

REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, March 28, 2019
Capitol Plaza Hotel, Emerald Rooms
Topeka, Kansas

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE January 17, 2019 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. Agency and State Fiscal Status (Brad Loveless)**
 - 2. 2019 Legislature (Chris Tymeson)**
 - 3. Tourism Update (Colby Terry)**
 - B. General Discussion**
 - 1. Commissioner Permit Redraw (Mike Miller)**
 - 2. Fee Discussion (Mike Miller)**
 - 3. T&E Regulations (Ed Miller)**
 - 4. Upland Bird Update (Jeff Prendergast)**
 - 5. Backcountry Access Pass (Linda Lanterman)**
 - C. Workshop Session**
 - 1. Coast Guard Navigation Rules (Dan Heskett)**
 - 2. Electronic Licensing Update (Mike Miller)**
 - 3. E-bicycles (Linda Lanterman)**
 - 4. Public Land Regulations (Stuart Schrag)**
 - 5. Furbearer Regulations (Matt Peek)**
 - 6. KAR 115-25-7 Antelope; open season, bag limit and permits (Matt Peek)**

7. Unmanned Aerial Vehicles (Rich Schultheis)
8. Webless Migratory Bird Regulations (Richard Schultheis)
9. Waterfowl Regulations (Tom Bidrowski)
10. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (Levi Jaster)

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

1. KAR 115-2-1. Amount of fees – remove duplicate fee (Mike Miller)
2. KAR 115-2-3. Camping and utilities fees – remove duplicate fee (Mike Miller)
3. KAR 115-2-4. Boat fees – remove duplicate fee (Mike Miller)
4. KAR 115-3-2. Rabbits, hares and squirrels; legal equipment, taking methods and possession (Kent Fricke)
5. KAR 115-8-2. Blinds, stands, and decoys (Stuart Schrag)
6. KAR 115-9-5. Hunting, fishing, furharvesting licenses and state park permits; effective dates (Linda Lanterman)
7. KAR 115-25-8 Elk; open season, bag limit and permits (Matt Peek)
8. KAR 115-4-4. Big game; legal equipment and taking methods (Levi Jaster)
9. KAR 115-4-11. Big game permit applications (Levi Jaster)
10. KAR 115-25-9 Deer; open season, bag limit and permits (Levi Jaster)
11. Secretary's Orders for Deer (Levi Jaster)

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on March 28, 2019, to reconvene March 29, 2019, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment.

If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter, call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911.

The next commission meeting is scheduled for Thursday, April 25, 2019 at Colby Community Building, 285 East Fifth St, Colby, KS.

**Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, January 17, 2019
Douglas County Fairgrounds, Flory Meeting Hall West
Lawrence, Kansas**

Subject to
Commission
Approval

The January 17, 2019 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at the Flory Meeting Hall in Lawrence. Chairman Lauber and Commissioners Emerick Cross, Tom Dill, Harrison Williams and new Commissioner Troy Sporer were present.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Chairman Lauber – Welcome Troy Sporer, his first meeting.

Sheila – Todd Workman will present the Agency and State Fiscal Status report under Secretary's remarks Agenda – Exhibit B).

IV. APPROVAL OF THE December 13, 2018 MEETING MINUTES

Commissioner Harrison Williams moved to approve the minutes, Commissioner Tom Dill second. *Approved* (Minutes – Exhibit C).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

A. Secretary's Remarks

Brad Loveless – I attended a commission meeting years ago and it's a pleasure to be back and see familiar faces. I grew up in Ohio, went to Ohio State, came here for master's degree at KU in fisheries. Worked at Wolf Creek for 12 years in fisheries, environmental program and the fire and safety program. In 1997, I went to work for Westar corporate office, worked with Green Team, our stewardship arm, as well as environmental compliance programs; a great career. I am fortunate to have this opportunity to serve this department for this governor, excited about her leadership and what she brings. Excited to work with KDWPT people, worked side-by-side for a lot of years and have high amount of respect for their diligence, hard work and creativity. Haven't been to many of these meetings, but I hear from grapevine that these can get exciting and contentious; people get passionate about issues and the resources. Learned from Steven Covey, in his seven basic habits of highly effective people; seek first to understand and then be understood; that is important to me. I will try to achieve that standard. I am available, accessible and willing to engage. We have great staff and they are your best resource, but my door is always open.

Chairman Lauber – For years there was a biologist at Emporia office who was on my speed dial, he retired and passed baton to Chuck Bever, good to see Tom Mosher here today.

