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**115-1-1. Definitions.** (a) Except as specified in subsection (b), the following definitions shall apply to all of the department's regulations:

(1) "Arrow" means a missile shot from a bow or a crossbow.

(2) "Artificial lure" means a man-made fishing device made of artificial or non-edible natural materials used to mimic prey. Each device mimicking individual prey shall be limited to no more than three hooks. Each device mimicking multiple prey shall be limited to no more than five hooks.

(3) "Bag limit" means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

(4) "Bait fish" means a member of the minnow or carp family (*Cyprinidae*), sucker family (*Catostomidae*), top minnows or killifish family (*Cyprinodontidae*), shad family (*Clupeidae*), and sunfish family (*Centrarchidae*), but excluding black basses and crappie. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

(5) "Bird dog" means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

(6) "Bow" means a handheld device with a cord that connects both of its two ends and is designed to propel an arrow. This term shall include long, recurve, and compound bows.

(7) "Bridle path" means an established, maintained, and marked pathway for the riding of animals.

(8) "Camping" means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(9) "Camping unit" means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

(10) "Cast net" means a circular or conical weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

(11) "Creel limit" means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

(12) "Crossbow" means a transverse-mounted bow with a cord that connects the two ends and is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

(13) "Culling" means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

(14) "Department lands and waters" means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the jurisdiction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

(15) "Depth finder" means an electronic device used to locate fish or determine underwater structures.

(16) "Dip net" means a handheld net that has rigid support about the mouth and is used to land fish.

(17) "Draft livestock" means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

(18) "Drag event" means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

(19) "Dryland set" means any trapping device that is placed or set on land or is not in contact with water.

(20) "Eyass" means a young of the year raptor not yet capable of flight.

(21) "Falconer" means the holder of a falconry permit.

(22) "Falconry" means the taking of wildlife with a trained raptor.

(23) "Field trial event for dogs" means a competitive event involving at least six dogs that are judged on hunting or running ability.

(24) "Firearm" means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.

(25) "Fire ring" means an open-topped, man-made, fire-retaining device.

(26) "Fireplace" means an enclosed, man-made, fire-retaining device.

(27) "Fishing line" means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

(28) "Fish trap" means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

(29) "Fully automatic firearm" means a firearm capable of firing more than one round with a single trigger pull.

(30) "Gaff" means a hook attached to a rigid pole.

(31) "Gig" means a hand-operated spear with one or more prongs with or without barbs.

(32) "Group camping area" means any area within a state park designated by posted notice for camping by organized groups.

(33) "Haggard" means an adult raptor in mature plumage.

(34) "Hook" means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

(35) "Imping" means the repair of damaged feathers.

(36) "Kill site" means the location of the wildlife carcass as positioned in the field immediately after being harvested.

(37) "Length limit" means the minimum length of a fish allowed in order to take it and not release it to the water immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.

(38) "Moorage site" means a location designated for the fastening or securing of a vessel.

(39) "Nonsport fish" means common carp, silver carp, bighead carp, black carp, grass carp, drum, threadfin and gizzard shad, goldfish, gar, suckers including carpsuckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.

(40) "Orthopedic device" means a device that attaches to the body and is required to enable a handicapped person to walk.

(41) "Overflow camping area" means an area in a state park that is separate from the designated overnight camping area and may be used for a maximum of 24 continuous hours of camping if no alternative camping facilities are available within reasonable driving distances.

(42) "Passage" means an immature raptor on first fall migration still in immature plumage.

(43) "Pen-raised wildlife" means any wildlife raised in captivity.

(44) "Pets" means domesticated wildlife, including dogs and cats.

(45) "Possession limit" means the maximum total number of a species that can be retained per person at any one time.

(46) "Prime camping site" means any site within a state park so designated by posted notice of the secretary and subject to an additional charge.

(47) "Raptors" means members of the order Falconiformes or Strigiformes and specifically falcons, hawks, and owls.

(48) "Raw pelt" means the undressed skin of an animal with its hair, wool, or fur in its natural state, without having undergone any chemical preservation converting the skin to a leather condition.

(49) "Recreational vehicle" means a vehicle or trailer unit that contains sleeping or housekeeping accommodations, or both.

(50) "Running" means the pursuing or chasing of furbearers or rabbits with hounds. This term shall not include the capturing, killing, injuring, or possessing of furbearers or rabbits or having a firearm or other weapon in possession while running, except during established furbearer or rabbit hunting seasons.

(51) "Sanctioned or licensed coyote field trial" means a competitive event that involves only sight or trail hounds and has been advertised in one of the national foxhound journals at least 30 days before the event.

(52) "Sanctioned or licensed furbearer field trial" means a competitive event in which dogs pursue unrestrained furbearers and that is sanctioned or licensed by any of the national kennel or field dog organizations for the express purpose of improving the quality of the breed through the awarding of points or credits toward specific class championships or other national recognition.

(53) "Seine" means a net with a float line and lead line designed to be pulled through the water for the purpose of catching fish.

(54) "Set line" means a string or cord that is anchored at one point by an anchor weighing at least 25 pounds or is attached to a fixed and immovable stake or object, does not have more than two hooks, and is not associated with a hand-operated mechanical reel.

(55) "Sight hound" means a dog used to pursue furbearers, rabbits, hares, or coyotes by sight.

(56) "Skin and scuba diving" means swimming or diving while equipped with a face mask or goggles, allowing underwater vision and possibly involving an underwater breathing apparatus.

(57) "Snagging" means the hooking of a fish in any part of its anatomy other than the inside of the mouth.

(58) "Speargun" means a device used to propel a spear through the water by mechanical means or compressed gas.

(59) "Sport fish" means northern pike, walleye, saugeye, sauger, yellow perch, striped bass, white bass, black bass including largemouth, spotted, and smallmouth bass, striped bass hybrid, trout, muskellunge, tiger muskie, channel catfish, blue catfish, flathead catfish, paddlefish, and panfish including bullhead, black and white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.

(60) "State fishing lake" means a department facility that contains the words "state fishing lake" in the name of the area.

(61) "Tip-up" means an ice fishing device designed to signal the strike of a fish.

(62) "Trail hound" means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.

(63) "Transfer" means either of the following:

(A) To reassign one's license, permit, or other issue of the department to another individual; or

(B) to exchange any license, permit, or other issue of the department between individuals.

(64) "Trot line" means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.

(65) "Turkey" means wild turkey.

(66) "Unattended fishing line" means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.

(67) "Wake" means the waves thrown by a vessel moving on water.

(68) "Water race" means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.

(69) "Water set" means any trapping device that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.

(b) Exceptions to the definitions in this regulation shall include the following:

(1) The context requires a different definition.

(2) The defined term is specifically defined differently within the department's other regulations.

(Authorized by and implementing K.S.A. 32-807; effective Dec. 26, 1989; amended June 8, 1992; amended Sept. 19, 1997; amended Nov. 21, 2003; amended July 22, 2011; amended Nov. 26, 2012; amended Nov. 30, 2015; amended Dec. 25, 2020; amended April 23, 2021; amended Oct. 14, 2022.)

**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.

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 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).....	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 .....	40.00
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).....	75.00
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
Nonresident: turkey permit application fee .....	10.00
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 (2-bird limit) .....	10.00
Resident landowner/tenant: turkey permit and game tag combination (2-bird limit) .....	17.50
Nonresident: turkey permit and game tag combination (2-bird limit).....	85.00
Nonresident tenant: turkey permit and game tag combination (2-bird limit).....	42.50
Nonresident youth (under 16 years of age): turkey permit and game tag combination (2-bird limit) .....	20.00
Nonresident big game hunting permit:	
Nonresident hunt-on-your-own-land: deer permit.....	85.00
Nonresident tenant: deer permit .....	85.00
Nonresident: deer permit (antlered deer).....	400.00
Nonresident youth (under 16 years of age): deer permit (antlered deer).....	75.00
Nonresident: deer permit (antlerless only) .....	50.00
Nonresident: combination 2-deer permit (antlered deer and antlerless white-tailed deer)....	450.00
Nonresident youth (under 16 years of age): combination 2-deer permit (antlered deer and antlerless white-tailed deer).....	90.00
Nonresident: antelope permit (archery only).....	300.00
Nonresident tenant: antelope permit.....	85.00
Nonresident youth (under 16 years of age): antelope (archery only) .....	100.00
Nonresident tenant: either-sex elk permit.....	300.00
Nonresident tenant: antlerless-only elk permit.....	150.00
Nonresident: deer permit application fee.....	25.00
Nonresident: mule deer stamp .....	150.00

Field trial permit: game birds .....	20.00
Lifetime hunting license .....	500.00
or eight quarterly installment payments of.....	67.50
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
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
Nonresident fishing license (valid for one year from date of purchase) .....	75.00
Resident calendar day fishing license.....	3.50
Nonresident calendar day fishing license .....	10.00
Three-pole permit (valid for one year from date of purchase) .....	6.00
Tournament bass pass (valid for one year from date of purchase).....	12.00
Paddlefish permit (six carcass tags).....	10.00
Paddlefish permit youth (under 16 years of age) (six carcass tags) .....	5.00
Hand fishing permit.....	25.00
Lifetime fishing license .....	500.00
or eight quarterly installment payments of.....	67.50
Five-day nonresident fishing license .....	25.00
Institutional group fishing license .....	100.00
Special nonprofit group fishing license.....	50.00
Trout permit (valid for one year from date of purchase).....	12.00
Youth trout permit (under 16 years of age, valid for one year from date of purchase).....	4.50

(c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license (valid for one year from date of purchase).....	45.00
Resident combination hunting and fishing license (valid for five years from date of purchase).....	180.00
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
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
Resident lifetime combination hunting and fishing license.....	960.00
or eight quarterly installment payments of.....	130.00
Resident senior lifetime combination hunting and fishing license (one-time purchase, valid 65 years of age and older).....	40.00
Resident Kansas kids lifetime combination hunting and fishing license:	
5 years of age or younger .....	300.00
6 through 7 years of age .....	500.00
Nonresident combination hunting and fishing license (valid for one year from date of purchase) .....	190.00

(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
Nonresident furharvester license (valid for one year from date of purchase) .....	250.00
Nonresident bobcat permit (1-bobcat limit per permit).....	100.00
Resident fur dealer license.....	100.00

Nonresident fur dealer license .....	400.00
Field trial permit: furbearing animals .....	20.00
(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
Nonresident mussel fishing license .....	1,000.00
Mussel dealer permit .....	200.00
Missouri river fishing permit .....	25.00
Game breeder permit .....	10.00
Controlled shooting area operator license .....	200.00
Commercial dog training permit .....	20.00
Commercial fish bait permit (three-year permit) .....	50.00
Commercial prairie rattlesnake harvest permit (without 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 .....	10.00
Raptor propagation permit .....	0
Rehabilitation permit .....	0
Wildlife damage-control permit .....	0
Wildlife importation permit .....	10.00
Threatened or endangered species: special permits .....	0
(g) Falconry.	
Apprentice permit .....	75.00
General permit .....	75.00
Master permit .....	75.00
Testing fee .....	50.00
(h) Miscellaneous fees.	
Duplicate license, permit, stamp, and other issues of the department .....	0
Special departmental services, materials, or supplies .....	At cost
Vendor bond	
For bond amounts of \$5,000.00 and less .....	50.00
For bond amounts of more than \$5,000.00 .....	50.00
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	

(Authorized by K.S.A. 32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. 32-988, as amended by L. 2023, ch. 43, sec. 5; implementing K.S.A. 32-807, as amended by L. 2023, ch. 7, sec. 28; K.S.A. 32-937; K.S.A. 32-988, as amended by L. 2023, ch. 43, sec. 5; K.S.A. 2022 Supp. 32-9,101; and L. 2023, ch. 43, sec. 1; 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; amended Oct. 7, 2022; amended Dec. 29, 2023).

**115-2-2. Motor vehicle permit fees.** (a) The following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

Daily motor vehicle permit.....	\$3.50
Senior or disabled daily motor vehicle permit.....	1.75
Annual motor vehicle permit.....	22.50
Senior or disabled annual motor vehicle permit.....	11.25
Easy pass annual motor vehicle permit .....	15.00
Unconventional motor vehicle permit .....	50.00

(b) Each daily motor vehicle permit shall expire at 2:00 p.m. on the day following its effective date.

(c) Annual motor vehicle permits shall not be valid during designated special events.

This regulation shall be effective on and after January 1, 2017. (Authorized by and implementing K.S.A. 2015 Supp. 8-134, K.S.A. 2015 Supp. 32-807, and K.S.A. 2015 Supp. 32-901; effective Jan. 22, 1990; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Jan. 1, 2001; amended Jan. 1, 2003; amended Jan. 1, 2005; amended Jan. 1, 2007; amended April 8, 2011; amended Jan. 1, 2012; amended Jan. 1, 2013; amended November 25, 2016.)

**115-2-3. Camping, utility, and other fees.** (a) Each overnight camping permit shall be valid only for the state park for which the permit is purchased and shall expire at 2:00 p.m. 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 the permit 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 the permit 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 noon 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. 115-2-115-40.01

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

Camping--per camping unit (April 1 through September 30):

Annual camping permit.....	\$ 250.00
Overnight camping permit.....	9.00
14-night camping permit .....	110.00
Prime camping area permit.....	2.00

Camping--per camping unit (October 1 through March 31):

Annual camping permit.....	200.00
Overnight camping permit.....	9.00
14-night camping permit .....	110.00
Overflow primitive camping permit, per night.....	5.00

Recreational vehicle seasonal camping permit, except for Clinton, El Dorado, Milford, Sand Hills, and Tuttle Creek State Parks (includes utilities)--per month, per unit (annual camping permit and annual vehicle permit required):

One utility.....	370.50
Two utilities.....	430.50
Three utilities.....	490.50

Recreational vehicle seasonal camping permit for Clinton, Milford, Sand Hills, and Tuttle Creek State Parks (includes utilities)--per month, per unit (annual camping permit and annual vehicle permit required):

One utility.....	460.50
Two utilities.....	520.50
Three utilities.....	580.50

Recreational vehicle seasonal camping permit for El Dorado State Park (includes utilities)--per month, per unit (annual camping permit and annual vehicle permit required):

One utility.....	485.50
Two utilities.....	545.50
Three utilities.....	605.50

Recreational vehicle short-term parking--per month..... 50.00

Utilities--electricity, water, and sewer hookup per night, per unit:

One utility.....	9.00
Two utilities.....	11.00
Three utilities.....	12.00

Youth group camping permit in designated areas, per camping unit--per night..... 2.50

Group camping permit in designated areas, per person--per night..... 1.50

Reservation fee, per reservation (camping, special use, or day use)..... 10.00

Rent-a-camp: equipment rental per camping unit--per night..... 15.00

Special event permit negotiated based on event type, required services, and lost revenue—maximum..... 200.00

(Authorized by and implementing K.S.A. 2018 Supp. 32-807 and 32-988; effective Jan. 22, 1990; amended Jan. 28, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Sept. 19, 1997; amended Jan. 1, 1999; amended Jan. 1, 2001; amended Jan. 1, 2003; amended Jan. 1, 2005; amended Jan. 1, 2009; amended Jan. 1, 2011; amended April 8, 2011; amended Jan. 1, 2012; amended May 24, 2013; amended Feb. 7, 2014; amended Jan. 1, 2015; amended Jan. 1, 2017; amended Jan. 1, 2018; amended Jan. 1, 2019; amended April 26, 2019.)

**115-2-3a. Revoked.**

**115-2-4. Boating fees.** The following boating fees shall be in effect for vessel registrations and related issues for which a fee is charged:

Testing or demonstration boat registration .....	\$30.00
Additional registration.....	5.00
Vessel registration: each vessel .....	40.00
Water event permit .....	25.00

Special services, materials, or supplies.....at cost

(Authorized by and implementing K.S.A. 2018 Supp. 32-1172; effective Aug. 1, 1990; amended Oct. 12, 1992; amended Jan. 1, 2002; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2018; amended April 26, 2019.)

**115-2-5.** This regulation shall be revoked on and after January 1, 2019. (Authorized by and implementing K.S.A. 32-807, K.S.A. 32-901, and K.S.A. 2007 Supp. 32-988; effective April 1, 1996; amended Aug. 2, 1996; amended Jan. 1, 2009; revoked Jan. 1, 2019.)

**115-2-6. Other fees.** (a) The following fees shall be in effect for state parks and for other designated areas for which fees are required:

- (1) Annual private boat dock fee ..... \$25.00
- (2) Private cabin, club, and organization site assignment transfer fee..... 25.00
- (3) Private cabin, club, and organization site annual fee.

(A) The annual fee for private cabin, club, and organization sites shall be adjusted when the lease agreement for a site is newly assigned, transferred, or renewed, unless the existing lease agreement specifies a fee applicable for the renewal term.

(B) The annual fee shall be adjusted on January 1, 2018, January 1, 2019, January 1, 2020, January 1, 2021, and January 1, 2022, as specified in subsection (b).

(b) The following fees shall apply for calendar years 2018 through 2022:

(1) Cedar Bluff:

(A) North shore cabin lot.

2018.....	490.00
2019.....	980.00
2020.....	1,470.00
2021.....	1,960.00
2022.....	2,450.00

(B) South shore club lot.

2018.....	500.00
2019.....	1,000.00
2020.....	1,500.00
2021.....	2,000.00
2022.....	2,500.00

(C) South shore cabin lot.

2018.....	440.00
2019.....	880.00
2020.....	1,320.00
2021.....	1,760.00
2022.....	2,200.00

(2) Lovewell:

(A) Club lot.

2018.....	580.00
2019.....	1,160.00
2020.....	1,740.00
2021.....	2,320.00
2022.....	2,900.00

(B) Cabin lot.

2018.....	500.00
2019.....	1,000.00
2020.....	1,500.00
2021.....	2,000.00
2022.....	2,500.00

(C) Mobile home space.

2018.....	250.00
2019.....	500.00
2020.....	750.00
2021.....	1,000.00
2022.....	1,250.00

(3) Webster:

(A) Club lot.

2018.....	500.00
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2019 .....	1,000.00
2020 .....	1,500.00
2021 .....	2,000.00
2022 .....	2,500.00
(B) Cabin lot.	
2018 .....	440.00
2019 .....	880.00
2020 .....	1,320.00
2021 .....	1,760.00
2022 .....	2,200.00

(c) The annual fee for private cabin, club, and organization sites shall be recalculated on January 1, 2023, January 1, 2028, and January 1, 2033, using the equation and terms specified in this subsection.

$$\text{Annual Fee} = \frac{\text{Previous Annual Fee} \times (\text{New CPI})}{(\text{Previous CPI})}$$

(1) "CPI" shall mean the "consumer price index for all urban consumers" (CPI-U) for the midwest region average for all items, 1982-1984 = 100, as published in the "CPI detailed report" by the bureau of labor statistics of the U.S. department of labor.

(2) "Previous annual fee" shall mean the amount specified in subsection (b) for each location for the year 2022 for the recalculation of the annual fee on January 1, 2023, and for each recalculation thereafter shall mean the annual fee calculated five years previous to the new calculation, using the equation in subsection (c).

(3) "New CPI" shall mean the CPI on July 1 immediately preceding the January 1 date for a newly calculated annual fee.

(4) "Previous CPI" shall mean the CPI on July 1, 2017 for the recalculation of the annual fee on January 1, 2023, the CPI on July 1, 2022 for the recalculation of the annual fee on January 1, 2028, and the CPI on July 1, 2027 for the recalculation of the annual fee on January 1, 2033.

(d) Each private cabin, club, and organization site lease and each private boat dock permit shall expire on the date specified in the respective lease or permit.

This regulation shall be effective on and after January 1, 2018. (Authorized by and implementing K.S.A. 2016 Supp. 32-807 and K.S.A. 2016 Supp. 32-988; effective Jan. 1, 1999; amended July 1, 2002; amended Jan. 1, 2018.)

**115-2-7. Backcountry access pass; fee, exceptions, and general provisions.** (Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective Jan. 11, 2019; revoked September 5, 2019.)

**115-3-1. Game birds; legal equipment, taking methods, and possession.** (a) Legal hunting equipment for game birds shall consist of the following:

- (1) Shotguns and muzzleloading shotguns not larger than 10 gauge and using only shot;
- (2) archery equipment; and
- (3) falconry equipment
- (b) The use of dogs, horses, and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.
- (c) Hunting hours shall be from one-half hour before sunrise to sunset.
- (d) Game birds shall be shot only while the birds are in flight.
- (e) Any type of apparel may be worn while taking game birds.
- (f) Legally taken game birds may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. It shall not be deemed unlawful for a person to relinquish possession of a game bird for the purpose of dressing the bird.
- (g) Each pheasant in an individual's possession for the purpose of transportation shall retain intact a foot or plumage by which the sex can be readily established. (Authorized by and implementing K.S.A. 2020 Supp. 32-807; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended June 1, 2001; amended July 23, 2021).

**115-3-2. Rabbits, hares, and squirrels; legal equipment, taking methods, and possession.** (a) Legal hunting equipment for rabbits, hares, and squirrels shall consist of the following:

- (1) Firearms, except fully automatic rifles and handguns and except shotguns and muzzleloading shotguns larger than 10 gauge or using other than shot ammunition;
- (2) pellet and BB guns;

- (3) archery equipment;
- (4) crossbows;
- (5) falconry equipment;
- (6) projectiles hand-thrown or propelled by a slingshot;
- (7) box traps for rabbits and hares only;
- (8) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light;
- (9) lures, decoys except live decoys, and calls, including electric calls; and
- (10) other equipment or methods as allowed by permit.

(b) The use of dogs, horses, and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.

(c) Legal hours for the hunting and taking of rabbits, hares, and squirrels shall be from ½ hour before sunrise to sunset during established hunting seasons, except that legal hours for the running and box-trapping of rabbits and hares shall be 24 hours per day during established running seasons.

(d) Any type of apparel may be worn while hunting or running rabbits and hares.

(e) Legally taken rabbits, hares, and squirrels may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. (Authorized by and implementing K.S.A. 2020 Supp. 32-807 and K.S.A. 2020 Supp. 32-1002; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended, T-115-12-28-89, Dec. 28, 1989; amended Jan. 22, 1990; amended Sept. 19, 1997; amended June 1, 2001; amended July 23, 2004; amended Feb. 18, 2005; amended April 26, 2019; amended May 28, 2021.)

#### **115-4-1. Revoked.**

#### **115-4-2. Big game and wild turkey; general provisions.** (a) Possession.

(1) Each permittee shall meet either of the following requirements:

(A) Nonelectronic carcass tags. The permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the carcass in a visible manner immediately following the kill and before moving the carcass from the site of the kill. The carcass tag shall remain attached to the carcass or in the possession of the permittee if transporting a quartered or deboned animal until the animal reaches the permittee's residence or a commercial place of processing or preservation and is processed for consumption. The permittee shall retain the carcass tag until the animal is consumed, given to another, or otherwise disposed of.

(B) Electronic carcass tags. Using the department's electronic carcass tag system, the permittee shall record the county, the date, and the time of kill and enter a photograph of the entire carcass, with sufficient clarity to display the species and the antlered or antlerless condition of the big game animal or the beard of the wild turkey, immediately following the kill and before moving the carcass from the site of the kill. The permittee shall possess the confirmation number until the animal reaches the permittee's residence or a commercial place of processing or preservation and is processed for consumption. The permittee shall retain the confirmation number until the animal is consumed, given to another, or otherwise disposed of.

(2) Except for a wild turkey or big game animal taken with an "either sex" permit, the beard of the wild turkey shall remain naturally attached to the breast and the visible sex organs of the big game animal shall remain naturally attached to the carcass, or a quartered portion of the carcass, while in transit from the site of the kill to the permittee's residence or to a commercial place of processing or preservation, unless the carcass has been tagged with a department check station tag, the permittee is using the department's electronic carcass tag system and has submitted the information required in paragraph (a)(1)(B), the permittee has obtained a transportation confirmation number after electronically registering the permittee's big game animal or wild turkey on the department's electronic registration site, or the permittee retains photographs necessary for electronic registration until registration occurs. "Electronically registering" shall mean submitting any necessary and relevant information and digital photographs of the big game head or turkey breast and of the completed carcass tag of sufficient clarity to display the species and the antlered or antlerless condition of the big game animal, the beard of the wild turkey, and the transaction number and signature on a completed carcass tag.

(3) Any legally acquired big game or wild turkey meat may be given to and possessed by another, if a dated written notice that includes the donor's printed name, signature, address, and permit number accompanies the meat. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.

(4) Any person may possess a salvaged big game or wild turkey carcass if a department salvage tag issued to the person obtaining the carcass is affixed to the carcass. The salvage tag shall be retained as provided in paragraph (a)(1). Big game or wild turkey meat may be donated as specified in paragraph (a)(3) using the salvage tag number. Each salvage tag report prepared by the department agent issuing the tag shall be signed by the individual receiving the

salvaged big game or wild turkey carcass. Each salvage tag shall include the following information:

- (A) The name and address of the person to whom the tag is issued;
- (B) the salvage tag number;
- (C) the species and sex of each animal for which the tag is issued;
- (D) the location and the date, time, and cause of death of each animal; and
- (E) the date of issuance and the signature of the department agent issuing the salvage tag.

(b) Big game and wild turkey permits and game tags.

(1) Big game and wild turkey permits and game tags shall not be transferred to another person, unless otherwise authorized by law or regulation.

(2) In addition to other penalties prescribed by law, each big game and wild turkey permit or game tag shall be invalid from the date of issuance if obtained by an individual under any of these conditions:

- (A) Through false representation;
- (B) through misrepresentation; or
- (C) in excess of the number of permits or game tags authorized by regulations for that big game species or wild turkey.

(3) No individual shall copy, reproduce, or possess any copy or reproduction of a big game or wild turkey permit or carcass tag.

(c) Hunting assistance. Subject to the hunting license requirements of K.S.A. 32-919 and amendments thereto, the license requirements of the implementing regulations, and the provisions of paragraphs (c)(1), (c)(2), and (c)(3), any individual may assist any holder of a big game or wild turkey permit or game tag during the permittee's big game or wild turkey hunting activity. This assistance may include herding, driving, or calling.

(1) An individual assisting the holder of a big game or wild turkey permit or game tag shall not perform the actual shooting of big game or wild turkey for the permittee. However, a permittee who is, because of disability, unable to pursue a wounded big game animal or wild turkey may designate any individual to assist in pursuing and dispatching a big game animal or wild turkey wounded by the disabled permittee.

(2) The designated individual shall carry the disabled permittee's big game or wild turkey permit or game tag and shall utilize the applicable procedure specified in subsection (a).

(3) The designated individual shall use only the type of equipment authorized for use by the disabled permittee.

(Authorized by and implementing K.S.A. 2019 Supp. 32-807, K.S.A. 2019 Supp. 32-933, K.S.A. 2019 Supp. 32-937, and K.S.A. 2019 Supp. 32-969; effective June 1, 2001; amended April 22, 2005; amended April 16, 2010; amended April 20, 2012; amended July 18, 2014; amended April 21, 2017; amended Dec. 20, 2019; amended May 22, 2020.)

### **115-4-3. Revoked.**

**115-4-4. Big game; legal equipment and taking methods.** (a) Hunting equipment for the taking of big game during a big game archery season shall consist of the following:

(1) Archery equipment.

(A) No bow or arrow shall have any electronic device attached to the bow or arrow that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; locking draws; and radio-frequency location devices.

(B) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

(2) Crossbows using arrows that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded.

(A) A big game hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

(B) No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(b) Hunting equipment for the taking of big game during a big game muzzleloader-only season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a); and

(2) muzzleloading rifles, pistols, and muskets that can be loaded with bullets only through the front of the firing chamber and are .40 inches in diameter bore or larger. Only tumble-on-impact, hard-cast solid lead, conical lead, or sabot bullets shall be used with muzzleloading rifles, pistols, and muskets.

(c) Hunting equipment for the taking of big game during a big game firearm season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a);

(2) muzzleloader-only season equipment as authorized in subsection (b);

(3) centerfire rifles and handguns that are not fully automatic, while using only tumble-on-impact, hard-cast solid lead, soft point, hollow point, or other expanding bullets; and

(4) shotguns using only slugs.

(d)(1) Each individual hunting deer or elk during a firearms deer or elk season and each individual assisting an individual hunting deer or elk as authorized by K.A.R. 115-4-2 or K.A.R. 115-18-15 during a firearms deer or elk season shall wear outer clothing of a bright orange color commonly referred to as daylight fluorescent orange, hunter orange, blaze orange, or safety orange. This bright orange color shall be worn as follows:

(A) A hat or other garment upon the head with the exterior of not less than 50 percent of the bright orange color, an equal portion of which is visible from all directions; and

(B) at least 100 square inches of the bright orange color that is on the front of the torso and is visible from the front and at least 100 square inches that is on the rear of the torso and is visible from the rear.

(2) Lures, decoys except live decoys, and nonelectric calls shall be legal while hunting big game.

(3) Any individual may use blinds and stands while hunting big game.

(4) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy may be used.

(5) Any range-finding device, if the device does not project visible light toward the target, may be used.

(6) Devices capable of dispensing lethal, debilitating, or immobilizing chemicals to take big game animals shall not be used.

(e) Shooting hours for deer, antelope, and elk during each day of any deer, antelope, or elk hunting season shall be from one-half hour before sunrise to one-half hour after sunset.

(f) Horses and mules may be used while hunting big game, except that horses and mules shall not be used for herding or driving big game.

(g) Firearm report-suppressing devices may be used.

(h) Handguns may be possessed during all big game seasons. However, no handgun shall be used to take deer except as legal equipment specified in subsection (c) during a big game firearms season.

(i) Dogs may be used to retrieve dead or wounded big game animals if the following requirements are met:

(1) Each dog shall be maintained on a handheld leash at all times while tracking the big game animal.

(2) An individual tracking big game animals outside of legal shooting hours shall not carry any equipment capable of harvesting the big game animal.

(3) Each individual harvesting a big game animal shall be limited to the equipment type for the permit and the season that is authorized.

(4) Each individual participating in the tracking of the big game animal shall have a hunting license, unless the individual is exempt by law or regulation. (Authorized by and implementing K.S.A. 2020 Supp. 32-807 and K.S.A. 2020 Supp. 32-937; effective June 1, 2001; amended April 19, 2002; amended April 22, 2005; amended June 2, 2006; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended April 19, 2013; amended Sept. 4, 2014; amended April 26, 2019; amended May 22, 2020; amended July 23, 2021.)

**115-4-4a. Wild turkey; legal equipment and taking methods.** (a) Hunting equipment for the taking of wild turkey during a wild turkey archery season shall consist of the following:

(1) Archery equipment.

(A) No bow or arrow shall have any electronic device attached to the bow or arrow that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(B) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery

equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(2) Crossbows using arrows that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a);

(2) shotguns and muzzleloading shotguns using only size two shot through size nine shot;

(3) choked handguns and muzzleloading handguns having a minimum barrel length of 10 inches, including the chamber, and using only size two shot through size nine shot.

(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:

(1) Lures; decoys, except live decoys; and nonelectric calls;

(2) blinds and stands;

(3) range-finding devices, if the devices do not project visible light toward the target; and

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy.

(d) Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

(e) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

(f) Dogs may be used while hunting turkey, but only during the fall turkey season.

(g) Firearm report-suppressing devices may be used.

(h) Handguns may be possessed during all wild turkey seasons. (Authorized by and implementing K.S.A. 2020 Supp. 32-807 and K.S.A. 2020 Supp. 32-969; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended April 19, 2013; amended Dec. 25, 2020; amended December 27, 2021.)

#### **115-4-5. Revoked.**

**115-4-6. Deer; management units.** Each of the following subsections shall designate a deer management unit:

(a) High Plains; unit 1: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-283 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(b) Smoky Hill; unit 2: that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-147, then south on state highway K-147 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-83, then south on federal highway US-83 to its junction with state highway K-96, then west on state highway K-96 to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries.

(c) Kirwin-Webster; unit 3: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on state highway K-8 to its junction with federal highway US-36, then east on federal highway US-36 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with state highway K-8, except federal and state sanctuaries.

(d) Kanopolis; unit 4: that part of Kansas bounded by a line from the interstate highway I-70 and state highway K-147 junction, then east on interstate highway I-70 to its junction with federal highway US-81, then south on federal highway US-81 to its junction with state highway K-4, then west on state highway K-4 to its junction with state highway K-147, then north on state highway K-147 to its junction with interstate highway I-70, except federal and state sanctuaries.

Smoky Hill Air National Guard Range; subunit 4a. The following described area shall be designated a subunit of unit 4, and, with approval of air national guard command, the area shall be open for the taking of deer during the firearm season: United States government land lying entirely within the boundaries of the Smoky Hill Air National Guard Range. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by the air national guard.

(e) Pawnee; unit 5: that part of Kansas bounded by a line from the state highway K-4 and state highway K-14 junction, then south on state highway K-14 to its junction with Sego Road, then south on Sego Road to its junction with federal highway US-50, then west on federal highway US-50 to its junction with federal highway US-183, then northeast and north on federal highway US-183 to its junction with state highway K-156, then west on state highway K-156 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with state highway K-4, then east on state highway K-4 to its junction with state highway K-14, except federal and state sanctuaries.

(f) Middle Arkansas; unit 6: that part of Kansas bounded by a line from the state highway K-4 and federal highway US-77 junction, then south on federal highway US-77 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with Sego Road, then north on Sego Road to its junction with state highway K-14, then north on state highway K-14 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-77, except federal and state sanctuaries.

(g) Solomon; unit 7: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-36, then west on federal highway US-36 to its junction with state highway K-8, then north on state highway K-8 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(h) Republican; unit 8: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-77 to its junction with federal highway US-24, then south on federal highway US-24 to its junction with state highway K-177, then south on state highway K-177 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-81, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-77, except federal and state sanctuaries.

Fort Riley; subunit 8a. The following described area shall be designated a subunit of unit 8, and, with approval of Fort Riley command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Riley.

(i) Tuttle Creek; unit 9: that part of Kansas bounded by a line from the Nebraska-Kansas state line, south on federal highway US-75 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with state highway K-177, then north on state highway K-177 to its junction with federal highway US-24, then north on federal highway US-24 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

(j) Kaw; unit 10: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-75 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with Johnson County 135 Street, then east on Johnson County 135 Street to the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

Fort Leavenworth urban; subunit 10a. The following described area shall be designated a subunit of unit 10, and, with approval of Fort Leavenworth command, the area shall be open for the taking of deer during

the firearm deer season: United States government land lying entirely within the boundaries of the Fort Leavenworth military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Leavenworth.

(k) Osage Prairie; unit 11: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with Johnson County 135 Street, then east on Johnson County 135 Street to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(l) Chautauqua Hills; unit 12: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with state highway K-15, then east and south on state highway K-15 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(m) Lower Arkansas; unit 13: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-81 to its junction with state highway K-53, then east on state highway K-53 to its junction with state highway K-15, then southeasterly on state highway K-15 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(n) Flint Hills; unit 14: that part of Kansas bounded by a line from the junction of interstate highway I-70 and federal highway US-75, then south on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with interstate highway I-70, then east on interstate highway I-70 to its junction with federal highway US-75, except federal and state sanctuaries.

(o) Ninnescah; unit 15: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on state highway K-179 to its junction with state highway K-14, then continuing north on state highway K-14 to its junction with state highway K-42, then west on state highway K-42 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-15, then west and northwest on state highway K-15 to its junction with state highway K-53, then west on state highway K-53 to its junction with federal highway US-81, then south on federal highway US-81 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with state highway K-179, except federal and state sanctuaries.

(p) Red Hills; unit 16: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-283 to its junction with federal highway US-54, then east on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with state highway K-42, then east on state highway K-42 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-179, then south on state highway K-179 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(q) West Arkansas; unit 17: that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-83, then north on federal highway US-83 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with state highway K-156, then east on state highway K-156 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with federal highway US-56, then southwest on federal highway US-56 to its junction with state highway K-144, then west on state highway K-144 to its junction with federal highway US-160, then continuing west on federal highway US-160 to the Colorado-Kansas state line,

then north along the Colorado-Kansas state line to its junction with state highway K-96, except federal and state sanctuaries.

(r) Cimarron; unit 18: that part of Kansas bounded by a line from the Colorado-Kansas state line east on federal highway US-160 to its junction with state highway K-144, then east on state highway K-144 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with federal highway US-160, except federal and state sanctuaries.

(s) Kansas City urban; unit 19: that part of Kansas bounded by a line from the Missouri-Kansas state line west on Johnson County 199 Street to its junction with interstate highway I-35, then southwest on interstate highway I-35 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with South Topeka Avenue, then north on South Topeka Avenue to its junction with Shawnee County SW 93 Street, then west on Shawnee County SW 93 Street to its junction with Shawnee County SW Auburn Road, then north on Shawnee County SW Auburn Road to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with NW Carlson-Rossville Road, then north on NW Carlson-Rossville Road to its junction with Shawnee County NW 62 Street, then east on Shawnee County NW 62 Street to its junction with Shawnee County NW Hoch Road, then north on Shawnee County NW Hoch Road to its junction with Shawnee County NW 66 Street, then east on Shawnee County NW 66 Street to its junction with Shawnee County NW Humphrey Road, then south on Shawnee County NW Humphrey Road to its junction with Shawnee County NW 62 Street, then east on Shawnee County NW 62 Street to its junction with state highway K-4, then north on state highway K-4 to its junction with state highway K-92, then east on state highway K-92 to its junction with Leavenworth County 207 Street, then north on Leavenworth County 207 Street to its junction with state highway K-192, then northeast on state highway K-192 to its junction with federal highway US-73, then east on federal highway US-73 to its junction with state highway K-92, then east on state highway K-92 to its junction with the Missouri-Kansas state line, and then south on the Missouri-Kansas state line to Johnson County 199 Street, except federal and state sanctuaries and department-owned or -managed properties. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-937; effective April 30, 1990; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994; amended May 30, 1995; amended June 6, 1997; amended July 21, 2000; amended April 18, 2003; amended July 25, 2003; amended Feb. 18, 2005; amended April 14, 2006; amended Feb. 8, 2008; amended April 16, 2010; amended May 22, 2020; amended April 23, 2021; amended July 29, 2022)

#### **115-4-6a. Revoked.**

**115-4-6b. Elk; management units.** Each of the following subsections shall designate an elk management unit:

(a) Cimarron; unit 1: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on county road CR-24 to its junction with state highway K-51, then north on state highway K-51 to its junction with road U, then west on state highway K-51 to its junction with road 9, then north on road 9 to its junction with road V, then west on road V to its junction with the Colorado-Kansas state line, then south along the Colorado-Kansas border to its junction with the Oklahoma-Kansas border, and then east along the Oklahoma-Kansas border to its junction with county road CR-24, except federal and state sanctuaries.

(b) Republican-Tuttle; unit 2: That part of Kansas bounded by a line from the federal highway US-77 and interstate highway I-70 junction, then northeast along interstate highway I-70 to its junction with state highway K-177, then north along state highway K-177 to its junction with state highway K-24, then west along state highway K-24 to its junction with state highway K-77, then north along state highway K-77 to its junction with barton road, then west along barton road to its junction with state highway 24, then west along state highway 24 to its junction with state highway 15, then south along state highway K-15 to its junction with state highway K-18, then east along state highway K-18 to its junction with state highway K-77, and then south along state highway K-77 to its junction with interstate highway I-70, except federal and state sanctuaries.

Fort Riley; subunit 2a: The following described area shall be designated a subunit of unit 2, and, with approval of Fort Riley command, the area shall be open for the taking of elk during the elk season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Each person hunting in this subunit shall be in possession of any permits and licenses required by Fort Riley.

(c) Kansas; unit 3: statewide except for the areas described in units 1 and 2. (Authorized by K.S.A. 2017 Supp. 32-807; implementing K.S.A. 2017 Supp. 32-807 and K.S.A. 2017 Supp. 32-937; effective April 8, 2011; amended July 20, 2018.)

#### **115-4-7 – 115-4-10. Revoked.**

**115-4-11. Big game and wild turkey permit applications.** (a) General application provisions.

(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one antlered or horned big game or wild turkey permit for each big game species or wild turkey, except when the individual is unsuccessful in a limited quota drawing and alternative permits for the species are available at the time of subsequent application or when the individual is the final recipient of a commission permit.

(2) Unless otherwise authorized by law or regulation, each big game or wild turkey permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated application deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A hunt-on-your-own-land permit shall not be tabulated in a priority draw system if the permit would otherwise reduce the applicant's odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) Subject to any priority draw system established by this subsection, in awarding deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a deer permit that allowed the taking of an antlered deer. All other deer permit applicants shall be given equal priority.

(2) In awarding a limited number of deer 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 deer permit that allows the taking of an antlered deer.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a deer permit that allows the taking of an antlered deer, 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 deer permit that allows the taking of antlered deer and not receive a permit, the person may apply for and receive a preference point by paying the proper application or 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) If an individual is a final recipient of a commission deer permit, the individual shall not possess more than one regular antlered deer permit and one commission deer permit.

(4) Applications for nonresident limited-quota antlered deer permits shall be accepted in the Pratt office from the earliest date that applications are available through the last Friday of April each year. Any nonresident applicant may select, at the time of application, one deer management unit and up to one adjacent management unit where that permit shall be valid.

(5) Applications for resident firearms either-species, either-sex permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday of June.

(6) Applications for resident any-season white-tailed either-sex deer permits, resident archery deer permits, resident muzzleloader either-species either-sex permits, and hunt-on-your-own-land deer permits shall be accepted at designated locations from the earliest date that applications are available through December 30.

(7) Each resident applicant for either-species, either-sex muzzleloader or firearm deer permits shall select, at the time of application, the unit where the permit shall be valid. The west unit permit shall be valid in units 1, 2, 17, and 18. The east unit permit shall be valid in units 3, 4, 5, 7, and 16.

(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, from the earliest date in the year that applications are available through 5:00 p.m. on January 30 of the following year.

(4) Applications for spring wild turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued.

(5) Spring wild turkey permits in unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags in unit 1, unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations from the earliest date that applications are available until midnight on the day before the closing date for the season. (Authorized by K.S.A. 32-807, K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; implementing K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001; amended April 18, 2003; amended Feb. 18, 2005; amended May 15, 2009; amended Feb. 5, 2010; amended April 8, 2011; amended May 24, 2013; amended Nov. 30, 2015; amended April 21, 2017; amended April 26, 2019; amended June 24, 2022.)

#### **115-4-12. Revoked.**

**115-4-13. Deer permits; descriptions and restrictions.** Except as otherwise specified or further restricted by law or regulation, the following deer permit descriptions, provisions, and restrictions shall be in effect.

(a) White-tailed deer permits.

(1) Resident any-season white-tailed deer permit. This permit shall be valid for the hunting of white-tailed deer statewide during the established muzzleloader-only, archery, and firearms deer seasons using equipment that is legal during the established season.

(2) Antlerless white-tailed deer permit. This permit shall be valid for the hunting of antlerless white-tailed deer statewide during the established muzzleloader-only, archery, and firearms deer seasons using equipment that is legal during the established season. The first antlerless white-tailed deer permit issued to an applicant shall be valid statewide on all lands and waters, unless otherwise specified in these regulations. If any subsequent antlerless white-tailed deer permit is issued to the same applicant, that permit shall be valid in designated management units but shall not be valid on department lands and waters, unless otherwise specified in these regulations.

(3) Nonresident white-tailed deer permit. This permit shall be valid for the hunting of white-tailed deer within a designated management unit and one additional adjoining management unit using legal equipment for one of the following deer seasons, which shall be selected at the time of application: muzzleloader-only, archery, or firearms deer season. Muzzleloader-only permits may be used in the early muzzleloader season and during the regular firearms season, using equipment that is legal during the muzzleloader deer season.

(b) Either-species, either-sex deer permits.

(1) Resident archery either-species, either-sex deer permit. This permit shall be valid for the hunting of any antlered or antlerless white-tailed deer or mule deer statewide during the established archery deer season, using equipment that is legal during the archery deer season.

(2) Resident firearm either-species, either-sex deer permit. This permit shall be valid for the hunting of any antlered or antlerless white-tailed deer or mule deer during the established firearms deer season within designated management units, using equipment that is legal during the firearms deer season.

(3) Resident muzzleloader either-species, either-sex deer permit. This permit shall be valid for the hunting of any antlered or antlerless white-tailed deer or mule deer during the established muzzleloader-only and firearms deer seasons within designated management units, using muzzleloader equipment that is legal during the muzzleloader-only deer season.

(4) Nonresident either-species, either-sex deer permit. Any nonresident possessing a nonresident archery or muzzleloader-only white-tailed deer permit valid for a management unit designated by the department as a mule deer unit may apply for one of a limited number of mule deer stamps that, if drawn, will convert the applicant's white-tailed deer permit to an either-species, either-sex deer permit.

(5) Antlerless either-species permit. This permit shall be valid for the hunting of any antlerless white-tailed deer or mule deer within a designated management unit or units during the established muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season.

(c) Hunt-on-your-own-land deer permits. Each hunt-on-your-own-land permit shall be valid for any white-tailed deer or mule deer, unless otherwise specified in these regulations.

(1) Resident hunt-on-your-own-land deer permit. This permit shall be available to individuals who qualify as resident landowners or as resident tenants or as family members domiciled with the resident landowner or with the resident tenant. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the resident landowner or resident tenant.

