

**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)  
Creeper 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 blennius* (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, *Antrastomas 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.)