1. Agency and State Fiscal Status – Todd Workman, assistant secretary, presented this update to the Commission (Exhibit D). – Start with Wildlife Fee Fund (WFF), December over \$2 million, down 2.5 percent from last year, however we are one ACH behind, so about even. When we get reports in the future, the auto renews are at 4,100 and as those numbers increase the numbers will continue to even out, so don't get alarmed about a month, will change how it looks month to month. Park Fee Fund (PFF) is up 2.2 percent and is also an ACH behind with December receipts running around \$590,000. Chairman Lauber – Size of print on WFF report is down by more than 2.5 percent. Commissioner Dill – How does federal aid revenue compare? Workman – I can generate a report for you on that.

2. 2019 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission – First year of two-year cycle, 35 bills on House side, 15 on Senate side; none deal directly with us yet. We plan on a few initiatives this year; dynamic park pricing for cabins and campsites will be reintroduced; raise cap on fees on wildlife side. We increased fees in 2016, first time since 2002, but we have reached some of those caps and for the long-term health of the agency we need to raise them, so the commission can adjust fees accordingly within that cap. Also, a bill was introduced last year to affiliate law enforcement officers within the department to Kansas Police and Fire retirement and it will come back this year. Most of those bills will go in next week. Tomorrow is proforma and will come back on Tuesday and start business Wednesday next week. Setting meetings in next couple of days with chairman of committees where we will introduce those bills. Heard some deer bills are pending, which would be expected. Chairman Lauber – What kind of deer bills? Tymeson – Reducing deer numbers. Chairman Lauber – Don't have my constituency calling me for reducing numbers of deer. Tymeson – Commentary I read in the paper was from a legislator who perennially introduces deer bills. We will have bills to discuss in March.

B. General Discussion

1. Commissioner Permit Update and Drawing – Mike Miller, chief of Information Production Section and magazine editor, presented this update to the Commission (Exhibit E). Started in 2006, by statute, made seven deer permits available or one elk or one antelope. Nonprofits operating in Kansas are eligible. These would be drawn by conservation organizations who would auction them off, they remit 85 percent of that back to us, are able to keep 15 percent for their own administrative costs and then the agency works with them on an agreed-upon conservation project and the money goes back to them to complete that project. The only time we don't do that is KFHF win, they get 85%. Average price of deer is about \$11,000; average elk is \$9,000; did sell elk permit one year for \$23,000. It has leveled out in last few years. Last year they raised \$77,000; year before \$72,000 and application numbers have steadily risen as well; from 59 in 2006 to 154 eligible last year. They have raised over \$640,000 and because of 15 percent, over \$500,000 has spent on conservation projects. Sometimes chapters give it back like Pheasants Forever chapter that won last year, they gave their money back to the pheasant initiative that Jeff Prendergast is operating out of the Hays office. Or they may donate it back to a reclamation project, renovation project at Jamestown or something like that; but always mutually agreed upon project. The briefing book shows who won last year, they raised a total of \$77,600. Over the years it has been a good fund raiser for chapters as well as conservation projects. Because of the way applications have grown over the years it appears to be really popular. Chairman Lauber – This is the only way to have more than one lifetime permit, like at Fort Riley. Miller – The only way you could draw an elk even if you have won one; and any given year you could have two antlered deer permits, buy one through the draw and this one. These are any deer, any season, statewide permits so pretty popular.

Drawing Winners (Exhibit F):

Commissioner Harrison Williams – (1) – #168 Quail Forever Neosho Valley (deer)
Commissioner Troy Sporer – (2) – #17 Quail and Upland Wildlife Federation Kaw Valley (deer)
Chairman Gerald Lauber – (3) – #141 Pheasants Forever Solomon Valley (deer)
Commissioner Tom Dill – (4) – #159 Pheasants Forever Flint Hills (deer)
Commissioner Emerick Cross – (5) – #43 Pheasants Forever Smoky Hill (deer)
Commissioner Aaron Rider (drawn by Dill) – (6) – #77 NWTF Arkansas Valley Limbhangars (deer)
Commissioner Gary Hayzlett (drawn by Sporer) – (7) – #122 NRA Caldwell KS-42 (deer)