(2) Special resident hunt-on-your-own-land deer permit. This permit shall be available to individuals who qualify as lineal ascendants or descendants and their spouses, or as siblings of resident landowners or resident or nonresident tenants. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the resident landowner or resident or nonresident tenant.

(3) Nonresident hunt-on-your-own-land deer permit. This permit shall be available to nonresident individuals who qualify as Kansas landowners or nonresident tenants. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the nonresident landowner or nonresident tenant.

(d) Each deer permit shall be valid only for the species of deer specified and only for the antler category of deer specified by regulation or on the permit.

(1) An either-sex deer permit shall be valid for deer of either sex.

(2) An antlerless deer permit shall be valid only for a deer without a visible antler plainly protruding from the skull.

(3) An either-species, either-sex deer permit shall be valid for a white-tailed deer of either sex or a mule deer of either sex, except that an antlerless either-species deer permit shall be valid only for a deer of either species without a visible antler plainly protruding from the skull. (Authorized by and implementing K.S.A. 2014 Supp. 32-807 and K.S.A. 2014 Supp. 32-937; effective Jan. 30, 1995; amended June 6, 1997; amended July 30, 1999; amended June 1, 2001; amended April 22, 2005; amended July 20, 2007; amended April 11, 2008; amended April 24, 2015; amended Nov. 27, 2015.)

**115-4-14. Revoked.**

**115-4-15. Restitution scoring system; white-tailed deer; mule deer; elk; antelope.** (a) For the purpose of establishing restitution values, each of the following terms shall have the meaning specified in this subsection:

(1) "Abnormal point" means a point that is nontypical in shape or location.

(2) "Antler burr" means the elevated bony rim around the antler base of a deer or elk that is just above the skin of the pedicle.

(3) "First normal point" means the longest, first point immediately above, but not part of, the antler burr. If this point is branched, the longest and straightest portion of the point shall be used for measurement. All other points branching from this point shall be considered abnormal points.

(4) "Gross score" means the number derived by totaling certain measurements taken from the antlers or horns of a big game animal in accordance with this regulation.

(5) "Inside spread of the main antler beams" means the measurement at right angles to the center line of the skull at the widest point between main antler beams.

(6) "Length of the main antler beam" means the measurement from the lowest outside edge of the antler burr over the outer curve to the most distant point of what is or appears to be the main antler beam beginning at the place on the antler burr where the center line along the outer curve of the beam intersects the antler burr.

(7) "Normal point" means a point that projects from the main antler beam in a typical shape or location.

(8) "Point" means a projection on the antler of a deer or elk that is at least one inch long as measured from its tip to the nearest edge of the antler beam and the length of which exceeds the width at one inch or more of length. "Point" shall not include an antler beam tip.

(b) All measurements shall be made to the nearest 1/8 of an inch using a flexible steel tape that is 1/4 inch wide.

(c) The gross score of an antlered whitetail deer shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the deer's right side;

(3) the length of the main antler beam on the deer's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the antler burr and the first normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(B) the circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(C) the circumference taken at the smallest place between the second normal point and the third normal point on the main antler beam; and

(D) the circumference taken at the smallest place between the third normal point and the fourth normal point on the main antler beam. If the fourth normal point is missing, the circumference shall be taken halfway between the third normal point and the tip of the main antler beam.

(d) The gross score of an antlered mule deer shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the deer's right side;

(3) the length of the main antler beam on the deer's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the antler burr and the first normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(B) the circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(C) the circumference taken at the smallest place between the main antler beam and the third normal point; and

(D) the circumference taken at the smallest place between the second normal point and the fourth normal point. If the fourth normal point is missing, the circumference shall be taken halfway between the second normal point and the tip of the main antler beam.

(e) The gross score of an antlered elk shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the elk's right side;

(3) the length of the main antler beam on the elk's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam;

(B) the circumference taken at the smallest place between the second normal point and the third normal point on the main antler beam;

(C) the circumference taken at the smallest place between the third normal point and the fourth normal point on the main antler beam; and

(D) the circumference taken at the smallest place between the fourth normal point and the fifth normal point on the main antler beam. If the fifth normal point is missing, the circumference shall be taken halfway between the fourth normal point and the tip of the main antler beam.

(f) The gross score of an antelope shall be determined by adding together all of the following measurements:

(1) The length of the right horn measured along the center of the outer curve from the tip of the horn to a point in line with the lowest edge of the base, using a straight edge to establish the line end;

(2) the length of the left horn measured along the center of the outer curve from the tip of the horn to a point in line with the lowest edge of the base, using a straight edge to establish the line end;

(3) the circumference of the base of each horn, measured at a right angle to the axis of the horn, not to follow the irregular edge of the horn. The line of the measurement shall be entirely on horn material;

(4) three circumference measurements on each horn based on the criteria specified in this paragraph. The length of the longest horn shall be divided by four. Starting at the base, each horn shall be marked at these quarters, even though the other horn may be shorter. The circumference shall be measured at these marks at a right angle to the axis of the horn. If the prong of the horn interferes with the first measurement from the base, this measurement shall be taken immediately below the swelling of the prong. If the second measurement from the base falls in the swelling of the prong, this measurement shall be taken immediately above the swelling of the prong; and

(5) the length of the prong measured from the tip of the prong along the upper edge of the outer side to the horn, then continuing around the horn, at a right angle to the long axis of the horn, to a point at the rear of the horn where a straight edge crossing the back of both horns touches the horn. If there is a crack where the prong extends from the horn, the length of the prong shall be taken passing over the entire crack. Once the initial prong length is taken, the width of the crack shall be measured and deducted from the initial prong length. The adjusted length shall be the recorded length of the prong.

(Authorized by and implementing K.S.A. 2013 Supp. 32-807 and 32-1032; effective Jan. 1, 2013; amended Feb. 7, 2014.)

**115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.** (a) Hunting equipment permitted during furbearer hunting seasons and during coyote hunting seasons shall consist of the following:

(1) Firearms, except fully automatic firearms;

(2) archery equipment;

(3) crossbows; and

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light, except as specified in subsection (d).

(b) Trapping equipment permitted during furbearer and coyote trapping seasons shall consist of the following:

(1) Smooth-jawed foothold traps, except that all types of foothold traps may be used in water sets;

(2) body-gripping traps;

(3) box traps;

(4) cage traps;

- (5) colony traps;
- (6) snares; and
- (7) deadfalls.

(c) The following general provisions shall apply to the taking of furbearers and coyotes:

- (1) Calls may be used in the taking of furbearers and coyotes.
- (2) Handheld, battery-powered flashlights, hat lamps, and handheld lanterns may be used while trapping furbearers or coyotes or while running furbearers.
- (3) Any .22 or .17 caliber rimfire rifle or handgun may be used to take trapped furbearers or trapped coyotes when using a light to check traps.
- (4) Any .22 or .17 caliber rimfire rifle or handgun may be used while using a handheld, battery-powered flashlight, hat lamp, or handheld lantern to take furbearers treed with the aid of dogs.
- (5) Lures, baits, and decoys may be used in the taking of furbearers and coyotes.
- (6) The use of horses and mules shall be permitted while hunting, trapping, or running furbearers and coyotes.
- (7) The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes, except as provided in subsection (d).
- (8) The use of radios in land or water vehicles shall be permitted for the taking of coyotes.
- (9) The use of dogs for hunting and during running seasons shall be permitted.
- (10) Each body-gripping trap with an inside jawspread of eight inches or greater, when measured across the jaws at a 90-degree angle, shall be used only in a water set.
- (11) Only landowners or tenants of land immediately adjacent to the right-of-way of a public road, or their immediate family members or authorized agents, may set slide-locking wire or snare-type cable traps as dryland sets within five feet of a fence bordering a public road or within 50 feet of the outside edge of the surface of a public road. Only these landowners or tenants, or their immediate family members or authorized agents, may possess the fur, pelt, skin, or carcass of any furbearer or coyote removed from these devices located within these specified limits.
- (12) A person shall not have in possession any equipment specified in subsection (a) while pursuing or chasing furbearers with hounds during the running season.
- (13) All trapping devices included in subsection (b) shall be tagged with either the user's name and address or the user's department-issued identification number and shall be tended and inspected at least once every calendar day.

(14) Each foothold trap that has an outside jawspread greater than seven inches, when measured across the jaws at a 90-degree angle, shall be used only in a water set.

(d) From January 1 through March 31, the following provisions shall apply to the hunting of coyotes:

- (1) Artificial light, scopes and equipment that amplify visible light, and thermal-imaging scopes and thermal-imaging equipment may be used for hunting.
- (2) The use of vehicles when hunting with the equipment specified in paragraph (d)(1) shall be prohibited.
- (3) The use of the equipment specified in paragraph (d)(1) shall not be authorized on department lands and waters.
- (4) Each person using the equipment specified in paragraph (d)(1) in the manner prescribed in this subsection shall first obtain a permit from the department. (Authorized by and implementing K.S.A. 2019 Supp. 32-807 and 32-1003; effective March 19, 1990; amended Nov. 15, 1993; amended July 19, 2002; amended Feb. 18, 2005; amended Sept. 4, 2009; amended July 22, 2011; amended July 26, 2013; amended May 31, 2019; amended Sept. 18, 2020.)

**115-5-2. Furbearers and coyotes; possession, disposal, and general provisions.** (a) Legally taken raw furs, pelts, skins, carcasses, or meat of furbearers may be possessed without limit in time.

(b) Live furbearers legally taken during a furbearer season may be possessed only through the last day of the season in which taken.

(c) Legally acquired skinned carcasses and meat of furbearers may be sold or given to and possessed by another, and legally acquired raw furs, pelts, and skins of furbearers may be given to and possessed by another, if a written notice that includes the seller's or donor's name, address, and furharvester license number accompanies the carcass, pelt, or meat. A bobcat, otter, or swift fox tag as described in subsection (f) shall meet the requirements of written notice.

(d) Legally taken raw furs, pelts, skins, or carcasses of coyotes or legally taken live coyotes may be possessed without limit in time.

(e) Any person in lawful possession of raw furbearer or coyote furs, pelts, skins, or carcasses may sell or ship or offer for sale or shipment the same to licensed fur dealers or any person legally authorized to purchase raw furbearer or coyote furs, pelts, skins, or carcasses.

(f) Each bobcat, otter, or swift fox pelt legally taken in Kansas shall be submitted to the department so that an export tag provided by the department can be affixed to the pelt.

(1) The pelt of any bobcat, otter, or swift fox taken in Kansas shall be presented to the department for tagging within seven days following closure of the bobcat, otter, or swift fox hunting and trapping season.

(2) Each pelt presented for tagging shall be accompanied by the furharvester license number under which the pelt was taken.

(g) Properly licensed persons may legally salvage furbearers and coyotes found dead during the established open seasons for hunting or trapping of furbearers or coyotes. Salvaged furbearers and coyotes may be possessed or disposed of as authorized by this regulation. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and K.S.A. 32-942; effective March 19, 1990; amended Oct. 17, 1994; amended Nov. 29, 1999; amended July 19, 2002; amended Sept. 4, 2009; amended July 22, 2011; amended July 26, 2013; amended May 31, 2019.)

**115-5-3. Furbearers, except otters, and coyotes; management units.** The management unit for furbearers, except otters, and coyotes shall be statewide. (Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective Oct. 17, 1994; amended July 19, 2002; amended September 5, 2019.)

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

(a) Missouri unit: Doniphan, Brown, Atchison, Leavenworth, Jefferson, Wyandotte, Douglas, and Johnson counties;

(b) Marais des Cygnes unit: Osage, Franklin, Miami, Anderson, Linn, and Bourbon counties;

(c) Lower Neosho unit: Allen, Neosho, Crawford, Labette, and Cherokee counties;

(d) Big Blue unit: Washington, Marshall, and Nemaha counties;

(e) Kansas unit: Riley, Pottawatomie, Jackson, Geary, Wabaunsee, and Shawnee counties;

(f) Upper Neosho unit: Morris, Marion, Chase, Lyon, Coffey, and Woodson counties;

(g) Verdigris unit: Greenwood, Elk, Wilson, Chautauqua, and Montgomery counties;

(h) Lower Arkansas unit: Harvey, Sedgwick, Butler, Sumner, and Cowley counties;

(i) Republican unit: Jewell, Republic, Cloud, and Clay counties;

(j) Solomon unit: Smith, Osborne, Mitchell, and Ottawa counties;

(k) Smoky-Saline unit: Russell, Lincoln, Ellsworth, Saline, McPherson, and Dickinson counties;

(l) Middle Arkansas unit: Barton, Rice, Stafford, Reno, Pratt, Kingman, Barber, and Harper counties;

and

(m) Western unit: that part of Kansas including Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, and Comanche counties and all counties west. (Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective September 5, 2019.)

**115-5-4. Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting hours, and general provisions.** (a) Each permittee shall sign, record the county, date, and time of kill, and attach the carcass tag to the carcass immediately following the kill and before moving the carcass from the site of the kill.

(b) The carcass tag shall remain attached to the carcass or pelt until presented to the department for tagging with an export tag. The export tagging shall occur within seven calendar days of the harvest of the bobcat.

(c) Nonresident bobcat hunting permits shall be valid only for the hunting season specified in K.A.R. 115-25-11.

(d) Nonresident bobcat hunting permits shall not be transferred to another person. -

(e) Legally acquired, skinned carcasses and meat of bobcats taken with a nonresident bobcat hunting permit may be sold or given to and possessed by another, and legally acquired raw furs, pelts, and skins of bobcats may be given to and possessed by another, if a written notice that includes the seller's or donor's name, address, and nonresident bobcat hunting permit number accompanies the carcass, pelt, or meat. A bobcat export tag as described in subsection (b) shall meet the requirements of written notice.

(f) Hunting equipment permitted during bobcat hunting season for use with a nonresident bobcat hunting permit shall consist of the following:

(1) Firearms, except fully automatic firearms;

(2) archery equipment;

(3) crossbows; and

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light.

(g) The following general provisions shall apply to the hunting of bobcats with a nonresident bobcat hunting permit:

(1) Calls, lures, baits, and decoys may be used in the hunting of bobcats.

(2) Shooting hours shall be one-half hour before sunrise to one-half hour after sunset.

(3) The bag limit shall be one bobcat for each nonresident bobcat hunting permit purchased. (Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective May 20, 2005; amended May 31, 2019.)

**115-6-1. Fur dealer license; application, authority, possession of furs, records, and revocation.** (a) Each application shall be submitted on a form provided by the department. Each applicant shall provide the following information:

(1) Name of applicant;

(2) residential address;

(3) the address of each business location;

(4) an inventory of raw furs, pelts, skins, and carcasses of furbearing animals and coyotes on hand at time of application; and

(5) any other relevant information as required by the secretary.

(b) Each fur dealer license shall expire on June 30 following the date of issuance.

(c) Each fur dealer shall deal only with properly licensed persons and only at authorized fur dealer business locations.

(d) Any fur dealer may buy, purchase, or trade in the furs, pelts, skins, or carcasses of coyotes.

(e) Any fur dealer may possess legally acquired furs, pelts, skins, or carcasses of furbearing animals for no more than 30 days after the expiration date of the fur dealer's license. Coyote furs, pelts, skins, or carcasses may be possessed without limit in time.

(f) Each fur dealer shall purchase or acquire only those bobcat, otter, and swift fox pelts that have been tagged with a department export tag or with the official export tag provided by the wildlife agency of another state, except for any legally harvested swift fox pelt originating from a state that does not require an official export tag.

(g) Each fur dealer shall maintain a furharvester record book and a fur dealer book provided by the department or shall use a department-approved electronic record system. Entries shall be made in the appropriate record book or electronic record system whenever receiving, shipping, or otherwise disposing of furs, pelts, skins, or carcasses of furbearing animals or coyotes. Each record book or electronic record system, all receipts, and all furs, pelts, skins, and carcasses in the fur dealer's possession shall be subject to inspection upon demand by any conservation officer. Each record book or electronic record and all receipts shall be subject to copying upon demand by any conservation officer. Each fur dealer shall forward all record books or electronic records to the department annually on or before May 1. (1) The furharvester record book or electronic record system shall include the following information:

(A) The name of the fur dealer;

(B) residential address;

(C) fur dealer license number;

(D) the date of each receipt of furs, pelts, skins, or carcasses;

(E) name, address, and license number of each person from whom furs, pelts, skins, or carcasses were acquired;

(F) name of the state where the furs, pelts, skins, or carcasses were harvested;

(G) number of each species of furs, pelts, skins, or carcasses acquired; and

(H) any other relevant information as required by the secretary.

(2) The fur dealer record book or electronic record system shall include the following information:

(A) The name of the fur dealer;

(B) residential address;

(C) fur dealer license number;

(D) date of each receipt or disposal of furs, pelts, skins, or carcasses;

(E) name, address, and fur dealer license number of each fur dealer from which furs, pelts, skins, or carcasses are acquired or to which they are sold;

(F) number and species of furs, pelts, skins, or carcasses acquired or sold; and

(G) any other relevant information as required by the secretary.

(h) In addition to other penalties prescribed by law, a fur dealer's license may be refused issuance or revoked by the secretary under any of the following circumstances:

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

(2) The fur dealer fails to meet reporting requirements.

(3) The fur dealer violates license conditions.

(4) The fur dealer has violated department laws or regulations or has had any other department license or permit revoked or suspended. (Authorized by and implementing K.S.A. 2019 Supp. 32-807 and K.S.A. 32-942; effective March 19, 1990; amended Sept. 4, 2009; amended July 26, 2013; amended May 31, 2019; amended Sept. 18, 2020.)

**115-7-1. Fishing; legal equipment, methods of taking, and other provisions.** (a) Legal equipment and methods for taking sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line. If two artificial lures are used, the fishing line shall not exceed six hooks;

(2) trotlines, except that all float material used with a trotline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(3) setlines, except that any float material used with a setline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(4) tip-ups;

(5) using a person's hand or hands for flathead catfish in waters designated as open to hand fishing, subject to the following requirements:

(A) An individual hand fishing shall not use hooks, snorkeling or scuba gear, or other man-made devices while engaged in hand fishing;

(B) an individual hand fishing shall not possess fishing equipment, other than a stringer, while engaged in hand fishing and while on designated waters or adjacent banks;

(C) stringers shall not be used as an aid for hand fishing and shall not be used until the fish is in possession at or above the surface of the water;

(D) each individual hand fishing shall take fish only from natural objects or natural cavities;

(E) an individual hand fishing shall not take fish from any man-made object, unless the object is a bridge, dock, boat ramp, or riprap, or other similar structure or feature;

(F) no part of any object shall be disturbed or altered to facilitate the harvest of fish for hand fishing; and

(G) an individual hand fishing shall not take fish within 150 yards of any dam;

(6) snagging for paddlefish in waters posted or designated by the department as open to the snagging of paddlefish, subject to the following requirements:

(A) Each individual with a filled creel limit shall cease all snagging activity in the paddlefish snagging area until the next calendar day;

(B) each individual taking paddlefish to be included in the creel and possession limit during the snagging season shall sign the carcass tag, record the county, the date, and the time of harvest on the carcass tag, and attach the carcass tag to the lower jaw of the carcass immediately following the harvest and before moving the carcass from the site of the harvest; and

(C) each individual snagging for paddlefish shall use barbless hooks while snagging for paddlefish. "Barbless hook" shall mean a hook without barbs or upon which the barbs have been bent completely closed;

(7) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the following requirements:

(A) All floatlines shall be under the immediate supervision of the angler setting the floats. "Immediate supervision" shall mean that the angler has visual contact with the floatlines set while the angler is on the water body where the floatlines are located;

(B) all floatlines shall be removed when float fishing ceases;

(C) floatlines shall not contain more than one line per float, with not more than two baited hooks per line;

(D) all float material shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(8) bow and arrow with a barbed head and a line attached from bow to arrow; and

(9) crossbow and arrow with a barbed head and a line attached from arrow to crossbow.

(b) Legal equipment and methods for taking nonsport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line;

(2) trotlines;

(3) setlines;

(4) tip-ups;

(5) bow and arrow with a barbed head and a line attached from bow to arrow;

(6) crossbow and arrow with a barbed head and a line attached from arrow to crossbow;

(7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line;

(8) gigging;

(9) snagging in waters posted by the department as open to snagging; and

(10) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the requirements specified in paragraphs (a)(7)(A) through (D).

(c) Dip nets and gaffs may be used to land any legally caught or hooked fish.

(d) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.

(e) Fish may be taken with the aid of boats, depth finders, artificial lights, sound attracters, and scents.

(f) Fish may be taken by legal means from vehicles.

(g) The following additional requirements shall apply in the flowing portions and backwaters of the

Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes:

- (1) Each individual shall place all legally caught fish on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, separate from those fish caught by any other individual.
- (2) The equipment and methods specified in paragraphs (b)(5) and (b)(6) shall be legal only from sunrise to midnight.
- (3) The equipment and method specified in paragraphs (b)(9) and (b)(10) shall be legal only from sunrise to sunset.
- (h) The equipment and method specified in paragraphs (a)(8) and (a)(9) shall be legal, except on rivers and streams, only for the following species of sport fish where no size limit exists for any of these species of fish:
  - (1) Blue catfish;
  - (2) channel catfish; and
  - (3) flathead catfish.
- (i) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light shall be valid for use on bows and crossbows. (Authorized by and implementing K.S.A. 32-807; effective Dec. 26, 1989; amended Feb. 10, 1992; amended Oct. 1, 1999; amended Dec. 8, 2000; amended Sept. 27, 2002; amended Nov. 29, 2004; amended Nov. 27, 2006; amended Nov. 16, 2007; amended Dec. 1, 2008; amended Nov. 20, 2009; amended April 16, 2010; amended Nov. 19, 2010; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Oct. 14, 2022.)

**115-7-2. Fishing; general provisions.** (a) Except as authorized in this regulation, any person may operate or set two fishing lines and, in addition, one trotline, eight floatlines, or eight setlines.

(b) Each fishing line, trotline, and setline shall be checked at least once every 24 hours.

(c) Each trotline, setline, tip-up, floatline, and unattended fishing line shall have a tag or label securely attached, designating either the name and address of the operator or the operator's department-issued identification number. No trotline, floatline, or setline shall be set within 150 yards of any dam.

(d) Sport fish shall be deemed legally taken by hook and fishing line only when hooked within the mouth, except paddlefish, which may be snagged as authorized by K.A.R. 115-7-1. Other sport fish hooked elsewhere shall be returned unrestrained to the water immediately.

(e) Fish may be taken by legal methods through the ice, unless the area is closed to ice fishing by posted notice or otherwise prohibited by regulation. Ice holes used for ice fishing shall not exceed 12 inches in diameter or 144 square inches.

(f) For ice fishing, a tip-up may be used on each of the allowed eight setlines, unless otherwise posted.

(g) Bow and arrow fishing and crossbow and arrow fishing shall be permitted in all waters of the state except those waters posted as closed to such fishing and except all waters within 50 yards of an occupied boat dock or ramp, occupied swimming area, occupied picnic or camping area, or other occupied public use area.

(h) Speargun fishing shall be permitted on waters open to skin and scuba diving, unless prohibited by posted notice or regulation. By posted notice, certain water areas may be opened by the department for the taking of one or more species of sport fish by spearguns during a specified time period.

(i) Unless otherwise prohibited by regulation, in the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes, any person may operate or set three fishing lines and, in addition, one trotline, eight floatlines, or eight setlines.

(j) Unless otherwise prohibited by regulation, in the waters of the state other than those waters specified in subsection (i), any person in possession of a three-pole permit may operate or set three fishing lines and, in addition, one trotline, eight floatlines, or eight setlines. (Authorized by and implementing K.S.A. 2014 Supp. 32-807; effective Dec. 26, 1989; amended Sept. 27, 2002; amended Feb. 18, 2005; amended Dec. 1, 2008; amended February 20, 2015.)

(e) For the species specified in this subsection, the department's applicable creel and possession limits shall apply.

Live baitfish, crayfish, leeches, amphibians, and mussels, except for bluegill and green sunfish from non-designated aquatic nuisance waters and baitfish, crayfish, leeches, amphibians, and mussels from designated aquatic nuisance waters, may be caught and used as live bait only within the common drainage where caught. However, live baitfish, crayfish, leeches, amphibians, and mussels shall not be transported and used above any upstream dam or barrier that prohibits the normal passage of fish. Bluegill and green sunfish collected from non-designated aquatic nuisance waters may be possessed or used as live bait anywhere in the state. Live baitfish, crayfish, leeches, amphibians, and

**115-7-3. Fish; taking and use of baitfish or minnows.** (a) Baitfish may be taken for noncommercial purposes by any of the following means:

- (1) A seine not longer than 15 feet and four feet deep with mesh not larger than 1/4 inch;
- (2) a fish trap with mesh not larger than 1/4 inch and a throat not larger than one inch in diameter;
- (3) a dip or cast net with mesh not larger than one inch; or

- (4) a fishing line.
- (b) Each fish trap shall be tagged with the operator's name and address when the fish trap is in use.
- (c) Baitfish taken, except gizzard shad, silver carp, and bighead carp, shall not exceed 12 inches in total length. Silver carp and bighead carp shall not be transported from the water alive.
- (d) The possession limit shall be 500 baitfish.
- (e) For the species specified in this subsection, the department's applicable creel and possession limits shall apply.

Live baitfish, crayfish, leeches, amphibians, and mussels, except for bluegill and green sunfish from non-designated aquatic nuisance waters and baitfish, crayfish, leeches, amphibians, and mussels from designated aquatic nuisance waters, may be caught and used as live bait only within the common drainage where caught. However, live baitfish, crayfish, leeches, amphibians, and mussels shall not be transported and used above any upstream dam or barrier that prohibits the normal passage of fish. Bluegill and green sunfish collected from non-designated aquatic nuisance waters may be possessed or used as live bait anywhere in the state. Live baitfish, crayfish, leeches, amphibians, and mussels collected from designated aquatic nuisance waters shall be possessed or used as live bait only while on that water and shall not be transported from the water alive.

(f) No person shall import live baitfish that does not meet the requirements of K.A.R. 115-17-2 and K.A.R. 115-17-2a.

This regulation shall be effective on and after January 1, 2021. (Authorized by and implementing K.S.A. 2019 Supp. 32-807; effective Sept. 10, 1990; amended Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013; amended Jan. 1, 2015; amended Jan. 1, 2019; amended Dec. 20, 2019; amended Jan. 1, 2021).

**115-7-4. Fish; processing and possession.** (a) Each person who takes any fish subject to any length limit; either statewide or water body-specific, shall leave the head, body, and tail fin attached while the person has possession of the fish on the water.

(b) Each person who has taken any fish shall retain the fish in that person's possession until any of the following occurs:

(1) The fish is consumed or processed for consumption.

(2) The fish is transported to the person's domicile or given to another person. Legally taken sport fish may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number.

(3) The fish is transported to a place of commercial preservation or place of commercial processing for consumption.

(4) The fish is returned unrestrained to the waters from which the fish was taken.

(5) The fish is disposed of at a location designated for fish disposal or at a designated fish cleaning station.

(c) Each paddlefish permittee shall meet either of the following requirements:

(1) Nonelectronic carcass tags. The paddlefish permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the carcass in a visible manner immediately before reducing the paddlefish to permanent possession. The carcass tag shall remain attached to the carcass until the conditions of paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the carcass tag until the paddlefish is consumed, given to another, or otherwise disposed of.

(2) Electronic carcass tags. Using the department's electronic carcass tag system, the paddlefish permittee shall record the county, the date, and the time of kill and enter a photograph of the entire carcass, with sufficient clarity to display the species immediately before reducing the paddlefish to permanent possession. The paddlefish permittee shall possess the confirmation number until the conditions of paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the confirmation number until the paddlefish is consumed, given to another, or otherwise disposed of.

(d) For paddlefish parts, the following additional requirements shall apply:

(1) No person shall possess any eggs that are attached to the egg membrane of more than one paddlefish.

(2) No person shall possess more than three pounds of processed paddlefish eggs or fresh paddlefish eggs removed from the membrane. "Processed paddlefish eggs" shall mean any eggs taken from a paddlefish that have gone through a process that turns the eggs into caviar or into a caviar-like product.

(3) No person shall ship into or out of, transport into or out of, have in possession with the intent to transport, or cause to be removed from this state any raw unprocessed paddlefish eggs, processed paddlefish eggs, or frozen paddlefish eggs.

(4) Each harvested paddlefish carcass shall have all internal organs removed before transporting the carcass from Kansas. (Authorized by and implementing K.S.A. 2019 Supp. 32-807; effective Dec. 26, 1989; amended Nov. 27, 2006; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Oct. 14, 2022.)

**115-7-5. Bullfrogs and turtles; legal equipment, methods of take and license requirements.** (a) Legal equipment and methods for taking bullfrogs shall be the following:

(1) Hand;

(2) hand dip net;

- (3) hook and fishing line;
- (4) gig;
- (5) bow and arrow with barbed head and a line attached from arrow to bow; and
- (6) crossbow and arrow with barbed head and a line attached from arrow to crossbow.

(b) Legal equipment and methods for taking common snapping turtles and soft-shelled turtles shall be the following:

- (1) Hand;
- (2) hook and fishing line;
- (3) set line;
- (4) hand dip net;
- (5) seine;
- (6) turtle trap; and
- (7) gig.

(c) Artificial light and boats may be used while taking bullfrogs and turtles.

(d) A valid Kansas fishing license shall be required to take common snapping turtles and soft-shelled turtles. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 1998 Supp. 32-906, K.S.A. 32-919 and K.S.A. 32-1002; effective Dec. 26, 1989; amended July 30, 1990; amended Oct. 1, 1999.)

**115-7-6. Fishing; bait.** (a) The following types of bait may be used for the taking of fish, frogs, or turtles by legal means and methods:

- (1) Artificial lures;
- (2) bait fish;
- (3) prepared bait;
- (4) vegetable material;
- (5) material or artificial matter attached to a hook; and
- (6) other wildlife, except those species specifically prohibited as bait and those species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2.

(b) Animal, vegetable, and other nontoxic material may be used as fish attractants.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Sept. 10, 1990; amended Jan. 1, 2012.)

**115-7-7. Fishing; Missouri river license requirements.** (a) A person possessing a valid sport fishing license issued by the state of Missouri shall not be required to obtain a Kansas fishing license in order to fish in the following locations in Kansas:

- (1) The flowing portions and backwaters of the Missouri river; and
- (2) any oxbow lake through which the Kansas-Missouri boundary passes.

(b) Any person fishing in the Missouri river as authorized by subsection (a) may fish from and attach any legal device or equipment to the land as part of fishing within these waters. However, each person fishing as authorized by subsection (a) shall be subject to the following requirements:

(1) No person shall fish in any tributary of the Missouri river within Kansas boundaries without a valid Kansas fishing license.

(2) If any law or regulation governing fishing in Missouri is different from the corresponding law or regulation in Kansas, each person possessing only a Missouri sport fishing license shall comply with the more restrictive state's law or regulation.

(c) This regulation shall be effective on and after January 1, 2003. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2001 Supp. 32-906; effective Jan. 1, 2003.)

**115-7-8.** This regulation shall be revoked on and after January 1, 2011. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-2006 Supp. 32-1002; effective Nov. 27, 2006; amended Nov. 16, 2007; amended April 11, 2008; revoked Nov. 19, 2010.)

**115-7-9. Weigh-in black bass fishing tournaments.** (a) Each individual or organization conducting a weigh-in black bass fishing tournament shall ensure that all of the following minimum requirements are met when conducting weigh-in procedures:

(1) One individual shall provide work crew support for each 10 registered anglers.

(2) One weigh-in tank filled with an electrolyte chemical-water solution and fitted with recirculation and aeration accessories shall be maintained for each 25 registered anglers.

(3) If the water temperature at the tournament location is 75 degrees Fahrenheit or cooler, the water contained in the weigh-in tank shall be maintained at the same temperature as that of the tournament location water.

(4) If the water temperature at the tournament location is warmer than 75 degrees Fahrenheit, the water in the weigh-in tank shall be maintained at a temperature that is between five and 10 degrees Fahrenheit cooler than the tournament location water but shall not exceed 85 degrees Fahrenheit at any time.

(5) Not more than four anglers shall be in the weigh-in line at any one time.

(6) Each weigh-in bag containing water from the well of the vessel shall be reinforced, reusable, and capable of holding up to 15 pounds of live fish and two gallons of water.

(7) The weigh-in site shall meet the following requirements:

(A) Be located near the vessel mooring site and the release site, vehicle, or vessel; and

(B) be located at all times under a portable awning, in an event tent, or in the shade.

(8) Only fish that meet the special length limit for the specific body of water where the weigh-in tournament is being conducted shall be weighed within the period beginning June 16 and ending August 31.

(b) Each individual or organization conducting the tournament shall ensure that all of the following minimum requirements are met when conducting the release procedures:

(1) The direct release of fish into the tournament location water after the weigh-in shall not be permitted.

(2) If the tournament is conducted with release tubes, vehicles, or vessels, the holding tanks shall contain a one-half percent noniodized salt solution.

(3) If the tournament is conducted without release tubes, vehicles, or vessels, the fish shall be dipped, for a period ranging from 10 seconds to 15 seconds before release, in a three percent noniodized salt solution having the same temperature as that of the water in the weigh-in tank.

(4) The release site shall meet the following conditions:

(A) Be located in water reaching at least three feet in depth with good circulation and a hard bottom; and

(B) be located away from vessel traffic and public-use vessel ramps.

(c) Each tournament participant shall meet the following requirements:

(1) Ensure that each well in the participant's vessel used in the tournament is properly working and contains an electrolyte chemical-water solution; and

(2) ensure that the participant's vessel used in the tournament is cleaned before and after the tournament in compliance with department guidelines regarding the prevention of aquatic nuisance species.

(d) The provisions of paragraph (a)(7)(A) may be waived by the secretary within the period beginning September 1 and extending through June 15 if the proximity proposed to the release site does not pose an inordinate risk to the wildlife resource and all other requirements of this regulation are met. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2010 Supp. 32-1002; effective Jan. 1, 2008; amended April 11, 2008; amended Nov. 19, 2010; amended May 20, 2011 .)

**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 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. 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 September 15, 2023)

## Kansas Aquatic Nuisance Species Designated Waters

October 16, 2020

*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		Asian 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
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
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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
Linn County – Linn Valley Lakes – Main Lake	Linn Valley Lakes – Main Lake outflow, Middle Creek, Marais Des Cygnes River	Zebra Mussel	Linn
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 Asian 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	Asian 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	Asian Carp	Johnson
Branch Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Brenner Heights Creek to confluence with Muncie Creek	Muncie Creek, Kansas River	Asian Carp	Wyandotte
Brewery Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison
Brush Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Brush Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Buckhorn Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian 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	Asian Carp	Nemaha
Buttermilk Creek to confluence with South Fork Wolf River	South Fork Wolf River, Wolf River, Missouri River	Asian Carp	Brown
Buttermilk Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Camp Branch to confluence with Blue River	Blue River, Missouri River	Asian Carp	Johnson
Camp Creek to confluence with Cedar Creek	Cedar Creek, Kansas River	Asian Carp	Johnson
Camp Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian 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	Asian Carp	Douglas, Johnson
Cedar Creek from Olathe Lake dam to confluence with Kansas River	Kansas River	Asian Carp	Johnson
Cedar Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Charlie Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Chicken Creek to confluence with Washington Creek	Washington Creek, Wakarusa River, Kansas River	Asian Carp	Douglas
Chikaskia River to Oklahoma State Line		Zebra Mussel	Sumner
Clear Creek to confluence with Mill Creek	Mill Creek, Kansas River	Asian Carp	Johnson
Clear Creek to confluence with Turkey Creek	Turkey Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Marshall, Nemaha
Clearwater Creek from Lake Afton dam to confluence with Ninescah River	Ninescah 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	Asian Carp	Douglas
Coffee Creek to Blue River	Blue River, Missouri River	Asian Carp	Johnson
Cold Ryan Branch to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Connor Creek to confluence with Missouri River	Missouri River	Asian Carp	Wyandotte
Coon Creek to confluence with Mill Creek	Mill Creek, Kansas River	Asian Carp	Johnson
Coon Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Corral Creek to confluence with Missouri River	Missouri River	Asian 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	Asian Carp	Leavenworth
Cramer Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Crooked Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Atchison, Jefferson
Dawson Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian 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	Asian Carp	Nemaha
Deer Creek to confluence with Independence Creek	Independence Creek, Missouri River	Asian 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	Asian Carp	Wyandotte
Euchre Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Fall Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Jefferson, Leavenworth
Fisher Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Fivemile Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Fourmile Creek to the Nebraska State Line	Missouri River	Asian Carp	Nemaha
Fox Creek to confluence with Cedar Creek	Cedar Creek, Missouri River	Asian 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	Asian Carp	Doniphan
Harris Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Hog Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Honey Creek to confluence with Island Creek	Island Creek, Missouri River	Asian Carp	Wyandotte
Honey Creek to the Nebraska State Line	Missouri River	Asian Carp	Nemaha
Howard Creek to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson
Hulls Branch to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson
Illinois Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Independence Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison, Doniphan
Indian Creek to confluence with Walnut Creek	Walnut Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson
Indian Creek to the Missouri State Line		Asian Carp	Johnson
Island Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth, Wyandotte

Jarbalo Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Jersey Creek to confluence with Missouri River	Missouri River	Asian Carp	Wyandotte
Jordan Creek to confluence with Independence Creek	Independence Creek, Missouri River	Asian Carp	Doniphan
Kansas River from Bowersock Dam to confluence with Missouri River		Asian 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	Asian Carp	Doniphan
Kent Creek to confluence with Kansas River	Kansas River	Asian Carp	Leavenworth
Kill Creek to confluence with Kansas River	Kansas River	Asian 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	Asian Carp	Johnson
Little Kaw Creek to confluence with Kansas River	Kansas River	Asian Carp	Leavenworth
Little Mill Creek to confluence with Mill Creek	Mill Creek, Kansas River	Asian Carp	Johnson
Little Sandy Creek to confluence with Little Stranger Creek	Little Stranger Creek, Stranger Creek, Kansas River	Asian Carp	Leavenworth
Little Snell Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Little Stranger Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Atchison
Little Stranger Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Little Turkey Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte
Little Wakarusa Creek to confluence with Wakarusa River	Wakarusa River, Kansas River	Asian Carp	Douglas
Little Walnut Creek to confluence with Missouri River	Missouri River	Asian 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	Asian 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	Asian Carp, Zebra Mussel	Wyandotte
Mattoon Creek to confluence with Kansas River	Kansas River	Asian 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	Asian 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	Asian Carp	Wyandotte
Mill Creek to confluence with Kansas River	Kansas River	Asian Carp	Johnson
Mill Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Mission Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Missouri River		Asian Carp, White Perch, Zebra Mussel	Atchison, Doniphan, Leavenworth, Wyandotte
Mooney Creek to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Asian Carp	Atchison, Jefferson
Mosquito Creek to confluence with Missouri River	Missouri River	Asian 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	Asian Carp	Douglas, Jefferson, Leavenworth
Mulberry Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Muncie Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte
Murray Creek to confluence with Little Stranger Creek	Little Stranger Creek, Stranger Creek, Kansas River	Asian Carp	Leavenworth
Nearman Creek to confluence with Missouri River	Missouri River	Asian Carp	Wyandotte
Negro Creek to confluence with Blue River	Blue River, Missouri River	Asian Carp	Johnson
Negro Creek to confluence with Clear Creek	Clear Creek, Turkey Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Nelson Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan

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		Asian Carp, Zebra Mussel	Cherokee, Labette
Ninemile Creek to confluence with Sevenmile Creek	Sevenmile Creek, Missouri River	Asian Carp	Leavenworth
Ninemile Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian 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	Asian Carp	Brown
North Branch Independence Creek to confluence with Independence Creek	Independence Creek, Missouri River	Asian 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	Asian Carp	Atchison
North Fork Wildcat Creek to Wildcat Creek	Wildcat Creek, South Fork Big Nemaha River	Asian Carp	Nemaha
North Fork Wolf River to confluence with Wolf River	Wolf River, Missouri River	Asian 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	Asian Carp	Atchison
Pedee Creek to confluence with Pony Creek	Pony Creek, Missouri River	Asian Carp	Brown
Pennell Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Peters Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Piper Creek to confluence with Wolf Creek	Wolf Creek, Kansas River	Asian Carp	Wyandotte
Plum Creek to confluence with Mud Creek	Mud Creek, Kansas River	Asian Carp	Jefferson
Plum Creek to confluence with Salt Creek	Salt Creek, Missouri River	Asian Carp	Leavenworth
Pole Creek to confluence with Turkey Creek	Turkey Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Marshall, Nemaha
Pony Creek from Sabetha - Pony Creek Lake dam to the Nebraska State Line	Missouri River	Asian Carp	Brown
Pony Creek to confluence with Ninemile Creek	Ninemile Creek, Stranger Creek, Kansas River	Asian 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	Asian 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	Asian Carp	Leavenworth
Rattlesnake Creek to the Nebraska State Line	Missouri River	Asian 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	Asian Carp	Doniphan
Rock Creek to confluence with Independence Creek	Independence Creek, Missouri River	Asian Carp	Doniphan
Rock Creek to the Nebraska State Line	Missouri River	Asian Carp	Nemaha
Roys Creek to the Nebraska State Line	Missouri River	Asian 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	Asian Carp	Leavenworth
Scatter Creek to confluence with Walnut Creek	Walnut Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson
Sevenmile Creek to confluence with Missouri River	Missouri River	Asian 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	Asian 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		Asian 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	Asian Carp	Nemaha

South Fork Wolf River to confluence with Wolf River	Wolf River, Missouri River	Asian 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	Asian Carp	Johnson
Spring Branch to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Spring Creek to confluence with Cedar Creek	Cedar Creek, Missouri River	Asian Carp	Brown, Doniphan
Spring Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Atchison
Spring Creek to confluence with Wakarusa River	Wakarusa River, Kansas River	Asian Carp	Douglas
Spring Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Springs Branch to confluence with Cold Ryan Branch	Cold Ryan Branch, Wolf River, Missouri River	Asian Carp	Doniphan
Squaw Creek to confluence with Missouri River	Missouri River	Asian Carp	Brown, Doniphan
Stranger Creek to confluence with Kansas River	Kansas River	Asian Carp	Atchison, Leavenworth
Striker Branch to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Tennessee Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Terrapin Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Threemile Creek to confluence with Missouri River	Missouri River	Asian 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	Asian Carp	Johnson
Tonganoxie Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Turkey Creek to confluence with Kansas River	Kansas River	Asian Carp	Johnson, Wyandotte
Turkey Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Wakarusa River from Clinton Reservoir dam to confluence with Kansas River	Kansas River	Asian Carp, Zebra Mussel	Douglas
Walnut Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Walnut Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison
Walnut Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Jefferson, Leavenworth
Walnut Creek to the Nebraska State Line	Missouri River	Asian 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	Asian Carp	Douglas
West Brush Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
West Mission Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte
Whiskey Creek to confluence with Missouri River	Missouri River	Asian 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	Asian 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	Asian Carp	Johnson
Wolf Creek to confluence with Kansas River	Kansas River	Asian Carp	Leavenworth, Wyandotte
Wolf Pen Creek to confluence with Deer Creek	Deer Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Wolf River to confluence with Missouri River	Missouri River	Asian Carp	Brown, Doniphan

**115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms.** (a) Subject to provisions and restrictions as established by posted notice or as specified in the document adopted by reference in subsection (e), the following activities shall be allowed on department lands and waters:

- (1) Hunting during open seasons for hunting on lands and waters designated for public hunting;
- (2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;
- (3) target practice in areas designated as open for target practice; and
- (4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a), the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles.

(e) The department's "KDWPT public lands division special use restrictions," dated April 29, 2021, is hereby adopted by reference. (Authorized by and implementing K.S.A. 2020 Supp. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010; amended Nov. 14, 2011; amended Jan. 1, 2013; amended July 26, 2013; amended July 18, 2014; amended April 22, 2016; amended May 19, 2017; amended July 20, 2018; amended May 31, 2019; amended July 23, 2021.)

