00
Wildlife damage-control permit	0	10.00
Wildlife importation permit	10.00	
Threatened or endangered species: special permits	0	100.00
(g) Falconry.		
Apprentice permit.....	75.00	300.00
General permit.....	75.00	300.00
Master permit	75.00	300.00
Testing fee.....	50.00	100.00
(h) Miscellaneous fees.		
Duplicate license, permit, stamp, and other issues of the department	0	10.00
Special departmental services, materials, or supplies.....	At cost	No Max
Vendor bond		
For bond amounts of \$5,000.00 and less	50.00	No Max
For bond amounts of more than \$5,000.00.....	50.00	No Max
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; 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 Jan. 1, 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).

115-2-3. Camping, utility, and other fees. (a) Each overnight camping permit shall be valid only for the state park for which it is purchased and shall expire at noon on the day following its effective date.

(b) Any annual camping permit may be used in any state park for unlimited overnight camping, subject to other laws and regulations of the secretary. This permit shall expire on December 31 of the year for which it is issued.

(c) Any 14-night camping permit may be used in any state park. This permit shall expire when the permit has been used a total of 14 nights, or on December 31 of the year for which it is issued, whichever is first.

(d) Camping permits shall not be transferable.

(e) The fee for a designated prime camping area permit shall be in addition to the overnight, annual, 14-night, or other camping permit fee, and shall apply on a nightly basis.

(f) Fees shall be due at the time of campsite occupancy and by two of any subsequent days of campsite occupancy.

(g) Fees set by this regulation shall be in addition to any required motor vehicle permit fee specified in K.A.R. 115-2-2.

(h) The following fees shall be in effect for state parks and for other designated areas for which camping and utility fees are required:

We would like to look at all our camping permits to adjust to a more market level and to remove the annual camping permit.