2. Webless Migratory Bird Regulations – Richard Schultheis, migratory game bird biologist, presented this regulation to the Commission (Exhibit G). Federal frameworks for webless migratory game birds are unchanged for the 2019-20 season. Although staff does not anticipate any recommended changes to webless seasons, we are anticipate discussing clarifications to the method of take regulation for migratory doves (115-20-7). Started last year with working at revoking that regulation and that was not carried all the way through. This year, we're looking at striking specific components of that regulation but keeping it in place. Chairman Lauber – How long have crows been in this category? Schultheis – Not sure when, but think when Mexico came in, the 1950s. Chairman Lauber – County used to give you 10 cents when you brought in crows, when they were perceived predators. Didn't know if covered by the Service back then or whether that was a new thing? Schultheis – When Mexico came into the Treaty regulations changed and crows were added. Chairman Lauber – You can shoot them with anything? Tymeson – We have a regulation that tells you what is allowed. Chairman Lauber - It

is a pretty liberal list. Tymeson – Yes, compared to other birds. Commissioner Dill – On season dates on crows, are those stay within a certain time frame? Schultheis – There are some specific regulations and it has a lot to do with reproductive season and we have a length limit, but it is a liberal space of time. Commissioner Dill – Longest period of time we can do it? Schultheis – Yes.

3. Waterfowl Regulations – Tom Bidrowski, migratory gamebird program manager, presented this regulation to the Commission (Exhibit H). The U.S. Fish and Wildlife Service (USFWS) annually develop frameworks from which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state-specific migratory game bird seasons. Briefing item was prepared regarding development of Kansas' 2019-20 waterfowl seasons. Included are anticipated frameworks and other background materials which Kansas may establish its hunting seasons. While the federal frameworks have not been finalized we do anticipate two changes; reduction in daily bag limit for northern pintails from two to one; and extending closing frameworks season dates to January 31, this will allow six additional days within the frameworks but still limited by the number of maximum days; 74 for low plains and 97 days in the high plains. Staff recommendations will be presented at March meeting. Chairman Lauber – Number of days will be the same, but calendar will be expanded to stretch out the number of days? Bidrowski – Correct. Chairman Lauber – Which will mean larger closed portion in the middle. Bidrowski – Correct, additional opportunities, but will have to find six days within current season structure dates to accommodate. Commissioner Sporer – Is it your intent to close January 31? Bidrowski – It would be a hard opportunity not to provide particularly in some of southeast zones where we do have a portion of late January season. Have not formally developed staff recommendations, but that is a strong consideration. Chairman Lauber – Nothing gets people more stirred up than ducks. Staff will make a recommendation and there has been a continuing trend to have more late season hunts because that is when there are more mallards. Try to accommodate both ends. Been outvoted many times, I go with the pack now. Bidrowski – It does provide more unique opportunities, but also complicates where we remove days; from split or early part of seasons. It also does not give a fixed Sunday, it will be Friday for next year. That also would affect when we would open it, Saturday or Thursday, depending on where split ends. Chairman Lauber – There is a certain sport in hunting early migrants. Vote in April? Bidrowski – Correct. Tymeson – It is advantageous, because of southeast zone; change was primarily for southern states, wasn't it? Bidrowski – This is a long-standing request from southern states and USFWS has been adamant about not granting this extension. From 2004, used to end around January 20, Sunday closest to January 17, extended to last Sunday by congressional action. There were some bills that passed the House and didn't pass Senate. The USFWS chose in October meeting to grant Mississippi wish to grant January 31. Duck zones process will start later this year and will be implemented until 2021 and 2022 season. Two timelines to consider, federal and state and final action on duck zones will need to be completed by April 2020. Chairman Lauber – Those are set for three or five years? Bidrowski – Five years, 2020/21 will be fifth year. The tenth year we have had a southeast zone.

4. KAR 115-25-9a, Deer; open season, bag limit, and permits; additional consideration; Fort Riley – Levi Jaster, big game biologist, presented this regulation to the Commission

(Exhibit I). Potential dates for seasons on military installations that have requested later time to set dates to prepare and schedule with training. Smoky Hill Air National Guard subunit, all same dates except firearm season will run from November 26 to December 7, which lets them start a little earlier, but still same number of days as statewide season. Fort Riley subunit; requested additional archery days, September 1-15 and January 2-31, authorized individuals are often soldiers who would not be able to hunt during regular season due to duties assigned; also requested additional days for designated person or youth season, October 12-14, same as statewide pre-rut season, but would not have pre-rut season on the Fort; firearm season dates requested for November 29 through December 1 and December 14-22; different days but same number of days as statewide season. Fort Leavenworth subunit, statewide seasons except firearm deer season, requesting weekends, November 16 and 17, November 21-24, November 30 – December 1, and December 7 and 8; same number of days, but different dates; also extended firearm antlerless hunting different from the unit they are in, January 1-12; and be included on extended archery season January 13-31. Deer hunters may use one antlerless only on Fort Riley and Smokey Hill, but up to five on Fort Leavenworth in subunit 10a. Final action on these seasons shall be completed at the Public Hearing in June. Chairman Lauber – We generally try to accommodate military with their choices. Jaster – Yes sir.