## **KDWPT Public Lands Division Special Use Restrictions April 29, 2021**

### **I.) Access Restrictions**

The following properties have 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

## **II.) Age Restrictions**

Portions of the following properties restrict hunting to specific age groups

### **Region 1**

- Cedar Bluff WA – North Dam area, youth/mentor area – all species, all seasons, archery & shotgun equipment only
- Cedar Bluff WA – Threshing Machine Canyon (west) area, youth/mentor area – all species, all seasons
- Cheyenne Bottoms WA-Mitigation Marsh, youth/mentor-all species, all seasons
- Jamestown WA- Ringneck Marsh; mentor area- all species, all seasons
- Glen Elder WA- Granite Creek area, youth/mentor area-all species, October 1-January 31

### **Region 2**

- Hillsdale WA-Big Bull wetland area, youth/mentor area--all activities, weekends and holidays only
- Kansas River WA – Fitzgerald Tract, youth/mentor – all activities
- Indian Hills WA -designated area, youth/mentor - all activities
- Milford WA-West Broughton area, youth/mentor area hunting--all activities
- Perry WA-designated area, youth/mentor hunting--all activities

### **Region 3**

- Neosho WA- Pool 8, mentor waterfowl hunters on weekends and holidays, all other days open to general public

## **III.) No alcohol**

### **Region 1**

- Pratt Backwater Channels
- Rooks SFL & WA

### **Region 2**

- Atchison SFL
- Benedictine WA
- Brown SFL & WA
- Buck Creek WA
- Burr Oak WA
- Dalbey WA
- Douglas SFL & WA
- Elwood WA
- Jeffery Energy Center WA Area 2
- Kansas River WA – K18 River Access
- La Cygne Lake & WA
- Leavenworth SFL
- Lyon SFL & WA
- Middle Creek Lake Area
- Miami SFL
- Oak Mills WA
- Osawatome Dam and Parking Area
- Osage SFL
- Pillsbury Crossing WA
- Pottawatomie SFL's 1 & 2
- Rising Sun River Access
- Shawnee SFL & WA

### **Region 3**

- Black Kettle SFL

- Butler SFL
- Byron Walker Wildlife Area Archery Range
- Cheney Reservoir at shooting range
- Cowley SFL
- Chase SFL & WA
- Kingman SFL
- Maxwell Wildlife Area
- McPherson SFL
- Montgomery SFL & WA
- Mined Land WA-Unit 1 only
- Shoal Creek WA

**Statewide**

- All Walk-In-Hunting Access properties

**IV.) All Non-Toxic Shot**

-

**Region 1**

- Cheyenne Bottoms WA
- Jamestown WA
- Gurley Salt Marsh
- Isabel WA
- Playa Lakes (Heron, Stein, Wild Turkey)
- Talmo Marsh WA
- Texas Lake WA
- Hain SFL

**Region 2**

- Benedictine Bottoms WA
- Burr Oak WA
- Dalbey WA
- Elwood WA
- Oak Mills WA
- John Redmond Reservoir-Otter Creek WA
- Marais des Cygnes WA

**Region 3**

- Cherokee Lowlands WA
- McPherson Wetlands
- Neosho WA
- Slate Creek Wetlands

**V.) Non-Toxic Shot – designated dove fields**

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**Region 2**

- Bolton WA
- Buck Creek WA
- Clinton WA
- Hillsdale WA
- Kansas River WA
- Melvern WA
- Milford WA
- Perry WA
- Richard B. Hanger WA
- Rutlader WA

-Tuttle Creek WA

**Region 3**

- Berentz-Dick WA
- Big Hill WA
- Cheney WA
- El Dorado WA
- Dove Flats WA
- Elk City WA
- Fall River WA
- Grand Osage WA
- Hollister WA
- Mined Land WA
- Spring River WA
- Toronto WA
- Woodson WA

**VI.) Boating Restrictions**

**a.) No Motorized Boats**

**Region 1**

- Cheyenne Bottoms WA-motorized watercraft permitted only during the waterfowl season. 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

**Region 3**

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

**b.) No Gasoline Engine Powered Boats**

**Region 1**

- Jamestown WA-Marsh Creek Marsh

**Region 2**

- Perry WA – all marshes, except East and West pools of Kyle Marsh, Sunset Ridge and Rucker marshes (gas powered allowed)
- Marias des Cygnes WA – all marshes, except Unit A East (boat lane only) and Unit G. No out of water propeller driven watercraft permitted at any time.
- Tuttle Creek WA-Olsburg Marsh

**c.) No Wake**

The following Department waters require all motorized vessels to be operated at no wake speeds.

### **Region 1**

- Barber SFL
- Cheyenne Bottoms WA
- Concannon SFL
- Ford SFL
- Goodman SFL
- Hain SFL
- Hodgeman SFL
- Jewell SFL
- Kiowa SFL
- Meade SFL
- Ottawa SFL
- Rooks SFL
- Saline SFL
- Scott SFL- in designated area
- Sheridan SFL

### **Region 2**

- Atchison SFL
- Brown SFL
- Douglas SFL
- Geary SFL
- Leavenworth SFL
- Lyon SFL
- Miami SFL
- Middle Creek SFL
- Nebo SFL
- Osage SFL
- Marais des Cygnes WA
- Pottawatomie SFL #1
- Pottawatomie SFL #2
- Shawnee SFL
- Washington SFL

### **Region 3**

- Black Kettle SFL
- Bourbon SFL
- Butler SFL
- Chase SFL
- Cowley SFL
- Kingman SFL
- McPherson SFL
- Montgomery SFL
- Neosho SFL
- Wilson SFL
- Woodson SFL

## **VII.) Closed to All Hunting**

Properties could be included in the STWD special hunts program.

### **Region 1**

- Big Basin Prairie Preserve
- Ford SFL
- Kiowa SFL

- Pratt Backwater
- Saline SFL

### **Region 2**

- Osawatomie Dam Fishing Area
- Pillsbury Crossing WA
- Pottawatomie SFL # 2
- Rocky Ford Fishing Area

### **Region 3**

- Maxwell Wildlife Refuge
- Montgomery SFL
- Neosho SFL

## **VIII.) Equipment Restrictions (Hunting)**

### **a.) Archery Only**

#### **Region 3**

- Cherokee Lowlands WA - deer and turkey only
- McPherson SFL-deer and turkey only
- Mined Land WA Unit 1, Unit 21, Unit 23, a portion of Unit 22 and Unit 47

### **b.) No Center fire Rifles/Handguns**

#### **Region 2**

- Douglas SFL & WA
- Kansas River WA - Urish, Macvicar & K-18 tracts
- La Cygne WA
- Leavenworth SFL & WA
- Shawnee SFL & WA

#### **Region 3**

- McPherson Valley Wetlands
- Neosho WA

### **c.) Shotgun & Archery Only**

#### **Region 1**

- Cedar Bluff WA – North Dam Youth/Mentor area
- Lovewell WA-designated area below the dam
- Ottawa SFL
- Sheridan SFL
- Sandsage Bison Range & WA-north pasture units only

#### **Region 2**

- Kansas River WA-no firearm deer hunting, Urish, Macvicar & K-18 tracts
- Osage SFL

#### **Region 3**

- Berentz/Dick WA
- Wilson SFL

### **d.) Shotshell & Archery Only**

**Region 1**

-Sandsage Bison Range, north pasture units only

**Region 3**

-Shoal Creek WA

**STWD**

-Designated WIHA and iWIHA tracts

e.) **Shotgun, Archery & Muzzleloader Only**

**Region 2**

-Elwood WA

-Jeffrey Energy Center WA Area #2 (except for special draw youth hunts)

-Middle Creek Lake Area

-Otter Creek WA at John Redmond Reservoir

-Rutlader WA

**IX.) Disabled Accessible Hunting**

The following properties have specific areas designated for disabled access hunting. Specific locations are posted at the wildlife area and can be found on the area brochures and websites. Special permit is required and available from the Area Manager.

**Region 1**

-Cheyenne Bottoms WA-disabled hunting blind restricted to disabled only use. Assistants allowed to hunt if they accompany disabled hunter.

-Glen Elder WA

-Lovewell WA

-Norton WA

-Pratt Sandhills WA

-Webster WA

-Wilson WA

**Region 2**

-Clinton WA

-Milford WA

-Perry WA

-Richard B. Hanger WA (special permit required for all activities, area-wide)

-Tuttle Creek WA

**X.) No Shooting from Dikes or Levees**

**Region 1**

-Cheyenne Bottoms WA

**Region 2**

-Marais des Cygnes WA

**Region 3**

-Neosho WA-no shooting from designated dikes & levees

**XI.) No Swimming**

Waters in addition to the state fishing lakes that are closed to swimming.

**Region 1**

- Big Basin Prairie Preserve
- Pratt Backwater
- Sandsage Bison Range & WA Sandpit

**Region 2**

- Indian Hills WA-Quarry Pond
- Pillsbury Crossing WA

**Region 3**

- El Dorado WA-jumping bridge located at the Junction of the Walnut River and NE Chelsea Road
- Mined Land WA

**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

**b.) Refuge Area Closed to Hunting Year-Round Open to All Other Legal Activities**

**Region 1**

- Ottawa SFL
- Rooks SFL
- Sheridan SFL

**Region 2**

- Leavenworth SFL & WA

**Region 3**

- Kingman WA-waterfowl refuge

**c.) Refuge Area Closed to Hunting, Open to all other legal activities 11/1 to 1/31**

**Region 1**

- Cedar Bluff WA – Cove 1, designated water area
- Lovewell WA – designated water area\_

**(d.) Refuge Area Closed to Hunting Year Round, Closed to all activities 9/1 – 3/31**

**Region 3**

- Cheney WA
- Elk City WA
- Marion WA
- Neosho WA

**f.) Refuge Area Closed to All Activities 9/1 to 1/31**

**Region 1**

- Cedar Bluff WA – west refuge
- Smoky Hill WA
- Wilson WA

**g.) Refuge Area Closed to All Activities 10/1 through 1/15**

**Region 2**

- Clinton WA
- Hillsdale WA
- Milford WA
- Melvern WA
- Perry WA

**h.) Refuge Area Closed to All Activities 10/1 to 1/31**

**Region 1**

- Brzon WA
- Jamestown WA
- Ottawa SFL

**i.) Refuge Area Closed to All Activities 10/1 – 3/31**

**Region 3**

- McPherson Valley Wetlands WA

**j.) Refuge Area Closed to All Activities 11/1 to 1/31**

**Region 1**

- Cedar Bluff WA – Church Camp Cove
- Glen Elder WA
- Norton WA
- Webster WA

**XIII. Seasonal Closures**

**a.) Access by Permit Only 10/1 through 3/31**

**Region 2**

- Benedictine WA

**b.) Access by Permit Only 4/1 through 5/31 and 9/1 through 1/31**

**Region 2**

- Buck Creek WA

-Noe WA

**c.) *Open to Hunting Thursday, Saturday and Sunday 9/10 through 3/31***

**Region 2**

-Brown SFL

**d.) *Open to Hunting Tuesday, Thursday and Saturday***

**Region 3**

-Berentz/Dick WA

**e.) *Open to Upland Bird Hunting Tuesday, Thursday and Sunday***

**Region 2**

-Burr Oak WA

-Elwood WA

**f.) *Closed to fishing 9/15 through 4/15***

**Region 1**

-Lovewell WA Inlet canal

**g.) *Closed to pheasant hunting 2021 – 2024***

**Region 2**

-Dalbey Bottoms WA (pheasant translocation project)

**XIV. *Shooting Area (Ranges)***

The following properties have designated firearm or archery ranges. Shooting hours are posted at the facility and available on area brochures and websites.

**Region 1**

-Glen Elder WA

**Region 3**

-Byron Walker WA (archery)

-Cheney Reservoir & WA (firearms)

-Hollister WA (firearms)

**XV. *Daily Hunt Permits***

Daily hunt permits are required on the following 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

### **Statewide**

- iWIHA

## **XVI. Daily Use Permits**

Daily use permits are available electronically through I-Sportsman e-permit system for ALL activities.

### **Region 2**

- Buck Creek WA
- Noe WA

**115-8-2. Blinds, stands, and decoys.** Subject to provisions and restrictions as established by posted notice, blinds, stands, and decoys shall be allowed on department lands and waters as follows: (a) Floating blinds and portable stands used for hunting may be placed not more than 14 days before the hunting season for which the blind or stand will be used and shall be removed from department property within 14 days after the hunting season for which the blind or stand was placed has ended.

(b) Floating blinds and portable stands used for purposes other than hunting may be placed for a period not to exceed 14 days and shall be removed from department property at the conclusion of 14 days or after the intended use of the blind or stand has ended, whichever time period is less.

(c) Ladders, screw-in metal steps, and steps attached by ropes, cables, or chains may be used for access to portable stands and shall be removed when the portable stand is removed as required by subsection (a) or (b).

(d) Natural blinds may be used for any authorized activity and shall be constructed of natural herbaceous materials or woody debris, or both, that are present at the site of the natural blind.

(e) Any individual may use a placed portable blind, floating blind, portable stand, or natural blind when the blind or stand is not occupied.

(f) Any blind, stand, or climbing device not in conformance with regulations or posted notice provisions or restrictions may be removed or destroyed by the department.

(g) Each portable blind, floating blind, and portable stand shall be marked with either the user's name and address or the user's department-issued identification number in a visible, legible, and weatherproof manner.

(h) No individual shall place more than two portable blinds or stands on any single department-owned or department-managed property.

(i) Portable blinds shall not be left unattended overnight.

(j) Decoys shall not be left unattended overnight. (Authorized by and implementing K.S.A 2012 Supp. 32-807; effective April 30, 1990; amended July 20, 2012; amended July 26, 2013.)

**115-8-3. Non-toxic shot; department lands and waters.** Each individual hunting with a shotgun on department lands or waters posted as a "steel shot only" area or "non-toxic shot only" area shall possess and use only non-toxic shot as approved under K.A.R.115-18-14. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Sept. 18, 1989; amended Dec. 27, 1994.)

**115-8-4. Non-commercial hunting dog training.** (a) Subject to provisions and restrictions as established by posted notice, department lands and waters that are designated for public hunting or other areas as designated by the department shall be open for the non-commercial training of hunting dogs as follows:

(1) The non-commercial training of bird dogs and retrieving dogs shall be authorized throughout the year.

(2) The non-commercial training of trail hounds and sight hounds shall be authorized during and in compliance with established running and hunting seasons.

(b) Pigeons, pen-raised or wild-trapped, may be released and shot during the non-commercial training of bird dogs and retrieving dogs. Banding of released pigeons shall not be required.

(c) Other than pigeons, no game bird, pen-raised bird, or wild-trapped bird may be released on department lands or water during the noncommercial training of bird dogs and retrieving dogs, unless specifically authorized by a permit issued by the department. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Dec. 4, 1989; amended Oct. 5, 2001.)

**115-8-5. Revoked.**

**115-8-6. Fishing, fish bait, and seining.** Fishing and the taking of fishing bait shall be allowed on department lands and waters, subject to the following general restrictions:

(a) Fishing shall be prohibited at boat ramps and boat docks closed to fishing by posted notice.

(b) Fishing shall be prohibited at swimming areas and swimming beaches that are posted as swimming areas or swimming beaches and delineated by buoys or other markers.

(c) Minnows, bait fish, and other fishing bait may be taken for use as fishing bait only on a noncommercial basis and may be used only in the department-managed water where taken.

(d) Seining in department-managed waters shall be prohibited.

(e) The cleaning of fish in state parks shall occur only at designated fish-cleaning stations or other locations as established by the department.

(f) The use of trot lines and set lines shall be prohibited in the waters of Crawford state park, Meade state park, Scott state park, and all department-managed impoundments under 1,201 surface acres in size.

(g) Additional restrictions may be established by posted notice.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Dec. 4, 1989; amended Dec. 28, 1992; amended Nov. 29, 1999; amended Nov. 20, 2009; amended Jan. 1, 2012.)

**115-8-7. Boating and general restrictions.** All department lands and waters and all federal reservoirs shall be open to boating subject to provisions, restrictions, and closures as established by posted notice. All of the following general restrictions shall apply:

(a) Each operator of a motorized vessel on a state fishing lake shall operate the vessel only for fishing or hunting purposes unless otherwise authorized by the department.

(b) Each operator of a motorized vessel on a state fishing lake shall operate the vessel at no-wake speeds if required by posted notice.

(c) No operator of a vessel shall operate the vessel within 200 feet of any area posted specifically for swimming or diving and delineated by buoys or other markers.

(d) Each operator of a vessel shall operate the vessel at no-wake speeds of five miles per hour or less when within 200 feet of any of the following:

(1) A dock;

(2) a boat ramp;

(3) a person swimming;

(4) a bridge structure;

(5) a moored or anchored vessel;

(6) a sewage pump-out facility;

(7) a nonmotorized watercraft;

(8) a boat storage facility; or

(9) a concessionaire's facility.

(e) An operator of a vessel shall not moor or store the vessel in excess of 24 hours, except at sites designated

for moorage or storage of vessels.

(f) Vessels left unattended at other than a designated moorage or storage site or vessels not in conformity with posted notice provisions or restrictions for moorage or storage sites shall be subject to removal by the department as authorized by law. (Authorized by K.S.A. 32-807 and K.S.A. 32-1103; implementing K.S.A. 32-807, K.S.A. 32-1015, and K.S.A. 32-1103; effective Dec. 4, 1989; amended Sept. 14, 2007.)

**115-8-8. Swimming.** (a) Swimming shall be allowed in all department waters, subject to the following restrictions:

(1) Swimming shall be prohibited in state fishing lakes except as authorized by posted notice.

(2) Skin and scuba diving shall be allowed only in department waters designated for these activities by posted notice.

(3) Swimming in any department water may be prohibited or restricted by posted notice.

(b) In any department water where swimming is otherwise prohibited, body contact with water that occurs incidental to allowed activities shall be authorized.

(c) On lands that are designated by posted notice as swimming beaches or in waters that are designated by buoys or other markers as swimming areas, the following restrictions shall apply:

(1) Possession of liquor or beer shall be prohibited.

(2) No containers other than shatterproof containers shall be possessed. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective Dec. 4, 1989; amended July 13, 2001.)

**115-8-9. Camping.** (a) Camping shall be allowed only in designated areas on department lands and waters and shall be subject to provisions or restrictions as established by posted notice.

(b) All campers and camping units, as defined in K.A.R. 115-1-1, in state parks shall be limited to a stay of not more than 14 consecutive days in a campground unless otherwise established by posted notice or as otherwise authorized by written permit from the department, as follows:

(1) Upon completing 14 consecutive days in a campground, each person and all property of each person shall be absent from that campground for at least five days.

(2) One extended camping stay of not more than 14 additional consecutive days at the same campground may be granted through a written permit issued by the department if vacant camping sites are available. Upon completing 28 consecutive days at the same campground, each person and all property of each person shall be absent from the department-managed area for at least five days, except as authorized in paragraph (b)(3).

(3) Long-term camping in state parks shall be allowed on designated camping sites for six consecutive months through a written permit issued by the department if vacant long-term camping sites are available. Upon completing six consecutive months at the same state park, each person and all property of each person shall be absent from the state park for at least five days.

(c) All campers and camping units at a state fishing lake or wildlife area shall be limited to a stay of not more than seven consecutive days on that department managed land unless otherwise established by posted notice or authorized by written permit from the department. Upon completing seven consecutive days on the same campsite, each person and all property of each person shall be absent from the department-managed area for at least five days.

An extended camping stay of not more than seven additional consecutive days at the state fishing lake or wildlife area may be granted by written permit from the department if vacant camping sites are available. All property of each person shall be removed and remain absent from the department managed area and campsite for a period of at least five days before beginning another stay.

(d) Unless authorized by the department or located on a prepaid state park campsite reserved through the department's electronic reservation system, camping units shall not be left unoccupied in a campground for more than 24 hours.

(e) Unless authorized by the department or located on a prepaid state park campsite reserved through the department's electronic reservation system, vehicles or other property shall not be left unattended upon department lands or waters for more than 24 hours.

(f) Except as authorized by the department, all property unoccupied or unattended for more than 48 hours, unless the property is on a prepaid state park campsite reserved through the department's electronic reservation system, and all property abandoned upon department lands or waters shall be subject to removal by the department. Any unoccupied, unattended, or abandoned property may be reclaimed by the owner upon contacting the department.

(g) A campsite shall not be left unoccupied in a campground for more than 24 hours, unless the department so authorizes, or the campsite is a prepaid state park campsite reserved through the department's electronic reservation system. (Authorized by and implementing K.S.A. 32-807; effective March 19, 1990; amended Feb. 10, 1992; amended Oct. 12, 1992; amended Sept. 12, 2008; amended Nov. 14, 2011; amended April 21, 2023.)

**115-8-10. Pets; provisions and restrictions.** (a) Pets shall be allowed but shall not be permitted to enter into any of the following:

- (1) Areas that are posted as swimming beaches or swimming areas that are delineated by buoys or other markers;
- (2) public buildings; or
- (3) public structures.
- (b) Pets shall be controlled at all times by using any of the following:
  - (1) Hand-held lead not more than 10 feet in length;
  - (2) tethered chain or leash not more than 10 feet in length. The pet shall be under the direct observation of and control by the owner; or
  - (3) confined to a cage, pen, vehicle, trailer, or privately owned cabin.
- (c) The requirements of subsection (b) shall not apply to dogs while being used during and as a part of any of the following acts or activities:
  - (1) Hunting during open hunting seasons on lands or waters open for hunting;
  - (2) authorized field trial events;
  - (3) noncommercial training of hunting dogs subject to any provisions or restrictions as established by posted notice;
  - (4) special events or activities as authorized by the department; or
  - (5) working as a "guide dog," "hearing assistance dog," or "service dog," as defined in K.S.A. 39-1113 and amendments thereto.
- (d) Guide dogs, hearing assistance dogs, and service dogs shall not be restricted by the requirements of subsection (a). (Authorized by and implementing K.S.A. 32-807; effective Dec. 4, 1989; amended Sept. 12, 2008.)

**115-8-11. Domestic animals and livestock; provisions and restrictions.** (a) Livestock used for riding shall be allowed for riding purposes on maintained roads, bridle paths, parking areas and other areas designated by posted notice, except the riding of livestock on state park areas shall be restricted to maintained bridle paths and other areas designated by posted notice.

(b) Draft livestock used for draft purposes shall be allowed on maintained roads, parking areas, and other areas designated by posted notice, except the use of draft livestock in state parks shall occur only as authorized by the department.

(c) Livestock may be ridden or used for draft purposes during a department approved special event provided the activity has been approved as a part of the special event.

(d) The stabling of livestock used for riding or for draft purposes shall be restricted to designated areas or as authorized by the department.

(e) Livestock and domestic animals not used for riding or draft purposes or as allowed by K.A.R. 115-8-10 shall be prohibited except as authorized by the department.

(Authorized by L. 1989, Chapter 118, section 9; implementing L. 1989, Chapter 118, sections 9 and 126; effective Dec. 4, 1989.)

**115-8-12. Stocking or releasing of wildlife.** Wildlife may be stocked or released on department lands or waters, navigable publicly owned rivers, and federal reservoirs only as authorized by any of the following:

- (a) A written agreement issued by the department;
- (b) a permit issued by the department;
- (c) a department-approved management plan;
- (d) regulations; or
- (e) posted notice.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended Jan. 1, 2012.)

**115-8-13. Motorized vehicles and aircraft; authorized operation.** (a) Motorized vehicles shall be operated only on department roads and parking areas, except as otherwise established by this regulation or posted notice or as approved by the secretary.

(b) Motorized vehicles shall be operated at speeds not in excess of 25 miles per hour or as otherwise established by posted notice.

(c) Motorized vehicles shall be operated in accordance with load limits as established by posted notice for roads or bridges.

(d) Motorized aircraft landings and takeoffs shall be allowed in designated areas only or as authorized by the secretary.

(e) Except as otherwise specified in K.A.R. 115-8-1, posted notice, or this regulation, motorized electric or gasoline-powered two-wheeled vehicles, all-terrain vehicles, work-site utility vehicles, golf carts, and snowmobiles may be operated on ice-covered department waters only for the purpose of ice fishing from one-half hour before sunrise to one-

half hour after sunset. These vehicles shall enter onto the ice only from boat ramps and points of entry as established by posted notice.

(f) (1) Except as provided in this regulation, each motorized vehicle that meets either of the following conditions shall be prohibited from being operated on all department lands and roads:

(A) Is not registered with one of the following:

- (i) The director of vehicles pursuant to K.S.A. 8-127 and amendments thereto; or
- (ii) the corresponding authority in another state or country; or

(B) is unlawful to be operated on any interstate highway, federal highway, or state highway pursuant to K.S.A. 8-15,100 and K.S.A. 8-15,109, and amendments thereto.

(2) The term “motorized vehicle” shall include cars, trucks, all-terrain vehicles, work-site utility vehicles, golf carts, go-carts, and electric or gasoline-powered two-wheeled vehicles.

(3) Any person desiring to operate an unconventional motorized vehicle on department roads within state parks may purchase an annual unconventional motorized vehicle permit from the secretary.

(A) The term “unconventional motorized vehicle” shall include work-site utility vehicles and golf carts.

(B) Unconventional motorized vehicles shall be operated only from sunrise to sunset by a holder of a valid driver’s license.

(g) Any person with a disability, as defined by K.S.A. 8-1,124 and amendments thereto, may annually request a permit from the secretary to utilize a motorized vehicle for accessing certain department lands and roads to provide access to recreational opportunities that would otherwise be unavailable to disabled persons. Each written request shall include the following:

- (1) The name, address, and telephone number of the applicant;
- (2) the name and location of the property to be accessed;
- (3) the date or duration of the entry requested; and

(4) documentation of that person’s disability in the form of a disabled accessible parking placard, disabled motor vehicle license plate, or disabled identification card issued by the director of vehicles of the department of revenue pursuant to K.S.A. 8-1,125 and amendments thereto, or similar documentation issued by another state.

(h) No person who is in possession of a motorized vehicle and has a permit to operate the motorized vehicle on department lands and roads shall perform either of the following:

(1) Allow another person to operate the vehicle on department lands and roads unless that other person has a permit issued by the department; or

(2) operate the vehicle on department lands and roads unless that person is in possession of a permit issued by the department.

(i) Each permit issued by the department that authorizes the operation of a motorized vehicle on department lands and roads shall expire on the last day of the calendar year in which the permit was issued, unless otherwise specified on the permit.

(j) A permit that authorizes the operation of a motorized vehicle on department lands and roads shall not be issued or shall be revoked by the secretary for any of the following reasons:

- (1) The disability does not meet the requirements for the permit.
- (2) The application is incomplete or contains false information.
- (3) The disability under which the permit was issued no longer exists.

(4) The documentation of disability in the form of a disabled accessible parking placard, disabled motor vehicle license plate, or disabled identification card issued by the director of vehicles of the department of revenue pursuant to K.S.A. 8-1,125 and amendments thereto, or similar documentation issued by another state, has expired.

(5) The permit holder fails to comply with the terms and limitations of the permit or with the requirements specified in this regulation.

(6) The issuance or continuation of the permit would be contrary to the preservation of habitat or species located on or in department lands or waters.

(k) This regulation shall not apply to any motorized vehicle that is owned by the department or a designated agent and is used in the operation and maintenance of department lands and roads. (Authorized by and implementing K.S.A. 2015 Supp. 32-807; effective Dec. 4, 1989; amended Feb. 8, 2008; amended Sept 9, 2011; amended November 25, 2016.)

**115-8-13a. Electric-assisted bicycles.** (a) For the purposes of this regulation, the term “electric-assisted bicycle” shall have the meaning specified in K.S.A. 8-1489, and amendments thereto.

(b) A motor vehicle pass shall not be required to operate an electric-assisted bicycle in any state park. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and 32-901; effective October 18, 2019.)

**115-8-14. Fireworks; discharge and public displays.** (a) Subject to provisions and restrictions as established by posted notice, using or discharging fireworks shall be allowed only in designated areas or as authorized by the department.

(b) Public fireworks displays may be conducted through special event permits issued by the department.

(c) Public fireworks displays shall comply with all state laws and rules and regulations applicable to public fireworks displays. (Authorized by L. 1989, Chapter 118, section 9; implementing L. 1989, Chapter 118, sections 9 and 126; effective Dec. 4, 1989.)

**115-8-15. Fire; authorized uses.** (a) Subject to provisions and restrictions as established by posted notice, fires shall be allowed for the following purposes:

- (1) cooking or heat in firerings, fireplaces, grills and stoves;
- (2) department approved management purposes; and
- (3) other purposes as authorized by posted notice.

(b) Fires shall be attended at all times and shall be totally extinguished prior to leaving the site of the fire. (Authorized by L. 1989, Chapter 118, section 9; implementing L. 1989, Chapter 118, sections 9 and 126; effective Dec. 4, 1989.)

**115-8-16. Revoked. 115-8-17. Reserved. 115-8-18. Revoked.**

**115-8-19. Personal conduct on department lands and waters; provisions, restrictions and penalties.** (a) The conduct, actions, or activities of persons on department lands and waters shall be subject to provisions and restrictions as established by posted notice. The following general provisions and restrictions shall apply:

(1) No person shall advertise, engage in, or solicit any business, or make a charge for any event or service except as authorized by the department.

(2) Quiet hours shall be observed between the hours of 11:00 p.m. and 6:00 a.m. Except as authorized by the department, each action that will alarm, anger, or disturb others shall be prohibited during quiet hours. Any individual who has knowledge or probable cause to believe that the individual's actions will alarm, anger, or disturb others or who engages in noisy conduct during quiet hours may be subject to the provisions of subsection (b).

(3) Subject to the provisions of K.A.R. 115-8-21 and K.A.R. 115-8-1 and to other posted provisions or restrictions, any individual may possess, consume, or drink alcoholic liquor, as defined in K.S.A. 41-102 and amendments thereto.

(b) In addition to penalties prescribed by law or regulation, failure to comply with laws, regulations, permit conditions, or posted restrictions by an individual may result in the individual or equipment of the individual being removed from departmental lands or waters.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and L. 2012, Ch. 144, Sec. 29; effective Jan. 30, 1995; amended Jan. 1, 2013.)

**115-8-20. Construction, littering, and prohibited activities.** (a) The following activities shall be prohibited on department lands and waters except as specified in rules and regulations or as authorized by the department.

- (1) Constructing any structure, building, facility, appurtenance or roadway;
- (2) dumping, discarding, or depositing trash, litter, or waste material;
- (3) digging holes or pits; and
- (4) destroying, defacing, degrading, or removing any of the following:
  - (A) Signs;
  - (B) real or personal property, other than property owned by that person;
  - (C) geological formations;
  - (D) historical sites;
  - (E) archeological relics or ruins; or

(F) vegetation, except for the noncommercial gathering of edible wild plants, wild fruits, nuts, or fungi for human consumption.

(b) Trash, litter, and waste material shall be deposited or discarded only in containers provided for the depositing of trash, litter, and waste material. Each person using lands or waters where these containers are not provided shall remove any trash, litter, and waste material generated as a result of and during the person's use of the area. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective Dec. 4, 1989; amended July 13, 2001.)

**115-8-21. Special events; permit requirements and procedures; department lands and waters.** (a) A special event permit shall be required for any event occurring on department lands or waters, or both, if one of the following conditions exists:

- (1) An entrance, admission, or participation fee is charged.
- (2) Food, merchandise, or service is offered for sale.
- (3) The exclusive use of a facility or a specified land or water area is necessary, other than facilities or areas for which other permits may be issued.
- (4) An organized or advertised competition will be conducted.

- (5) Sound will be amplified that may disrupt area users.
- (6) Temporary structures, other than blinds or common camping equipment, will be erected.
- (b) An event sponsored in part or in total by the department shall not require a special event permit.
- (c) For a field trial or a water event on department lands or waters, a special event permit may be issued by the department in place of a field trial permit or a water event permit if the requirements of K.A.R. 115-13-2 or K.A.R. 115-30-9, respectively, are met in addition to the requirements for a special event permit.
- (d) Permit procedures.
  - (1) Each application for a special event permit shall be made to the department no fewer than five weekdays before the event is to be held.
  - (2) Payment of the special event permit fee specified in K.A.R. 115-2-3 shall accompany each application. (3) The permit fee shall be returned to the applicant if the special event permit is not approved by the department.
  - (4) The permit fee shall not be refunded for an issued special event permit.
  - (5) A performance deposit may be required as a condition of special event permit issuance. (6) The deposit shall be returned by the department if the special event permittee has met all permit conditions.
- (e) Permit holders may tag or mark wildlife only as allowed under permit conditions.
- (f) A special event permit may be refused issuance by the department if the proposed event meets any of the following conditions:
  - (1) Would not be compatible with intended uses of the area;
  - (2) Would result in misuse or damage to facilities, structures, or the natural environment; or
  - (3) Would pose a threat to public health, safety, or welfare.
- (g) In addition to other penalties prescribed by law, failure to comply with all rules and regulations and permit conditions shall be grounds for revocation of a special event permit or refusal to issue a special event permit.
- (h) This regulation shall be effective on and after January 1, 2002. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective March 19, 1990; amended Jan. 1, 2002.)

**115-8-22 Concession operations on department lands; contracting provisions and restrictions.** (a) Renewal of an existing concession contract without a competitive bid process shall be considered by the secretary for any concession contract if the gross income under the concession contract for the most recent full year of operation did not exceed \$25,000.

(b) Each concession contract renewed without a competitive bid process shall not exceed three years in duration.

(c) Subject to the provisions of subsection (a), any person operating a concession business under contract with the department upon department lands or waters may make written request for a concession contract renewal to the secretary. The request shall include the following information:

- (1) name and address of concession business owner or owners;
- (2) name and address of each concession business manager or operator;
- (3) location of concession operation with map attached showing such location;
- (4) current concession contract number and expiration date;
- (5) complete financial statement from the previous year's concession operation;
- (6) An operational plan for the requested contract renewal period; and
- (7) other information as required by the secretary.

(d) The renewal, renegotiation or re-establishment of a concession contract may be refused by the secretary if:

- (1) a loss of revenue or services to the department would result;
- (2) a reduction in the amount or quality of services available to the public would occur; or
- (3) the non-competitive bid process for establishment of the concession contract would not be in the best interest of the department or the public.

(e) The renewal of such concession contracts shall be on negotiated terms approved by the secretary and shall not be limited by any term, provision, restriction or condition of any previous contract or agreement. (Authorized by and implementing K.S.A. 1992 Supp. 32-807 as amended by L. 1993, Chapter 185, section 2; effective April 11, 1994.)

**115-8-23. Bait; hunting.** (a) No person shall place, deposit, expose, or scatter bait in a manner that causes another person to be in violation of this regulation.

(1) This regulation shall include those areas designated by the agency as Walk-in Hunting Areas (WIHA) and Integrated Walk-in Hunting Areas (iWIHA).

(2) This shall not apply to licensed furharvesters as permitted in K.A.R. 115-5-1.

(b) (1) Nothing in this regulation shall prohibit the hunting or taking of wildlife over any of the following:

- (A) Standing crops, grain or crop residue following harvest, or flooded standing crops, including aquatic crops;
- (B) standing, flooded, or manipulated natural vegetation;
- (C) flooded harvested croplands;
- (D) lands or areas where seeds or grains have been scattered solely as the result of normal agricultural planting, harvesting, postharvest manipulation, or soil stabilization practice; or
- (E) standing or flooded standing agricultural crops over which grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed wildlife.

(2) The taking of wildlife, except migratory waterfowl, coots, and cranes, on or over any lands or areas meeting the following conditions shall not be prohibited:

- (A) Are not otherwise baited; and
- (B) have grain or other feed that has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, scattered solely as the result of normal agricultural operations, or scattered solely as the result of normal weather conditions.

(c) For the purposes of this regulation, “bait” shall mean any grain, fruit, vegetable, nut, hay, salt, sorghum, feed, other food, or mineral that is capable of attracting wildlife. Liquid scents and sprays shall not be considered bait. (Authorized by and implementing K.S.A. 32-807; effective July 20, 2012; amended July 26, 2013; amended July 21, 2023.)

**115-8-24.** This regulation shall be revoked on and after August 1, 2016. (Authorized by and implementing K.S.A. 32-807; effective July 20, 2012; revoked August 1, 2016.)

**115-8-25. Trail or game cameras and other devices.** (a) No person shall place, maintain, or use a trail or game camera on department lands, or any images or video from a trail or game camera including location, time, or date, for any purpose on department lands and waters including walk-in hunting areas (WIHA) and integrated walk-in hunting areas (iWIHA).

(b) For the purpose of this regulation, “trail or game camera” shall include any remote motion-activated or infrared camera in which the shutter is activated by sound triggers, proximity sensation, radio transmitters, or a self-timer built into the trail or game camera.

(c) No person shall use any images of wildlife produced by or transmitted from a satellite to take or aid in the taking of wildlife or to locate wildlife to take or to aid in the taking of wildlife on department lands and waters, including WIHA and iWIHA.

(1) This subsection shall not prohibit the use of mapping systems or programs.

(2) For the purpose of this subsection, “take” shall have the meaning specified in K.S.A. 32-701, and amendments thereto.

(d) This regulation shall not apply to any trail or game camera that is owned by the department or a designated agent and is used for department operations or research on department lands and waters. (Authorized by and implementing K.S.A. 32-807; effective April 21, 2023.)

**115-9-1. Licenses, stamps, permits and other department issues; procedures, form and content, and applications.** (a) The requirements for application of and the procedures for the form and content of licenses, stamps, permits and other department issues shall be as established by the secretary, unless otherwise established by law or rules and regulations.

(b) The procedures for issuance of and the form and content of licenses, stamps, permits and other department issuances shall be as established by the secretary, unless otherwise established by law or by rules and regulations. (Authorized by and implementing L. 1989, Chapter 118, section 97; effective Dec. 26, 1989.)

**115-9-2. Issuance of duplicate licenses, permits, stamps and other department issues.** (a) Any person who has lost or destroyed a current license, permit, stamp or other department issue may secure a duplicate license, permit, stamp or other department issue upon submitting the proper application and appropriate fee to the department.

(b) The application shall include the following information:

- (1) applicant's name and address;
- (2) type of duplicate applied for;
- (3) county of purchase;
- (4) location of purchase;
- (5) month of purchase;
- (6) signature of applicant attesting to the loss or destruction of the issue; and
- (7) other information as required by the secretary.

(Authorized by L. 1989, Chapter 118, section 9 and K.S.A. 1988 Supp. 32-104b as amended by L. 1989, Chapter

118, section 98; implementing K.S.A. 1988 Supp. 32-104b as amended by L. 1989, Chapter 118, section 98; effective Dec. 26, 1989.)

**115-9-3. Purchase of lifetime hunting or lifetime combination hunting and fishing licenses without certificate of completion of an approved hunter education course.** (a) Any individual may purchase a lifetime hunting or lifetime combination hunting and fishing license for a Kansas resident born after July 1, 1957, pursuant to K.S.A. 32-920 and amendments thereto, before issuance to that resident of a certificate of completion of an approved hunter education course.

(b) Any resident may purchase a lifetime hunting or lifetime combination hunting and fishing license or a resident Kansas kids lifetime combination hunting and fishing license before issuance of a certificate of completion of an approved hunter education course to that resident.

(c) Each lifetime license purchased under subsection (a) or (b) shall be issued with a notice that the lifetime license is not valid until the recipient of the lifetime license has been issued a certificate of completion of an approved hunter education course. (Authorized by K.S.A. 32-807 and K.S.A. 32-920; implementing K.S.A. 32-920 and 2022 HB 2456, sec. 1; effective Dec. 26, 1989; amended Oct. 7, 2022.)

**115-9-4. Hunting or furharvester license or permit purchase.** (a) Any individual required to have a certificate of completion of an approved hunter or bowhunter education course before purchasing a hunting license or permit, or an approved furharvester education course before purchasing a furharvester license or permit, may purchase a hunting or furharvester license or permit by attesting to the individual's successful completion of an approved hunter, bowhunter, or furharvester education course, respectively, at the time of purchase.

(b) The signature of the individual on the hunting, bowhunting, or furharvester license or permit, respectively, shall satisfy the attesting requirement of subsection (a). (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2003 Supp. 32-912, and K.S.A. 2003 Supp. 32-920, as amended by L. 2004, Ch. 99, Sec. 2; effective Dec. 26, 1989; amended Feb. 22, 2002; amended Feb. 18, 2005.)

**115-9-5. Hunting, fishing, and furharvester licenses; state park permits; effective dates.** (a) Any individual may purchase an annual hunting, fishing, or furharvester license or a state park annual permit for the next calendar year on and after a mid-December date determined annually by the secretary.

(b) Each hunting, fishing, or furharvester license or state park annual permit purchased on or after the date specified in subsection (a) shall be valid from the date purchased through the expiration date as stated on the license or permit. (Authorized by and implementing K.S.A. 2018 Supp. 32-807, K.S.A. 2018 Supp. 32-906, K.S.A. 32-911 and K.S.A. 2018 Supp. 32-919; effective Dec. 4, 1989; amended Aug. 15, 1994; amended Sept. 19, 1997; amended April 26, 2019.)

**115-9-6. Vehicle permits; display.** (a) Except as provided in this regulation, each person who purchases a vehicle permit for entry into a state park or other area requiring a vehicle permit shall affix the permit to the lower corner of the windshield on the driver's side of the vehicle for which the vehicle permit was purchased.

(b) Annual vehicle permits shall be permanently affixed.

(c) Each vehicle permit purchased from an electronic permit kiosk shall be displayed within the vehicle for which the permit was purchased in an unobstructed manner to allow the text on the permit to be read from outside the vehicle. (Authorized by K.S.A. 2020 Supp. 32-807; implementing K.S.A. 2020 Supp. 32-807 and 32-901; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended Feb. 20, 2015; amended May 28, 2021.)

**115-9-7. Hunting licenses; general activities for which a hunting license shall not be required.** A hunting license shall not be required for those activities which are not a part of the actual shooting, capturing or harvesting of wildlife. Such activities shall include, but not be limited to:

(a) carrying or assist with carrying wildlife for another while in the company of that individual;

(b) possession of wildlife for the purpose of dressing, cleaning, processing for human consumption or preparing for human consumption;

(c) assisting with the dressing, cleaning, processing for human consumption or preparing for human consumption;

(d) performance of taxidermy work;

(e) possession of finished taxidermy work;

(f) possession of finished wildlife products;

(g) accompanying one or more hunters in the field who are engaged in hunting, except the accompanying individual shall not be in possession of hunting equipment for the shooting, capturing or harvesting of wildlife;

(h) possession of donated wildlife that was acquired, possessed and given by another;

(i) possession of wildlife that was legally acquired by the individual;

(j) wildlife observations;

- (k) nature observations and studies;
- (l) feeding of wildlife;
- (m) watering of wildlife;
- (n) accidental killing or injuring of wildlife such as vehicle collision with wildlife; or
- (o) assist with tracking of wounded wildlife. (Authorized by K.S.A. 32-807 and K.S.A. 32-919; implementing K.S.A. 32-807, K.S.A. 32-919 and K.S.A. 32-1002; effective October 17, 1994.)

**115-9-8. Migratory bird harvest information program; requirements, exemptions.** (a) As used in this regulation, "migratory game bird" shall mean any wild duck, goose, merganser, crane, dove, rail, snipe, woodcock, or other migratory bird for which a hunting season is established in the state of Kansas.

(b) Each person hunting migratory game birds in the state of Kansas shall be required to complete a Kansas migratory bird harvest information survey, as provided by the secretary.

(c) Upon completion of a Kansas migratory bird harvest information survey, a harvest information program permit shall be issued by the secretary or the secretary's designee to the person completing the survey.

(1) Each person required to comply with subsection (b) shall be in possession of a valid harvest information program permit issued to that person while hunting any migratory game bird within the state of Kansas.

(2) Each harvest information program permit shall be validated by the signature of the permit holder written in the signature block of the permit.

(3) Each harvest information program permit shall be valid from the date of issuance through June 30 following the date of issuance.

(4) A harvest information program permit shall not be transferable.

(d) The provisions of subsection (b) shall not apply to the hunting of any migratory game bird by either of the following:

(1) Tribal members on federal Indian reservations or tribal members hunting on ceded lands; or

(2) a resident of this state not required by K.S.A. 32-919, and amendments thereto, to hold a hunting license.

(e) This regulation shall be effective on and after April 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, ch. 47, sec. 25; effective July 1, 1998; amended April 1, 2013.)

**115-9-9. Electronic licenses, permits, stamps, tags, and other issues of the department; other requirements.** The requirements in this regulation shall apply to licenses, permits, stamps, tags, and other issues of the department purchased from electronic or telephone license vendors or by electronic means. These requirements shall consist of the following:

(a) Each individual who receives or prints a hard copy of an issue of the department purchased from an electronic or telephone license vendor or by electronic means shall sign the issue, attesting that all information on the issue is true and correct.

(b) Each individual who purchases a departmental issue from a telephone vendor shall carry the confirmation number while actively engaged in any activity authorized by the departmental issue. When the individual receives the hard copy of any issue received from a telephone vendor, the individual shall sign and carry the hard copy of the departmental issue while actively engaged in any activity authorized by the departmental issue.

(c) Each individual who receives an electronic version of a departmental issue shall attest that all information contained in the issue is true and correct at the time of purchase. A digital file or portable document format file of the departmental issue shall be stored on the licensee's mobile device, which the licensee shall carry while actively engaged in any activity authorized by the departmental issue.

(d) Each hard-copy stamp received from an electronic or telephone license vendor or by electronic means shall be validated if the individual signs the issue displaying the valid stamp purchase. The confirmation number of each stamp purchased from an electronic or telephone license vendor shall be proof of signature until the individual receives the hard copy of the stamp purchased from the license vendor.

(e) Any current issue of the department that is destroyed or lost may be replaced by electronic means. Each individual whose current issue was destroyed or lost shall sign the new hard-copy issue, attesting to the destruction or loss of the current issue.

(f) An application form shall not be required for an individual to purchase any issue from an electronic or telephone license vendor or by electronic means. The signature on the issue by the individual receiving the issue shall meet the signature requirement on application forms.

(g) The removal of the carcass tag from any big game or wild turkey permit or game tag purchased from an electronic license vendor or by electronic means shall not invalidate the permit, game tag, or carcass tag for hunting. However, signing any carcass tag before harvesting an animal for which the carcass tag was issued shall invalidate the carcass tag and either the permit or the game tag for use.

(h) Each temporary annual park permit purchased from an electronic or telephone license vendor or by electronic means shall be valid only if visibly displayed on the vehicle or camping unit for which the annual park permit was

purchased. Each individual with a temporary annual park permit purchased from an electronic license vendor or by electronic means shall exchange the permit for a permanent annual park permit at a department office or automated park license vendor.

(i) Each person required to provide the identifying number of a license, permit, tag, stamp, or other issue of the department shall use the transaction number of the electronic license, permit, tag, stamp, or other issue. (Authorized by K.S.A. 2018 Supp. 32-807 and K.S.A. 2018 Supp. 32-980; implementing K.S.A. 2018 Supp. 32-980; effective July 22, 2005; amended May 18, 2007; amended Dec. 20, 2019.)

