

**115-16-1. Cyanide gas gun permit; application and requirements.** (a) Subject to federal and state laws and rules and regulations, a cyanide gas gun, may be used in an authorized wildlife control program for the purpose of livestock protection. A cyanide gas gun permit shall be required to use cyanide gas gun devices.

(b) Any owner or operator of land used for agricultural purposes may apply to the secretary for a permit to use cyanide gas gun devices. The application shall be on forms provided by the department and each applicant shall provide the following information:

- (1) the name of the applicant;
- (2) the address of the applicant;
- (3) the telephone number of the applicant;
- (4) the legal description of the land where the cyanide gas gun devices will be used;
- (5) a description of the wildlife depredation problem and methods used by the applicant

to control the depredation;

- (6) written approval from the extension specialist in wildlife damage control; and
- (7) other information as required by the secretary.

(c) Issuance of a permit may be denied by the secretary if:

- (1) the permit application is unclear or incomplete;
- (2) the need for use of cyanide gas gun devices has not been established; or
- (3) use of cyanide gas gun devices would pose an inordinate risk to the public, non-target

wildlife, or the environment.

(d) The following permit conditions shall apply:

- (1) The permit shall be valid only for the time periods specified on the permit, but shall not exceed 120 days;

(2) Warning signs indicating use of cyanide gas gun devices shall be conspicuously placed at all property access points. One elevated warning sign shall be placed within six feet of any cyanide gas gun device; and

(3) The permit shall be valid only for the locations specified on the permit.

(e) Each permittee shall submit a report to the department within 10 days after permit expiration. The report shall contain the following information:

(1) the name of the permittee;

(2) the permit number;

(3) the number of coyotes killed;

(4) the number of days that cyanide gas gun devices were in use;

(5) the number and species of non-target wildlife killed; and

(6) other information as required by the secretary.

(f) Each permittee shall use only cyanide gas gun devices and those necessary materials, supplies, signs, and equipment provided through the extension specialist in wildlife damage control.

(g) In addition to other penalties as prescribed by law, a cyanide gas gun permit may be revoked by the secretary if:

(1) the permit was secured through false representation; or

(2) the permittee fails to meet permit requirements or violates permit conditions.

(Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-955; implementing K.S.A.

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