**115-10-1. Special surety bond program; definitions.** (a) "appointing authority" means either the secretary or the county clerk of any county in Kansas;

(b) "license or permit" means any license, stamp or permit issued by the department for sale to the general public;

(c) "applicant" means any person who has presented the appointing authority with a completed application for appointment as a vendor agent for selling licenses and permits;

(d) "special surety bond" means a bond agreement issued by a vendor agent and accepted by the secretary as having satisfied the bond requirements established in K.S.A. 1989 Supp. 32-985;

(e) "premium period" means the period of time in which the vendor agent has paid the prescribed fee and in which the special surety bond shall be in effect; and

(f) "vendor agent" means any person authorized by the appointing authority, pursuant to K.S.A. 1989 Supp. 32-985, to sell licenses and permits of the department. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-10-2. Special surety bond authorized.** (a) Any vendor agent may elect to satisfy the special surety bond requirements provided in K.S.A. 1989 Supp. 32-985 by executing a special surety in favor of the state of Kansas as provided in K.A.R. 115-10-3.

(b) Each special surety bond shall be in a form approved by the secretary. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-10-3. Special surety bond procedure.** (a) Each special surety bond authorized by the secretary shall be issued for the period specified in the special surety bond and shall meet the following requirements:

(1) each applicant shall complete an application form which shall include the following information:

(A) the name, age, address and occupation of the applicant;

(B) the amount of bond requested and the proposed effective date of bond;

(C) the vendor agent number; and

(D) three credit references.

(2) each applicant shall certify the facts represented in the application. Any applicant may be required by the secretary to provide the department, at applicant's expense, a current audited financial statement;

(3) each applicant shall agree to be firmly bound to the state of Kansas and to fully indemnify the department for all losses to the state of Kansas arising out of the applicant's actions as a vendor agent; and

(4) each applicant shall authorize the applicant's officer or agent executing the prescribed application form and special surety bond to fully bind and represent the applicant in all activities undertaken as an authorized vendor agent, and shall provide evidence of this authority as required by the secretary.

(b) Each application shall be accompanied by a fee, as established by K.A.R. 115-2-1, that shall be applied to the one-year bond premium period. The fee shall be returned to the applicant if the applicant is not authorized to act as a vendor agent. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-10-4. Special surety bond term of effect and renewal.** (a) Each special surety bond shall expire one year from the date of its issuance.

(b) The special surety bond period of coverage shall coincide exactly with the period for which a vendor agent is authorized to act as a vendor agent.

(c) Any vendor agent may renew a special surety bond upon its expiration by providing the department with a renewal request containing the vendor agent name and number, the requested renewal date, and the requested bond amount, and by paying the fee prescribed in K.A.R. 115-2-1. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-10-5. Effect of loss of special surety bond on vendor agent authority.** The expiration of a special surety bond shall automatically terminate the authority of the vendor agent to act as a vendor agent. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-10-6. Authorized amount of special surety bond.** The amount for which an applicant shall be authorized to execute a special surety bond shall be determined by the secretary. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-10-7. Reduction or increase in special surety bond.** (a) Each special surety bond, once authorized and in effect, shall not be reduced within the premium period.

(b) Any special surety bond may be increased after the vendor agent has:

(1) supplied the secretary with information the secretary determines necessary to process the amendment application;

(2) paid the required premium for the increased amount, prorated to the bond premium period; and

(3) justified the increase to the secretary. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-10-8. Grounds for termination of a special surety bond.** (a) A special surety bond may be terminated, suspended or refused for renewal by the secretary when a vendor agent commits any of the following acts:

(1) fails to pay, within 30 days of the appointing authority's demand, the cash value of all lost, missing, or destroyed licenses and permits;

(2) fails to pay, within 30 days of the appointing authority's demand, the cash value of all monies collected for the licenses and permits sold by the vendor agent;

(3) fails to return all licenses and permits in the vendor agent's possession when required by the terms of the vendor agent indemnification agreement or upon demand by the appointing authority; or

(4) fails to properly perform any of the duties or violates any of the terms of the vendor agent indemnification agreement executed by the vendor agent and the appointing authority.

(b) Any action by the secretary to terminate, suspend or fail to renew a special surety bond shall be administered pursuant to K.S.A. 1989 Supp. 77-501 et seq. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-985; effective April 30, 1990.)

**115-11-1. Controlled shooting areas; license application, issuance priority, and reporting.** (a) Each application for a controlled shooting area license shall be made on forms provided by the department.

(b) Each applicant shall provide the following information:

(1) The size of the area;

(2) a map of the area;

(3) the legal description of the area;

(4) the species of game birds to be released and hunted;

(5) a description of the premises and facilities; and

(6) any other relevant information required by the secretary.

(c) Each applicant for renewal of an existing controlled shooting area license shall provide information as required by paragraphs (b) (1) through (b) (5) only if a change of status has occurred.

(d) The applicant shall submit, with the application, proof of ownership or lease for a five-year period of the area described in the application.

(e) An application for a controlled shooting area license that is not a renewal application may be submitted at any time.

(f) Each application for a renewal of a controlled shooting area license shall be submitted not later than July 1.

(g) Each renewal application shall have priority over a new application for a controlled shooting area license in order that the maximum county controlled shooting area acreage limitation not be exceeded.

(h) Each renewal application received after July 1 shall be considered a new application for purposes of subsection (g).

(i) Each licensee shall maintain records of game bird releases, a register of hunters, the number of animals or birds taken for each species of game animal hunted on the controlled shooting area, and any other relevant information required by the secretary on forms provided by the department. These records shall be available for inspection by departmental staff.

(j) A final report consisting of the records and any other information required by the secretary shall be submitted to the department as a part of the renewal application or by August 1 if the controlled shooting area license is not renewed. A controlled shooting area license shall not be issued or renewed until a final report has been received by the department.

(k) This regulation shall be effective on and after July 1, 2005. (Authorized by K.S.A. 32-948; implementing K.S.A. 32-944, K.S.A. 32-945, and K.S.A. 32-948; effective Dec. 4, 1989; amended July 1, 2002; amended July 1, 2005.)

**115-11-2. Controlled shooting areas; operational requirements.** (a) Each controlled shooting area shall be posted as follows:

- (1) Signs shall be made of metal, plastic, or wood and shall be not less than 15 inches by 15 inches.
  - (2) Signs shall legibly display the words "controlled shooting area" in block lettering that is not less than two inches in height.
  - (3) Signs shall be placed along the boundary of the controlled shooting area, at intervals of not more than 500 feet.
  - (b) The licensee shall keep the license and a copy of the laws and regulations pertaining to the controlled shooting areas posted in a conspicuous and readily available place at the headquarters of the area.
  - (c) If the license of the controlled shooting area is cancelled or revoked, the licensee shall remove all controlled shooting area signs from the boundary of the area within 30 days of the cancellation or revocation date.
  - (d) If a licensee fails to renew a controlled shooting area license, all controlled shooting area signs shall be removed from the boundary of the area before September 1.
  - (e) Only those game birds released on the controlled shooting area from August 15 through April 30 of the license period shall be credited toward the allowable take for the area.
  - (f) The licensee shall not take or permit the taking of more than 100 percent of the number of each species of game bird released on the controlled shooting area. These game bird species shall not be hunted on the area until a release of the game bird species has been made.
  - (g) The shooting hours for the taking of game birds released on controlled shooting areas shall be from ½ hour before sunrise to sunset.
  - (h) Game birds taken on a controlled shooting area shall be accompanied during transportation from the area by a form provided by the department and completed by the licensee, which shall include the number and species of game birds being transported, the name and license number of the licensee, the date of harvest, and any other relevant information required by the secretary.
  - (i) Except as authorized under Kansas dog training and field trial regulations, only hand-reared mallard ducks may be recaptured by trapping after release.
  - (j) Hunting during the established seasons and in compliance with all laws and regulations governing the hunting activity may occur on a controlled shooting area for wildlife species not included in K.S.A. 32-943, and amendments thereto, and for any wildlife species not included in the license issued for that controlled shooting area, including big game animals and wild turkeys for which the hunter has a valid permit issued by the department. The hunting, shooting, or taking of wild migratory waterfowl, however, shall be prohibited on each controlled shooting area used for the shooting of hand-reared mallard ducks.
- This regulation shall be effective on and after March 1, 2019. (Authorized by K.S.A. 32-948; implementing K.S.A. 2018 Supp. 32-945, K.S.A. 2018 Supp. 32-946, K.S.A. 2018 Supp. 32-947, and K.S.A. 32-948; effective Dec. 4, 1989; amended Aug. 31, 1992; amended July 1, 1999; amended July 1, 2002; amended April 1, 2005; amended February 22, 2019.)

**115-12-1. Game breeders, operational requirements.** (a) Each game breeder shall provide a report of activities to the secretary on or before June 30. The report shall include the following information:

- (1) name of permittee;
  - (2) address;
  - (3) current game breeders permit number;
  - (4) the number of each species sold; and
  - (5) other information as required by the secretary.
- (b) Each game breeder shall provide a bill of sale to each person purchasing wildlife. The bill of sale shall contain the game breeder's name and permit number and the bill of sale shall state the species and number of wildlife purchased, purchaser's name and address and date of purchase.
- (c) In lieu of submitting the report as specified in subsection (a), items 1 through 4, any permittee may submit copies of all bills of sale to the secretary on or before June 30; provided that the copies are legible and that the name, address and permit number of the permittee is identified with the bills of sale. (Authorized by and implementing K.S.A. 1988 Supp. 32-159 as amended by L. 1989, Chapter 118, section 82; effective Jan. 22, 1990.)

**115-12-2. Reserved.**

**115-12-3. Game breeder permit requirement; other wildlife.** A game breeder permit shall be required to engage in the business of raising and selling the following wildlife:

- (a) species of reptiles or amphibians that are native to or indigenous to Kansas;
- (b) mountain lion, *Felis concolor* Linnaeus;
- (c) wolf, *Canis lupus* Say;

- (d) black bear, *Ursus americanus* Pallas; and
- (e) grizzly bear, *Ursus arctos horribilis* Ord. (Authorized by and implementing L. 1991, Chapter 106, section 1; effective Feb. 10, 1992.)

**115-13-1. Commercial dog training permit; application and general provisions.** (a) The application for a commercial dog training permit shall be on a form provided by the department, and each applicant shall provide the following information:

- (1) The name and address of the applicant;
- (2) the breeds of dog to be trained;
- (3) the type of dog training to be conducted;
- (4) a legal description of the area or areas where dog training will be conducted; and
- (5) other information as required by the secretary.

(b) Subject to all federal and state laws, rules, and regulations, commercial training of bird dogs shall be authorized throughout the year.

(c) General provisions.

(1) Pen-raised, banded game birds may be released and shot during bird dog training activities.

(2) Pen-raised, banded game birds that escape after release shall not be recaptured, except as authorized by paragraphs (c) (3) and (4) and K.A.R. 115-13-5.

(3) Pen-raised or wild-trapped pigeons and pen-raised, banded mallard ducks may be released and shot during bird dog training activities, and the birds may be recaptured. Nontoxic shot approved under K.A.R. 115-18-14 shall be required for the taking of pen-raised mallard ducks.

(4) Chukar partridge and hungarian partridge may be released and shot during bird dog training activities, and chukar partridge and hungarian partridge may be recaptured.

(5) The banding of pigeons, chukar partridge, and hungarian partridge shall not be required.

(6) Pigeons, chukar partridge, hungarian partridge and pen-raised, banded birds that are shot during bird dog training activity may be possessed by the commercial bird dog trainer.

(7) All bands used shall be leg bands and shall be coded with the initials ACDT.@

(8) No commercial bird dog trainer shall possess unattached bands while conducting bird dog training activities.

(9) Wild birds, except waterfowl, may be pursued during commercial bird dog training activities, but shall not be shot, killed, or possessed except during established hunting seasons for the taking and possession of that species.

(d) Subject to all federal and state laws, rules, and regulations, commercial training of sight and trail hounds for hunting, furbearer running, or furbearer harvesting purposes shall be authorized. This training shall be restricted to established furbearer seasons for the taking of furbearers by hunting methods, running seasons, and hunting seasons.

(e) Pen-raised, legally trapped and possessed, or wild red fox, gray fox, raccoon, opossum, coyote, and cottontail rabbit may be pursued during commercial sight or trail hound training activities, but shall not be shot or killed and shall not be possessed after initial release except during established seasons for the taking and possession of that species.

(f) Commercial dog training activities shall be restricted to the area specified on the permit. (Authorized by K.S.A. 32-807 and K.S.A. 32-954; implementing K.S.A. 32-807, K.S.A. 32-954 and K.S.A. 32-1002; effective Aug. 5, 1991; amended Oct. 5, 2001.)

**115-13-2. Non-commercial dog training.** (a) Subject to K.A.R. 115-8-4 concerning department lands and waters, non-commercial training of bird dogs shall be authorized throughout the year.

(b) General provisions.

(1) Pen-raised, banded game birds may be released during bird dog training activities, but shall not be shot except during established hunting seasons for that species.

(2) Pen-raised, banded game birds that escape after release shall not be recaptured, except as authorized by paragraphs (b) (3) and (4) and K.A.R. 115-13-5.

(3) Pen-raised or wild-trapped pigeons and pen-raised, banded mallard ducks may be released and shot during bird dog training activities, and the birds may be recaptured. Nontoxic shot approved under K.A.R. 115-18-14 shall be required for the taking of pen-raised mallard ducks.

(4) Chukar partridge and hungarian partridge may be released and shot during bird dog training activities, and chukar partridge and hungarian partridge may be recaptured.

(5) The banding of pigeons, chukar partridge, and hungarian partridge shall not be required.

(6) Pigeons, chukar partridge, hungarian partridge, and pen-raised, banded birds that are shot during bird dog training activity may be possessed by the bird dog trainer.

(7) All bands used shall be leg bands and shall be coded with the initials ADT.@

(8) No dog trainer shall possess unattached bands while conducting bird dog training activities.

(9) Wild game birds, except waterfowl, may be pursued during bird dog training activities, but shall not be shot, killed, or possessed except during established hunting seasons for the taking and possession of that species.

(c) Subject to K.A.R. 115-8-4 concerning department lands and waters, non-commercial training of sight and trail hounds for hunting, furbearer running, or furbearer harvesting purposes shall be authorized. This training shall be restricted to established furbearer seasons for the taking of furbearers by hunting methods, running seasons, and hunting seasons.

(d) Pen-raised, legally trapped and possessed, or wild red fox, gray fox, raccoon, opossum, coyote, and cottontail rabbit may be pursued during non-commercial sight or trail hound training activities, but shall not be shot or killed and shall not be possessed after initial release except during established seasons for the taking and possession of that species. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Aug. 5, 1991; amended Oct. 5, 2001.)

**115-13-3. Field trial permit; small game.** (a) The application for a small game field trial permit shall be submitted on a form provided by the department. A special event permit issued under K.A.R. 115-8-21 shall satisfy the requirement for a small game field trial permit if the application requirements of K.A.R. 115-13-3 are met. 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) a map of the area in which the small game field trial will be held. The map shall identify the site to be used as the event headquarters, shall be drawn on a scale of not less than 1/4 inch to the mile, and shall show county and township roads;

(5) the estimated number of individuals and dogs participating;

(6) the requested dates of the small game field trial;

(7) the daily starting time or times;

(8) a description of the field trial event, including information on the proposed use of wildlife during the event; and

(9) other information as required by the secretary.

(b) Each application for a small game field trial permit shall be submitted at least 15 days before an event. This application deadline may be waived by the secretary for extenuating circumstances, if all other application requirements are met. "Extenuating circumstances" shall mean any condition that is caused by an unexpected event that is beyond the applicant's control.

(c) Each applicant for a small game field trial permit may include in the application a listing of all field trial events for the calendar year if the information required under subsection (a) is provided for each event.

(d) Issuance of a small game field trial permit may be denied by the secretary under any of the following circumstances:

(1) The permit application is unclear or incomplete.

(2) The event does not conform to requirements of a small game field trial event.

(3) The requirements of K.A.R. 115-8-21 are not met.

(4) Issuance of a permit would pose an inordinate risk to the public or wildlife resources.

(e) Subject to all federal and state laws, rules, and regulations, wildlife may be used during a small game field trial event as follows:

(1) Pen-raised game birds that have been banded or otherwise marked may be released and shot.

(2) All bands used shall be leg bands and shall be coded with the initials "FT."

(3) Chukar partridge, hungarian partridge, and wild-trapped or pen-raised pigeons, and pen-raised, banded mallard ducks may be released and shot. Steel shot shall be required for the taking of pen-raised mallard ducks.

(4) The banding or marking of chukar partridge, hungarian partridge, and pigeons shall not be required.

(5) The number of game birds killed during a field trial shall not exceed the number of game birds released of the same species.

(6) Wild game birds, except waterfowl, may be pursued, but shall not be possessed, except during established hunting seasons for the taking and possession of that species.

(7) Pen-raised, wild-trapped, or wild cottontail rabbits may be pursued, shot, killed, and possessed during a small game field trial event.

(8) Wildlife shot or killed as authorized by this subsection may be possessed by the permittee or participants in the small game field trial event.

(f) Each small game field trial event held on a controlled shooting area shall be restricted to the licensed controlled shooting area.

(g) Pen-raised game birds that escape after release shall not be recaptured, except as authorized under K.A.R. 115-13-5. Pigeons, chukar partridge, hungarian partridge, and pen-raised, banded mallard ducks that escape after

release may be recaptured.

(h) A separate small game field trial event conducted under a small game field trial permit shall not exceed 14 days in duration and shall be conducted only on the area defined in the permit.

(i) Each permittee shall keep a register of the names and addresses of all participants in each small game field trial event and, upon demand, shall make this register available for inspection to the department and any law enforcement officer authorized to enforce the laws of this state or the regulations of the secretary.

(j) In addition to other penalties prescribed by law, a small game field trial permit may be revoked by the secretary under either of the following circumstances:

(1) The permit was secured through false representation.

(2) The permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 32-807 and K.S.A. 32-954; implementing K.S.A. 32-807, K.S.A. 32-954, and K.S.A. 32-1002; effective Aug. 5, 1991; amended Sept. 27, 2002.)

**115-13-4. Field trial permit; furbearers and coyotes.** (a) Each application for a furbearer or coyote field trial permit shall be submitted on a form provided by the department. 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 location of the event headquarters and the specific counties where the furbearer or coyote field trial will occur;

(5) the estimated number of individuals and dogs participating;

(6) the requested dates of the furbearer or coyote field trial;

(7) the daily starting time or times;

(8) a description of the furbearer or coyote field trial event, including information on the proposed use of wildlife during the event; and

(9) a copy of the furbearer or coyote sanction or license authorization if the event has been sanctioned or licensed.

(b) Each application for a furbearer or coyote field trial permit shall be submitted at least 15 days before an event. This application deadline may be waived by the secretary for extenuating circumstances, if all other application requirements are met. "Extenuating circumstances" shall mean any condition that is caused by an unexpected event that is beyond the applicant's control.

(c) Any applicant for a furbearer or coyote field trial permit may include in the application a listing of all field trial events for the calendar year if the information required under subsection (a) is provided for each event.

(d) Issuance of a furbearer or coyote field trial permit may be denied by the secretary, or approval for a specific furbearer or coyote field trial event requested by the applicant under the furbearer or coyote field trial permit may be withheld by the secretary, under any of the following circumstances:

(1) The permit application is unclear or incomplete.

(2) The requirements of K.A.R. 115-8-21 are not met.

(3) The event does not conform to the requirements of a furbearer or coyote field trial event.

(4) Issuance of a furbearer or coyote field trial permit would pose an inordinate risk to the public or to wildlife resources.

(e) Subject to all federal and state laws and regulations, wildlife may be used during a furbearer or coyote field trial event as follows:

(1) Pen-raised red fox, gray fox, raccoon, opossum, and coyotes may be released and pursued, but shall not be shot, killed, or possessed except during established seasons for the taking and possession of that species by hunting methods.

(2) Wild or legally trapped and released red fox, gray fox, raccoon, opossum, and coyotes may be pursued, but shall not be shot, killed, or possessed except during established seasons for the taking and possession of that species by hunting methods.

(f) Each separate furbearer or coyote field trial event conducted under a furbearer or coyote field trial permit shall be no longer than seven days in duration and shall be conducted only within the area specified in the permit.

(g) Each permittee shall keep a register of the names and addresses of all participants in each field trial event and, upon demand, shall make this register available for inspection to the department and any law enforcement officer authorized to enforce the laws of this state or the regulations of the secretary.

(h) No furbearer field trial event shall be held between the close of the fall running season established by K.A.R. 115-25-11 and the opening of the season established by K.A.R. 115-25-11 for the taking and possession of red fox, gray fox, raccoon, or opossum by hunting methods.

(i) No individual participating in a furbearer field trial shall possess a firearm except during the seasons established by K.A.R. 115-25-11 for the taking and possession of that species of furbearer.

(j) A coyote field trial event shall not be held during any closed season for the pursuing, shooting, killing, or possession of coyotes.

(k) In addition to other penalties prescribed by law, a furbearer or coyote field trial permit may be revoked by the secretary under either of the following circumstances:

- (1) The permit was secured through false representation.
- (2) The permittee fails to meet permit requirements or violates permit conditions.

(l) A furbearer or coyote field trial event permit shall not be required for water races or drag events. The following provisions shall apply to water races and drag events:

(1) A water race or drag event may be held at any time of the year if only coyotes or pen-raised furbearers are used in the event.

(2) A water race or drag event in which wild or wild-trapped furbearers or coyotes are used shall be held only during the established trapping season or season established for the taking and possession by hunting methods for the species of wildlife used.

(3) A water race or drag event shall be restricted to a contiguous area that does not exceed 640 acres.

(4) The person holding the water race or drag event shall notify the department at least 10 days before the event and provide a description of the event to be conducted. This notification deadline may be waived by the secretary for extenuating circumstances. "Extenuating circumstances" shall mean any condition that is caused by an unexpected event that is beyond the applicant's control. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and 32-954; effective Aug. 5, 1991; amended Sept. 27, 2002; amended May 31, 2019.)

**115-13-5. Pen-raised, banded birds; recapture.** (a) Recapture call pens may be used to recapture pen-raised, banded birds and birds that have been otherwise marked according to K.A.R. 115-13-3. A recapture call pen permit shall be required to use a recapture call pen.

(b) The application shall be submitted on a form 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 purpose for the use of recapture call pens;
- (5) the period of time that recapture call pens would be in use; and
- (6) the legal description including range, township, and section number where recapture call pens would be located.

(c) Issuance of a recapture call pen permit may be denied by the secretary if any of the following conditions exists:

- (1) The permit application is unclear or incomplete.
- (2) The need for use of a recapture call pen has not been established.
- (3) The use of recapture call pens would pose inordinate risk to non-target wildlife or wild game birds.
- (4) The applicant has been convicted of or plead guilty or nolo contendere to a recapture call pen violation.

(d) Only pen-raised, banded birds and birds that have been otherwise marked according to K.A.R. 115-13-3 may be taken in recapture call pens. Each permittee shall attend to each of the permittee's recapture call pens at least once every 24-hour period while the recapture call pen is in use. Except as may otherwise be authorized by law or by rule and regulation, all nonbanded birds and other wildlife shall be released and shall not be restrained or used in any manner.

(e) The name and permit number of the permittee shall be attached to the roof of the recapture call pen while the recapture call pen is in use.

(f) Each recapture call pen permit shall expire at the close of the expiration date specified in the permit.

(g) Each recapture call pen permittee shall provide a report of permit activity 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 days each recapture call pen was used;
- (4) the number and species of pen-raised, banded birds and birds otherwise marked according to K.A.R. 115-13-3 that were recaptured;
- (5) the number, species, and disposition of other wildlife captured; and
- (6) other information as required by the secretary.

(h) In addition to other penalties prescribed by law, a recapture call pen permit may be revoked by the secretary if either of the following applies:

(1) The permit was secured through false representation.

(2) The permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Aug. 5, 1991; amended Oct. 5, 2001.)

**115-14-1.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Nov. 12, 1991; amended Aug. 15, 1994; revoked December 31, 2012.)

**115-14-2.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1001 and K.S.A. 32-1002; effective Nov. 12, 1991; amended Aug. 15, 1994; amended Oct. 5, 2001; revoked Dec. 31, 2012.)

**115-14-3.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Nov. 12, 1991; amended August 1, 1997; amended Oct. 5, 2001; revoked Dec. 31, 2012.)

**115-14-4.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 1990 Supp. 32-807; implementing K.S.A. 1990 Supp. 32-807, K.S.A. 1990 Supp. 32-1001; effective Nov. 12, 1991; Dec. 31, 2012.)

**115-14-5.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1002; effective Nov. 12, 1991; amended Oct. 5, 2001; revoked Dec. 31, 2012.)

**115-14-6.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1002; effective Nov. 12, 1991; amended Oct. 5, 2001; revoked Dec. 31, 2012.)

**115-14-8.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1001, and K.S.A. 32-1002; effective Nov. 12, 1991; amended Aug. 15, 1994; revoked Dec. 31, 2012.)

**115-14-9.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-919, and K.S.A. 32-1002; effective Nov. 12, 1991; amended Aug. 15, 1994; amended August 1, 1997; amended Oct. 5, 2001; Dec. 31, 2012.)

**115-14-10.** This regulation shall be revoked on and after December 31, 2012. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1001, K.S.A. 32-1002 and K.S.A. 32-1047; effective Nov. 12, 1991; amended Aug. 15, 1994; amended Oct. 5, 2001; Dec. 31, 2012.)

**115-14-11. Falconry; general provisions.** (a) Each falconer hunting or trapping raptors in Kansas shall possess any current hunting license, unless exempt pursuant to K.S.A. 32-919 and amendments thereto, and any other state or federal stamp, permit, certificate, or other issuance that may be required for hunting the species that the falconer is hunting. In addition, each nonresident falconer shall possess a current nonresident hunting license while participating in a falconry field trial or a department-approved special event.

(b) Any falconry raptor may kill wildlife, including animals killed outside the established hunting season, if it was not the intent of the falconry permittee to kill the wildlife. The falconry raptor may be allowed to feed on the wildlife, but the permittee shall not take the wildlife, or any part of the wildlife, into possession.

(1) The falconry permittee shall report the take of any federally listed threatened or endangered species to the ecological services field office of the United States fish and wildlife service and provide the location where the take took place.

(2) The falconry permittee shall report the take of any wildlife designated as endangered or threatened in K.A.R. 115-15-1 or as a species in need of conservation as listed in K.A.R. 115-15-2 to the environmental services section of the department and provide the location where the take took place.

(c) Any falconry permittee may take nuisance and depredating birds with a falconry raptor in accordance with K.A.R. 115-16-3 if the permittee is not paid for that individual's services.

(d) Any falconry permittee may conduct commercial abatement activities in accordance with the following provisions:

(1) Any master falconer may conduct commercial abatement activities with permitted falconry raptors if the master falconer possesses a special purpose abatement permit issued by the United States fish and wildlife service.

Any master falconer, general falconer, or apprentice falconer may conduct commercial abatement activities as a subpermittee of a properly permitted master falconer.

(2) Any falconry permittee holding a special abatement permit may receive payment for that individual's commercial services.

(e) Feathers molted by a falconry raptor shall be possessed or disposed of in accordance with the following provisions:

(1) Any falconry permittee may possess flight feathers for each species of raptor legally possessed or previously held for the duration of time the permittee holds a valid falconry permit.

(A) The permittee may receive feathers for imping from other permitted falconers, wildlife rehabilitators, or propagators in the United States. The permittee may give feathers for imping to other permitted falconers, wildlife rehabilitators, or propagators in the United States.

(B) It shall be unlawful to buy, sell, or barter the feathers.

(2) Any permittee may donate feathers from a falconry raptor, except golden eagle feathers, to any person or institution with a valid permit to possess the feathers issued by the United States fish and wildlife service or to any persons exempted by federal regulation from having the permit.

(3) Except for the primary or the secondary flight feathers and the retrices from a golden eagle, a falconry permittee shall not be required to gather feathers that are molted or otherwise lost by a falconry bird. These feathers may be left where they fall, stored for imping, or destroyed. All molted flight feathers and retrices from a golden eagle shall be collected by the permittee and, if not kept for imping, shall be sent to the national eagle repository.

(4) Each falconry permittee whose permit expires or is revoked shall donate the feathers of any species of falconry raptor, except a golden eagle, to any person or institution exempted from federal possession permit requirements or to any person or institution authorized by federal permit to acquire and possess the feathers. If the feathers cannot be donated, they shall be burned, buried, or otherwise destroyed.

(f) The carcass of each falconry raptor shall be disposed of in accordance with the following provisions:

(1) The entire body of each golden eagle, including all feathers, talons, and other parts, shall be sent to the national eagle repository.

(2) The body or feathers of any species of falconry raptor, excluding a golden eagle, may be donated to any person or institution exempted from federal possession permit requirements or to any person or institution authorized by federal permit to acquire and possess the body or feathers.

(3) The body of any falconry raptor, other than a golden eagle, that was banded or was implanted with a microchip before its death may be kept by the falconry permittee in accordance with the following provisions:

(A) The feathers from the body may be used for imping.

(B) The body may be prepared and mounted by a taxidermist. The mounted body may be used by the permittee as part of a conservation education program.

(C) If the raptor was banded, the band shall remain on the body. If the raptor was implanted with a microchip, the microchip shall remain implanted in place.

(4) The body or feathers of any raptor that is not donated or retained by the permittee shall be burned, buried, or otherwise destroyed within 10 days of the death of the bird or after final examination by a veterinarian to determine the cause of death.

(5) The carcass of each euthanized raptor shall be disposed of in a manner that prevents the secondary poisoning of eagles or other scavengers.

(6) For any falconry raptor other than a golden eagle, if the body or feathers are not donated or mounted by a taxidermist as authorized by this subsection, the falconry permittee may possess the raptor for as long as the permittee maintains a valid falconry permit. The falconry permittee shall keep all the paperwork documenting the acquisition and possession of the raptor.

(g) A falconry raptor may be used in conservation education programs presented in public venues in accordance with the following provisions:

(1) Any general falconer or master falconer may conduct or participate in such a program without the need for any other type of permit. Any apprentice falconer may conduct or participate in such a program while under the direct supervision of a general falconer or master falconer during the program.

The falconer presenting the program shall be responsible for all liability associated with falconry and conservation education activities for which the falconer is the instructor.

(2) The raptor shall be used primarily for falconry.

(3) A fee may be charged for the presentation of a conservation education program. However, the fee shall not exceed the amount required to recoup the falconer's costs for presenting the program.

(4) The presentation shall address falconry and conservation education. The conservation education portion of the program shall provide information about the biology, ecological roles, and conservation needs of raptors and other migratory birds. However, not all of these topics shall be required to be covered in every presentation.

(h) Falconry raptors may be photographed, filmed, or recorded by similar means for the production of movies or other sources of information on the practice of falconry or on the biology, ecological roles, and conservation needs of raptors and other migratory birds in accordance with the following provisions:

(1) Any general falconer or master falconer may conduct or participate in such an activity without the need for any other type of permit. Any apprentice falconer may conduct or participate in such an activity while under the direct supervision of a general falconer or master falconer during the activity.

(2) The falconer shall not receive payment for the falconer's participation.

(3) Falconry raptors shall not be used to make movies or commercials or be used in other commercial ventures that are not related to falconry. Falconry raptors shall not be used for any of the following:

- (A) Entertainment;
- (B) advertisements, promotion, or endorsement of any products, merchandise, goods, services, meetings, or fairs;

or

- (C) the representation of any business, company, corporation, or other organization.

(i) Any general falconer or master falconer may assist a permitted migratory bird rehabilitator (“rehabilitator”) to condition raptors in preparation for their release to the wild in accordance with the following provisions:

(1) The rehabilitator shall provide the falconer with a letter or form that identifies the bird and explains that the falconer is assisting in the bird’s rehabilitation. The raptor undergoing rehabilitation shall not be transferred to the falconer but shall remain under the permit of the rehabilitator.

(2) The falconer shall not be required to meet the rehabilitator facility standards. The falconer shall maintain that individual’s facilities in accordance with K.A.R. 115-14-13.

(3) The falconer, in coordination with the rehabilitator, shall release all raptors that are able to be released to the wild or shall return any such bird that cannot be permanently released to the wild to the rehabilitator for placement within the 180-day time frame in which the rehabilitator is authorized to possess the bird, unless the rehabilitator receives authorization to retain the bird for longer than the 180-day period. Any rehabilitated bird may be transferred to the falconer in accordance with K.A.R. 115-14-15.

(j) When flown free, a hybrid raptor shall have at least two attached radio transmitters to aid the falconry permittee in tracking and locating the bird. The term “hybrid raptor” shall mean the offspring of two different species of raptor.

(k) The statewide season for taking game birds by falconry shall be September 1 through March 31. Any falconer may possess hen pheasants that are incidentally taken by falconry means during the established falconry game bird season. Each falconer shall possess no more than two hen pheasants per day.

This regulation shall be effective on and after December 31, 2012. (Authorized by and implementing K.S.A. 32-807; effective Dec. 31, 2012.)

**115-14-12. Falconry; permits, applications, and examinations.** (a) Except as provided in this regulation, any individual engaged in falconry who possesses a current Kansas falconry permit or a current falconry permit from another state may engage in falconry activities as authorized by law or regulation. The permittee shall be in the immediate possession of the permit while trapping, transporting, working with, or flying a falconry raptor. Each falconer wanting to capture a raptor from the wild shall comply with K.A.R. 115-14-14. The permittee shall not be required to have immediate possession of the falconry permit while the raptor is located on the permitted premises of the falconry facility but shall produce the permit upon request for inspection by any law enforcement officer authorized to enforce the provisions of this regulation.

(b) Each individual wanting to engage in falconry shall submit an application to the secretary for the appropriate permit, on forms provided by the department. The application shall require at least the following information to be provided:

- (1) The applicant’s name;
- (2) the applicant’s address;
- (3) the address of the facilities where the raptors are to be kept;
- (4) the species and number of raptors to be permitted in accordance with the limitations specified in this regulation;

regulation;

- (5) the applicant’s date of birth;
- (6) the applicant’s social security number;
- (7) the level of falconry permit being applied for; and
- (8) any additional relevant information that may be required for the type of permit as described within this regulation.

regulation.

(c) Each falconry permit shall be valid from the date of issuance through December 31 in the third calendar year after issuance. A falconry permit may be renewed without the examination otherwise required by this regulation if the permit is renewed before the current permit expires.

(d) Each individual holding a current valid falconry permit from another state, moving to Kansas with the intent to establish residency, and wanting to bring that individual’s legally permitted raptors into the state shall meet the following requirements:

(1) The individual shall apply for the appropriate level of Kansas falconry permit within 30 days after moving into the state. The determination of which level of falconry permit is appropriate for the applicant shall be based on the requirements of subsections (j), (k), and (l).

(2) The individual shall not be required to take the department’s falconry examination specified in paragraph (j)(3).

(3) The individual shall notify the state where the individual formerly resided of the individual's move, within 30 days of moving to Kansas.

(4) Any falconry birds held by the individual under the former permit may be retained during the permit application and issuance process in Kansas if the birds are kept in an appropriate facility as specified in K.A.R. 115-14-13.

Each permanent facility to house falconry birds possessed under this subsection shall be constructed, inspected, and approved in accordance with K.A.R. 115-14-13 before the issuance of the Kansas falconry permit.

(e) Each individual whose permit has lapsed shall be allowed to reinstate that individual's permit in accordance with this subsection.

(1) Any individual whose Kansas falconry permit has lapsed for fewer than five years may be reinstated at the level previously held if the individual submits a complete application and provides proof of the previous level of certification. Each of the individual's facilities shall pass the inspection requirements in K.A.R. 115-14-13 before the individual may be allowed to possess a falconry raptor.

(2) Each individual whose Kansas falconry permit has lapsed for five years or more shall be required to correctly answer at least 80 percent of the questions on the department's falconry examination specified in paragraph (j)(3). Upon passing the examination, the individual's falconry permit shall be reinstated at the level previously held. Each of the individual's facilities shall pass the inspection requirements in K.A.R. 115-14-13 before the individual may be allowed to possess a falconry raptor.

(f) Any individual whose falconry permit has been revoked or suspended may apply for that individual's permit to be reinstated after the suspension period or revocation. In addition to submitting a completed application to the department, the individual shall be required to correctly answer at least 80 percent of the questions on the department's falconry examination specified in paragraph (j)(3). Upon passing the examination, the individual's falconry permit shall be reinstated at the level previously held. Each of the individual's facilities shall pass the inspection requirements in K.A.R. 115-14-13 before the individual may be allowed to possess a falconry raptor.

(g) Any individual residing in Kansas who is not a citizen of the United States, has practiced falconry in the individual's home country, and has not been previously permitted for falconry in another state may apply for a temporary falconry permit. Each temporary falconry permit shall be valid from the date of issuance through December 31 in the third calendar year after issuance. The level of permit issued shall be consistent with the level of permit types specified in subsections (j), (k), and (l). In addition, the applicant shall meet the following provisions:

(1) Any individual covered under this subsection may apply for and receive a temporary falconry permit in accordance with the following provisions:

(A) The individual applying for the temporary permit shall be required to correctly answer at least 80 percent of the questions on the department's falconry examination specified in paragraph (j)(3).

(B) Upon passing the examination, a temporary permit for the appropriate level shall be issued by the department, based on the individual's documentation of experience and training.

(C) The individual holding the temporary permit may possess raptors for falconry purposes if the individual has falconry facilities approved in accordance with K.A.R. 115-14-13. The individual holding a temporary permit may fly raptors held for falconry by another permitted falconer. The individual holding a temporary permit shall not take raptors from the wild for falconry purposes.

(2) Any individual holding a temporary permit in accordance with this subsection may use any bird for falconry that the individual legally possessed in the individual's country of origin for falconry purposes if the importation of that species of bird into the United States is not prohibited and the individual has met all permitting requirements of the individual's country of origin.

(A) The individual shall comply with all requirements for practicing falconry in the state. The individual shall acquire all permits and comply with all federal laws concerning the importation, exportation, and transportation of falconry birds; the wild bird conservation act; the endangered species act; migratory bird import and export permits; and the endangered species convention.

(B) Each falconry bird imported into the state under this subsection shall be exported from the state by the temporary permittee when the permittee leaves the state, unless a permit is issued allowing the bird to remain in Kansas. If the bird dies while in the state, the permittee shall report the loss to the department before leaving the state.

(C) When flown free, each bird brought into the state under the provisions of this subsection shall have attached to the bird two radio transmitters that allow the permittee to locate the bird.

(h) Each individual who holds a current, valid Kansas falconry permit and resides in another state, territory, or tribal land different from the individual's primary Kansas residence for more than 120 consecutive days shall provide the location of the individual's falconry facilities in the other jurisdiction to the department. This information shall be listed on the individual's Kansas falconry permit.

(i) Falconry permits shall be issued for the following levels of permittees: apprentice falconer, general falconer, and master falconer. Each applicant for a specific level shall meet the requirements of subsection (j), (k), or (l).

(j) An "apprentice falconer" shall mean an individual who is beginning falconry at an entry level, has no prior permitted falconry experience, and meets the following requirements:

(1) The applicant shall be at least 12 years of age. The application of any applicant under 18 years of age shall be signed by a parent or legal guardian, who shall be legally responsible for the applicant's activities.

(2) The applicant shall have secured a written sponsor agreement either from a general falconer with at least two years of falconry experience as a general falconer or from a master falconer, stating that the falconer has agreed to mentor the applicant for the duration of the apprentice permit.

(A) The sponsor agreement shall include a statement from the general falconer or master falconer specifying that the sponsor shall mentor the applicant in learning the husbandry and training of raptors for falconry, learning relevant wildlife laws and regulations concerning the practice of falconry, and deciding what species of raptor is appropriate for the applicant to possess while practicing falconry at the apprentice level.

(B) If the general falconer or master falconer is not able to fulfill the sponsor agreement to mentor the apprentice falconer, the apprentice shall secure a sponsor agreement from another falconer with the necessary qualifications and notify the department within 30 days of the change. The falconer sponsoring the apprentice falconer shall notify the department in writing within 30 days of withdrawing the falconer's mentorship.

(3) Each applicant for an apprentice falconry permit shall be required to correctly answer at least 80 percent of the questions on the department's falconry examination. The examination shall cover the following topics:

(A) The care and handling of falconry raptors;

(B) federal and state laws and regulations relating to falconry; and

(C) other relevant subject matter relating to falconry, including diseases and general health.

(4) Any applicant failing the examination may reapply after 90 days.

(5) An apprentice falconer shall not possess more than one raptor. Each apprentice falconer shall be restricted to taking or possessing not more than one wild-caught raptor from one of the following species:

(A) American kestrel (*Falco sparverius*);

(B) red-tailed hawk (*Buteo jamaicensis*); or

(C) red-shouldered hawk (*Buteo lineatus*).

(6) A raptor acquired by an apprentice falconer shall not have been taken from the wild as an eyas or have become imprinted on humans. Any wild-caught raptor species specified in paragraph (j)(5) may be transferred to the apprentice falconer by another properly permitted falconry permittee.

An apprentice falconer shall not acquire more than one replacement raptor during any 12-month period.

(7) The facilities used to house and keep the raptor shall meet the requirements in K.A.R. 115-14-13.

(k) A "general falconer" shall mean an individual who has been previously permitted as an apprentice falconer and meets the following requirements:

(1) The applicant shall be at least 16 years of age. The application of any applicant under 18 years of age shall be signed by a parent or legal guardian, who shall be legally responsible for the applicant's activities.

(2) Each application shall be accompanied by a letter from general falconer or a master falconer stating that the applicant has practiced falconry with wild raptors at the level of apprentice falconer, or its equivalent, for at least two years, including maintaining, training, flying, and hunting the raptor for at least four months in each year. This time may include the capture and release of falconry raptors. A school or education program in falconry shall not be substituted to shorten the required two years of experience at the level of apprentice falconer.

(3) A general falconer may take and use any species of *Accipitriform*, *Falconiform*, or *Strigiform*, including wild or captive-bred raptors and hybrid raptors, as defined in K.A.R. 115-14-11, for falconry, with the following exceptions:

(A) Golden eagle (*Aquila chrysaetos*);

(B) bald eagle (*Haliaeetus leucocephalus*);

(C) white-tailed eagle (*Haliaeetus albicilla*); and

(D) Steller's sea eagle (*Haliaeetus pelagicus*).

(4) A general falconer shall possess no more than three raptors at any one time, regardless of the number of state, tribal, or territorial falconry permits the general falconer possesses.

(l) A "master falconer" shall mean an individual who has been previously permitted at the level of general falconer and meets the following requirements:

(1) The applicant shall have practiced falconry with that individual's own raptor as a general falconer for at least five years.

(2) A master falconer may take and use any species of *Accipitriform*, *Falconiform*, or *Strigiform*, including wild or captive-bred raptors and hybrid raptors for falconry, with the following exceptions:

(A) A bald eagle (*Haliaeetus leucocephalus*) shall not be possessed.

(B) Golden eagles (*Aquila chrysaetos*), white-tailed eagles (*Haliaeetus albicilla*), or Steller's sea eagles (*Haliaeetus pelagicus*) may be possessed if the permittee meets the following requirements:

(i) The permittee shall not possess more than three raptors of the species listed in paragraph (l)(2)(B).

(ii) The permittee shall provide documentation to the department of the permittee's experience in handling large raptors, including information about the species handled and the type and duration of the activity in which the experience was gained.

(iii) The permittee shall provide the department with at least two letters of reference from people with experience in handling or flying large raptors including eagles, ferruginous hawks (*Buteo regalis*), goshawks (*Accipiter gentilis*), or great horned owls (*Bubo virginianus*). Each letter shall contain a concise history of the author's experience with large raptors, which may include the handling of raptors held by zoos, rehabilitating large raptors, or scientific studies involving large raptors. Each letter shall also assess the permittee's ability to care for eagles and fly them for falconry purposes.

(C) The possession of a golden eagle, white-tailed eagle, or Steller's sea eagle shall count as one of the wild raptors that the permittee is allowed to possess.

(D) A master falconer may possess wild or captive-bred raptors or hybrid raptors of the species allowed by this subsection.

(E) A master falconer shall possess no more than five wild-caught raptors, including golden eagles, regardless of the number of state, tribal, or territorial falconry permits that the falconer possesses.

(F) A master falconer may possess any number of captive-bred raptors. However, the raptors shall be trained to pursue wild game and shall be used for hunting.

(m) A falconry permit may be denied, suspended, or revoked by the secretary for any of the following reasons:

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

(2) The applicant does not meet the qualifications specified in this regulation.

(3) The applicant has failed to maintain or to submit required reports.

(4) The applicant has been convicted of violating department laws or regulations relating to hunting or the practice of falconry or has had any other department license or permit denied, suspended, or revoked.

(5) Issuance of the permit would not be in the best interests of the public, for reasons including complaints or inappropriate conduct while holding a previous falconry permit.

This regulation shall be effective on and after December 31, 2020. (Authorized by and implementing K.S.A. 2019 Supp. 32-807; effective Dec. 31, 2012; amended Dec. 31, 2020.)

**115-14-13. Falconry; facilities, equipment, care requirements, and inspections.** (a) Each individual keeping raptors shall maintain the facilities in accordance with this regulation.

(1) "Primary facility" shall mean the principal place and structures where the raptor is normally provided care and housing. This term shall include indoor facilities and outdoor facilities.

(2) "Temporary facility" shall mean a place and structure where a raptor is kept during the raptor's time away from the primary facility, including during transportation and while hunting or attending an event. This term shall include a place and structure where a raptor is kept for a limited time period while the primary facility is not available.

(b) All primary facilities used to house and keep raptors shall be inspected and approved by the department before the issuance of a Kansas falconry permit. Thereafter, all primary facilities used to house and keep raptors shall be inspected and approved whenever a change in the location of the primary facility occurs. All primary facilities shall meet the following standards:

(1) All indoor areas of the primary facility, which are also known as "mews," and all outdoor areas of the primary facility, which are also known as "weathering areas," shall protect raptors from the environment, predators, and domestic animals.

(2) The indoor area of the primary facility shall have a perch for each raptor and at least one opening for sunlight.

(3) Two or more raptors may be housed together and untethered if the birds are compatible with each other.

Each raptor shall have an area large enough to allow the raptor to fly if it is untethered or, if tethered, to fully extend its wings to bate or attempt to fly while tethered without damaging its feathers or contacting other raptors.

(4) Each raptor shall have a pan of clean water available.

(5) Each indoor area of the primary facility shall be large enough to allow easy access for the care and feeding of the raptors kept there.

(6) Each indoor area of the primary facility housing untethered raptors shall have either solid walls or walls made with vertical bars spaced narrower than the width of the body of the smallest raptor being housed, heavy-duty netting, or other similar materials covering the walls and roof of the facility. All windows shall be protected on the inside by vertical bars, spaced at intervals narrower than the width of the raptor's body.

(7) The floor of the indoor area of the primary facility shall consist of material that is easily cleaned and well drained.

(8) Each indoor area of the primary facility shall include shelf-perch enclosures where raptors are tethered side by side. Other housing systems shall be acceptable if they afford the enclosed raptors with protection and maintain healthy feathers.

(9) A falconry raptor, or raptors, may be kept inside the permittee's residence if a suitable perch, or perches, are provided. Windows and other openings in the residence structure shall not be required to be modified. All raptors kept in the residence shall be tethered when the raptors are not being moved into or out of the location where they are kept.

(10) Each outdoor area of the primary facility shall be totally enclosed and shall be made of heavy-gauge wire, heavy-duty plastic mesh, slats, pipe, wood, or other suitable material.

(11) Each outdoor area of the primary facility shall be covered and have at least a covered perch to protect a raptor held in the facility from predators and weather. Each outdoor area of the primary facility shall be large enough to ensure that all the raptors held inside cannot strike the enclosure when flying from the perch.

(12) Any new design of primary facility may be used if the primary facility meets the requirements of this subsection.

(c) Falconry raptors may be kept outside, including in a weathering yard at a falconry meet, if the raptors are under watch by the permittee or a designated individual.

(d) The permittee may transport any permitted raptor if the bird is provided with a suitable perch and is protected from extreme temperatures, wind, and excessive disturbance. A giant hood or similar container may be used for transporting the bird or for housing it while away from the primary facility.

(e) The permittee shall inform the department of any change of location of the primary facility within five business days of the move to the new location.

(f) The property where the primary facility is located may be owned by the permittee or another person and may be at the residence of the permittee or at a different location.

The permittee shall submit to the department a signed and dated statement showing that the permittee agrees that the primary facility, equipment, all falconry-related facilities, equipment, records, and raptors may be inspected without advance notice by department authorities at any reasonable time on any day of the week if the inspections are in the presence of the permittee. If the property is not owned by the permittee, the actual property owner shall also sign the statement acknowledging the inspection allowance.

(g) The permittee shall provide and maintain the following equipment during the term of the permit:

(1) At least one pair of Aylmeri jesses, or jesses of a similar type, constructed of pliable, high-quality leather or a suitable synthetic material. The jesses shall be used when any raptor is flown free. Traditional one-piece jesses may be used on raptors when not being flown;

(2) at least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design;

(3) at least one suitable bath container for each raptor. Each container shall be at least two to six inches deep and wider than the length of the raptor; and

(4) a reliable scale or balance that is suitable for weighing the raptors and is graduated to increments of not more than ½ ounce (15 grams).

(h) A permittee may house a raptor in temporary facilities for no more than 120 consecutive days if the bird is provided with a suitable perch and protection from predators, domestic animals, extreme temperatures, wind, and excessive disturbance.

(i) A permittee may allow a raptor to be temporarily cared for and possessed by another falconry permittee in accordance with the following requirements:

(1) The raptor shall be kept at the permittee's primary facility or at the permitted primary facility of the other permittee.

(2) The raptor shall be cared for by the other permittee for no more than 120 consecutive days, unless the department provides a written extension of time for extenuating circumstances that may include illness, military service, or a family emergency. Extenuating circumstances may be considered by the secretary on a case-by-case basis.

(3) The permittee shall provide the other permittee with a signed, dated statement authorizing the temporary possession. The statement shall include information specifying the time period during which the temporary care and possession are allowed and what activity is allowed. The permittee providing the temporary care may fly the raptor as authorized in the statement, including hunting, if the permittee providing the temporary care holds the appropriate level of falconry permit. The raptors being provided temporary care shall not count against the possession limit of the permittee providing the care.

(4) The permittee shall provide a copy of the United States fish and wildlife service form 3-186A showing that permittee as the possessor of the raptor to the other permittee providing the temporary care.

(j) Any permittee may allow a raptor to be temporarily cared for by an individual who does not possess a falconry permit in accordance with the following provisions:

(1) The raptor shall not be removed from the permittee's facility during the time of temporary care. The person caring for the raptor shall not fly the raptor for any reason.

(2) The raptor may be cared for by another person for no more than 45 consecutive days, unless the department provides a written extension of time for extenuating circumstances that may include illness, military service, or a family emergency. Extenuating circumstances may be considered by the secretary on a case-by-case basis.

(3) The raptor shall remain on the permittee's falconry permit.

(k) Falconry raptors may be trained or conditioned in accordance with the following provisions:

(1) Equipment or techniques acceptable for falconry practices including or similar to any of the following may be used:

(A) Tethered flying, which is also known as flying with a creance;

(B) lures made from animal parts;

(C) balloons;

- (D) kites; or
  - (E) remote-control airplanes.
  - (2) The following species of live wildlife may be used:
    - (A) Rock dove or domestic pigeon;
    - (B) European starling;
    - (C) house sparrow;
    - (D) Hungarian partridge;
    - (E) Chukar partridge; and
    - (F) any small game, as defined by K.S.A. 32-701 and amendments thereto, during the established hunting seasons for the small game.
  - (l) All facilities and equipment shall be properly maintained and cleaned during the term of the permit.
  - (m) Mistreatment of any raptor shall be grounds for revocation of the falconer's permit and for confiscation of any raptors in possession of the falconer. "Mistreatment" shall be defined as any of the following:
    - (1) Having physical custody of a raptor and failing to provide food, potable water, protection from the elements, opportunity for exercise, and other care as is needed for the health and well-being of the raptor;
    - (2) abandoning or leaving any raptor in any place without making provisions for its proper care; or
    - (3) failing to meet the requirements of this regulation.
- This regulation shall be effective on and after December 31, 2020. (Authorized by and implementing K.S.A. 2019 Supp. 32-807; effective Dec. 31, 2012; amended Dec. 31, 2020.)

**115-14-14. Falconry; taking, banding, transporting, and possessing raptors.** (a) For the purpose of this regulation, "falconer" shall be defined as a person taking or attempting to take a raptor from the wild for falconry purposes. Each falconer shall possess a current, valid hunting license pursuant to K.S.A. 32-919, and amendments thereto, and meet the requirements for hunter education certification pursuant to K.S.A. 32-920, and amendments thereto.

(b) Each nonresident falconer shall apply for and receive a take permit from the department before attempting to take a raptor from the wild in Kansas. Each nonresident falconer shall submit a raptor acquisition report within 10 days of leaving Kansas, regardless of whether the falconer was successful in taking a raptor.

(c) Each resident falconer shall apply for and receive a take permit from the department before attempting to take a peregrine falcon from the wild in Kansas.

(d) Each capture device used to capture raptors shall have a tag attached showing the falconer's name, address, and current falconry permit number.

(e) The falconer shall acquire permission from the landowner or the person controlling any private land before taking or attempting to take any wild raptor for falconry purposes.

(f) Wild raptors may be taken for falconry purposes if the species is approved by the department to be taken by the falconer and is allowed under the level of falconry permit possessed by the falconer in accordance with K.A.R. 115-14-12.

(1) A falconer shall not intentionally take a raptor species that the falconer is prohibited from possessing by the falconer's classification level.

(2) If a falconer captures a prohibited bird, the falconer shall immediately release it.

(g) A falconer shall take no more than two raptors from the wild each year to use in falconry in accordance with the permit level limitations specified in K.A.R. 115-14-12. The take shall be further restricted by the following provisions:

(1) Passage and haggard raptors may be taken by apprentice falconers, general falconers, and master falconers year-round.

(2) Eyases may be taken only by a general falconer or master falconer and may be taken year-round.

(3) No more than two eyases may be taken by a general falconer or a master falconer per calendar year. At least one eyas shall be left in the nest when an eyas is taken.

An apprentice falconer shall not take an eyas raptor from the wild.

(4) The following raptors may be taken from the wild, but only during the specified stages of development:

(A) Red-tailed hawk (*Buteo jamaicensis*) in the eyas and passage stages;

(B) American kestrel (*Falco sparverius*) in all stages; and

(C) great horned owl (*Bubo virginianus*) in all stages.

(5) Any other species of raptor in the eyas or passage stage of development may be taken by general falconers and master falconers.

(6) The recapture of a falconry bird that has been lost by a falconer shall not be considered to be the capture of a wild raptor to be counted against the annual limit.

(h) Except as provided by this subsection, no species designated by the United States or in K.A.R. 115-15-1 as endangered or threatened shall be taken from the wild.

(1) A general falconer or master falconer may obtain a permit to take one wild raptor listed by federal law as threatened for falconry purposes.

(2) (A) The falconer shall submit an application and receive a federal endangered species permit before taking the bird.

(B) The falconer shall submit an application and receive approval and a permit from the department before taking the bird.

(i) Each raptor taken from the wild shall always be considered a wild bird.

(j) Each raptor taken from the wild in a calendar year by a falconer and then transferred to a second falconer shall count as one of the raptors allowed to be taken by the first falconer who took the raptor from the wild. The raptor transferred to the receiving falconer shall not count against the limit of wild raptors that may be taken in the calendar year by the receiving falconer.

(k) Each raptor taken from the wild shall be reported as follows:

(1) The falconer who is present and takes possession of a wild raptor at the capture site shall file the required report information within 10 calendar days of the capture by submitting the information to the electronic database of the United States fish and wildlife service.

(2) Any falconer may enlist the assistance of another person to take a wild raptor if the falconer is at the exact location of the capture and takes immediate possession of the bird.

(3) Any falconer who does not take immediate possession of a wild raptor at the exact location of the capture may acquire a wild raptor from a general falconer or master falconer, as defined in K.A.R. 115-14-12, in accordance with the following reporting requirements:

(A) The general falconer or master falconer who takes the raptor from the wild shall report the capture in accordance with paragraph (k)(1).

(B) The falconer receiving the wild raptor from the general falconer or master falconer shall report the transfer of the bird within 10 calendar days of the transfer by submitting the information to the electronic database of the United States fish and wildlife service.

(4) Any falconer who has a long-term or permanent physical impairment that prevents the individual from being present at the exact location of the capture and taking immediate possession of a wild raptor that may be used by the falconer for falconry purposes may acquire a bird by the following means:

(A) Any general falconer or master falconer, as defined by K.A.R. 115-14-12, may capture the wild raptor.

This capture shall not count against the general falconer's or master falconer's calendar-year limit for the take of wild raptors. However, this capture shall count against the calendar-year limit for wild raptors of the falconer with the long-term or permanent physical impairment.

(B) The falconer with the long-term or permanent physical impairment shall file the capture report in accordance with paragraph (k)(1).

(C) The falconer with the long-term or permanent physical impairment shall confirm the presence of the impairment and the need to report in accordance with this subsection at the time of application for the capture permit.

(1) A master falconer may be authorized by permit to possess not more than three eagles, including golden eagles, white-tailed eagles, or Steller's sea eagles, for falconry in accordance with the following provisions:

(1) Each eagle possessed shall count against the possession limit for the falconer.

(2) A golden eagle may be taken in a location declared by the wildlife services of the United States department of agriculture or in an area within a state that has been established as a livestock depredation area in accordance with the following provisions:

(A) An immature or a subadult golden eagle may be taken in a livestock depredation area while the depredation area is in effect.

(B) A nesting adult golden eagle, or an eyas from its nest, may be taken in a livestock depredation area if a biologist that represents the agency responsible for establishing the depredation area has determined that the adult eagle is preying on livestock.

(C) The falconer shall notify the regional law enforcement office of the United States fish and wildlife service of the capture plan before any trapping activity begins. Notification shall be submitted in person, in writing, or by facsimile or electronic mail at least three business days before the start of trapping.

(m) Any raptor wearing falconry equipment or any captive-bred raptor may be recaptured at any time by any falconer in accordance with the following provisions:

(1) The falconer may recapture the raptor whether or not the falconer is allowed to possess that species.

(2) The recaptured bird shall not count against the falconer's possession limit. This take from the wild shall not count against the capture limit for the calendar year.

(3) The falconer shall report the recapture to the department within five working days of the recapture.

(4) The disposition of any recaptured bird shall be as follows:

(A) The bird shall be returned to the person who lost it, if that person may legally possess the bird and chooses to do so. If the person who lost the bird either is prohibited from taking or chooses not to take the bird, the falconer who

captured the bird may take possession of the bird if the falconer holds the necessary qualifications for the species and does not exceed the falconer's possession limit.

(B) The disposition of a recaptured bird whose legal ownership cannot be ascertained shall be determined by the department.

(n) Each goshawk (*Accipiter gentilis*), Harris's hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*), or gyrfalcon (*Falco rusticolus*) taken from the wild or acquired from a rehabilitator by a falconer shall be identified by one or more of the following means:

(1) The bird shall be banded with a black nylon, permanent, nonreusable, numbered falconry registration leg band from the United States fish and wildlife service. The bands shall be made available through the department. Any falconer may request an appropriate band before any effort to capture a raptor.

(2) In addition to the band specified in paragraph (n)(1), the falconer may purchase and have implanted in the bird a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization. All costs associated with the implantation of a microchip shall be the responsibility of the falconer.

(3) The falconer shall report the take of any bird within 10 days of the take by submitting the required information, including the band number or the microchip information, or both, to the electronic database of the United States fish and wildlife service.

(4) The falconer shall report to the department the loss or removal of any black nylon, nonreusable leg band within five days of the removal or notice of loss.

(A)(i) When submitting the report, the falconer shall submit a request for a black, nylon, nonreusable leg band to the United States fish and wildlife service.

(ii) The falconer may purchase and implant a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization, in addition to using the black, nylon, nonreusable leg band for rebanding.

(B) The falconer shall immediately submit the required information relating to the re-banding or the implanting of a microchip by submitting the information to the electronic database of the United States fish and wildlife service.

(o) Each raptor bred in captivity shall be banded with a seamless metal falconry registration band provided by the United States fish and wildlife service. In addition, any such raptor may have implanted a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization.

The falconer shall report to the department the loss or removal of any seamless band within 10 days of the removal or notice of loss.

(1)(A) When submitting the report, the falconer shall submit a request for a yellow, nylon, nonreusable leg band to the United States fish and wildlife service.

(B) The falconer may purchase and implant a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization, in addition to using the seamless leg band for rebanding.

(2) The falconer shall immediately submit the required information relating to the re-banding or the implanting of a microchip by submitting the information to the electronic database of the United States fish and wildlife service.

(p) A falconry registration band shall not be altered, defaced, or counterfeited. However, the rear tab on a falconry registration band used to identify a raptor taken from the wild may be removed and any imperfect surface may be smoothed if the integrity of the band and the numbering on the band are not affected.

(q) The falconry registration band requirement may be waived by the secretary and the removal of a registration band may be allowed in order to address a documented health or injury problem caused to a raptor by the registration band in accordance with the following provisions:

(1) The falconer shall be required to carry a copy of the exemption paperwork at all times while transporting or flying the raptor.

(2) A microchip compliant with the requirements of an international organization for standardization and provided by the United States fish and wildlife service shall be used to replace the registration band causing the health or injury problem on a wild-caught goshawk, Harris's hawk, peregrine falcon, or gyrfalcon.

(r) A wild-caught falcon shall not be banded with a seamless numbered band.

(s) Any falconer, with prior authorization, may take a wild raptor, including a wild raptor that has been banded with an aluminum band from the federal bird-banding laboratory of the United States fish and wildlife service, during the legal season using legal methods and equipment, in accordance with the following provisions:

(1) Each captured raptor that has any band, research marker, or transmitter attached to it shall be immediately reported to the federal bird-banding laboratory of the United States fish and wildlife service. The reported information shall include any identifying numbers, the date and location of capture, and any other relevant information.

(2) A peregrine falcon that is banded with a research band or has a research marking attached to the bird shall not be taken from the wild and shall be immediately released.

(3) A captured peregrine falcon that has a research transmitter attached to the bird may be kept by the falconer not more than 30 days if the federal bird-banding laboratory of the United States fish and wildlife service is immediately contacted after the capture. The disposition of the captured peregrine falcon shall be in accordance with the directions provided by the federal bird-banding laboratory or its designee.

(4) Any raptor, other than a peregrine falcon, that has a transmitter attached to it may be possessed by the falconer who captured the bird for not more than 30 days in order to contact the researcher, or the researcher's designee, to determine if the transmitter should be replaced.

(A) The temporary, 30-day possession of the bird shall not count against the falconer's possession limit for falconry raptors.

(B) If the falconer who captured the raptor wishes to possess the bird for falconry purposes, the disposition of the bird shall be at the discretion of the researcher and the secretary if the species of the bird is allowable under the classification level of the falconer and the falconer's possession of the captured bird does not exceed the established possession limit.

(t) Each raptor, including a peregrine falcon, that is captured and found with a seamless metal band, a transmitter, or any other item identifying it as a falconry bird attached to it shall be reported to the department within five days of capture.

(1) Each such falconry raptor shall be returned to the person who lost the raptor.

(2) If the person who lost the bird is prohibited from possessing the bird or does not wish to possess the bird, the falconer who captured the bird may keep the bird if the falconer holds the necessary qualifications for the species and does not exceed the falconer's possession limit.

(3) If the falconer who captured the bird is prohibited from possessing the bird, the disposition of the bird shall be at the discretion of the secretary.

(4) The recaptured falconry bird shall not count against the possession limit or the calendar-year limit of wild birds that may be taken by the falconer during the time the recaptured bird is being held pending final disposition.

(u) Each raptor that is injured during trapping activities shall be handled in accordance with the provisions of this subsection. It shall be the falconer's responsibility to address any injury occurring to a raptor during trapping activities in one of the following ways:

(1) The falconer may take the raptor into possession and apply it to the falconer's possession limit if the raptor is of a species allowed to be possessed and the falconer's possession limit is not exceeded.

(A) The take shall be reported in accordance with subsection (k).

(B) The raptor shall be treated by a veterinarian or a permitted wildlife rehabilitator. The cost for the care and treatment of the raptor shall be the responsibility of the falconer.

(2) The raptor may be turned over directly to a veterinarian, a permitted wildlife rehabilitator, or a department employee, and the raptor shall not be counted against the falconer's allowable take or possession limit. The falconer shall be responsible for the costs relating to the care and rehabilitation of the bird.

(v)(1) The falconer shall report each raptor that dies or is acquired, transferred, rebanded, implanted with a microchip, lost to the wild and not recovered within 30 calendar days, or stolen by submitting the information to the electronic database of the United States fish and wildlife service.

(2) In addition to submitting the report required in paragraph (v)(1), the falconer shall file a report of the theft of a raptor with the department and the appropriate regional law enforcement office of the United States fish and wildlife service within 10 calendar days of the theft.

(3) The falconer shall keep copies of all electronic database submissions documenting the take, transfer, loss, theft, rebanding, or implanting of microchips of each falconry raptor for at least five years after the bird has been transferred, released to the wild, or lost, or has died.

(w) The intentional release to the wild of any falconry raptor shall be in accordance with the following requirements:

(1) A species of raptor that is not native to Kansas shall not be released to the wild. Any such bird may be transferred to another falconer if the falconer receiving the bird is authorized to possess the age and species of raptor and the transfer does not exceed the possession limit of the falconer receiving the bird.

(2) Any species of raptor that is native to Kansas and is captive-bred may be released to the wild according to the following requirements:

(A) The falconer shall obtain the department's permission to release the bird to the wild before the actual release. The time of year and the location where the release shall take place shall be specified by the department.

(i) The release of a raptor on department lands or waters shall meet the requirements of K.A.R. 115-8-12.

(ii) The falconer shall acquire verbal permission from the landowner or person in control of the private land before the release of the raptor.

(B) The falconer shall remove any tag, transmitter, or nonreusable falconry band, if present, before release. All falconry identification bands, tags, or markers shall then be surrendered to the department within 10 calendar days of the release.

(C) The falconer shall report the release of the bird within 10 calendar days of the release by submitting the required information to the electronic database of the United States fish and wildlife service.

(3) Any species of raptor that is native to Kansas and was taken from the wild may be released to the wild according to the following requirements:

(A) The falconer may release the bird to the wild year-round.

(i) Each release of a raptor on department lands or waters shall meet the requirements of K.A.R. 115-8-12.

(ii) The falconer shall acquire verbal permission from the landowner or person in control of the private land before the release of the raptor.

(B) The falconer shall remove any tag, transmitter, or nonreusable falconry band, if present, before the release. All falconry identification bands, tags, or markers shall then be surrendered to the department within 10 calendar days of the release.

(C) The falconer shall report the release of the bird within 10 calendar days of the release by submitting the required information to the electronic database of the United States fish and wildlife service.

(4) No hybrid raptor, as defined in K.A.R. 115-14-11, shall be intentionally released to the wild permanently.

(5) Hacking, which means temporarily releasing a falconry raptor to the wild for conditioning, shall be permissible.

(x) In addition to any other requirements regarding the take of peregrine falcons, each falconer shall immediately notify the department when a peregrine falcon is taken, as specified on the take permit. If the quota for the take of peregrine falcons has been met and the take season is closed, the falconer shall immediately release the peregrine falcon upon notification by the department.

This regulation shall be effective on and after December 31, 2020. (Authorized by and implementing K.S.A. 2019 Supp. 32-807; effective Dec. 31, 2012; amended Feb. 8, 2013; amended Dec. 31, 2020.)

**115-15-1. Threatened and endangered species; general provisions.** (a) The following species shall be designated endangered within the boundaries of the state of Kansas.

(1) Invertebrates

Flat floater mussel, *Utterbackia suborbiculata* (Say, 1831)

Rabbitsfoot mussel, *Thalidroma cylindrica* (Say, 1817)

Western fanshell mussel, *Cyprogenia aberti* (Conrad, 1850)

Neosho mucket mussel, *Lampsilis rafinesqueana* (Frierson, 1927)

Elktoe mussel, *Alasmidonta marginata* (Say, 1818)

Ellipse mussel, *Venustaconcha ellipsiformis* (Conrad, 1836)

Slender walker snail, *Pomatiopsis lapidaria* (Say, 1817)

Scott optioservus riffle beetle, *Optioservus phaeus* (White, 1978)

American burying beetle, *Nicrophorus americanus* (Olivier, 1890)

Mucket, *Actinonaias ligamentina* (Lamarck, 1819)

Cylindrical papershell mussel, *Anodontoides ferussacianus* (I. Lea, 1834)

(2) Fish

Arkansas River shiner, *Notropis girardi* (Hubbs and Ortenburger, 1929)

Pallid sturgeon, *Scaphirhynchus albus* (Forbes and Richardson, 1905)

Sicklefin chub, *Macrhybopsis meeki* (Jordan and Evermann, 1896)

Peppered chub, *Macrhybopsis tetranema* (Gilbert, 1886)

Silver chub, *Macrhybopsis storeriana* (Kirtland, 1845)

(3) Amphibians

Cave salamander, *Eurycea lucifuga* (Rafinesque, 1822)

Grotto salamander, *Eurycea spelaea* (Stejneger, 1892)

(4) Birds

Least tern, *Sternula antillarum* (Lesson, 1847)

Whooping crane, *Grus americana* (Linnaeus, 1758)

(5) Mammals

Black-footed ferret, *Mustela nigripes* (Audubon and Bachman, 1851)

Gray myotis, *Myotis grisescens* (A.H. Howell, 1909)

(b) The following species shall be designated threatened within the boundaries of the state of Kansas.

(1) Invertebrates

Rock pocketbook mussel, *Arcidens confragosus* (Say, 1829)

Flutedshell mussel, *Lasmigona costata* (Rafinesque, 1820)

Butterfly mussel, *Ellipsaria lineolata* (Rafinesque, 1820)

Ouachita kidneyshell mussel, *Ptychobranthus occidentalis* (Conrad, 1836)

Sharp hornsnail, *Pleurocera acuta* (Rafinesque, 1831)

Delta hydrobe, *Probythinella emarginata* (Kuster, 1852)

(2) Fish

Flathead chub, *Platygobio gracilis* (Richardson, 1836)

Hornyhead chub, *Nocomis biguttatus* (Kirtland, 1840)

Neosho madtom, *Noturus placidus* (Taylor, 1969)

Redspot chub, *Nocomis asper* (Lachner and Jenkins, 1971)

Blackside darter, *Percina maculata* (Girard, 1859)  
Sturgeon chub, *Macrhybopsis gelida* (Girard, 1856)  
Western silvery minnow, *Hybognathus argyritis* (Girard, 1856)  
Topeka shiner, *Notropis topeka* (Gilbert, 1884)  
Shoal chub, *Macrhybopsis hyostoma* (Gilbert, 1884)  
Plains minnow, *Hybognathus placitus* (Girard, 1856)

(3) Amphibians

Eastern newt, *Notophthalmus viridescens* (Rafinesque, 1820)  
Longtail salamander, *Eurycea longicauda* (Green, 1818)  
Eastern narrow-mouthed toad, *Gastrophryne carolinensis* (Holbrook, 1836)  
Green frog, *Lithobates clamitans* (Latreille, 1801)  
Strecker's chorus frog, *Pseudacris streckeri* (Wright and Wright, 1933)  
Green toad, *Anaxyrus debilis* (Girard, 1854)

(4) Reptiles

Broad-headed skink, *Plestidon laticeps* (Schneider, 1801)  
Checkered gartersnake, *Thamnophis marcianus* (Baird and Girard, 1853)  
New Mexico Threadsnake, *Rena dissectus* (Cope, 1896)

(5) Birds

Piping plover, *Charadrius melodus* (Ord, 1824)  
Snowy plover, *Charadrius nivosus* (Linnaeus, 1758)

(6) Mammals

Eastern spotted skunk, *Spilogale putorius* (Linnaeus, 1758)

(7) Turtles

Northern map turtle, *Graptemys geographica* (Le Sueur, 1817)

(c) A threatened or endangered species taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, bait fish seining, or other lawful activity shall not be unlawfully taken if immediately released.

(d) Any threatened or endangered species in possession before the effective date of this regulation and not prohibited by any previous regulation of the department or national listings may be retained in possession if either of the following conditions is met:

(1) An application of affidavit to that effect has been filed with and approved by the secretary before January 1, 1990 that states the circumstances of how the species came into possession.

(2) Possession of the animal has been previously approved by the department. (Authorized by K.S.A. 32-960 and 32-963; implementing K.S.A. 32-960, K.S.A. 2018 Supp. 32-961, K.S.A. 32-963, K.S.A. 32-1010, and K.S.A. 32-1011; effective Oct. 30, 1989; amended Aug. 31, 1992; amended Nov. 29, 1999; amended Feb. 18, 2005; amended July 24, 2009; amended Nov. 14, 2014; amended Dec. 20, 2019.)

**115-15-2. Nongame species; general provisions.** (a) The following species shall be designated nongame species in need of conservation within the boundaries of the state of Kansas.

(1) Invertebrates

Snuffbox mussel, *Epioblasma triquetra* (Rafinesque, 1820)  
Wartyback mussel, *Cyclonaias nodulata* (Rafinesque, 1820)  
Spike mussel, *Elliptio dilatata* (Rafinesque, 1820)  
Fatmucket mussel, *Lampsilis siliquoidea* (Barnes, 1823)  
Yellow sandshell mussel, *Lampsilis teres* (Rafinesque, 1820)  
Washboard mussel, *Megalonaias nervosa* (Rafinesque, 1820)  
Round pigtoe mussel, *Pleurobema sintoxia* (Conrad, 1834)  
Creepers mussel, *Strophitus undulatus* (Say, 1817)  
Fawnsfoot mussel, *Truncilla donaciformis* (I. Lea, 1828)  
Deertoe mussel, *Truncilla truncata* (Rafinesque, 1820)  
Ozark emerald dragonfly, *Somatochlora ozarkensis* (Bird, 1833)  
Gray petaltail dragonfly, *Tachopteryx thoreyi* (Hagen in Selys, 1857)  
Prairie mole cricket, *Gryllotalpa major* (Saussure, 1874)  
Neosho midget crayfish, *Orconectes macrus* (Williams, 1952)

(2) Fish

Arkansas darter, *Etheostoma cragini* (Gilbert, 1885)  
Banded darter, *Etheostoma zonale* (Cope, 1868)  
Banded sculpin, *Cottus carolinae* (Gill, 1861)  
Black redhorse, *Moxostoma duquesnei* (Le Sueur, 1817)  
Blue sucker, *Cycleptus elongatus* (Le Sueur, 1817)

- Western blacknose dace, *Rhinichthys obtusus* (Agassiz, 1854)  
 Bluntnose darter, *Etheostoma chlorosoma* (Hay, 1881)  
 Brassy minnow, *Hybognathus hankinsoni* (Hubbs, 1929)  
 Gravel chub, *Erimystax x-punctatus* (Hubbs and Crowe, 1956)  
 Greenside darter, *Etheostoma blennioides* (Rafinesque, 1819)  
 Highfin carpsucker, *Carpionodes velifer* (Rafinesque, 1820)  
 Northern hog sucker, *Hypentelium nigricans* (Le Sueur, 1817)  
 Ozark minnow, *Notropis nubilus* (Forbes, 1878)  
 River darter, *Percina shumardi* (Girard, 1859)  
 River redhorse, *Moxostoma carinatum* (Cope, 1870)  
 River shiner, *Notropis blennioides* (Girard, 1856)  
 Slough darter, *Etheostoma gracile* (Girard, 1859)  
 Highland darter, *Etheostoma teddyroosevelt* (Jordan, 1877)  
 Spotfin shiner, *Cyprinella spiloptera* (Cope, 1868)  
 Spotted sucker, *Minytrema melanops* (Rafinesque, 1820)  
 Sunburst darter, *Etheostoma mihileze* (Agassiz, 1854)  
 Tadpole madtom, *Noturus gyrinus* (Mitchill, 1817)  
 Brindled madtom, *Noturus miurus* (Jordan, 1877)  
 Bigeye shiner, *Notropis boops* (Gilbert, 1884)  
 Redfin darter, *Etheostoma whipplei* (Girard, 1859)  
 Lake Sturgeon, *Acipenser fulvescens* (Rafinesque, 1817)  
 Striped shiner, *Luxilus chrysocephalus* (Rafinesque, 1820)  
 Common shiner, *Luxilus cornutus* (Mitchill, 1817)  
 Southern Redbelly Dace, *Chrosomus erythrogaster* (Rafinesque, 1820)  
 Cardinal Shiner, *Luxilus cardinalis* (Mayden, 1988)  
 Johnny Darter, *Etheostoma nigrum* (Rafinesque, 1820)  
 Chestnut lamprey, *Ichthyomyzon castaneus* (Girard, 1858)  
 Silverband shiner, *Notropis shumardi* (Girard, 1856)
- (3) Amphibians  
 Red-spotted toad, *Anaxyrus punctatus* (Baird and Girard, 1852)  
 Crawfish frog, *Lithobates areolatus* (Baird and Girard, 1852)  
 Spring peeper, *Pseudacris crucifer* (Wied-Neuwied, 1838)
- (4) Reptiles  
 Rough earthsnake, *Haldea striatula* (Linnaeus, 1766)  
 Plains hog-nosed snake, *Heterodon nasicus* (Baird and Girard, 1852)  
 Timber rattlesnake, *Crotalus horridus* (Linnaeus, 1758)  
 Eastern hog-nosed snake, *Heterodon platirhinos* (Latreille, 1801)  
 Glossy snake, *Arizona elegans* (Kennicott, 1859)  
 Chihuahuan nightsnake, *Hypsiglena jani* (Duges, 1865)  
 Red-bellied snake, *Storeria occipitomaculata* (Storer, 1839)  
 Long-nosed snake, *Rhinocheilus lecontei* (Baird and Girard, 1853)  
 Smooth earthsnake, *Virginia valeriae* (Baird and Girard, 1853)
- (5) Birds  
 Bobolink, *Dolichonyx oryzivorus* (Linnaeus, 1758)  
 Cerulean warbler, *Setophaga cerulea* (Wilson, 1810)  
 Curve-billed thrasher, *Toxostoma curvirostre* (Swainson, 1827)  
 Ferruginous hawk, *Buteo regalis* (Gray, 1844)  
 Golden eagle, *Aquila chrysaetos* (Linnaeus, 1758)  
 Short-eared owl, *Asio flammeus* (Pontoppidan, 1763)  
 Henslow's sparrow, *Ammodramus henslowii* (Audubon, 1829)  
 Ladder-backed woodpecker, *Picoides scalaris* (Wagler, 1829)  
 Long-billed curlew, *Numenius americanus* (Bechstein, 1812)  
 Mountain plover, *Charadrius montanus* (Townsend, 1837)  
 Chihuahuan raven, *Corvus cryptoleucus* (Couch, 1854)  
 Black tern, *Chlidonias niger* (Linnaeus, 1758)  
 Black rail, *Laterallus jamaicensis* (Gmelin, 1789)  
 Eastern whip-poor-will, *Antrostomas vociferus* (Wilson, 1812)  
 Yellow-throated warbler, *Setophaga dominica* (Linnaeus, 1776)
- (6) Mammals  
 Franklin's ground squirrel, *Poliocitellus franklinii* (Sabine, 1822)

Pallid bat, *Antrozous pallidus* (LeConte, 1856)  
Southern bog lemming, *Synaptomys cooperi* (Baird, 1858)  
Southern flying squirrel, *Glaucomys volans* (Linnaeus, 1758)  
Texas mouse, *Peromyscus attwateri* (J.A. Allen, 1895)  
Townsend's big-eared bat, *Corynorhinus townsendii* (Cooper, 1837)  
Northern long-eared bat, *Myotis septentrionalis* (Trouessart, 1897)

(7) Turtles

Alligator snapping turtle, *Macrochelys temminckii* (Troost, in Harlan, 1835)

(b) Any nongame species in need of conservation taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, baitfish seining, or other lawful activity shall not be unlawfully taken if immediately released.

(c) Any nongame species in need of conservation in possession before the effective date of this regulation and not prohibited by any previous regulation of the department or national listings may be retained in possession if either of the following conditions is met:

(1) An application of affidavit to that effect has been filed with and approved by the secretary before January 1, 1990, that states the circumstances of how the species came into possession.

(2) Possession of the animal has been previously approved by the department. (Authorized by K.S.A. 32-959 and 32-963; implementing K.S.A. 32-959 and K.S.A. 2018 Supp. 32-1009; effective Oct. 30, 1989; amended Aug. 31, 1992; amended Nov. 29, 1999; amended Feb. 18, 2005; amended July 24, 2009; amended Nov. 14, 2014; amended Dec. 20, 2019.)

**115-15-3. Threatened and endangered wildlife; special permits and enforcement actions.** (a) The following definitions shall apply only to this regulation:

(1) "Action" means an activity resulting in physical alteration of a listed species' critical habitat, physical disturbance of listed species, or destruction of individuals of a listed species.

(2) "Critical habitat" means either of the following:

(A) Specific geographic areas supporting a population of a listed species and including physical or biological features that meet the following requirements:

(i) Are essential to the conservation of the species; and

(ii) require special management or protection; or

(B) specific geographic areas not documented as currently supporting a population of a listed species, but determined essential for the conservation of the listed species by the secretary.

(3) "Habitat" means the abode where a listed species is generally found and where all essentials for survival and growth of the listed species are present.

(4) "Intentional destruction" means an act or attempt that is willful and is done for the purpose of, and results in, the killing of a threatened or endangered species.

(5) "Intentional taking" means an act or attempt that is willful and is done for the purpose of taking a threatened or endangered species. "Intentional taking" shall include "intentional destruction" as defined in paragraph (a)(4).

(6) "Listed species" means those species listed in K.A.R. 115-15-1.

(7) "Normal farming and ranching practices" shall include activities financed with private funds on private lands and government cost-shared, routine agricultural land treatment measures.

(8) "Permit from another state or federal agency" shall not include a certification or registration.

(9) "Publicly funded," when used to describe an action, means any action for which planning and implementation are wholly funded with monies from federal, state, or local units of government.

(10) "State or federally assisted," when used to describe an action, means any action receiving technical assistance or partial funding from a state or federal governmental agency.

(b) Each person sponsoring or responsible for a publicly funded action, a state or federally assisted action, or an action requiring a permit from another state or federal government agency shall apply to the secretary for an action permit on forms provided by the department, unless one of the following exceptions applies:

(1) An action permit shall not be required to conduct normal farming and ranching practices, unless a permit is required by another state or federal agency or these practices involve an intentional taking.

(2) An action permit shall not be required for the development of residential and commercial property on privately owned property financed with private, nonpublic funds, unless a permit is required by another state or federal agency or the development involves an intentional taking.

(3) An action permit shall not be required for any activity for which a person has obtained a scientific, educational, or exhibition permit, pursuant to K.S.A. 32-952 and amendments thereto and K.A.R. 115-18-3.

(4) An action permit shall not be required for any species listed after July 1, 2016 if a recovery plan for the listed species is not completed within four years of the listing date, unless the species is listed as threatened or endangered under federal law or until a recovery plan for the listed species is completed.

(c) Each action permit application shall be submitted at least 90 days before the proposed starting date of the

planned action and shall include the following information:

- (1) Location and description of the proposed action and, if required, detailed plans of the proposed action;
- (2) an assessment of potential impacts on the listed species or its critical habitat resulting from the proposed action; and
- (3) proposed measures incorporated into the action plan to protect listed species or critical habitat of listed species.

(d) Each person sponsoring or responsible for an action for which an action permit is not required by subsection (b) and that will result in the intentional destruction of a member of any listed species shall apply to the secretary for an action permit on forms provided by the department. An action permit shall not be required for any activity for which a person has obtained a scientific, educational, or exhibition permit, pursuant to K.S.A. 32-952 and amendments thereto and K.A.R. 115-18-3. An action permit application shall be submitted at least 30 days before the proposed starting date of the planned action and shall include the following information:

- (1) Location and description of the proposed action and, if required, detailed plans of the proposed action;
- (2) an assessment of potential impacts on the listed species or its critical habitat resulting from the proposed action; and
- (3) proposed measures incorporated into the action plan to protect listed species or critical habitat of listed species.

(e) An action permit required under subsection (b) or (d) shall be issued by the secretary pursuant to a timely and complete application, if the proposed action meets the requirements of the following:

(1) Sufficient mitigating or compensating measures to ensure protection of either critical habitats or listed species, or both as conditions require, cooperatively developed by the department and the applicant and incorporated into the proposed action; and

(2) all federal laws protecting listed species.

(f) A public hearing on the proposed action may be provided by the secretary before issuance of an action permit.

(g) In addition to other penalties prescribed by law, any action permit may be revoked by the secretary for any of the following reasons:

(1) Violation of conditions established by the permit;

(2) significant deviation of an action from the proposed action; or

(3) failure to perform or initiate performance of an action within one year after the proposed starting date, unless otherwise specified in the permit or an extension has been authorized in writing by the secretary after a determination of no significant change in the proposed action.

(h) Law enforcement action shall be undertaken only in cases of intentional taking.

(i) Nothing in this regulation shall be deemed to exempt a person from the requirement to acquire knowledge of the presence of a listed species by the exercise of due diligence once a listed species is known to exist within an area or the area is designated as critical habitat. This subsection shall be applied only to offenses or obligations arising under state statutes or regulations. (Authorized by K.S.A. 32-960b, K.S.A. 2016 Supp. 32-961, and K.S.A. 32-963; implementing K.S.A. 32-960b, K.S.A. 2016 Supp. 32-961, K.S.A. 32-962, and K.S.A. 32-963; effective Oct. 30, 1989; amended Dec. 29, 1997; amended February 16, 2018.)

**115-15-4. Recovery plans; procedures.** (a) The following definitions shall apply only to this regulation:

(1) "Recovery plan" means a designated strategy or methodology that, if funded and implemented, is reasonably expected to lead to the eventual restoration, maintenance, or delisting of a listed species.

(2) "Listed species" means those species listed in K.A.R. 115-15-1 and K.A.R. 115-15-2.

(3) "Local advisory committee" means a committee as described in K.S.A. 32-960a, and amendments thereto.

(b) A recovery plan shall be developed for each listed species, subject to the priority list for development of recovery plans, and shall be consistent with the amount of funds appropriated for that purpose.

(1) All listed species shall be ranked to establish priorities for recovery plan development. Any recovery plan may include more than one listed species.

(2) When, using the ranked priority list, a listed species is designated for recovery plan development, notice shall be published to that effect in the Kansas register and shall be mailed to persons who have requested to be notified of the recovery plan process for that listed species or for all species.

(3) Reasonable opportunity shall be provided for individuals, organizations, and other interested parties to participate and express their views about the development and implementation of a recovery plan.

(4) A local advisory committee shall be established to take part in the development of the recovery plan. The local advisory committee shall identify measures that minimize adverse social and economic impacts during recovery actions.

(c)(1) Each recovery plan shall include the following:

(A) The current status of the listed species, including the existing scientific knowledge of habitat requirements, limiting factors, and distribution;

(B) additional data needs;

- (C) actions and land uses affecting the listed species;
- (D) specific management activities that may be included in an agreement between the secretary and a landowner;
- (E) critical habitat designations required for conservation and recovery of the listed species;
- (F) objectives, criteria, and budgeted actions required to recover and protect the listed species;
- (G) conservation assistance programs or other incentive-based opportunities for species conservation on private lands;
- (H) information and education-based opportunities for conservation of listed species on private lands;
- (I) delisting date goal; and
- (J) estimated implementation cost.

(2) For each species listed before January 1, 1998, the existing critical habitat designation process and permitting authority shall be maintained by the department until a recovery plan is adopted for that species. The recovery plan, once adopted, shall determine the final designations for critical habitat as well as identify specific actions that are subject to permitting and enforcement authority.

(3) For newly listed species, critical habitat shall be temporarily designated by the secretary. Each temporary designation shall expire four years after the species is listed, unless the species is listed under federal law. Final critical habitat criteria and specific actions that are subject to permitting and enforcement authority shall be determined by the adopted recovery plan.

(4) Each critical habitat established through the recovery planning process shall supersede existing criteria and designations.

(5) Each critical habitat established through the recovery planning process or temporarily designated by the secretary shall be determined on the basis of the best scientific data available while taking into consideration the economic impact of the designation.

(6) Any geographic area may be excluded from a critical habitat designation by the secretary if the secretary determines that the benefits of the exclusion outweigh the benefits of the designation, unless the secretary determines that the failure to designate the critical habitat will result in the extirpation of the species, based on the best scientific and commercial data available.

(d) To meet the requirement that real property shall be included in management activities as part of a recovery plan, pursuant to K.S.A. 79-32,203(a)(2), and amendments thereto, each landowner shall meet the following requirements:

- (1) Undertake land management activities or improvements identified in the recovery plan; and
- (2) be a signed party to an agreement with the secretary specifying those land management activities or improvements.

(e) Before its adoption, a draft recovery plan shall be distributed to relevant federal and state agencies, local and tribal governments that are affected by the recovery plan, and individuals and organizations that have requested notification of department actions regarding threatened or endangered species.

(f) After adoption of a recovery plan, cooperation with other state and federal agencies, local and tribal governments, and affected landowners for implementation of the recovery plan shall be sought by the secretary.

(g) If a listed species is also designated as a federal threatened or endangered species or is a candidate for federal designation, the recovery plan for that listed species shall be submitted to the secretary of the interior.

(h) Each recovery plan shall be reviewed at least once every five years, and the status of the listed species addressed by the recovery plan shall be monitored in the interim. The local advisory committee shall be consulted by the department during the review. This review shall take into account any new scientific knowledge or data since the original adoption of the recovery plan, as well as current population trends of the listed species.

(Authorized by K.S.A. 32-960b; implementing K.S.A. 32-960a and K.S.A. 32-960b; effective Jan. 1, 1998; amended February 16, 2018.)

**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. 1989 Supp. 32-955, K.S.A. 1989 Supp. 32-1002 and K.S.A. 1989 Supp. 32-1003; effective September 10, 1990.)

**115-16-2. Prairie dog control permit; application and requirements.** (a) A prairie dog control permit shall be required to use any poisonous gas or smoke to control prairie dogs, except toxicants labeled and registered for above ground use for prairie dog control shall not require a prairie dog permit.

(b) Any person may apply to the secretary for a prairie dog control permit. 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 land where the poisonous gas or smoke will be used;
  - (5) a description of the problem requiring prairie dog control;
  - (6) the type of control method to be used;
  - (7) written approval from the extension specialist in wildlife damage control; and
  - (8) 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 prairie dog control has not been established; or
  - (3) use of poisonous gas or smoke would pose inordinate risk to the public, non-target wildlife or the environment.
- (d) The permit shall be valid only for the time period specified on the permit, but shall not exceed 120 days.
- (e) The permit shall be valid only for the locations specified in the permit.
- (f) In addition to other penalties as prescribed by law, a prairie dog control 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.
- (g) All prairie dog control performed under the permit shall be subject to all federal and state laws and rules and regulations. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-955; implementing K.S.A. 1989 Supp. 32-955, K.S.A. 1989 Supp. 32-1002 and K.S.A. 1989 Supp. 32-1003; effective September 10, 1990.)

**115-16-3. Nuisance bird control permit; application, provisions, and requirements.** (a) The term “nuisance birds” shall include those species specified in the department’s “Kansas nuisance bird species table,” dated April 11, 2017, which is hereby adopted by reference.

(b) Nuisance birds may be controlled when found depredating or about to depredate upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance.

(c) A nuisance bird control permit shall be required to use any lethal method of control that involves poisons or chemicals for controlling nuisance birds other than the English sparrow or European starling.

(d) Any person may apply to the secretary for a nuisance bird control permit. The application shall be submitted on forms provided by the department. Each applicant shall provide the following information:

- (1) The applicant's name;
- (2) the applicant's address;
- (3) the applicant's telephone number;
- (4) the location of the nuisance bird problem;
- (5) a description of the problem;
- (6) the species of birds involved;
- (7) the proposed method of control; and
- (8) the length of time for which the permit is requested.

(e) Issuance of a permit may be denied by the secretary if any of the following conditions is met:

- (1) The permit application is unclear or incomplete.
- (2) The need for nuisance bird control has not been established.
- (3) Use of the poison or chemical would pose inordinate risk to the public, non-target wildlife, or the environment.

environment.

(f) Each permit shall be valid only for the period specified on the permit, which shall not exceed one year.

(g) A permit may be extended by the secretary upon request and justification by the permittee. However, the combined total of the original and extended time periods shall not exceed one year.

(h) Each permit shall be valid only for the locations specified in the permit.

(i) In addition to other penalties as prescribed by law, a nuisance bird control permit may be revoked by the secretary if either of the following conditions is met:

- (1) The permit was secured through false representation.
- (2) The permittee fails to meet permit requirements or violates permit conditions.

(j) A nuisance bird control permit shall not be required to control nuisance bird problems as described in subsection (b) if the control method is nonlethal or if the control method involves use of firearms, air rifles, air pistols, archery equipment, or falconry.

(k) Nuisance birds killed and the plumage of nuisance birds killed during nuisance bird control may be possessed, transported, and otherwise disposed of or utilized, except that nuisance birds killed and the plumage of nuisance birds killed during nuisance bird control shall not be sold or offered for sale.

(l) Nontoxic shot and bullets shall be required for the taking of nuisance birds pursuant to this regulation, except when using an air rifle, air pistol, or .22 caliber rimfire firearm. (Authorized by K.S.A. 2016 Supp. 32-807 and K.S.A. 32-955; implementing K.S.A. 32-955; effective Sept. 10, 1990; amended Aug. 31, 1992; amended Sept. 9, 2011; amended July 28, 2017.)

Kansas Department of Wildlife and Parks

Kansas Nuisance Bird Species Table

Dated: April 11, 2017

Blackbirds:

Brewer's blackbird (*Euphagus cyanocephalus*)

Red-winged blackbird (*Agelaius phoeniceus*).

Yellow-headed blackbird (*Xanthocephalus xanthocephalus*)

Cowbirds:

Bronzed cowbird (*Molothrus aeneus*)

Brown-headed cowbird (*Molothrus ater*)

Shiny cowbird (*Molothrus bonariensis*).

Grackles:

Boat-tailed grackle (*Quiscalus major*)

Common (*Quiscalus quiscula*)

Great-tailed (*Quiscalus mexicanus*)

Greater Antillean (*Quiscalus niger*).

Crows:

American crow (*Corvus brachyrhynchos*)

Fish crow (*Corvus ossifragus*)

Northwestern crow (*Corvus caurinus*)

Magpies:

Black-billed magpie (*Pica hudsonia*)

Yellow-billed magpie (*Pica nuttalli*)

Sparrows:

English (House) Sparrow (*Passer domesticus*)

Starlings:

European Starlings (*Sturnus vulgaris*)

Nonnative species:

As defined and listed in 70 FR 12710, published March 15, 2005, on the Final List beginning on Page 12714, except those birds listed that are also designated as endangered, threatened, or as a species in need of conservation under K.A.R. 115-15-1 or K.A.R. 115-15-2, or, the Eurasian Collared-Dove (*Streptopelia decaocto*) or the Ringed Turtle-Dove (*Streptopelia risorii*).

**115-16-4. Big game control permit; application, requirements, and provisions.** (a) Big game animals may be controlled when found destroying property or when creating a public safety hazard.

(b) A big game control permit shall be required to use any lethal method in controlling big game.

(c) Any owner or operator of land may apply to the secretary for a big game control permit when a big game animal is found destroying property. Any person may apply to the secretary for a big game control permit when a big game animal is creating a public safety hazard. The application shall be submitted 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 problem is occurring;
- (5) a description of the problem, including the number of acres involved; and
- (6) other information as required by the secretary.

(d) Issuance of a big game control permit may be denied by the secretary if any of the following conditions exists:

- (1) The permit application is unclear or incomplete.
- (2) The applicant does not agree to attempt to reduce numbers of big game by allowing hunting during the regular firearms season for the appropriate species of big game animal.
- (3) Evidence of property destruction or a public safety hazard caused by a big game animal is lacking.
- (4) Use of the lethal method of control would pose inordinate risk to the public or to the big game resource.

(e) In addition to any big game control provisions specified in the permit, the following general big game control permit provisions shall apply:

- (1) The permit shall be valid for a period not to exceed 45 days.
- (2) The permit shall be valid for only the locations specified in the permit.
- (3) The number and type of big game that may be killed shall be those specified on the permit.
- (4) The killing of big game under a big game control permit shall be restricted to the permittee or to the permittee's designated agent. A designated agent shall have a valid hunting license, unless exempt according to state law, and shall be approved by the department.

(5) The lethal control method shall be as specified on the permit.

(6) Big game killed under permit authority may be possessed as authorized by K.A.R. 115-4-9 or otherwise disposed of as specified on the permit.

(f) Each permittee shall submit a report to the department within 10 days following expiration of the permit.

Each permittee shall provide the following information:

- (1) The name of the permittee;
- (2) the permit number;
- (3) the number and type of big game killed;
- (4) the disposition of the big game killed; and
- (5) other information as required by the secretary.

(g) In addition to other penalties as prescribed by law, a big game control permit may be revoked by the secretary if either of the following conditions exists:

(1) The permit was secured through false representation.

(2) The permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 32-807 and 1999 SB 70, '3; implementing K.S.A. 32-1002, K.S.A. 32-1004, and 1999 SB 70, '3; effective Sept. 10, 1990; amended June 11, 1999.)

**115-16-5. Wildlife control permit; operational requirements.** (a) Each person holding a valid wildlife control permit issued according to K.A.R. 115-16-6, and each person assisting the permittee while under the constant and direct supervision and in the constant presence of the permittee, shall be authorized to take, transport, release, and euthanize wildlife subject to the restrictions described in this regulation and on the permit.

(b) Wildlife may be taken under the authorization of a wildlife control permit only when one or more of the following circumstances exist:

- (1) The wildlife is found in or near buildings.
- (2) The wildlife is destroying or about to destroy property.
- (3) The wildlife is creating a public health or safety hazard or other nuisance.

(c) Subject to the restrictions described in this regulation and on the permit, a wildlife control permit shall allow the taking of the following species, despite any other season, open unit, or limit restrictions that may be established by the department:

- (1) Furbearers;
- (2) small game;
- (3) reptiles;
- (4) amphibians;
- (5) coyotes;
- (6) nongame mammals, except house mice and Norway rats;
- (7) pigeons, English sparrows, and starlings; and
- (8) migratory birds and waterfowl, subject to K.S.A. 32-1008, and amendments thereto.

(d) Subject to applicable federal, state, and local laws and regulations, the wildlife listed in subsection (c) may be taken with the following equipment or methods:

(1) Trapping equipment, if each trapping device is equipped with a metal tag with the permittee's name and address or the permittee's department-issued identification number and is checked at least once each calendar day, and if snares are not attached to a drag. Trapping equipment shall consist of the following:

- (A) Foothold traps;
  - (B) body-gripping traps;
  - (C) box traps;
  - (D) live traps; and
  - (E) snares;
- (2) firearms and accessory equipment, as follows:

- (A) Optical scopes or sights; and
- (B) sound-suppression devices;
- (3) BB guns and pellet guns;
- (4) archery equipment;
- (5) dogs;
- (6) falconry;

(7) toxicants registered by the Kansas department of agriculture, except that such use may be subject to K.A.R. 115-16-1, K.A.R. 115-16-2, or K.A.R. 115-16-3;

- (8) habitat modification;
- (9) net or seine;
- (10) glue board;
- (11) hand;
- (12) any other methods to exclude or frighten wildlife, including repellents; and
- (13) any other method as specified on the permit.

(e) No person shall possess a live species of wildlife taken under the authority of a wildlife control permit beyond the close of the calendar day following capture, unless specifically authorized by the department. Live wildlife shall not be used for display purposes, programs, training dogs, or otherwise kept in captivity, except that pigeons may be used for training dogs.

(f) Subject to applicable federal, state, and local laws and regulations, wildlife taken pursuant to a wildlife control permit shall be disposed of using one or more of the following methods:

(1) Wildlife taken alive may be controlled using lethal methods or equipment including the methods or equipment listed in paragraphs (d)(2), (d)(3), (d)(4), and (d)(7).

(2) Wildlife taken alive may be relocated and released, subject to the following requirements:

(A) Wildlife may be released only in suitable habitat located at least 10 miles from the original capture site and only with the prior written permission of the person in legal possession of the release site.

(B) Wildlife shall not be released in a location so close to human dwellings that the release is likely to result in recurrence of the reason the wildlife was taken.

(C) Wildlife shall not be released within the limits of any municipality without prior written permission from the appropriate municipal authority.

(D) Wildlife may be released on department lands or waters only with the prior written approval of the department.

(E) Wildlife shall not be released if injured or if displaying common symptoms of disease, including any of the following:

- (i) Lack of coordination;
- (ii) unusual lack of aggressiveness;
- (iii) unusual secretions from the eyes, nose, or mouth;
- (iv) rapid or uneven respiration;
- (v) malnourishment;
- (vi) loss of muscle control; or
- (vii) loss of large patches of hair.

(F) Wildlife shall not be transported from the state except as authorized by the department.

(3) Wildlife species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2, or other wildlife species designated by the department, shall be released according to paragraph (f)(2) if unharmed. If harmed or injured, these species shall be submitted to either the department or a person holding a valid wildlife rehabilitation permit issued according to K.A.R. 115-18-1.

(4) Wildlife controlled by poison shall be removed immediately, and all dead wildlife shall be disposed of using one of the following methods:

(A) The wildlife may be submitted to a licensed landfill, renderer, or incinerator.

(B) The wildlife may be disposed of on private property with the prior written permission of the person in legal possession of the property, except that the wildlife shall not be disposed of within the limits of any municipality without prior written permission from the appropriate municipal authority.

(C) Any part of the wildlife, excluding the flesh, may be sold, given, purchased, possessed, and used for any purpose, with the following restrictions and exceptions:

- (i) The raw fur, pelt, or skin of furbearers may be sold only to a licensed fur dealer.
- (ii) The carcass and meat of a furbearer may be sold, given, purchased, possessed, and used for any purpose.
- (iii) No part of any migratory bird or waterfowl shall be sold, given, purchased, possessed, or used for any purpose.

(iv) Each person purchasing unprocessed parts of the wildlife shall maintain a bill of sale for at least one calendar year.

(D) Dead wildlife controlled by poison or showing symptoms of disease shall be either buried below ground or disposed of as authorized by paragraph (f)(4)(A).

(g) Each bobcat, otter, or swift fox taken under authority of a wildlife control permit shall be subject to the tagging requirements established by K.A.R. 115-5-2. (Authorized by and implementing K.S.A. 2012 Supp. 32-807; effective July 19, 2002; amended Nov. 27, 2006; amended April 8, 2011; amended July 26, 2013.)

**115-16-6. Wildlife control permit; application and reporting requirements.** (a) Each person 16 years of age or older wishing to obtain a wildlife control permit shall apply to the department on a form provided by the department and shall provide the following information:

- (1) The applicant's name, address, and telephone number;
- (2) the wildlife species to be controlled;
- (3) the county or counties where wildlife control activities will be conducted;

(4) unless specifically exempted by the department based on previous use of the applicable methods or equipment as an authorized wildlife control operator, proof of completion of the following courses, if applicable:

- (A) Department-approved hunter education training, if a firearm would be used to take wildlife; and
- (B) department-approved furharvester education training, if furharvester equipment would be used to take wildlife; and

(5) any other information required by the department.

(b) Each applicant shall take a course of instruction approved by the department, which shall include instruction concerning applicable laws and regulations, methods for wildlife control, methods for handling wildlife, and other relevant material, and which shall include eight hours of instruction or the equivalent. The course may be offered by the department or by other approved agencies or organizations, and may be offered in person, by correspondence, or by electronic transmission. No applicant shall be required to take this course of instruction if the applicant has successfully completed an approved course within the previous five years.

(c) Successful completion of the course of instruction described in subsection (b) shall require that the applicant pass a department examination with a minimum score of 80 percent. No applicant shall be eligible to retake the examination within 30 days of failing the examination, and no applicant shall take the examination more than two times within the period of one year.

(d) A wildlife control permit may be refused issuance, denied, suspended, or revoked by the secretary for any

of the following reasons:

- (1) The application is incomplete or contains false information.
  - (2) The applicant does not meet the qualifications specified in this regulation.
  - (3) The applicant has failed to maintain or to submit required reports.
  - (4) The applicant has violated department laws or regulations, or has had any other department license or permit revoked or suspended.
  - (5) Issuance of the permit would not be in the best interests of the public, for reasons including complaints or inappropriate conduct while holding a previous wildlife control permit.
- (e) Each wildlife control permit shall expire on December 31, but may be renewed for the next calendar year before expiration.

(f) Each permittee shall be in possession of a valid wildlife control permit while conducting wildlife control activities, in addition to any other federal, state, or local permits that may be required. Upon request by any person in lawful possession of property where control activities are being conducted or by any person requesting control activities, the permittee shall make the wildlife control permit available for inspection. A permittee shall not act as an employee or an agent of the department.

(g) Upon request by any person to control wildlife, a wildlife control permittee shall make a reasonable attempt to identify the wildlife species in question, and shall advise the person requesting assistance of the proposed control method and the estimated cost before conducting any wildlife control activities. In no case shall the permittee conduct wildlife control activities without the authorization of the person in lawful control of the property.

(h) Each wildlife control permittee shall submit an annual report by January 31 following the permit year, on a form supplied by the department. The report shall be kept current and available for inspection throughout the permit year. Each report shall contain the following information:

- (1) The name, address, and permit number of the permittee;
- (2) the date of any control activity;
- (3) the species, number, and condition of the wildlife controlled; and
- (4) the control method or methods used.

(i) Each wildlife control permittee shall retain the following information for a minimum of three years and shall make this information available for inspection by the department on request:

- (1) The name and postal zip code of the legal occupant where control activities were conducted; and
- (2) the disposition of any wildlife taken, including any of the following:

(A) the name and postal zip code of the person in lawful possession of the property where the wildlife was released and the number of wildlife released;

(B) the method used if wildlife was euthanized; or

(C) the name of any licensed wildlife rehabilitator to whom the wildlife was submitted.

(j) Subject to applicable federal or state laws and regulations, any governmental body may be authorized by the secretary to conduct wildlife control activities. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 19, 2002.)

**115-17-1. Commercial harvest of fish bait; legal species, harvest seasons, size restrictions, daily limits, and possession limits.** (a) The following wildlife may be commercially harvested in Kansas for sale as fishing bait:

- (1) Crayfish, all species;
  - (2) annelids; and
  - (3) insects.
- (b) The season for commercial harvest of wildlife listed in subsection (a) shall be year-round.
- (c) There shall be no minimum or maximum size restrictions for wildlife listed in subsection (a).
- (d) There shall be no maximum daily or possession limits for wildlife listed in subsection (a).
- (e) Wildlife listed in K.A.R. 115-15-1 or in K.A.R. 115-15-2 shall not be harvested.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012.)

**115-17-2. Commercial sale of fishing bait.** (a) The following live species of wildlife may be commercially sold in Kansas for fishing bait:

- (1) The following species of fish:
  - (A) Black bullhead (*Ameiurus melas*);
  - (B) bluegill (*Lepomis macrochirus*), including hybrids;
  - (C) fathead minnow (*Pimephales promelas*), including "rosy reds";
  - (D) golden shiner (*Notemigonus crysoleucas*);
  - (E) goldfish (*Carassius auratus*), including "black saltys";
  - (F) green sunfish (*Lepomis cyanellus*), including hybrids; and

- (G) yellow bullhead (*Ameiurus natalis*);
- (2) only species of annelids native to or naturalized in the continental United States;
- (3) the following species of crayfish:
  - (A) Virile crayfish (*Orconectes virilis*);
  - (B) calico crayfish (*Orconectes immunes*); and
  - (C) white river crayfish (*Procambarus acutus*); and
- (4) only species of insects native to or naturalized in Kansas.
- (b) The following species of wildlife may be commercially sold only if dead:
  - (1) Bighead carp (*Hypophthalmichthys nobilis*);
  - (2) emerald shiners (*Notropis atherinoides*);
  - (3) gizzard shad (*Dorosoma cepedianum*);
  - (4) silver carp (*Hypophthalmichthys molitrix*);
  - (5) skipjack herring (*Alosa chrysochloris*); and
  - (6) threadfin shad (*Dorosoma petenense*).
- (c) Wildlife listed in K.A.R. 115-15-1 or in K.A.R. 115-15-2 or prohibited from importation pursuant to K.S.A. 32-956, and amendments thereto, shall not be sold.
- (d) Live aquatic bait shall be certified free of the following pathogens before import, according to K.A.R. 115-17-2a:
  - (1) Spring viremia of carp virus;
  - (2) infectious pancreatic necrosis virus;
  - (3) viral hemorrhagic septicemia virus; and
  - (4) infectious hematopoietic virus.
- (e) Each distribution tank and each retail tank shall utilize a source of potable water or well water.

This regulation shall be effective on and after January 1, 2022. (Authorized by and implementing K.S.A. 2020 Supp. 32-807; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012; amended Jan. 1, 2017; amended Jan. 1, 2018; amended Jan. 1, 2019; amended January 1, 2022.)

**115-17-2a. Commercial sale of bait fish; testing procedures.** (a) Live aquatic bait shall be certified free of the following pathogens before import, according to the requirements in this regulation:

- (1) Spring viremia of carp virus;
- (2) infectious pancreatic necrosis virus;
- (3) viral hemorrhagic septicemia virus; and
- (4) infectious hematopoietic virus.

(b) On and after January 1, 2014, upon application or renewal, each applicant and each commercial fish bait permittee shall provide documentation of two consecutive years of pathogen-free status from an independent laboratory approved by United States department of agriculture, animal and plant health inspection service, for the pathogens listed in subsection (a) for the source of bait fish being sold. If the facility is new, the applicant shall certify by affidavit that the facility does not meet the requirements in this regulation and shall provide documentation of pathogen-free status for the current year of operation.

(c) The sample size shall be 150 fish and shall include moribund fish observed in the sampling process. The samples shall be collected twice each year. The samples shall be collected once during the month of October, November, or December and once during the month of March, April, or May.

(d) Collection of each sample shall be overseen by a doctor of veterinary medicine accredited by the United States department of agriculture, animal and plant health inspection service. The collection shall be made under the direct observation of the overseer to the extent that the official can attest to the origin of the fish and that the sampling scheme meets the requirements in this regulation.

(e) Each sample shall include all of the ponds and grow-out tanks. The final species and age composition of each sample shall reflect the overall composition of the certified fish on location. For locations with more than 50 ponds, all species and sizes of fish shall be included in each sample, but the ponds may be sampled in rotation so that all ponds are sampled at least once every two years.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Jan. 1, 2012.)

**115-17-3. Commercial fish bait permit; requirement, application, and general provisions.** (a) A commercial fish bait permit shall be required for the harvest, sale, or purchase for resale of fish bait, except that a commercial fish bait permit shall not be required for the sale of nonliving, commercially packaged fish bait, the harvest or sale of annelids or insects, or the purchase of annelids or insects for resale.

(b) Any person may apply to the secretary for a commercial fish bait permit. The application shall be submitted on forms provided by the department and completed in full by the applicant. Each incomplete application shall be returned to the applicant.

- (c) Each commercial fish bait permit shall be valid for only those wildlife species specified in the permit.
- (d) Each commercial fish bait permit shall authorize the permittee to perform any of the following:
  - (1) Sell fish bait to any person for use as fish bait;
  - (2) purchase fish bait for resale as fish bait, if the purchase is made from a person who meets at least one of the following requirements:
    - (A) Possesses a valid commercial fish bait permit;
    - (B) is a commercial fish grower, as defined by K.S.A. 32-974 and amendments thereto; or
    - (C) is authorized by another state to export and sell fish bait; or
  - (3) import fish bait for sale as fish bait.
- (e) Each permittee harvesting or purchasing fish bait shall maintain records of the following information and, if requested by the secretary, shall provide a report to the department containing the following information:
  - (1) The permittee's name;
  - (2) the permit number;
  - (3) the number, location, and species of wildlife harvested;
  - (4) the number and species of wildlife sold;
  - (5) for each permittee purchasing fish bait, the name, address, and phone number of each individual distributor or producer from whom the permittee purchased; and
  - (6) for each permittee purchasing fish bait, the delivery date of each purchase.
- (f) Each permittee shall make records required under the permit available for inspection by any law enforcement officer or department employee upon demand.
- (g) Each permittee shall make the fish and the distribution or retail holding tanks that are subject to sample testing pursuant to K.A.R. 115-17-2a available for inspection by any law enforcement officer or department employee upon demand.
- (h) Each permittee shall respond to any survey regarding activities conducted under the permit if requested by the secretary.
- (i) In addition to other penalties prescribed by law, a commercial fish bait permit or application may be denied or revoked by the secretary if either of the following conditions is met:
  - (1) The application is incomplete or contains false information.
  - (2) The permittee fails to meet permit requirements or violates permit conditions.
- (j) Each commercial fish bait permit shall expire three years after the date the permit is issued.
- (k) A permittee may possess and sell legally acquired wildlife for fish bait for not more than 30 days following expiration of the permit. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended Jan. 1, 2012; amended Jan. 1, 2018; amended Oct. 14, 2022.)

**115-17-4. Commercial harvest of fish bait; legal equipment, taking methods, and general provisions.** (a) Legal equipment and taking methods permitted for commercial harvest of wildlife for use as fish bait shall be as follows:

- (1) Crayfish may be taken by the following methods and means:
  - (A) By hand;
  - (B) by trap with ½-inch or smaller mesh size, using the bar measurement, and with two-inch or smaller entrance openings;
  - (C) by seine with ½-inch or smaller mesh size, using the bar measurement. The seine may be of any length, height, or twine size;
  - (D) by lift net with ½-inch or smaller mesh size, using the bar measurement;
  - (E) by dip net with ½-inch or smaller mesh size, using the bar measurement. The dip net may be of any dimension and have any handle configuration; and
  - (F) by other methods as approved by the secretary.
- (2) Annelids and insects may be taken by any method.
- (b) (1) Boats with or without mechanical propulsion may be used.
- (2) depth-recording or fish-locating devices may be used.
- (3) holding baskets, holding cages, and holding bags may be used, if the permittee's name and permit number are attached.
- (4) the permittee's name and permit number shall be attached to each trap and seine while the trap or seine is in use.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012.)

**115-17-5. Commercial harvest of fish bait; open areas.** The following areas shall be open for the commercial harvest of crayfish, annelids, and insects:

- (a) For crayfish, all lands and waters of the state except department lands and waters and federal and state sanctuaries; and

(b) for annelids and insects, all lands and waters of the state except department lands and waters and federal and state sanctuaries.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012.)

**115-17-6. Commercial mussel fishing license; mussel salvage permits; license or permit application and requirements, authority, reports, general provisions, and license or permit revocation.** (a) A commercial mussel fishing license shall be required for commercial mussel fishing purposes. If a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage, a mussel salvage permit shall be required for mussel salvage purposes.

(b) Any person may apply to the secretary for a commercial mussel fishing license or a mussel salvage permit. The application shall be submitted on forms provided by the department, and each applicant shall provide the following information, except that no commercial license shall be issued on and after January 1, 2003 through December 31, 2022:

- (1) The name of the applicant;
- (2) the address and telephone number of the applicant;
- (3) the business locations and telephone numbers of the applicant;
- (4) the location for mussel storage and processing; and
- (5) other relevant information as required by the secretary.

(c) Each mussel fishing licensee shall maintain a current record of activity and shall submit quarterly reports to the department on forms provided by the department. The reports shall be submitted not later than 15 days following the end of the quarter for which the reports are prepared. A license shall not be renewed until all reports due have been received by the department. Each mussel salvage permittee shall maintain a current record of activity for the duration of the permit and shall submit a report to the department on forms provided by the department. The report shall be submitted not later than 15 days following the expiration of the permit.

(d) The records and reports shall include the following information:

- (1) The name of the licensee or permittee;
- (2) the address and telephone number of the licensee or permittee;
- (3) the license or permit number of the licensee or permittee;
- (4) the total weight or total shell weight of each mussel species harvested;
- (5) the total weight or total shell weight of each mussel species sold, including the following information:
  - (A) A separate entry for each sale stating the total weight or total shell weight of each

mussel species sold;

- (B) the date of each sale;
- (C) the name, address, and license number of the person to whom the mussels were sold; and
- (D) the name of the state where harvested; and
- (6) other relevant information as required by the secretary.

(e) Each commercial mussel fishing licensee or mussel salvage permittee shall sell mussels only to a person legally authorized to purchase mussels under subsection (f) of this regulation, or pursuant to K.A.R. 115-17-14.

(f) Any person may purchase mussels from a commercial mussel fishing licensee or mussel salvage permittee if the mussels are not purchased for use as fish bait, are not purchased for resale, are not purchased for other commercial use, and are not sold.

(g) In addition to other penalties prescribed by law, a commercial mussel fishing or mussel salvage application, license, or permit may be revoked or denied issuance by the secretary if any of the following conditions is met:

- (1) The application is incomplete or contains false information.
- (2) The licensee or permittee fails to meet license or permit requirements or violates license or permit conditions.
- (3) The licensee or permittee violates any provision of law, ~~rules,~~ or regulations related to the commercial use of mussels.

(h) Each commercial mussel fishing license shall expire on December 31 of the year for which the license was issued. Each mussel salvage permit shall expire on the date written on the salvage permit.

(i) Each commercial mussel fishing license shall permit the possession of mussels harvested for commercial purposes by that licensee for no more than 48 hours after the close of the mussel season. A mussel salvage permit shall permit the possession of mussels harvested for commercial purposes by that permittee for no more than 48 hours after the expiration date written on the salvage permit.

(j) A licensee or permittee may submit a written request to the secretary to possess mussels for commercial purposes beyond the possession period specified in subsection (i). Each request shall specify the number of each species of mussels possessed and the applicant's name, address, and commercial mussel fishing license or mussel salvage permit number. Authorization of possession beyond the possession period shall be issued in writing and shall include a date on which the authorization expires. Receipt of this authorization by the licensee or permittee shall allow the licensee's or permittee's sale of shells pursuant to subsection (e). Each mussel sale during the authorized time period shall be reported to the department within 48 hours of the sale by both the licensee or permittee and the purchaser. (Authorized by and

implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended June 8, 1992; amended Nov. 30, 1998; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

**115-17-7. Commercial harvest of mussels; legal species, seasons, size restrictions, daily limits, and possession limits.** (a) The following listed mussel species may be taken for commercial purposes, except that no mussels may be commercially harvested on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage:

- (1) Threeridge, *Amblyma plicata*;
- (2) monkeyface, *Quadrula metanevra*;
- (3) mapleleaf, *Quadrula quadrula*;
- (4) bleufer (purple shell), *Potamilus purpuratus*; and
- (5) Asian clam, *Corbicula fluminea*.

(b) The season for the commercial harvest of mussels shall be on and after April 1 through September 30. However, mussels shall not be commercially harvested on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage.

(c) Harvesting requirements shall include the following:

(1) The minimum size of mussels shall be measured by passing the mussel shell through a circular measuring device with the appropriate inside diameter.

(2) Measurement shall occur immediately upon removal of the mussel from the water.

(3) If the mussel passes through the appropriate circular measuring device from any angle or direction, the mussel shall not be deemed to meet the minimum size requirement and shall be immediately returned to the water.

(4) The minimum shell size for mussel species shall be the following:

- (A) Threeridge: 3-inch diameter;
- (B) monkeyface: 2 ¾-inch diameter;
- (C) mapleleaf and bleufer: 3-inch diameter; and
- (D) Asian clam: no minimum size.

(d) There shall be no maximum daily or possession limits for mussels. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended June 8, 1992; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

**115-17-8. Commercial harvest of mussels; legal equipment, taking methods, and general provisions.** (a) Legal equipment and taking methods permitted for commercial harvest of mussels shall be the following:

(1) By hand; and

(2) by other methods as approved by the secretary.

(b)(1) Boats with or without mechanical propulsion methods may be used.

(2) Depth-recording or fish-locating devices may be used.

(3) Underwater breathing equipment may be used while taking mussels, if a diver's flag is prominently displayed while using the underwater breathing equipment.

(4) Holding bags, holding baskets, and holding cages may be used if the name and permit number of the permittee are attached to each such bag, basket, and cage.

(c) No mussels may be commercially harvested on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

**115-17-9. Commercial mussel fishing; open areas.** Waters of the state open for commercial mussel fishing shall be the following, except that all waters of the state shall be closed on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage:

(a) Federal reservoirs;

(b) impoundments operated by other governmental entities, if authorized by the governmental entity;

(c) Fall River from below Fall River Dam to its junction with the Verdigris River, except for the stretch of the Fall River from the county road ford located 1.2 miles east of state highway K-96, 3.2 miles south of Fredonia, Kansas, downstream to the Dun Dam located 2.5 miles west and 2.25 miles north of Neodesha, Kansas, which is a total of 9.89 stream miles including 3.27 impounded miles;

(d) Verdigris River from below Toronto Dam to the state line, except for the stretch of the Verdigris River from the Whitehair bridge located 2.5 miles east of federal highway US-75 on the Wilson-Montgomery county line road, downstream to the Montgomery county road bridge located 1.47 miles east of Sycamore, Kansas, which is a total of 6.66 stream miles; and

(e) Neosho River from below John Redmond Dam to the state line, except for the stretch of the Neosho River from the Neosho Falls dam, at Neosho Falls, Kansas, downstream to the mouth of Rock Creek in the NW 1/4, NW 1/4, Section 11, T24S, R17E, Allen County, Kansas, which is a total of 3.35 stream miles; and

(f) Elk River. (Authorized by K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended June 8, 1992; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

**115-17-10. Commercial harvest of fish; permit requirement and application, reports, permit revocation.** (a)

Except as authorized in K.A.R. 115-17-13, a commercial fishing permit shall be required for the taking of fish for commercial purposes from that portion of the Missouri River bordering on this state.

(b) Each application for a commercial fishing permit shall be submitted on forms provided by the department and completed in full by the applicant. Each incomplete application shall be returned to the applicant.

(c) Any permittee may possess, sell, transport, or trade those species of fish as authorized under K.A.R. 115-17-12.

(d) Each permittee shall maintain a current record of activity and shall submit monthly reports to the department on forms provided by the department. The reports shall be submitted not later than 15 days following the end of the month for which the report is prepared. A permit shall not be renewed until all reports due have been received by the department.

(e) Any permittee may sell fish taken under a commercial fishing permit to any person.

(f) Any person may purchase fish from a commercial fish permittee for commercial purposes or for personal use.

(g) Each person purchasing fish from a commercial fish permittee for resale purposes shall retain a bill of sale in possession while in possession of the fish.

(h) In addition to other penalties prescribed by law, a commercial fishing application or permit may be denied or revoked by the secretary if any of the following conditions is met:

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

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

(3) The permittee violates any provision of law or regulations related to commercial fishing on the Missouri River.

(i) Each commercial fishing permit shall expire on December 31 of the year for which the permit was issued.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective May 27, 1991; amended Jan. 1, 2012.)

**115-17-11. Commercial harvest of fish; legal equipment and taking methods; identification tags and identification tag fee.** (a) The legal equipment and taking methods for the commercial harvest of fish shall be the following:

(1) Hoop net with a mesh size of 2.5 or more inches using the bar measurement and with individual wings and leads not to exceed 12 feet in length. There shall be no limitation on the number, net diameter, net length, twine size, or throat size of hoop nets;

(2) gill net and trammel net with a mesh size of two or more inches, using the bar measurement. There shall be no limitation on the number, net length, height, or twine size of gill or trammel nets; and

(3) seine with a mesh size of two or more inches, using the bar measurement. There shall be no limitation on the height, length, or twine size of seines.

(b) (1) Boats with or without mechanical propulsion may be used.

(2) Depth-recording or fish-locating devices may be used.

(3) Non-toxic baits may be used.

(4) Each gill net or trammel net shall be attended at all times while the gill net or trammel net is in use.

(5) Each hoop net shall be attended at least one time every 24 hours while the hoop net is in use.

(6) Commercial fishing equipment authorized in subsection (a) shall not be used in the following locations, except as authorized by the department:

(A) In any cutoff, chute, bayou, or other backwater of the Missouri river;

(B) within 300 yards of any spillway, lock, dam, or the mouth of any tributary stream or ditch; and

(C) under or through ice or in overflow waters.

(7) Holding baskets and holding cages may be used.

(c) Each net or seine shall have an identification tag supplied by the department and attached as specified by the department during commercial fishing use. Identification tags supplied by the state of Missouri and approved by the department also shall be deemed to meet this requirement.

(d) The fee for identification tags shall be five dollars for each tag. The payment shall be submitted to the department with the initial or renewal application for a commercial fishing permit.

(e) The holding basket and holding cage used to hold fish shall not require an identification tag, but shall be identified by the permittee with the permittee's name and permit number attached.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807, K.S.A. 32-941, and K.S.A. 2010 Supp. 32-988; effective May 27, 1991; amended Sept. 27, 2002; amended Jan. 1, 2012.)

**115-17-12. Commercial harvest of fish; legal species, seasons, size restrictions, daily limits, and possession limits.**

(a) The legal species of fish that may be taken under a commercial fishing permit shall be the following:

- (1) Bowfin;
- (2) suckers, including buffalo;
- (3) common carp and exotic carp;
- (4) freshwater drum;
- (5) gar;
- (6) shad;
- (7) goldeye;
- (8) goldfish; and
- (9) skipjack herring.

(b) None of the following shall be possessed by a permittee while in possession of commercial fishing gear or while transporting fish taken using commercial fishing gear:

- (1) All species of fish excluded from subsection (a); and
- (2) any species of fish listed in K.A.R. 115-15-1 or K.A.R. 115-15-2.

The species of fish specified in this subsection shall be immediately returned unharmed to the water from which removed.

(c) There shall be no size restriction on fish taken by a permittee.

(d) There shall be no maximum daily or possession limit on the number of fish taken by a permittee.

(e) No live specimen of bighead carp, silver carp, or black carp may be transported after commercial harvest.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective May 27, 1991; amended Sept. 27, 2002; amended Jan. 1, 2012.)

**115-17-13. Commercial harvest of fish; state of Missouri commercial fishing permit.** (a) Any person authorized by the state of Missouri as a commercial fishing permittee may commercially fish in the Kansas portion of the Missouri river without a commercial fishing permit issued by the department, except that the person shall not fish from or attach any device or equipment to any land under the jurisdiction of the state of Kansas.

(b) Each Missouri commercial fishing permittee shall otherwise comply with the laws and regulations governing commercial fishing within Kansas boundaries.

(c) This exemption from the commercial fishing permit requirement shall be contingent upon the state of Missouri recognizing the same exemption for any person issued a commercial fishing permit by the state of Kansas. (Authorized by K.S.A. 32-807 and K.S.A. 32-941; implementing K.S.A. 32-807, K.S.A. 32-941, and K.S.A. 32-1002; effective May 27, 1991; amended Sept. 27, 2002.)

**115-17-14. Commercial mussel dealer permit; permit application and requirements, authority, reports, general provisions, and permit revocation.** (a) Each person desiring to purchase or import wild mussels for resale, for export from the state, or for any other commercial use shall make application to the secretary for a commercial mussel dealer permit.

(b) Applications shall be submitted on forms provided by the department, and each applicant shall provide the following information:

- (1) The name of the applicant;
- (2) the address and telephone number of the applicant;
- (3) the business locations and the phone numbers of the applicant;
- (4) the location for mussel storage and processing; and
- (5) other information as required by the secretary.

(c) Any commercial mussel dealer may buy, sell, or trade in those species listed in K.A.R. 115-17-7. A commercial mussel dealer shall not buy, sell, or trade any mussel species for use as fish bait.

(d) Each commercial mussel dealer shall purchase mussels only from sources authorized pursuant to K.A.R. 115-17-6, from a commercial mussel dealer authorized pursuant to this regulation, or from a person authorized by another state to sell mussels.

(e) A commercial mussel dealer shall sell mussels only to the following:

- (1) A commercial mussel dealer authorized pursuant to this regulation; or
- (2) a person legally authorized by another state to purchase mussels.

(f) When a commercial mussel dealer ships, exports, or otherwise sells mussels commercially, the dealer shall provide a bill of lading with each sale. The bill of lading shall be written on a form provided by the department and shall include the following information:

- (1) The name, address and telephone number of the commercial mussel dealer;
- (2) the dealer permit number and expiration date;
- (3) the shipping date;

- (4) the name of the recipient;
- (5) the address and telephone number of the recipient; and
- (6) the total weight of each species on shipment.

(g) Each permittee shall maintain a commercial mussel dealer record book and shall submit a quarterly report to the department. The record book and quarterly report shall be maintained and submitted on forms provided by the department and shall be subject to inspection upon demand by any conservation officer. The report shall be submitted not later than 15 days following the end of the quarter for which the report is prepared. A permit shall not be renewed until all reports have been received by the department.

(h) The record book and report shall include the following information:

- (1) The name of the permittee;
- (2) the address and telephone number of the permittee;
- (3) the permit number of the permittee;
- (4) the total shell weight of each mussel species purchased or imported, including the following information:

(A) A separate entry for each purchase or importation, stating the total shell weight of each mussel species purchased;

(B) the date of each purchase or importation;

(C) the name of the state where harvested; and

(D) the name, address, and permit number of each person from whom mussels were purchased or imported;

(5) a copy of each bill of lading accompanying each sale and shipment; and

(6) other information as required by the secretary.

(i) In addition to other penalties prescribed by law, a commercial mussel dealer permit may be revoked or denied issuance by the secretary if any of these conditions is met:

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

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

(3) The permittee violates any provision of law, rule, or regulation related to the commercial use of mussels.

(j) Each commercial mussel dealer permit shall expire on December 31 of the year for which the permit was issued.

(k) Any commercial mussel dealer may possess and sell legally acquired mussels no more than 30 days after the expiration date of the permit. (Authorized by K.S.A. 32-807 and K.S.A. 32-941; implementing K.S.A. 32-941 and K.S.A. 32-1002; effective June 8, 1992; amended Nov. 30, 1998; amended Nov. 22, 2002.)

**115-17-15. Sale and purchase of game animals.** (a) Any part of legally taken game animals, excluding flesh, may be sold, purchased, possessed and utilized for any purpose. Antlers that have been dropped or shed may be possessed and may be sold, purchased, possessed and utilized for any purpose.

(b) Any person purchasing unprocessed parts of legally taken game animals shall maintain a bill of sale for one calendar year. (Authorized by and implementing K.S.A. 1992 Supp. 32-807 as amended by L. 1993, Chapter 185, section 2 and K.S.A. 1992 Supp. 32-1002 as amended by L. 1993, Chapter 185, section 9; effective Dec. 27, 1993.)

**115-17-16. Commercial use of prairie rattlesnakes.** (a) The commercial harvest, possession or sale of prairie rattlesnakes (*Crotalus viridis viridis*) or their parts shall be authorized only in conjunction with a commercial event authorized by the department under a commercial prairie rattlesnake special event permit or as otherwise authorized by rules and regulations. Finished products of prairie rattlesnakes taken in conjunction with a commercial prairie rattlesnake special event may be possessed at any time and may be sold at any time.

(b) Any person may apply to the department for a commercial prairie rattlesnake special event permit. Each application shall be on forms provided by the department and shall provide the following information:

(1) the name and address of the applicant;

(2) the telephone number of the applicant;

(3) a description of the event including proposed dates; and

(4) other information as required by the secretary.

(c) Each permittee shall maintain a record of event activity and shall submit a final report to the department within 30 days following the expiration of the special event permit. The record and report shall include the following information:

(1) the name and address of the permittee;

(2) the permit number of the permittee;

(3) the number of commercial prairie rattlesnake harvest permittees registered for the event;

(4) the number of commercial prairie rattlesnake dealer permittees registered for the event;

(5) an estimate of the number and pounds of prairie rattlesnakes processed; and

(6) other information as required by the secretary.

(d) General provisions.

(1) Each application for a commercial prairie rattlesnake special event permit shall be submitted to the department not less than 30 days prior to the requested dates for the event.

(2) Each commercial prairie rattlesnake special event permit shall be issued only for an event which occurs during the period of time from April 1 through June 15.

(3) The length of time for a commercial prairie rattlesnake special event shall not exceed 30 days.

(4) Each commercial prairie rattlesnake special event permit shall authorize the possession of prairie rattlesnakes, their parts or finished products without regard to numbers.

(5) Each prairie rattlesnake that is 18 inches in length or greater and not otherwise disposed of during the commercial prairie rattlesnake special event and each prairie rattlesnake less than 18 inches in length shall be released live and unrestrained at the end of the commercial prairie rattlesnake special event unless otherwise authorized by the department.

(6) Each permittee shall cooperate with enforcement, research and data-gathering efforts conducted or authorized by the department in conjunction with the commercial prairie rattlesnake special event.

(7) Each permittee shall comply with permit conditions as specified in the commercial prairie rattlesnake special event permit.

(e) In addition to other penalties prescribed by law, a commercial prairie rattlesnake special event application or permit may be denied or may be revoked by the secretary if:

(1) the application is incomplete or contains false information;

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

(3) the permittee violates any provisions of law, rules or regulations related to the commercial use of prairie rattlesnakes. (Authorized by K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2 and K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1; implementing K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2, K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1, K.S.A. 1992 Supp. 32-1002, as amended by L. 1993, Chapter 185, section 9 and K.S.A. 1992 Supp. 32-1005; effective April 11, 1994.)

**115-17-17. Commercial prairie rattlesnake harvest permit; permit application and requirements, authority, reports, general provisions and permit revocation.** (a) A commercial prairie rattlesnake harvest permit shall be required to take prairie rattlesnakes (*Crotalus viridis viridis*) on a commercial basis.

(b) Any individual may apply to the secretary for a commercial prairie rattlesnake harvest permit. Each application shall be on forms provided by the department and shall provide the following information:

(1) the name of the applicant;

(2) the address of the applicant;

(3) the hunting license number of the applicant unless exempt pursuant to K.S.A. 1992 Supp. 32-919 and amendments thereto or applying for a commercial prairie rattlesnake harvest permit as an individual without a hunting license; and

(4) other information as required by the secretary.

(c) Each permittee shall maintain a current record of activity and shall submit a final report to the department on forms provided by the department. The report shall be submitted not later than 14 days following the end of the time period established for the taking of prairie rattlesnakes on a commercial basis.

(d) The records and reports shall include the following information:

(1) the name of the permittee;

(2) the address of the permittee;

(3) the permit number;

(4) the number of prairie rattlesnakes harvested;

(5) the location of harvest, by county;

(6) the number of prairie rattlesnakes sold;

(7) the name and address of any person to whom prairie rattlesnakes or their parts were sold; and

(8) other information as required by the secretary.

(e) Each commercial prairie rattlesnake harvest permit shall expire on December 31 of the year for which it is issued.

(f) Each commercial prairie rattlesnake harvest permittee shall only take prairie rattlesnakes during a commercial prairie rattlesnake special event permitted by the department.

(g) Any commercial prairie rattlesnake harvest permittee may possess legally-taken prairie rattlesnake parts as long as the permittee maintains a valid permit. Live prairie rattlesnakes not otherwise disposed of shall be released live and unrestrained not later than the conclusion of the commercial prairie rattlesnake special event for which the commercial prairie rattlesnake harvest permittee was registered unless otherwise authorized by the department.

(h) Any commercial prairie rattlesnake harvest permittee may possess prairie rattlesnakes that are less than 18 inches in length. These prairie rattlesnakes shall be released live and unrestrained not later than the conclusion

of the commercial prairie rattlesnake special event for which the commercial prairie rattlesnake harvest permittee was registered.

(i) Each commercial prairie rattlesnake harvest permittee shall only sell prairie rattlesnakes or their parts during a commercial prairie rattlesnake special event as authorized under a commercial prairie rattlesnake special event permit. Each commercial prairie rattlesnake harvest permittee shall register with a commercial prairie rattlesnake special event prior to selling any prairie rattlesnake or the parts of any prairie rattlesnake.

(j) Any commercial prairie rattlesnake harvest permittee may possess or possess and sell prairie rattlesnake finished products without limit in time.

(k) Each commercial prairie rattlesnake harvest permittee shall only sell prairie rattlesnakes or their parts to a person legally authorized to purchase prairie rattlesnakes. A bill of sale shall accompany each sale of prairie rattlesnakes or their parts.

(l) Any person may purchase or receive prairie rattlesnakes, their parts or finished products from a commercial prairie rattlesnake harvest permittee. However, the prairie rattlesnakes or their parts shall not be purchased or received for resale or sold. Finished products may be purchased or received for any purpose.

(m) Any commercial prairie rattlesnake dealer permittee may purchase or receive prairie rattlesnakes, their parts or finished products from a commercial prairie rattlesnake harvest permittee.

(n) In addition to other penalties prescribed by law, a commercial prairie rattlesnake harvest application or permit may be denied or may be revoked by the secretary if:

(1) the application is incomplete or contains false information;

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

(3) the permittee violates any provisions of law, rules or regulations related to the commercial use of prairie rattlesnakes. (Authorized by K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2 and K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1; implementing K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2, K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1, K.S.A. 1992 Supp. 32-1002, as amended by L. 1993, Chapter 185, section 9 and K.S.A. 1992 Supp. 32-1005; effective April 11, 1994.)

**115-17-18. Commercial harvest of prairie rattlesnakes; open area, daily bag and possession limit.** (a) The open area for the taking of prairie rattlesnakes (*Crotalus viridis viridis*) on a commercial basis shall be that portion of Kansas west of U.S. highway 283, except Morton county shall not be open for the taking of prairie rattlesnakes on a commercial basis.

(b) A commercial prairie rattlesnake harvest permittee shall not harvest more than 10 prairie rattlesnakes per day or possess more than 10 prairie rattlesnakes per day in the field during the period of time and under the conditions established for the commercial harvest of prairie rattlesnakes.

(c) A commercial prairie rattlesnake harvest permittee shall not possess more than 20 prairie rattlesnakes or the parts of more than 20 prairie rattlesnakes. (Authorized by K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2 and K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1; implementing K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2, K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1, K.S.A. 1992 Supp. 32-1002, as amended by L. 1993, Chapter 185, section 9 and K.S.A. 1992 Supp. 32-1005; effective April 11, 1994.)

**115-17-19. Commercial harvest of prairie rattlesnakes; legal equipment, taking methods and general provisions.** (a) Legal equipment and taking methods permitted for commercial harvest of prairie rattlesnakes (*Crotalus viridis viridis*) shall be:

(1) by hand;

(2) by noose;

(3) by snake hook, tong or fork; and

(4) by other methods as approved by the department.

(b) Holding bags, holding baskets and holding cages may be used, provided the name and commercial prairie rattlesnake harvest permit number of the permittee is attached to each. (Authorized by K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2 and K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1; implementing K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2, K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1, K.S.A. 1992 Supp. 32-1002, as amended by L. 1993, Chapter 185, section 9 and K.S.A. 1992 Supp. 32-1005; effective April 11, 1994.)

**115-17-20. Commercial prairie rattlesnake dealer permit; permit application and requirements, authority, reports, general provisions and permit revocation.** (a) Any person desiring to purchase prairie rattlesnakes (*Crotalus viridis viridis*) or their parts for resale or for export from the state or both shall make application to the secretary for a commercial prairie rattlesnake dealer permit.

(b) Each application shall be on forms provided by the department and shall provide the following

information:

- (1) the name of the applicant;
- (2) the address and telephone number of the applicant;
- (3) the business location or locations of the applicant and the telephone number or numbers at the location or locations;
- (4) the location for holding prairie rattlesnakes if different from the business location or locations; and
- (5) other information as required by the secretary.

(c) Each commercial prairie rattlesnake dealer desiring to renew a commercial prairie rattlesnake dealer permit shall make application as described in subsection (b) and shall provide a description of prairie rattlesnakes or their parts on inventory at the time of renewal application.

(d) Each commercial prairie rattlesnake dealer shall only purchase or receive prairie rattlesnakes or their parts from:

- (1) a commercial prairie rattlesnake harvest permittee;
- (2) a commercial prairie rattlesnake dealer; or
- (3) a person authorized by another state to sell prairie rattlesnakes.

(e) Any commercial prairie rattlesnake dealer may sell prairie rattlesnakes, their parts or finished products to any person. A bill of sale shall accompany each sale of prairie rattlesnakes or their parts. Finished products may be purchased for any purpose.

(f) Each commercial prairie rattlesnake dealer shall maintain records and shall submit a report to the department not later than 30 days following the close of the period of time established for the commercial taking of prairie rattlesnakes. The records and report shall be on forms provided by the department and shall include the following information:

- (1) the name of the permittee;
- (2) the address and telephone number of the permittee;
- (3) the permit number of the permittee;
- (4) a separate entry for each purchase or sale including:
  - (A) the date of purchase or sale;
  - (B) a description of items purchased or sold; and
  - (C) the name, address and permit number of each person from whom prairie rattlesnakes or their parts were purchased or to whom prairie rattlesnakes or their parts were sold; and
- (5) other information as required by the secretary.

(g) Each commercial prairie rattlesnake dealer permit shall be valid through December 31 of the year for which it is issued.

(h) Any commercial prairie rattlesnake dealer may possess prairie rattlesnakes, their parts or finished products without regard to numbers.

(i) Any commercial prairie rattlesnake dealer may sell legally acquired prairie rattlesnakes or their parts not more than 30 days after the expiration date of the permit, except a commercial prairie rattlesnake dealer may continue to possess and sell legally acquired prairie rattlesnakes or their parts if the commercial prairie rattlesnake dealer permit has been renewed.

(j) Each prairie rattlesnake that is less than 18 inches in length shall not be purchased, offered for sale or sold.

(k) In addition to other penalties prescribed by law, a commercial prairie rattlesnake dealer permit may be denied or may be revoked by the secretary if:

- (1) the application is incomplete or contains false information;
- (2) the permittee fails to meet reporting requirements or violates permit conditions; or
- (3) the permittee violates any provision of law or rules and regulations related to commercial use of prairie rattlesnakes. (Authorized by K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2 and K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1; implementing K.S.A. 1992 Supp. 32-807, as amended by L. 1993, Chapter 185, section 2, K.S.A. 1992 Supp. 32-941, as amended by L. 1993, Chapter 139, section 1, K.S.A. 1992 Supp. 32-1002, as amended by L. 1993, Chapter 185, section 9 and K.S.A. 1992 Supp. 32-1005; effective April 11, 1994.)

**115-17-21. Commercial harvest of feral pigeons.** (a) Feral pigeons may be commercially harvested by any person without regard to number or season, if the person is in possession of a valid hunting license, unless exempt from the hunting license requirement by state law.

(b) Legally taken feral pigeons, or any part of a legally taken feral pigeon, may be sold, purchased, possessed, and used for any purpose. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-1002; effective June 11, 1999.)

**115-18-1. Wildlife rehabilitation permit; application, reporting and general provisions.** (a) Each application for a wildlife rehabilitation permit shall be submitted on a form provided by the department. Each applicant shall provide the following information:

- (1) The name of applicant;
- (2) the applicant's address;
- (3) the location or address of the applicant's facilities if different from the applicant's address;
- (4) the name of each assisting subpermittee;
- (5) the type of wildlife rehabilitation service to be provided;
- (6) a description of the applicant's available facilities;
- (7) the applicant's qualifications to provide the services specified;
- (8) the name of each assisting veterinarian; and
- (9) other relevant information as required by the secretary.

(b) (1) A wildlife rehabilitation permit shall be issued only to each individual who meets the following qualifications:

(A) Is 18 years of age or older;

(B) has 100 hours of experience in the handling and care of wildlife acquired over the course of one calendar year.

Up to 20 hours of this 100-hour requirement may be fulfilled by successful completion of a training course provided by either the international wildlife rehabilitation council (IWRC) or the national wildlife rehabilitators' association (NWRA);

(C) submits letters of recommendation regarding the applicant's knowledge of wildlife rehabilitation from three persons who have known the applicant for at least two years. The letters of recommendation shall be from any of the following:

(i) A wildlife professional, which may include a biologist employed by a state or federal wildlife agency, the curator or manager of a zoo or wildlife sanctuary, or other person professionally engaged in wildlife management or care;

(ii) a department conservation officer;

(iii) a Kansas-licensed veterinarian; or

(iv) a permitted wildlife rehabilitator; and

(D) has obtained one of the following:

(i) A certificate of completion of a training course offered by the international wildlife rehabilitation council (IWRC) within the preceding three years;

(ii) a certificate of completion of a training course offered by the national wildlife rehabilitators' association (NWRA) within the preceding three years; or

(iii) a test score of at least 80 percent on a department-administered wildlife rehabilitation examination at a department office location. Each applicant who fails the examination shall wait a minimum of 30 days before retaking the examination. The test may be taken only twice during each calendar year. The test shall not be returned to applicants at any time.

(2) A total of eight hours of continuing education or training every three years from a department-approved program shall be required for the renewal of a permit.

(c) Each applicant or permittee shall allow an inspection of the rehabilitation facilities to be made by a department official. A permit shall not be issued until the rehabilitation facilities have been approved by the inspecting official. All facilities shall be subject, during reasonable hours of operation, to inspection by the department to determine compliance with the provisions of the permit and the provisions contained in this regulation. Each facility shall be inspected by a department official once during the permit period and upon each change in facility location. Each subpermittee authorized to care for wildlife at a site other than the primary permittee's facility shall have those facilities annually inspected and approved by a department official.

(d) Permits issued shall be valid through December 31.

(e) A permittee may provide for subpermittees to operate under the authority of the permit during the effective period of the permit upon approval of the secretary or designee, based on the following requirements:

(1) Each permittee shall submit the name of each individual for whom the designation of subpermittee is requested. The permittee shall be notified by the department in writing of the approval or denial of each request. The permittee shall notify the department in writing of any approved subpermittee whose services with the permit holder are terminated.

(2) Each subpermittee shall be 18 years of age or older and have experience in handling and caring for animals during the previous two years.

(3) Each wildlife rehabilitation permittee shall be responsible for ensuring that each subpermittee meets all requirements of the rehabilitation permit.

(4) Each subpermittee needing to care for wildlife in need of rehabilitation at a site other than the primary permittee's facility shall have that site inspected and approved according to the standards specified in subsection (g) before holding any wildlife at that site.

(5) Each subpermittee holding wildlife at a site different from the primary permittee's facility shall comply with the conditions specified in the primary permittee's permit.

(f) The rehabilitation activities authorized by each permit issued under this regulation shall be performed only by the permittee or subpermittee specified on the permit. Volunteers may assist in rehabilitation activities only in the presence

and under the direction of a permittee or subpermittee. Each permittee utilizing volunteers shall keep on file at the permitted facility a current record of all volunteers working at the facility. At no time shall volunteers be allowed to remove wildlife from the permitted facility, except as provided in subsection (l).

(g) Wildlife rehabilitation care and treatment shall be provided in accordance with the following provisions:

(1) All rehabilitation of wildlife shall be performed in consultation, as necessary, with a licensed veterinarian named on the rehabilitator's permit or with veterinarians on staff at the Kansas State University veterinary hospital.

(2) Individual caging requirements may be specified by the secretary or designee based on the size, species, condition, age, or health of the wildlife under care.

(3) Clean water shall be available at all times except when medical treatment requires the temporary denial of water.

(4) Cages shall be cleaned on a daily basis and disinfected using nonirritating methods.

(5) A person authorized by permit shall observe and provide care for wildlife at least once daily unless otherwise specified by the permit.

(6) Wildlife shall be kept in an environment that minimizes human contact and prevents imprinting and bonding to humans.

(7) Wildlife possessed under a rehabilitation permit shall not be allowed to come into contact with any person other than a permit holder, subpermittee, volunteer, licensed veterinarian, animal control specialist, law enforcement officer, or wildlife professional from the department.

(8) Wildlife shall be housed separately from domestic animals, unless domestic animals are being used for bonding or surrogate parenting.

(9) Public viewing, exhibition, or display of any kind to the public, including electronic viewing, shall be prohibited, unless specifically authorized in writing by the secretary or designee.

(h) Wildlife held under the authority of a rehabilitation permit shall not be sold, bartered, or exchanged for any consideration. A permit issued under this regulation shall not authorize a person, firm, or corporation to engage in the propagation or commercial sale of wildlife.

(i) Wildlife held under the authority of a rehabilitation permit may be transferred from one permittee to another permittee if all of the following conditions are met:

(1) The permittee receiving the wildlife holds all the proper permits and authorizations necessary for that species of wildlife.

(2) The transfer is necessary for the proper treatment or care of the wildlife.

(3) The transfer is properly recorded in both permittees' operational records.

(4) The transfer is approved in writing by the secretary or designee.

(j) The secretary or designee shall be notified within 48 hours if the permittee receives for transport or care an endangered species, threatened species, or species in need of conservation, as identified in K.A.R. 115-15-1 and K.A.R. 115-15-2. Permission for treatment and care by the requesting permittee may be granted by the secretary or designee, or an alternate course of action may be specified by the secretary or designee.

(k) No permittee shall perform any of the following acts, unless the permittee possesses, in advance, an amended permit authorizing this activity from the secretary or designee:

(1) Change the facility location, consulting veterinarian, or subpermittees;

(2) receive previously unauthorized species; or

(3) conduct previously unauthorized activities.

(l) Sick, orphaned, displaced, or injured wildlife may be possessed, transported, or treated in accordance with the following provisions:

(1) Any person may temporarily possess and transport sick, orphaned, displaced, or injured wildlife within the state to a person authorized to perform wildlife rehabilitation services or initial treatment. Possession of an individual animal for transportation to initial treatment shall not exceed one day.

(2) Wildlife in need of rehabilitation treatment or care may be provided emergency medical care and stabilization by any of the following individuals or institutions not holding a rehabilitation permit for 48 hours, after which time the wildlife shall be transferred to a permitted rehabilitator:

(A) Accredited zoological parks;

(B) nature centers;

(C) department wildlife professionals; or

(D) licensed veterinarians.

Any wildlife requiring extensive medical care and recovery may remain under the care of a licensed veterinarian beyond the 48-hour restriction, subject to subsection (g).

(3) Any person authorized by permit to perform wildlife rehabilitation services or exempt by law from the requirement to possess a wildlife rehabilitation permit may possess individual animals for treatment purposes on a temporary basis. Possession of an individual animal for treatment purposes shall not exceed 180 days, unless an extension has been approved by the secretary or designee.

(4) Rehabilitation treatment or care shall not be provided to the following species of wildlife:

- (A) European starlings;
- (B) English or house sparrows;
- (C) feral pigeons; and
- (D) any wildlife species listed in K.A.R. 115-18-10, except as authorized in writing by the secretary.

(m) Each permittee shall maintain current records of wildlife rehabilitation services provided under the permit on report forms provided by the department. The records shall be maintained at the designated facility, be made available to department officials for inspection purposes, and include the following information:

- (1) The name of the permittee;
- (2) the permittee contact information;
- (3) the name and address of the facility;
- (4) the wildlife rehabilitation permit number;
- (5) the date on which any wildlife is received for treatment;
- (6) the species of wildlife received for treatment;
- (7) the suspected or known cause for treatment;
- (8) the date and disposition of the wildlife at the conclusion of treatment; and
- (9) other relevant information as required by the secretary.

(n) Each permittee shall submit the true and accurate, original report required in subsection (m) to the department on or before January 31 of the year following the permitted activity. The permittee may retain a copy of the report for the permittee's records.

(o) Any person authorized by permit to perform wildlife rehabilitation services or exempt by law from the requirement to possess a wildlife rehabilitation permit may temporarily possess and transport wildlife to another location within the state for the purposes of providing treatment, releasing wildlife in its natural habitat, or transporting wildlife to an approved temporary or permanent holding facility. Possession of wildlife for transportation to another location shall not exceed 48 hours.

(p) Wildlife no longer in need of rehabilitation treatment or care shall be handled in accordance with the following requirements:

(1) All wildlife determined to be capable of survival in the wild shall be released to the wild. Each individual releasing wildlife in accordance with this subsection shall ensure that the following conditions are met:

(A) The animal is released in an area consistent with the animal's normal habitat.

(B) The animal is released only on land, including both public and private properties, if written permission has been granted by the person in legal possession of the land where the release is to be made.

(C) The animal is not released in a location so close to human dwellings that the release is likely to result in nuisance, health, or safety problems.

(D) The animal is not released within the limits of any municipality without prior written approval from the appropriate municipal authority.

(2) Wildlife that cannot be rehabilitated and released to the wild shall be euthanized unless a written request, specifying an alternate course of action, is approved by the secretary or designee. Each course of action requiring the wildlife to remain in captivity shall be approved only if the wildlife is transferred from the permittee providing the rehabilitation services to an accredited zoological facility, or a scientific or educational permit holder in accordance with subsection (i). Each transfer shall be allowed only for educational programs or fostering or socialization purposes, and no transfer shall take place unless the secretary or designee has approved the request in writing.

(3) All euthanized wildlife and wildlife that have died shall be buried, incinerated, or transferred to a person or facility possessing a valid department scientific, educational, or exhibition permit. All federally permitted wildlife shall be disposed of in accordance with the terms of any federal permit. Any deceased wildlife may be disposed of on private property with the prior written permission of the person in legal possession of the private property. Deceased wildlife shall not be disposed of within the limits of any municipality without the prior written permission of the municipality.

(q) Any permittee may continue to possess a permit if all of the following conditions are met:

(1) The permit application is complete.

(2) The permit application contains no false information.

(3) The permittee meets the permit requirements and does not violate the permit conditions.

(4) The permittee has not been convicted of violating local, state, or federal laws relating to the care, treatment, possession, take, or disposal of wildlife or domestic animals within the previous five years.

(5) The permit has not expired.

The permittee shall be notified, in writing, of the cancellation of the permit by the secretary or designee. The permittee shall be provided by the secretary or designee with the opportunity to respond, in writing, within 10 days of receipt of the cancellation.

(r) Any provision of this regulation may be temporarily waived by the secretary or designee during a wildlife health crisis for the protection of public or wildlife health.

This regulation shall be effective on and after December 31, 2012. (Authorized by and implementing K.S.A. 32-807, K.S.A. 32-953, and K.S.A. 32-96; effective Jan. 1, 1990; amended Jan. 1, 2006; amended Dec. 31, 2012.)

**115-18-2. Raptor propagation permit; application, reporting and general provisions.** (a) Any person desiring to possess raptors for propagation purposes shall submit a copy of the person's application for a federal raptor propagation permit to the secretary. A letter of approval issued by the secretary shall satisfy the department's raptor propagation permit requirement, but shall not be effective until the applicant has been issued a federal raptor propagation permit by the U. S. fish and wildlife service.

(b) Each person issued a federal raptor propagation permit shall submit to the department a copy of the approved federal permit and copies of all reports required by the federal permit.

(c) Each permittee shall allow for inspection of the permittee's raptor propagation facilities and records by department officials. (Authorized by 1989 HB 2005, section 9; implementing 1989 HB 2005, sections 9 and 114; effective Oct. 30, 1989.)

**115-18-3. Scientific, educational, or exhibition permit; application, reporting and general provisions.** (a) Applications for scientific, educational, or exhibition permits shall be on forms provided by the department. Each applicant shall provide the following information:

- (1) name of applicant;
- (2) address;
- (3) number and common name of each species proposed for collecting;
- (4) counties of the state where collecting would occur;
- (5) methods of collecting;
- (6) time period for collecting;
- (7) purposes for collecting;
- (8) disposition of collected species; and
- (9) other information as required by the secretary.

(b) Each permit shall be valid during the time period as specified on the permit.

(c) Each permittee shall maintain a record of permit activity, and shall submit a report to the department on permit activity as required by provisions of the permit.

(d) Each person engaged in any activity covered by the permit shall have a copy of the permit in possession, and shall produce proof of authority to conduct permit activity if so requested by a department official.

(e) Each permittee shall conduct permitted activities only as authorized by law, rules and regulations or as authorized under provisions of the permit.

(f) Each permittee shall submit a copy of any required federal permit to the department when federally protected species are involved in scientific, educational or exhibition permit activity.

(g) Each permittee shall submit a copy of any technical reports, publications, techniques, or other product resulting from the use of a scientific, educational, or exhibition permit.

(h) In addition to other penalties prescribed by law, the secretary may refuse to issue or may revoke a scientific, educational, or exhibition permit if:

- (1) the application is incomplete or contains false information;
- (2) issuance of a permit would not be in the best interest of the public; or
- (3) the permittee fails to meet permit requirements or violates permit conditions. (Authorized by 1989 HB 2005, sections 9 and 83; implementing 1989 HB 2005, section 83; effective Oct. 30, 1989.)

**115-18-4. Permits for hunting from a vehicle; applications and requirements.** (a) Any person with a disability as defined by K.S.A. 8-1,124, and amendments thereto, may apply to the secretary on forms provided by the department for a permit to hunt from a vehicle. Each applicant shall provide the following information:

- (1) Name of applicant;
- (2) address;
- (3) nature of the disability;
- (4) a report signed by an authority as specified in K.S.A. 8-1,125 and amendments thereto, on forms provided by the department, that describes the disability and specifies the disability duration; and
- (5) other information as required by the secretary.

(b) For any person with a disability to whom an individual identification card has been issued, as defined in and under the authority of K.S.A. 8-1,125 and amendments thereto, the individual identification card shall serve as a permit to hunt from a vehicle. An individual identification card shall not be used as a permit to hunt from a vehicle under any of the following conditions:

- (1) The individual identification card is no longer valid.
- (2) The individual identification card was obtained through false pretenses.
- (3) The disability for which the individual identification card was issued no longer exists.

(c) The permittee shall be in possession of the permit while hunting.

(d) The permit shall be valid statewide and only for the person to whom the permit was issued.

(e) The permit shall be valid for the time period specified in the permit as determined by the permanent or temporary nature of the disability.

(f) The holder of a permit to hunt from a vehicle may shoot from a nonmoving vehicle, but only in compliance with applicable state and federal laws and regulations.

(g) A permit for hunting from a vehicle may not be issued or may be revoked by the secretary for any of the following reasons:

- (1) The disability does not meet the qualifications for the permit.
- (2) The application is incomplete or contains false information.
- (3) The disability under which the permit was issued no longer exists.

If the secretary revokes a person's permit for any of the above reasons, then that person shall not use an individual identification card as a permit to hunt from a vehicle.

(h) Any person may assist the holder of a permit to hunt from a vehicle during the permit holder's hunting activity. A person assisting a holder of this permit shall not perform the actual shooting of wildlife for the permit holder. (Authorized by and implementing K.S.A. 32-931; effective Oct. 30, 1989; amended Nov. 15, 1993; amended October 1, 1999.)

#### **115-18-5. Revoked.**

**115-18-6. Vehicle permits; news media exemption for state parks and other areas requiring motor vehicle permits.** (a) A park and recreation motor vehicle permit shall not be required to enter any state park, or other area requiring a motor vehicle permit, if the vehicle is used for the purpose of:

- (1) reporting on newsworthy occurrences by members of the news media; or
- (2) other reporting efforts by members of the news media intended to inform and educate the public.

(b) Each motor vehicle used by members of the news media for purposes as established by sections (a)(1) and (a)(2) shall display a media pass issued by the department.

(c) Media passes shall be available upon application to the department and shall be issued at no cost.

(d) A park and recreation motor vehicle permit shall not be required to enter any state park, or other area requiring a motor vehicle permit, by members of the news media when the motor vehicle is used for the purpose of attending a department approved special event, if the motor vehicle displays a media pass issued by the department. (Authorized by K.S.A. 32-807 and K.S.A. 32-901; implementing K.S.A. 32-807, K.S.A. 32-901 and K.S.A. 32-1001; effective Aug. 21, 1995.)

**115-18-6a. Motor vehicle permits; school exemption for state parks and other areas requiring motor vehicle permits.** (a) A park and recreation motor vehicle permit shall not be required to enter any state park, or other area requiring a motor vehicle permit, if the vehicle is used for the purpose of transporting primary and secondary students, faculty, and staff to the state park or other area requiring a motor vehicle permit.

(b) Each motor vehicle used for the purpose specified in subsection (a) shall display a school vehicle license plate or other distinctive marking signifying that the vehicle is a primary or secondary school vehicle. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and 32-901; effective Dec. 20, 2019.)

**115-18-7.** This regulation shall be revoked on and after January 1, 2021. (Authorized by K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, K.S.A. 2011 Supp. 32-919, as amended by L. 2012, Ch. 154, Sec. 5, and K.S.A. 2011 Supp. 32-932, as amended by L. 2012, Ch. 47, Sec. 48; implementing K.S.A. 2011 Supp. 32-932, as amended by L. 2012, Ch. 47, Sec. 48; effective Oct. 30, 1989; amended, T-115-9-9-97, Sept. 9, 1997; amended Dec. 29, 1997; amended Oct. 1, 1999; amended April 19, 2002; amended Feb. 18, 2005; amended April 11, 2008; amended May 21, 2010; amended April 19, 2013; revoked January 1, 2021.)

**115-18-8. Retrieval and possession of game animals, sport fish, and migratory game birds.** (a) Each individual wounding or killing a game animal, sport fish, or a migratory game bird shall make a reasonable effort to retrieve the wounded or dead game animal, sport fish, or migratory game bird. The retrieved game animal, sport fish, or migratory game bird shall be retained in the individual's bag, creel, or possession limit, unless prohibited by regulations of the secretary for the individual species taken. Nothing in this subsection shall prohibit the catch and release of live sport fish.

(b) Each game animal, sport fish, or migratory game bird retrieved shall be retained until any of the following occurs:

- (1) The animal, fish, or bird is processed for consumption.
- (2) The animal, fish, or bird is transported to the individual's residence, to a place of commercial preservation, or to a place of commercial processing.
- (3) The animal, fish, or bird is given to another person in accordance with K.A.R. 115-3-1, K.A.R. 115-4-2, and K.A.R. 115-7-4.
- (4) The animal, fish, or bird is consumed.

(c) The provisions of this regulation shall not affect any requirement of state or federal law or regulation regarding any proof of species, age, or sex and the attachment of this proof to the carcass.

(d) For the purpose of this regulation, "migratory game bird" shall mean any duck, goose, coot, merganser, rail, mourning dove, white-winged dove, snipe, woodcock, or sandhill crane for which a hunting season has been established in Kansas. (Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective June 8, 1992; amended Jan. 30, 1995; amended Oct. 5, 2001; amended July 25, 2003; amended Jan. 11, 2019.)

**115-18-9. Furharvester license; unlicensed observer and restrictions.** (a) If a non-participating observer accompanies a licensed furharvester who is engaged in furharvesting, the observer shall not be required to have a furharvester license.

(b) A non-participating observer shall be defined as an individual who, while accompanying a licensed furharvester, does not engage in or attempt to engage in any of the following:

- (1) Carrying or using any equipment that is used in an activity requiring a furharvester license;
- (2) controlling or training any dog that is or can be used for an activity requiring a furharvester license; or
- (3) assisting a licensed furharvester in any manner that would otherwise require a furharvester license.

(Authorized by K.S.A. 32-807 and K.S.A. 32-911; implementing K.S.A. 32-911; effective Dec. 27, 1993; amended Oct. 5, 2001.)

**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*);
- (20) stone moroko (*Pseudorasbora parva*);
- (21) European perch (*Perca fluviatilis*);
- (22) Nile perch (*Lates niloticus*);
- (23) roach (*Rutilus rutilus*);
- (24) amur sleeper (*Perccottus glenii*);
- (25) zander (*Sander lucioperca*);
- (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
- (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.
- (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. 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 September 15, 2023)

**115-18-12. Trout permit; requirements, restrictions, and permit duration.** (a) Each individual who wants to fish or to fish for and possess trout during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a trout permit.

(b) Each trout permit shall be valid statewide for one year from the date of purchase.

(c) Each trout permit shall be validated by the signature of the permit holder written across the face of the permit. A trout permit shall not be transferable. (Authorized by and implementing K.S.A. 2019 Supp. 32-807; effective Nov. 15, 1993; amended Jan. 30, 1995; amended July 24, 1998; amended Nov. 27, 2006; amended Nov. 16, 2007; amended Dec. 22, 2017; amended Dec. 25, 2020.)

**115-18-13.** This regulation shall be revoked on and after June 1, 2021. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Aug. 15, 1994; amended Sept. 19, 1997; amended Sept. 25, 1998; amended Oct. 1, 1999; amended Sept. 22, 2000; amended Sept. 27, 2002; revoked **June 1, 2021.**)

**115-18-14. Nontoxic shot; statewide.** (a) Each individual hunting with a shotgun for waterfowl, coot, rail, snipe, or sandhill crane shall possess and use only nontoxic shot.

(b) The following nontoxic shot materials shall be approved for the hunting of waterfowl, coot, rail, snipe, and sandhill crane:

- (1) Steel shot;
- (2) steel shot coated with any of the following materials:
  - (A) Copper;
  - (B) nickel;
  - (C) zinc chromate; or
  - (D) zinc chloride;
- (3) bismuth-tin shot;
- (4) tungsten-iron shot alloys;
- (5) tungsten-polymer shot;
- (6) tungsten-matrix shot;

- (7) tungsten-nickel-iron shot alloys;
- (8) tungsten-iron-nickel-tin shot;
- (9) tungsten-bronze shot alloys;
- (10) tungsten-tin-bismuth shot;
- (11) tungsten-iron-copper-nickel shot; and
- (12) tungsten-tin-iron shot. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002, as amended by L. 2005, Ch. 182, Sec. 3; effective Dec. 27, 1994; amended Sept. 22, 1995; amended Dec. 29, 1997; amended Oct. 1, 1999; amended Oct. 5, 2001; amended Sept. 27, 2002; amended Nov. 29, 2004; amended Nov. 18, 2005.)

**115-18-15. Disability assistance permit; application, permit, and general provisions.** (a) Any person who has a permanent physical or visual disability making that person eligible to receive a disability assistance permit and who desires to obtain a permit shall apply to the secretary. Each applicant shall provide the following information:

- (1) name of applicant;
  - (2) address;
  - (3) a physician's or an optometrist's signed report, either on a form provided by the department or on the physician's or optometrist's letterhead, describing the permanent disability, certifying the applicant cannot safely hunt or fish without assistance in accordance with law and rules and regulations of the department because of this disability, and indicating the hunting or fishing activities that the applicant is physically or visually unable to safely perform without assistance in accordance with law and rules and regulations of the department; and
  - (4) other information, as required by the secretary.
- (b) An applicant may be required by the secretary to obtain, at department expense, a report from a second physician or optometrist, as appropriate, chosen by the secretary.
- (c) A disability assistance permit may be refused issuance or may be revoked by the secretary for any of the following reasons.
- (1) The physical disability does not meet qualifications.
  - (2) The application is incomplete or contains false information.
  - (3) The physical disability under which the disability assistance permit was issued no longer exists.
  - (d) The disability assistance permit shall indicate the hunting or fishing activity or activities for which the permit is valid.
- (e) The disability assistance permit shall be valid from the date of issuance until and unless revoked by the secretary.
- (f) In addition to other penalties prescribed by law, a disability assistance permit shall be invalid from the date of issuance if obtained by an individual through misrepresentation or unauthorized application. (Authorized by K.S.A. 32-807 and L. 1997, Ch. 127, Sec. 2; implementing L. 1997, Ch. 127, Sec. 2; effective, T-115-9-9-97, Sept. 9, 1997; effective Dec. 29, 1997.)

**115-18-16. Light goose conservation order; general provisions and restrictions.** (a) Light geese shall include lesser snow geese and Ross' geese.

(b) An individual may harvest light geese outside of regularly established waterfowl hunting season dates only if that individual possesses any licenses and stamps required during regularly established waterfowl hunting seasons in Kansas.

(c) In addition to regularly established waterfowl hunting seasons, harvest of light geese shall be allowed from January 1 through April 30. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1002, and K.S.A. 32-1008; effective, T-115-2-17-00, Feb. 17, 2000; effective Sept. 22, 2000.)

**115-18-17. Educational bird hunt permit; application, permit, and general provisions.** (a)

Pen-raised, banded birds may be released and shot outside of established hunting seasons for that species if authorized by an educational bird hunt permit. An educational bird hunt permit shall not be required in order to take any species of bird during established hunting seasons for that species.

(b) Each person who desires to obtain an educational bird hunt permit shall apply to the secretary. Each applicant shall provide the following information:

- (1) The name and address of the applicant;
  - (2) a description of the educational purpose to be met by the proposed hunt;
  - (3) the date and location of the proposed hunt;
  - (4) the anticipated number of student participants and instructor participants;
  - (5) the source, species, and number of birds to be released; and
  - (6) any other information as required by the secretary.
- (c) Issuance of an educational bird hunt permit may be denied by the secretary for any of the following

reasons:

- (1) The application is incomplete or contains false information.
  - (2) The proposed hunt does not conform to the requirements for and restrictions governing an educational bird hunt.
  - (3) The proposed hunt would violate a law or another regulation.
  - (4) Issuance of the permit would pose an inordinate risk to the public or to wildlife resources.
  - (d) Each educational bird hunt shall be subject to the following requirements and restrictions:
    - (1) The purpose of the proposed hunt shall be to educate persons who have not had previous experience hunting upland birds.
    - (2) Instructor participants may shoot and take released birds, but no more than one instructor participant per student participant shall be permitted.
    - (3) The number of game birds harvested during an educational bird hunt shall not exceed the number of game birds released of the same species. No game bird species may be hunted during the educational bird hunt until a release of that game bird species has been made.
    - (4) All pen-raised birds released during an educational bird hunt shall be banded using leg bands and shall be coded with the initials "EH".
    - (5) Within 30 days of the conclusion of an educational bird hunt, the permittee shall report the following to the department:
      - (A) The number of student participants and instructor participants; and
      - (B) the number of birds released and the number of birds harvested, for each species released or harvested.
- (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 13, 2001.)

**115-18-18. Hand fishing permit; requirements, restrictions, and permit duration.** (a) Each individual who wants to hand fish for flathead catfish during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a hand fishing permit.

- (b) Each hand fishing permit shall be valid statewide through December 31 of the year in which the permit is issued.
  - (c) Each hand fishing permit shall be validated by the signature of the permit holder written across the face of the permit. A hand fishing permit shall not be transferable.
- (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Nov. 27, 2006; amended Nov. 26, 2012.)

**115-18-19. Paddlefish permit; requirements, restrictions, and permit duration.** (a) Each individual who wants to snag for paddlefish during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a paddlefish permit.

- (b) Each paddlefish permit shall be valid statewide through December 31 of the year in which the permit is issued.
- (c) Each paddlefish permit shall be validated by the signature of the permit holder written across the face of the permit. A paddlefish permit shall not be transferable.
- (d) 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. (Authorized by and implementing K.S.A. 2016 Supp. 32-807; effective Nov. 27, 2006; amended Dec. 22, 2017.)

**115-18-20. Tournament black bass pass; requirements, restrictions, and pass duration.** (a) A tournament black bass pass shall be required for each individual who wants to keep up to five black bass in a daily creel limit that meet the minimum statewide length limit but that do not meet the special length limit for the specific body of water, or who wants to cull black bass after the daily creel limit has been met, during a weigh-in bass tournament as established in K.A.R. 115-7-9.

- (b) Each tournament black bass pass shall be valid statewide for one year from the date of purchase.
- (c) Each tournament black bass pass shall be validated by the signature of the pass holder written across the face of the pass. A tournament black bass pass shall not be transferable. (Authorized by and implementing K.S.A. 2016 Supp. 32-807; effective Nov. 27, 2006; amended Nov. 16, 2007; amended Nov. 19, 2010; amended Nov. 28, 2016; amended Dec. 22, 2017.)

**115-18-21.** This regulation shall be revoked on and after January 1, 2015. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2007 Supp. 32-1002; effective Dec. 1, 2008; revoked Jan. 1, 2015.)

**115-18-22. Senior pass valid for hunting and fishing; requirements, restrictions, and permit duration.** (a) Any Kansas resident age 65 and older may apply to the secretary for a senior pass valid for hunting and fishing.

(b) For the purposes of this regulation, the term “resident” shall have the meaning specified in K.S.A. 32-701, and amendments thereto, except that a person shall have maintained that person’s place of permanent abode in this state for not less than one year immediately preceding that person’s application for a senior pass valid for hunting and fishing.

(c) A senior pass valid for hunting and fishing shall not be made invalid because the holder of that senior pass subsequently resides outside of the state.

(d) Each nonresident holder of a senior pass valid for hunting and fishing shall be eligible under the same conditions as those for a Kansas resident for a big game or wild turkey permit upon proper application to the secretary.

(e) A senior pass shall not be transferable.

(f) Each senior pass shall be valid during the life of the holder and shall expire upon the death of the holder.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and L. 2012, Ch. 154, Sec. 1; effective Jan. 1, 2013.)

**115-20-1. Crows; legal equipment, taking methods, and possession.** (a) Legal hunting equipment for taking crows shall consist of the following:

(1) Firearms, except fully automatic rifles and handguns and except shotguns and muzzleloading shotguns larger than 10 gauge or using other than shot ammunition;

(2) pellet and BB guns;

(3) archery equipment;

(4) falconry equipment;

(5) calls and decoys, except live decoys; and

(6) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light.

(b) The use of dogs shall be permitted while hunting.

(c) Hunting hours shall be from 1/2 hour before sunrise to sunset.

(d) Any type of apparel may be worn while hunting crows.

(e) Crows may be shot or pursued by falconry means while the crow is in flight, on the ground, or perched.

(f) Legally taken crows may be possessed without limit in time and number and may be disposed of in any manner. However, crows shall not be purchased, sold, bartered, or offered for purchase, sale, or barter.

(g) Blinds and stands may be used while hunting. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 30, 1990; amended March 20, 1995; amended July 13, 2001; amended Feb. 18, 2005.)

**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 no more than five live specimens of mussels may be possessed. Two opposing shells shall constitute one mussel.

(f) 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 turtle dove.

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

(h) 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.)

**115-20-3. Exotic Wildlife; possession, sale and requirements.** (a) Subject to federal or state law or rules and regulations, exotic wildlife species may be imported, possessed, sold, offered for sale or purchased, provided the exotic wildlife was legally captured, raised, exported, possessed, sold or purchased or any combination of these activities in its place of origin.

(b) Exotic wildlife may be possessed without limit in time and number.

(c) Exotic wildlife shall be confined or controlled at all times and shall not be released onto the lands or into the waters of this state.

(d) Exotic wildlife shall only include those wildlife species which are non-migratory and are not native or indigenous to Kansas, or do not presently exist in Kansas as an established wild population. (Authorized by K.S.A. 1990 Supp. 32-807; implementing K.S.A. 1990 Supp. 32-807 and K.S.A. 1990 Supp. 32-1002; effective September 10, 1990; amended Feb. 10, 1992.)

**115-20-4. Possession of certain wildlife.** (a) Any person possessing one of the following animals shall be required to obtain a possession permit:

- (1) mountain lion, *Felis concolor* Linnaeus;
- (2) wolf, *Canis lupus* Say;
- (3) black bear, *Ursus americanus* Pallas; and
- (4) grizzly bear, *Ursus arctos horribilis* Ord.

(b) Any individual may apply to the secretary for a possession permit. The 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 species and number of wildlife for which the possession permit is requested;
- (5) the purpose for which the wildlife would be possessed;
- (6) proof of purchase or receipt;
- (7) other information as requested by the secretary.

(c) Each permittee shall submit a report to the department describing changes in wildlife possession as authorized by the possession permit. The report shall be submitted within five days after the change occurred, except that the escape of any possessed wildlife shall be reported within 24 hours. Changes for which a report shall be required include:

- (1) any possessed wildlife sold or otherwise disposed of;
- (2) any wildlife purchased or otherwise acquired;
- (3) the death of any possessed wildlife; or
- (4) the escape of any possessed wildlife.

(d) Each permittee shall only possess wildlife species and numbers as authorized in the possession permit.

(e) The possession permit shall be valid from date of issue and shall expire upon request of the permittee or as so ordered by any legal authority.

(f) The possession of wildlife listed in subsection (a) shall be subject to all federal and state laws and regulations and to all local ordinances.

(g) The provisions of this regulation shall not apply to:

(1) zoos;

(2) licensed veterinarians;

(3) transportation of such wildlife through the state;

(4) possession of such wildlife when the possession shall not exceed five days; or

(5) such wildlife possessed for scientific, educational or display purposes by:

(A) a school or university; or

(B) a circus or other similar business enterprise offering public viewing opportunity. (Authorized by K.S.A. 1990 Supp. 32-807; implementing K.S.A. 1990 Supp. 32-807 and K.S.A. 1990 Supp. 32-1002; effective Feb. 10, 1992.)

**115-20-5. Dangerous regulated animals; primary caging requirements.** Each person possessing a dangerous regulated animal, as defined in L. 2006, ch. 131, sec. 1 and amendments thereto, shall confine, house, maintain, and transport the animal as follows:

(a) Mammals.

(1) Each primary holding cage shall meet the following requirements:

(A) Be constructed in a manner that prohibits physical contact with the animal by any person other than the owner, designated handler, or veterinarian providing medical attention or treatment; and

(B) be enclosed inside a perimeter fence, rail, or other physical structure that prohibits physical contact with the animal.

(2) Each gate allowing access through a perimeter fence, rail, or other physical structure surrounding any primary holding cage shall be locked at all times with a key or combination lock to prevent unauthorized entry into the area immediately surrounding the primary holding cage, except when authorized persons are present in the area.

(3) Each primary holding cage shall include a shift cage to isolate the animal from the primary holding cage to permit the feeding, cleaning, repair, or other activities that necessitate the separation or isolation of the animal. Each shift cage shall be constructed so that the animal to be isolated is able to stand, lie naturally, and turn around without touching the sides of the shift cage. If multiple animals are held within a primary holding cage, the shift cage shall be constructed so that multiple animals to be isolated are able to stand, lie naturally, and turn around without touching the sides of the shift cage.

(4) Each primary holding cage shall be accessed through a double-gated entry consisting of a completely enclosed structure, constructed of material of strength or specification equal to or greater than that of the primary holding cage, and equipped with one primary access gate or door and a secondary access safety gate or door. Each door shall be equipped with a latch of sufficient strength and design to prevent the gate from opening accidentally, shall open only inward, and shall be equipped with stops or blocks of sufficient strength to prevent an animal from escaping by charging or striking the door. The primary access door shall be locked with a key or combination lock, separate from the latch, to prevent unauthorized entry. Additionally, the secondary door shall be equipped with either an additional latch or safety chain of sufficient strength and design to secure the door temporarily. Each person entering the primary holding cage shall enter through the primary access door and securely close the door before passing through the secondary access door. The primary access door and secondary access door shall not be open simultaneously when an animal is present in the primary holding cage.

(5) Any primary holding cage may be equipped with a maintenance gate to allow large items, including claw logs and maintenance equipment, to enter the primary holding cage. Each maintenance gate shall be securely double-latched and locked when not in operation. In addition, no maintenance gate shall be open when an animal is present in the primary holding cage.

(6) Each primary holding cage utilizing electrical power on any perimeter fence, secondary barrier, or enclosure shall have a functional, backup electrical system in place that is powered by a gas generator, solar-charged batteries, or the functional equivalent, to be used if the electrical power fails or the primary electrical source malfunctions.

(7) Each primary holding cage for any lions, leopards, jaguars, cheetahs, or mountain lions, or any hybrids of these animals, shall be constructed of materials meeting the following minimum requirements:

(A) The fencing for lions and tigers shall have the strength of a nine-gauge chain-link fence.

(B) The fencing for leopards, cheetahs, jaguars, and mountain lions shall have the strength of an eleven-gauge chain-link fence.

(C) Break-resistant glass or plastic viewing panels may be used if the material is of sufficient strength to prevent breakage by the animals confined.

(D) Each wall shall be at least eight feet in height. Except for any primary cage holding cheetahs, each primary holding cage with walls at least eight feet but not more than 13 feet in height shall be topped with the same fencing material required for the walls for the species of animal held. Each wall greater than 13 feet in height shall be equipped with either a supported, inward-facing overhang of at least 36 inches or two electrified wires encompassing the entire perimeter of the walls, unless topped with fencing materials. Each primary holding cage for cheetahs, unless topped with fencing materials, shall be equipped with either a supported, inward-facing overhang of at least 18 inches or two electrified wires encompassing the entire perimeter of the walls.

(E) Each primary holding cage for any feline species shall have either a concrete footing extending a minimum of one foot into the ground or chain-link or welded wire fencing buried horizontally, of the equivalent strength as that of the primary cage wall, extending a minimum of three feet around the inside of the primary holding cage. All fencing material shall be securely fastened to the primary holding cage framework or to adjacent fencing or footings, in order to prevent separation from the framework or adjacent fencing materials. All fencing that is buried shall consist of nonrusting material.

(F) The vertical and horizontal fencing framework shall be constructed to effectively support the fencing materials and prevent bending or breakage of the fencing materials by the animals held in the primary holding cage.

(G) The floor space of each primary holding cage shall be at least 288 square feet for any feline species if only one animal is confined in the primary holding cage. Each additional animal confined in the same primary holding cage shall require an additional 144 square feet for that animal.

(8) Each primary holding cage for all bear species or any bear hybrids shall be constructed of materials meeting the following minimum requirements:

(A) The fencing for black bears, sloth bears, sun bears, and spectacled or Andean bears shall have the strength of a nine-gauge chain-link fence and shall be eight feet in height.

(B) The fencing for grizzly bears, brown bears, and polar bears shall have the strength of a five-gauge chain-link fence and shall be 10 feet in height.

(C) Any wall may be constructed of vertical steel bars or rods measuring 5/8 inch in diameter, spaced on four-inch centers, and welded at the end to angle iron measuring 1¼ inch by ¼ inch. The horizontal angle iron shall be welded to vertical posts. The bottom horizontal supports shall be not more than three inches above the concrete floor or footing and shall not be spaced more than four feet apart between the floor and the top of the cage.

(D) Break-resistant glass or plastic viewing panels may be used if the material is of sufficient strength to prevent breakage by the animals confined.

(E) Each primary holding cage with walls at least eight feet but not more than 13 feet in height shall be covered with the same fencing material as that required for the walls for the species of animal held. Each wall greater than 13 feet in height, unless topped with fencing material, shall be equipped with either a supported, inward-facing overhang of at least 36 inches or two electrified wires encompassing the entire perimeter of the walls.

(F) Each primary holding cage for all bear species shall have a reinforced concrete floor at least four inches thick or a concrete footing extending at least five feet in the ground.

(G) The vertical and horizontal fencing framework shall be constructed to effectively support the fencing materials and prevent bending or breakage of the fencing materials by the animals held in the cage.

(H) The floor space of each primary holding cage shall be at least 288 square feet for black bears, sloth bears, sun bears, and spectacled or Andean bears if only one animal is confined in the cage. Each additional animal confined in the same cage shall require an additional 144 square feet for that animal.

(I) The floor space of each primary holding cage shall be at least 432 square feet for grizzly bears, brown bears, and polar bears if only one animal is confined in the cage. Each additional animal confined in the same cage shall require an additional 288 square feet for that animal.

(9) Any animal held for sale by a person with a valid license from the United States department of agriculture and any animal held for veterinary care or quarantine may be temporarily held or caged for not more than 60 days in a cage or enclosure that does not meet the primary cage space requirements.

(A) Upon written request to the local animal control authority, this temporary holding or caging period may be extended if conditions certified by a licensed veterinarian necessitate a longer holding period for the health, safety, or welfare of the animal or the public.

(B) The medical records for any animal for which an extension is requested shall be maintained at the facility and available for review upon request.

(C) A cage for temporary care shall not be used if the animal being held is not able to stand, lie naturally, and turn around without touching the sides of the cage. In addition, each animal or cage shall be permanently marked to correlate with records indicating the date on which the animal was placed in confinement.

(10) Any newborn animal may be temporarily confined in incubation and rearing facilities that do not

conform to primary cage standards.

(11) Any nursing animal may be temporarily maintained with the animal's parents without regard to primary cage standards that require increases in the square footage of the cage until the nursing animal is weaned. This period may be extended to a date certain, on the recommendation of a licensed veterinarian for the health, safety, or welfare of the animal.

(12) Any juvenile animal may be confined in an enclosure or cage smaller than a primary holding cage, if the cage is large enough for the animal to stand, lie naturally, and turn around without touching the sides of the cage.

(13) Each juvenile animal that is confined in any cage other than a primary holding cage shall be marked or clearly identifiable to prove the date on which the animal was placed in confinement and the age of the animal and shall be provided space for exercise on a daily basis.

(14) Each juvenile animal shall be transferred permanently to a primary holding cage upon reaching six months of age or twenty-five pounds in weight, whichever occurs first.

(15) Each animal that must be transported to a location other than the primary holding cage shall be transported in a fully enclosed cage that is constructed of materials meeting a standard equivalent to the minimum standard for the primary cage for the species, is not injurious to the animal, and does not allow physical contact between the animal and any person.

(b) Nonnative venomous snakes.

(1) Each primary holding container for snakes shall have an access door or opening that is securely latched and locked, have joined surfaces that meet tightly, and be structurally sound to prevent separation of the surfaces and the escape of the confined snake or snakes.

(2) Each primary holding container for snakes shall be locked within a building or other structure that is inaccessible to unauthorized persons and that is constructed and maintained to prevent the escape of each confined snake.

(3) Each primary holding container for snakes shall be constructed from material meeting one of the following minimum requirements:

(A) Laminated safety glass, plate glass, or tempered glass at least 3/16 inch thick;

(B) break-resistant plastic with strength equivalent to the strength of laminated safety glass that is at least 3/16 inch thick;

(C) wire-reinforced concrete;

(D) sheet metal;

(E) molded fiberglass; or

(F) plywood or interlocking lumber that has been treated to be impervious to moisture and is at least 1/2 inch thick.

(4) Each primary holding container shall have adequate ventilation. Each ventilation opening shall be securely covered with double walls made of wire or fiberglass mesh measuring at least 1/16 inch.

(5) The perimeter of each primary holding container for snakes less than six feet in length shall be at least 1 1/2 times the length of the snake. The perimeter of each container for snakes more than six feet in length shall be at least twice the length of the snake.

(6) Each primary holding container shall be labeled with the common and scientific names of the species and subspecies of snakes held and the number of snakes held. The label shall be legibly marked with the warning "poisonous" or "venomous" and the name of the appropriate antivenin for the snake species.

(7) Each primary holding container used for public exhibit or display shall have double-pane glass panels.

(8) Written emergency procedures to be followed if a snake escapes shall be posted in a prominent location in the building or structure housing the snakes, along with a written plan from a hospital stating the way that a venomous bite should be treated and a notice of the location of the nearest, most readily available source of appropriate antivenin.

(9) Each snake removed from the primary holding container for feeding or for cleaning the container shall be held in a fully enclosed and ventilated container with a secure and locked lid.

(10) Each snake that must be transported from its primary holding container to another location shall be transported in a cloth sack placed inside a break-resistant, ventilated, and locked box that is made of wood, fiberglass, or plastic and that is clearly marked with the contents of the box. In addition, the box used shall not be injurious to the snake, shall not be subject to breaking from impact or dropping, and shall prohibit physical contact between the snake and any person. (Authorized by and implementing L. 2006, ch. 131, sec. 6; effective Nov. 27, 2006.)

**115-20-6. Dangerous regulated animals; registered designated handler.** Each person applying to be a registered designated handler, as defined in L. 2006, ch. 131, sec. 1 and amendments thereto, shall meet the following minimum requirements:

(a) Be 18 years of age or older;

(b) have obtained at least 200 hours of training and experience in the care, feeding, handling, and husbandry of the species for which the registration is sought or another species within the same biological order that is substantially similar in size, characteristics, care, and nutritional requirements to the species for which the registration is sought; and

(c) submit documentation of the training and experience specified in subsection (b), including a description of the training and experience acquired, the dates on which the training and experience were acquired, the location where the training and experience were acquired, and at least two references from individuals having personal knowledge of the documented training and experience. (Authorized by and implementing L. 2006, ch. 131, sec. 10; effective Nov. 27, 2006.)

**115-20-7. Migratory doves; legal equipment, taking methods, and possession.** (a) Legal hunting equipment for migratory doves shall consist of the following:

(1) Shotguns that are not larger than 10 gauge, use shot ammunition, and are incapable of holding more than three shells in total capacity;

(2) archery equipment;

(3) crossbows;

(4) falconry equipment;

(5) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and

(6) blinds, stands, calls, and decoys, except live decoys.

(b) The use of dogs shall be permitted while hunting.

(c) Any type of apparel may be worn while hunting migratory doves.

(d) Legally taken migratory doves may be possessed without limit in time and may be given to another if accompanied by an attached, dated written notice that includes the donor's printed name, signature, and address; the total number of birds; the dates the birds were killed; and the permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.

(e) Migratory doves shall be taken only while in flight. (Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective Nov. 20, 2009; amended July 20, 2012; amended July 28, 2017; amended May 31, 2019.)

**115-21. Revoked.**

**115-22-1. Sport shooting ranges; generally accepted operating practices.** The following chapters and articles in "the range manual" of the national rifle association, as revised in June 1998, are hereby adopted by reference as the regulations of the department establishing generally accepted operating practices for sport shooting ranges.

(a) In the "introduction" in section one, the following articles:

(1) "Article 1. introduction";

(2) "article 3. manual organization"; and

(3) "article 4. terminology";

(b) in chapter two of section one, "safety plan," the following articles:

(1) "Article 1. general;

(2) "article 2. safety planning";

(3) "article 3. general administrative regulations"; and

(4) "article 4. general range commands"; and

(c) in chapter six of section one, "sound abatement on shooting ranges," the following articles:

(1) "Article 1. general";

(2) "article 2. definitions"; and

(3) "article 3. concepts and methodology." (Authorized by L. 2001, Ch. 185, Sec. 8; implementing L. 2001, Ch. 185, Sec. 4 and Sec. 8; effective Dec. 7, 2001.)

**115-25-1. Prairie chickens; open seasons, bag limits, and possession limits; permit.** (a) East unit. The open season for the taking of prairie chickens shall be September 15 through January 31 of the following year, in that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-156, then east on state highway K-156 to its junction with state highway K-19, then south on state highway K-19 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the

Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with the Colorado-Kansas state line, and then south along the Colorado-Kansas state line to its junction with interstate highway I-70.

(b) Southwest unit. There shall be no open season for the taking of prairie chickens in that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-156, then east on state highway K-156 to its junction with state highway K-19, then south on state highway K-19 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70.

(c) Daily bag limit. The daily bag limit shall be two prairie chickens in units with an open season for the taking of prairie chickens.

(d) Possession limit. The possession limit shall be eight prairie chickens.

(e) Permit required. Before taking any prairie chickens, the individual shall have obtained and shall possess, while hunting, a current prairie chicken hunting permit from the department. (Authorized by and implementing K.S.A. 2020 Supp. 32-807.)

**115-25-1 a. Quail; open seasons, bag limits, and possession limits.** (a) The open season for the taking of quail shall be the second Saturday in November through January 31 of the following year.

(b) The youth season for the taking of quail shall begin on the first Saturday in November and shall continue for two consecutive days, including the opening day. Only a person who is 17 years of age or younger and who is accompanied by an adult 18 years of age or older may hunt during the youth season for the taking of quail.

(c) The entire state shall be open for the taking of quail.

(d) (1) The daily bag limit during the open season for the taking of quail shall be eight quail.

(2) The daily bag limit during the youth season for the taking of quail shall be eight quail.

(e) (1) The possession limit during the open season for the taking of quail shall be 32 quail.

(2) The possession limit during the youth season for the taking of quail shall be 16 quail.

This regulation shall be effective on and after August 1, 2021. (Authorized by and implementing K.S.A. 2020 Supp. 32-807.)

**115-25-1 b. Pheasants; open seasons, bag limits, and possession limits.** (a) The open season for the taking of cock pheasants shall be the second Saturday in November through January 31 of the following year.

(b) The youth season for the taking of cock pheasants shall begin on the first Saturday in November and shall continue for two consecutive days, including the opening day. Only a person who is 17 years of age or younger and who is accompanied by an adult 18 years of age or older may hunt during the youth season for the taking of cock pheasants.

(c) The entire state shall be open for the taking of cock pheasants.

(d) (1) The daily bag limit during the open season for the taking of cock pheasants shall be four cock pheasants.

(2) The daily bag limit during the youth season for the taking of cock pheasants shall be four cock pheasants.

(e) (1) The possession limit during the open season for the taking of cock pheasants shall be 16 cock pheasants.

(2) The possession limit during the youth season for the taking of cock pheasants shall be eight cock pheasants.

This regulation shall be effective on and after August 1, 2021. (Authorized by and implementing K.S.A. 2020 Supp. 32-807.)

**115-25-2. Rabbits; open seasons, bag limit, and possession limit.** (a) The open season for the taking of rabbits statewide shall be January 1 through December 31.

(b) The daily bag limit shall be 10.

(c) The possession limit shall not exceed four daily bag limits.

(d) The open season for the running of rabbits statewide shall be March 1 through November 1. (Authorized by and implementing K.S.A. 2020 Supp. 32-807.)

**115-25-3. Hares; open season, bag limit, and possession limit.** (a) The open season for the taking of hares statewide shall be January 1 through December 31.

(b) The daily bag limit shall be 10.

(c) The possession limit shall not exceed four daily bag limits.

(d) The open season for the running of hares statewide shall be March 1 through November 1. (Authorized by and implementing K.S.A. 2020 Supp. 32-807.)

**115-25-4. Squirrel; open season, bag limit, and possession limit.** (a) The open season for the hunting and taking of squirrels shall be from June 1 through the last day of February of the following calendar year.

(b) The open area for the taking of squirrels shall be statewide.

(c) The daily bag limit shall be five.

(d) The possession limit shall be no more than 20 squirrels, of which not more than five squirrels may be taken in any one day of the season. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002.)

**115-25-5. Turkey; fall season, bag limit, and permits.** (a) There shall be no open fall season for the taking of turkey in Kansas.

(b) The units and the number of permits authorized for the taking of turkey during the established seasons shall be as follows:

(1) Unit 1. Unit 1 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-183 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with Nebraska-Kansas state line, and then west along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by a line from the Kansas-Colorado state line east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries. No permits shall be authorized in unit 4.

(5) Unit 5. Unit 5 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, and then east along the Oklahoma-Kansas state line to its junction with

interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 5.

(6) Unit 6. Unit 6 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, and then west along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 6.

(c) The bag limit for the open fall season shall be one turkey of either sex for each permit or game tag.

(d) An individual shall not apply for or obtain more than one turkey permit for the open fall season.

(e) Turkey permits and turkey game tags shall be valid only for the unit or units designated on the turkey permit or turkey game tag.

(Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-969, amended April 27, 2023.)

**115-25-6. Turkey; spring season, bag limit, permits, and game tags.** (a) The open season for the taking of turkey by archery equipment only shall begin on the first Monday after the first Saturday in April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season for use with archery equipment only.

(b) The open season for the taking of turkey by use of firearms or archery equipment shall begin on the second Wednesday after the first Saturday in April and shall continue through the last day in May.

(c)(1) The season for designated persons for the taking of turkey shall begin on the first day of April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season.

(2) The following persons may hunt during the season for designated persons:

(A) Any person having a valid turkey permit or second turkey game tag who is 17 years of age or younger, while under the immediate supervision of an adult who is 18 years of age or older.

(B) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4; and

(C) any person with a disability assistance permit issued according to K.A.R. 115-18-15.

(d) The legal limit shall be one bearded turkey per turkey permit and one bearded turkey per second turkey game tag where game tags are authorized.

(e) The units and the number of permits authorized for the taking of turkey during the established season shall be as follows:

(1) Unit 1. Unit 1 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-183 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of resident permits and 700 nonresident permits shall be authorized for unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of resident permits and 2,400 nonresident permits shall be authorized for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its

junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with Nebraska-Kansas state line, and then west along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of resident permits and 2,800 nonresident permits shall be authorized for unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by a line from the Kansas-Colorado state line east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries. A total of 375 permits, 200 reserved for landowners and tenants, shall be authorized for unit 4, and all youth permits shall also be valid in unit 4.

(5) Unit 5. Unit 5 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, and then east along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of resident permits and 900 nonresident permits shall be authorized for unit 5.

(6) Unit 6. Unit 6 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, and then west along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of resident permits and 2,900 nonresident permits shall be authorized for unit 6.

(f) Turkey permits and second turkey game tags shall be valid only for the unit or units designated on the turkey permit or second turkey game tag, except that youth turkey permits shall be valid in all units.

(g) Only those individuals who have purchased a turkey permit shall be eligible to purchase a second turkey game tag.

(Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-969, amended April 27, 2023.)

**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 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 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: 88 resident firearm permits shall be authorized for the unit.

(ii) West Arkansas, unit 17: 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.

(A) The muzzleloader-only season dates shall be the Monday prior to the first Friday in October through the following Monday. Muzzleloader permits also shall be valid in the unit for which the permit is authorized during the established firearm season dates.

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

(i) Smoky Hill, unit 2: 22 resident muzzleloader permits shall be authorized for the unit.

(ii) West Arkansas, unit 17: Eight resident muzzleloader permits shall be authorized for the unit.

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

(b) The bag limit for each archery, firearm, and muzzleloader permit shall be one antelope of either sex.

(c) Permits are not valid after October 31 following the date of issuance. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. 32-937; amended P-June 16, 2023.)

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

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

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

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

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

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

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

(B) Fort Riley, subunit 2a:

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

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

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

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

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

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

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

(h) Permits are not valid after March 15 following the date of issuance. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. 32-937; amended August 18, 2023.)

**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 begin on the second Monday following the first Saturday in September and shall be valid through the last day of the same calendar year.

(B) Archery deer permits also shall be valid during the portion of the extended firearm seasons beginning on January 1 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 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 begin the Wednesday following Thanksgiving and shall continue for a total of 12 days including the opening day.

(B) The pre-rut white-tailed deer antlerless-only season in all deer management units shall 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.

(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.

(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 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 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.

(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 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 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 continuing through the second Sunday occurring after the third day in January.

(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 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 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.

**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 specified in K.A.R. 115-25-9, in the Fort Riley subunit the antlerless white-tailed deer only season shall also be 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. A deer hunter may use only one white-tailed antlerless-only permit in Fort Riley.

(c) In the Fort Leavenworth subunit, the open firearm season for the taking of deer shall be November 11, 2023, through November 12, 2023; November 18, 2023, through November 19, 2023; November 23, 2023, through November 26, 2023; December 2, 2023, through December 3, 2023; and December 9, 2023, through December 10, 2023.

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

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

(f) In the Smoky Hill subunit, the open firearm season for the taking of deer shall be 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, 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.)

**115-25-9b. Deer; nonresident limited-quota antlered permit application period.** (a) Applications for nonresident limited-quota antlered deer permits for the 2011-2012 deer hunting seasons shall be accepted in the Pratt office from the earliest date that applications are available through April 30, 2011. Applications with a postmark date of not later than April 30, 2011 shall also be accepted.

(b) This regulation shall be effective on and after January 1, 2011, and shall have no force and effect on and after June 1, 2011. (Authorized by K.S.A. 32-807 and K.S.A. 2009 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 2009 Supp. 32-937, and K.S.A. 2009 Supp. 32-1002.)

**115-25-11. Furbearers; open seasons and bag limits.** (a) All hunting, trapping, and running seasons shall begin at 12:01 a.m. on the opening day and close at 12:00 midnight on the closing day.

(b) The open season for the taking of badger, bobcat, gray fox, red fox, swift fox, mink, muskrat, opossum, raccoon, striped skunk, and weasel by hunting and trapping shall be from the first Wednesday after the second Saturday in November through February 15 of the following year. The bag limit for these species shall be unlimited.

(c) The open season for the taking of beaver by trapping shall be from the first Wednesday after the second Saturday in November through March 31 of the following year. The bag limit shall be unlimited. Muskrat that are incidentally taken after the close of the open season for muskrat but during the open season for beaver by trapping may be possessed. The bag limit for incidentally taken muskrat shall be 10 animals.

(d) The open season for the taking of otter by trapping shall be from the first Wednesday after the second Saturday in November and through March 31 of the following year. The season bag limit shall be five otters per trapper. No more than one otter may be taken from the following otter management units: Western, Solomon, Smoky-Saline, Republican, and Middle Arkansas. No more than two otters may be taken from the following otter management units: Big Blue, Kansas, Upper Neosho, Lower Arkansas, Verdigris, and Missouri. No more than five otters may be taken from the following otter management units: Lower Neosho and Marais des Cygnes.

(e) The open season for the running of bobcat, gray fox, red fox, opossum, and raccoon shall be from March 1 through November 8. (Authorized by and implementing K.S.A. 2018 Supp. 32-807.)

**115-25-12. Coyotes; season.** (a) The taking of coyotes by trapping and hunting methods shall be permitted during all firearms deer seasons, including special deer seasons.

(b) This regulation shall be effective as of May 1, 1990. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 77-415; implementing K.S.A. 1989 Supp. 32-807, K.S.A. 1989 Supp. 32-1002, and K.S.A. 1989 Supp. 32-1006.)

**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:

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

(1) Dodge City Lake Charles;

(2) Coffeyville LeClere Lake;

(3) Eisenhower State Park Pond;

(4) Fort Scott Gun Park Lake;

(5) Garnett Crystal Lake;

(6) Glen Elder Reservoir Outlet;

(7) Glen Elder State Park Pond;

(8) Kanopolis Seep Stream;

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

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

(11) Pratt Centennial Pond;

(12) the following Sedgwick County Park waters:

(i) Vic's Lake; and

(ii) Slough Creek;

(13) Scott State Park Pond;

(14) Topeka Auburndale Park;

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

(16) Webster Stilling Basin;

(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):

(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;
- (21) Syracuse-Sam's Pond;
- (22) Colby-Villa High Lake; and
- (23) Sherman County Smoky 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	--

\* 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 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. (Authorized by and implementing K.S.A. 32-807; amended August 21, 2023)

# Kansas Department of Wildlife, Parks, and Tourism

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

Dated: October 16, 2020

### 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 21<sup>st</sup> Street North dam in Wichita, the Ninescah River from its the confluence with the Arkansas River to its confluence with the South Fork of the Ninescah River and the South Fork of the Ninescah 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, Centralia City Lake, 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, Osawatomie - Beaver Lake, Osawatomie 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:

Cedar Bluff Reservoir, 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, 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 North, 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, Madison City 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, Osawatอมie - Beaver Lake, Osawatอมie 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, Yates Center Reservoir – New

**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

**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, 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, 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, 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, Moline New City Lake, Nebo State Fishing Lake, Olpe City Lake, Parsons City Lake, Perry Reservoir, Pleasanton City Lake - East, 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* spp. (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 Iola downstream from dam downstream to posted Iola 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-September 15): 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.

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.

**115-25-15. Bullfrogs and turtles; open season, daily limits and possession.** (a) The open season for the taking of:

- (1) bullfrogs shall be July 1 through October 31, and
- (2) common snapping turtles and soft shelled turtles shall be January 1 through December 31;
- (b) The creel limit for bullfrogs shall be eight;
- (c) The bag limit for common snapping turtles and soft shelled turtles shall be eight, of any combination.
- (d) The possession limit for bullfrogs shall be three creel limits.
- (e) The possession limit for common snapping turtles and soft shelled turtles shall be three bag limits.
- (f) This regulation shall be effective June 1, 1990. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 77-415; implementing K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-1002.)

**115-25-16. Crows; open season, bag limit, and possession limit.** (a) The open season for the hunting and taking of crows shall be November 10 through March 10.

- (b) There shall be no maximum daily bag or possession limits.
- (c) This regulation shall be effective as of August 1, 1990. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 77-415; implementing K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-1002.)

**115-25-19. Doves; management unit, hunting season, shooting hours, and bag and possession limits.** (a) The open season for the taking of migratory doves shall begin on the first day of September and shall continue for 90 days, including the opening day. The open season for the taking of exotic doves shall be year-round.

(b) The entire state shall be open for the taking of doves during the dove seasons.

(c) Shooting hours shall be from one-half hour before sunrise until sunset.

(d) The aggregate daily bag limit for migratory doves during the open season shall be 15 migratory doves.

(e) The aggregate possession limit for migratory doves during the open season shall be 45 migratory doves.

(f) There shall be no aggregate daily bag limit or aggregate possession limit for exotic doves during any open season, except as provided in this regulation.

(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 shall retain a fully feathered wing.

(h) 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 turtle dove. (Authorized by and implementing K.S.A. 2016 Supp. 32-807.)

**115-25-20. Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation.** (a) The open season for the taking of sandhill crane in the central crane hunting zone shall begin on the Wednesday after the first Saturday in November and shall continue for 58 days, including the opening day. The open season for the taking of sandhill crane in the west crane hunting zone shall begin on the third Saturday in October and shall continue for 58 days, including the opening day.

(b) The following areas shall be open for the taking of sandhill crane during the established hunting season:

(1) Central zone: that part of Kansas bounded by a line from the junction of interstate highway I-35 and the Oklahoma-Kansas state line, then north on interstate highway I-35 to its junction with interstate highway I-135, then north on interstate highway I-135 to its junction with interstate highway I-70, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then west on Nebraska-Kansas state line to its junction with federal highway US-283, then south on federal highway US-283 to its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-1, then south on state highway K-1 to its junction with the Oklahoma-Kansas state line, and then east on the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries.

(2) West zone: that part of Kansas bounded by a line from the junction of federal highway US 283 and the Nebraska-Kansas state line, then south on federal highway US-283 to highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-1, then south on state highway K-1 to its junction with the Oklahoma-Kansas state line, then west on the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north on the Colorado-Kansas state line to its junction with the Nebraska-Kansas state line, and then east on the Nebraska-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(c) Shooting hours shall be from sunrise until sunset.

(d) The daily bag limit shall be three sandhill cranes.

(e) The possession limit shall be nine sandhill cranes.

(f) Each person hunting sandhill cranes in Kansas shall first possess a federal sandhill crane hunting permit that has been issued through and validated by the department and shall complete the annual online sandhill crane identification examination. (Authorized by and implementing K.S.A. 32-807; amended October 7, 2022)

**115-25-21. Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits.** (a) Snipe.

(1) For the purpose of this regulation, "snipe" shall mean any common or Wilson's snipe.

(2) The open season for the taking of snipe shall begin on the first day of September and shall continue through December 16.

(3) The entire state shall be open for the taking of snipe during the snipe season.

(4) Shooting hours shall be from one-half hour before sunrise until sunset.

(5) The daily bag limit shall be eight snipe.

(6) The possession limit shall be 24 snipe.

(b) Rail.

(1) For the purpose of this regulation, "rail" shall mean any Virginia rail or sora.

(2) The open season for the taking of rail shall begin on the first day of September and shall continue through November 9.

- (3) The entire state shall be open for the taking of rails during the rail season.
- (4) Shooting hours shall be from one-half hour before sunrise until sunset.
- (5) The aggregate daily bag limit shall be 25 rails.
- (6) The aggregate possession limit shall be 75 rails.
- (c) Woodcock.
- (1) For the purpose of this regulation, "woodcock" shall mean any American woodcock.
- (2) The open season for the taking of woodcock shall begin on the Saturday nearest October 14 and shall continue for 45 days.
- (3) The entire state shall be open for the taking of woodcock during the woodcock season.
- (4) Shooting hours shall be from one-half hour before sunrise until sunset.
- (5) The daily bag limit shall be three woodcock.
- (6) The possession limit shall be nine woodcock. (Authorized by and implementing K.S.A. 32-807.)

**115-30-1. Display of identification number and decal.** (a) All vessels required to be numbered pursuant to K.S.A. 32-1110 and amendments thereto, except sailboards and kiteboards, shall display the identification number stated on the certificate of number issued by the department to the vessel owner and the decals supplied by the department to the vessel owner as follows:

- (1) Each number consisting of a combination of capital letters and arabic numbers shall read from left to right and shall be painted or permanently attached on the top forward half of the vessel.
- (2) Each character of the number shall be in block form and easily read.
- (3) Each character of the number shall be of the same height and shall not be less than three inches in height.
- (4) The number shall be of a color that contrasts with the color of the vessel.
- (5) A hyphen or equivalent space that is equal to the width of a letter other than "I" or a number other than "1" shall separate arabic numbers from capital letters occurring in the number.
- (6) Department-issued validation decals shall be placed in line and within three inches of the registration number on both sides of the hull of the vessel.
- (b) Each sailboard and each kiteboard shall display only the decals supplied by the department with the certificate of number issued to the sailboard or kiteboard owner. The decals shall be attached to the front half of the top of the sailboard or kiteboard. However, any operator of a sailboard or kiteboard may carry proof of current registration, rather than attaching the decals as otherwise required by this subsection, if the decals supplied by the department do not adhere or cease to adhere to the sailboard or kiteboard.

(Authorized by K.S.A. 2014 Supp. 32-807 and K.S.A. 32-1103; implementing K.S.A. 2014 Supp. 32-1110; effective Oct. 30, 1989; amended Jan. 1, 2008; amended February 20, 2015.)

**115-30-2. Certificate-of-number and registration; application, temporary permits and expiration date.** (a) Applications for a certificate-of-number and registration shall be available at designated department offices.

- (b) Vendor agents shall be authorized to issue temporary and permanent certificates-of-number and registrations.
- (c) Issue of a temporary registration shall be authorized when application for and issuance of a permanent certificate-of-number and registration is pending.
- (d) The certificate-of-number and registration decals shall be valid for a period of time ending three years from the date of issue.
- (e) An address change addendum issued by the department pursuant to K.S.A. 1989 Supp. 32-1111 to a certificate-of-number holder shall be a part of the certificate-of-number and shall be retained by the holder with the certificate-of-number.
- (f) This regulation shall be effective January 1, 1991. (Authorized by and implementing K.S.A. 1989 Supp. 32-1111; effective Jan. 1, 1991.)

**115-30-03. Personal flotation devices; recreational vessels.** (a) For the purposes of this article of the department's regulations, "PFD" shall mean any personal flotation device that is labeled and approved by the United States coast guard for use on recreational vessels.

- (b) Each recreational vessel shall have at least one readily accessible, wearable PFD in serviceable condition on board for each individual in the vessel and at least one wearable PFD on board for each individual being towed. No operator of any recreational vessel shall operate the vessel or allow the vessel to be operated unless each individual 12 years of age or younger wears an approved wearable PFD while being towed behind the vessel or aboard the vessel, unless the individual is below decks or in an enclosed cabin.
- (c) To meet the "serviceable condition" requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall meet the requirements of 33 C.F.R. 175.23, as in effect on April 29, 1996, which is hereby adopted by reference, and shall be of the appropriate size and fit for the individual to whom the PFD is assigned.

(d) In addition to the provisions of subsection (b), each recreational vessel 16 feet or greater in length, except canoes and kayaks, shall have at least one throwable PFD on board. Each throwable PFD shall be in serviceable condition, labeled as U.S. coast guard-approved, and readily accessible.

(e) Each PFD shall be used in accordance with the requirements of the PFD's label and in accordance with the owner's manual, if the label refers to an owner's manual.

(f) To meet the "readily accessible" requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall be in open view. A required PFD shall not be stowed in locked or closed compartments or be inside plastic or other packaging material. (Authorized by and implementing K.S.A. 2020 Supp. 32-1119 and K.S.A. 32-1129, as amended by L. 2021, ch. 68, sec. 2; effective Oct. 22, 1990; amended March 20, 1995; amended Feb. 28, 1997; amended Dec 27, 2021).

**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 shall 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.)

**115-30-5. Boating; capacity plate and operation; calculation of person capacity.** (a) A capacity plate, once installed on a vessel, shall not be removed, defaced, replaced, or altered.

(b) A vessel shall not be operated with a motor whose horsepower exceeds the maximum horsepower of the motor as specified on the capacity plate or as computed under K.A.R. 115-30-6.

(c) The person capacity for monohull vessels that are less than 20 feet in length, except sailboats, canoes, kayaks, personal watercraft, and inflatable boats, and that are without a manufacturer's capacity plate shall be calculated using the following formula:

(1) Multiply the length of the vessel, in feet, by the width of the vessel, in feet; and

(2) divide the product calculated in paragraph (c)(1) by 15.

(d) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 32-1126; effective Oct. 22, 1990; amended Jan. 1, 2008.)

**115-30-6. Boating; adoption by reference of certain code of federal regulations.** The following parts and sections of the federal rules and regulations promulgated by the United States coast guard are hereby incorporated by reference as the rules and regulations of the department.

(a) "Identification of Boats": 33 C.F.R. section 181 Subpart C, including sections 181.21, 181.23, 181.25, 181.27, and 181.29, each as in effect on August 1, 1984; sections 181.31 and 181.33, both as in effect on July 1, 1988; and section 181.35, as in effect on August 1, 1984;

(b) "Definitions": 33 C.F.R. section 183.3, except the definitions of "sailboat" and "vessel," as in effect on June 30, 1996.

- (c) "Applicability": 33 C.F.R. section 183.31 as in effect on November 1, 1972;
- (d) "Maximum weight capacity: inboard and inboard-outdrive boats": 33 C.F.R. section 183.33 as in effect on November 1, 1972;
- (e) "Maximum weight capacity: outboard boats": 33 C.F.R. section 183.35 as in effect on January 13, 1977;
- (f) "Maximum weight capacity: boats rated for manual propulsion and boats rated for motors of two horsepower or less": 33 C.F.R. section 183.37 as in effect on November 1, 1972;
- (g) "Persons capacity: inboard and inboard-outdrive boats": 33 C.F.R. section 183.39 as in effect on April 3, 1985;
- (h) "Persons capacity: outboard boats": 33 C.F.R. section 183.41 as in effect on April 3, 1985;
- (i) "Persons capacity: boats rated for manual propulsion and boats rated for motors of 2 horsepower or less": 33 C.F.R. section 183.43 as in effect on August 1, 1980;
- (j) "Applicability": 33 C.F.R. section 183.51 as in effect on November 1, 1972;
- (k) "Horsepower capacity": 33 C.F.R. section 183.53 as in effect on August 1, 1987;
- (l) "Requirements": 46 C.F.R. section 25.35-1 as in effect on August 28, 1991; and
- (m) "Tanks and engine spaces": 46 C.F.R. section 25.40-1 as in effect on October 18, 1995. (Authorized by and implementing K.S.A. 32-1119 and K.S.A. 32-1126; effective Oct. 22, 1990; amended Feb. 28, 1997.)

**115-30-7. Boating; steering and sailing requirements.** (a) Each operator of a vessel shall keep the vessel to the right of the channel if it is safe and practicable to do so.

(b) When two vessels are approaching each other head-on or nearly so, each operator shall pass the other on that operator's own left side at a speed and distance so that the wake of each vessel will not endanger the other vessel.

(c) When one vessel passes another traveling in the same direction, the operator of the passing vessel shall pass when it is safe to do so and at a speed and distance that do not endanger the overtaken vessel. The operator of the overtaken vessel shall maintain its course and speed until the passing vessel has safely passed.

(d) When two vessels are approaching each other in a crossing situation that involves risk of collision, the operator of the vessel on the right shall maintain that vessel's course and speed. The operator of the vessel on the left shall direct that vessel's course to the right to cross the stern of the other vessel or shall stop and reverse if necessary to avoid collision.

(e) Each operator of a vessel propelled by machinery shall keep that vessel clear of any vessel under sail or being propelled by oars or paddles and shall maintain a speed and distance so that the wake will not endanger any vessel under sail or being propelled by oars or paddles.

(f) Each operator of a vessel shall maintain a proper look-out at all times by sight and sound as well as other available means in order to make a full appraisal of the surroundings and avoid the risk of collision.

(g) Each operator of a vessel shall proceed at a speed that is safe and appropriate under the conditions and with regard to the actual hazards then existing, in order to avoid a collision and stop within any distance necessary to avoid a collision.

(h) No operator of a vessel shall interfere with the placement or visibility of any navigational aid.

(i) No operator of a vessel shall moor the vessel to any navigation buoy except a designated mooring buoy.

(j) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 2006 Supp. 32-1119; effective Oct. 22, 1990; amended Jan. 1, 2008.)

**115-30-8. Boating; accident reports.** (a) Each accident resulting either in property damage in excess of \$2000 or in the total loss of any vessel shall be reported to the department by the operator of the vessel. This requirement shall include all collision-type accidents involving other vessels, floating objects, and fixed objects.

(b) Each accident report required under K.S.A. 32-1177 and amendments thereto and each accident specified in subsection (a) shall be filed with the department or a commissioned law enforcement officer by the operator of the vessel immediately after the time of the accident.

(c) An accident report shall be required in accordance with subsection (b) when a person disappears from a vessel under circumstances that indicate death, injury or other cause for disappearance.

(d) An accident report shall be required in accordance with subsection (b) when a person dies, or when a person is injured and requires medical treatment beyond first aid.

(e) Each accident report shall be submitted on forms provided by the department and shall contain the following information:

(1) The names, addresses, and telephone numbers of the vessel operator and any passengers in the operator's vessel;

(2) the names, addresses, and telephone numbers of the vessel operators and any passengers in any other vessels involved;

(3) the registration number and a description of the operator's vessel;

- (4) the registration number and a description of any other vessels involved in the accident;
- (5) a complete description of the accident, including any injuries or deaths; and
- (6) other relevant information as required by the secretary.

(f) Any individual with knowledge of the accident, including a responding or investigating law enforcement officer, may file the required accident report if the operator is unable to file the report due to injury or death.

(g) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 32-1103 and K.S.A. 32-1177; effective Oct. 22, 1990; amended Dec. 27, 1993; amended Nov. 22, 2002; amended Jan. 1, 2008.)

**115-30-9. Water event permit; application and requirements.** (a) A water event permit shall be required for any event as described in K.S.A. 1989 Supp. 32-1149. A special event permit issued under K.A.R. 115-8-21 shall satisfy the requirement for a water event permit on department lands and waters if processed in compliance with provisions of subsections (b) and (d) of K.A.R. 115-30-9.

(b) Any person may apply to the secretary for a water event permit. 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 location of the event;
- (4) the date and time of the event;
- (5) a description of the event;
- (6) estimated number of boats and individuals participating;
- (7) a description of safety measures to be utilized for the protection of the public and water event participants including, but not limited to:

- (A) traffic control;
- (B) lifeguards;
- (C) patrol boats equipped with life saving equipment;
- (D) first aid equipment; and
- (E) fire extinguishers;
- (8) written approval for the event from the controlling authority of the water to be used; and
- (9) other information as required by the secretary.

(c) Each water event permit application may include multiple events if the events to be covered under the water event permit are all conducted on the same area or body of water.

(d) Each application for a water event shall be submitted not less than 30 days prior to the proposed event.

(e) A water event permit shall be valid for the period of time as specified in the permit, but shall not extend beyond December 31 of the year in which the water event permit was issued.

(f) A water event involving 25 or fewer participants shall not require payment of the water event permit fee.

(g) Each water event shall be conducted in conformance with conditions established by the department in the water event permit. (Authorized by and implementing K.S.A. 1989 Supp. 32-1149; effective Jan. 28, 1991.)

**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 lanyard-type 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.)

**115-30-11. Exemption from numbering.** The secretary having determined, pursuant to K.S.A. 32-1113(5), that numbering will not materially aid in identification of certain vessels and that such vessels are exempt from numbering under federal law, numbering shall not be required for any vessel, as defined by K.S.A. 32-1102, and amendments thereto, while actually engaged in water events authorized by K.S.A. 32-1149, and amendments thereto, and by K.A.R. 115-30-9, if that vessel is designed for racing and is operated exclusively in competitive racing, racing demonstrations or special racing exhibitions. (Authorized by K.S.A. 32-1103; implementing K.S.A. 32-1113; effective Aug. 21, 1995.)

**115-30-12. Marine sanitation devices; vessel requirements.** (a) Each person owning, operating, launching, mooring, docking, or using any vessel equipped with a marine sanitation device on the waters of the state shall meet the following requirements:

(1) Ensure that all valves capable of allowing the discharge of sewage into the water are locked in a closed position by the use of a nonreleasing locking device approved by the department or by removing the handle of the valve after the valve has been placed in the closed position; and

(2) make any necessary modifications to securely lock any overboard sewage discharge valve into the closed position or use any other means listed in paragraph (a)(1).

(b) No person may alter or remove any department-approved locking device once installed by a department employee or authorized agent of the department, unless the person notifies the department in writing before the alteration or removal and includes the following information:

(1) The vessel's registration number or documentation number;

(2) the vessel's hull identification number;

(3) the vessel owner's name and address;

(4) the purpose for altering or removing the locking device; and

(5) the name of the individual or business performing the alteration or removal.

(c) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 32-1103; effective Jan. 1, 2008.)

**115-30-13. Removal of vessels from waters of the state.** The livewells and bilges shall be drained and the drain plugs removed from all vessels being removed from the waters of the state before transport on any public highway of the state.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Jan. 1, 2012.)

**115-35-1. Local government outdoor recreation grant program; application and criteria.** (a) Any local government desiring to receive a local government outdoor recreation grant shall apply to the secretary, using a form provided by the department. An application that is incomplete or contains false information may be denied consideration by the secretary.

(b) Grant applications shall be evaluated according to the parameters established by L. 1998, Ch. 70, '2 and '3. In addition, grant applications shall be further evaluated based on the following criteria:

(1) The application demonstrates a local need for the proposed project and a strong likelihood of ongoing local involvement and support.

(2) The proposed project would provide new outdoor recreational opportunities to a significant population or geographic area, or the proposed project would enhance existing outdoor recreation facilities and would improve facilities for users with a wide range of physical abilities, or both.

(3) The applicant's matching funds are available to the applicant at the time of the grant award.

(4) The proposed project has a likelihood of completion within one year from the time of award.

(5) The grant request would not constitute more than 25% of funds appropriated for the grant program in a given fiscal year.

(6) The proposed project would meet applicable environmental standards and would be compatible with existing land use capabilities and surrounding uses.

(7) The application is consistent with "focus 2002: a plan for Kansas wildlife and parks," as published by the department. (Authorized by and implementing L. 1998, Ch. 70, '1, '2, and '3; effective Nov. 30, 1998.)

**115-40-1. Definitions.** As used in this article and for purposes of administering the act, each of the following terms shall have the meaning specified in this regulation:

(a) "Act" means agritourism promotion act, K.S.A. 2012 Supp. 32-1430 through K.S.A. 2012 Supp. 32-1438 and amendments thereto.

(b) "Cost" means an expenditure directly related to insuring any agritourism activity.

(c) "Department" means department of wildlife, parks, and tourism.

(d) "Liability insurance" means a policy insuring against the following:

(1) Loss, expense, or liability by reason of bodily injury or death by accident, for which the insured could be liable or have assumed liability and loss; and

(2) damage to any goods on the premises of the insured, or the loss of or damage to the property of another for which the insured is liable. (Authorized by and implementing K.S.A. 2012 Supp. 32-1438 and 32-1438a; effective July 26, 2013.)

**115-40-2. Registration.** (a) Each provider of an agritourism activity wanting to register the activity with the secretary pursuant to the act shall provide the information requested by the department. Upon request, a registration form shall be mailed to the provider. Although no charge is made for registration, no registration shall be deemed complete until the operator provides all of the information requested by the department.

(b) If an incomplete registration form is returned to the department, a request for the missing information shall be sent to the applicant. The applicant shall have 10 business days to respond to the request. If there is no response within this period, the registration form shall be returned, and the applicant's operation shall be considered not to be registered.

(c) The social security number from any registration form shall not be disclosed by the department. (Authorized by K.S.A. 2012 Supp. 32-807; implementing K.S.A. 2012 Supp. 32-1433; effective July 26, 2013.)

**115-40-3. Liability insurance; costs qualifying for tax credits.** The following costs associated with liability insurance shall be eligible for the tax credits authorized by the act:

(a) The cost of a rider with a separate premium for specific risk for an agritourism activity; and

(b) the amount that an insurance agent certified on a tax credit form provided to the registered agritourism operator by the department of revenue and filed for the operator that represents the cost of the liability insurance covering the registered agritourism activity. (Authorized by and implementing K.S.A. 2012 Supp. 32-807, 32-1438, and 32-1438a; effective July 26, 2013.)

**115-40-4. Tax credits.** (a) No costs of liability insurance specified in K.A.R. 115-40-3 shall be allowed for consideration for tax credits, unless the registered agritourism operator or the operator's authorized attorney or insurance agent provides the department of revenue with the following information and documents:

(1) The name of the registered agritourism operator's liability insurance company;

(2) the liability insurance policy number;

(3) the name, complete address, and phone number of the liability insurance company's agent; and

(4) a copy of the completed tax credit form provided to the registered agritourism operator under K.A.R. 115-40-3(b).

(b) If, during the first five years that an agritourism operator is registered under the act, the secretary believes for any reason that the registered agritourism operator has not complied, or is not complying, with these regulations and through such noncompliance could have jeopardized the operator's eligibility for tax benefits under the act, all relevant information shall be forwarded by the secretary to the secretary of revenue. (Authorized by and implementing K.S.A. 2012 Supp. 32-807, 32-1438, and 32-1438a; effective July 26, 2013.)

**115-40-5. New registration form.** If a registered agritourism operator changes the agritourism activities at the registered agritourism operator's facility, that individual shall file a new registration form for the agritourism activity with the

department in accordance with K.A.R. 115-40-2. (Authorized by K.S.A. 2012 Supp. 32-807; implementing K.S.A. 2012 Supp. 32-1433; effective July 26, 2013.)

**115-40-6. Contracts.** Each written contract or agreement with a participant shall contain the warning notice specified in K.S.A. 2012 Supp. 32-1434(b), and amendments thereto. This warning notice shall be printed in at least 10-point font. (Authorized by K.S.A. 2012 Supp. 32-807; implementing K.S.A. 2012 Supp. 32-1434; effective July 26, 2013)