5. CWD Update - Levi Jaster, big game biologist, presented this update to the Commission (PowerPoint – Exhibit J). Chronic Wasting Disease (CWD) is a transmissible spongiform encephalopathy, a prion disease, which occurs with a folded piece of protein instead of a bacteria or a virus. CWD is the disease that affects cervids; deer, elk, moose and caribou; for Kansas, whitetail deer, mule deer and elk. There are other forms of it such as scrapie in sheep, bovine spongiform or mad cow disease in cattle, human form is Creutzfeldt-Jakob disease and a couple others, one in mink and discovered one in camels. With this disease the prions form, which causes the brain to break down and causes holes that look like a sponge, hence the name. It is transmissible between animals. It is always fatal, CWD is not necessarily the cause of death but it is what pushes the animal to the point where they do die. It typically takes one and a half to two years for clinical signs to appear, so a deer with CWD can stand right next to a deer that doesn't have it and you can't tell the difference. Once they have it, clinical signs show up, such as emaciation, extensive drooling and odd behavior; they die within a couple of months of that but can last up to a year. Very few deer show resistance to the disease, the ones that have only live a little longer; the bad thing about it is they shed prions that allows it to be transmitted to other deer. Considered the biggest disease threat to North American cervids; it is not like other diseases that hit a population and spread rapidly, burn out and go away; once you have CWD in an area, it is difficult to get rid of it and moves slowly if we don't help it. All over Canada and the states. In Kansas we have spread from Nebraska and Colorado and now can move in from Arkansas and Missouri where it has been detected as well. First detected in Harper County in 1996 in a captive elk herd; that population was destocked right away. First detected in wild population in Cheyenne County in 2005, and has slowly spread throughout northwest Kansas expanding just a few counties at a time. In 2014, it was found in six new counties; 2018 again in six new counties; and at the beginning of 2019, we have found it in a total of 34 counties total. Best management practices (BMPs) have been developed by most states through their wildlife health biologists. The first one was put out by Western Association of Fish and Wildlife Agencies (WAFWA) for adaptive management of CWD; last year the Association of Fish and Wildlife Agencies (AFWA) published a more detailed technical report directed at agencies to

have a starting point for developing BMPs and trying to implement them. I will summarize that document. There are four main sections: prevention, surveillance, management and supporting activities. Under prevention the first recommendation is movement restrictions or prohibitions; they include live cervids and carcass movements and parts and recommendations under that. Kansas is one of six states in the U.S. that don't have any movement restrictions on full carcasses or parts. The document recommends not throwing whole carcasses into the bed of the truck and driving across the state; take only antlers and the cape and deboning meat is the best recommendation. There are other alternate proposals as well. The second item is to prevent unnatural concentrations, recommend no baiting or feeding, including high concentrations on center pivots, and develop ways to keep deer out of haystacks in winter. They also recommend prohibiting use of natural urine products, want to ban in most states. The big one we are discussing is restricting movements on carcasses, want to make it easy to follow and not put too much hardship on hunters. Surveillance is next. In Kansas we have five disease zones we sample for CWD on a five-year rotation, last year we were in southwest so next year in northwest again. Within the zone we are working, we will pay for testing, hunters outside of area we are working on pay themselves if they submit their deer privately. We encourage hunters to test if harvesting deer in a county known with disease. There has never been a human health issue, but some work has shown that risk is not zero. Work to facilitate testing and figure out how to get that done easier; planning work to look at that more. Management: Develop management plan; we have an internal document developed in 2009; learned a lot since then, want to revisit that and adapt it to better fit what we need to do. Talks about harvest goals; more buck harvest or harvest deer later. Most recommendations involve harvesting more deer later, which meant in western states moving seasons back to November; Kansas harvests most of deer with archery equipment in November, and end of November and early December that is when firearm season occurs, so harvesting later than most states. In good place as far as where seasons fall. We looked at populations and looked at trying to reduce in certain areas with CWD. It also recommends we prohibit rehabilitation, not in a position in Kansas where one individual would make a difference. Risk to rehabilitator, they would contaminate their facility if they take in a CWD deer. Carcass disposal, how can we not leave carcasses out where they could potentially spread disease; if moved, put in a landfill where it can be buried away from predators and other scavengers, bury deep, or debone meat and leave carcass in area where it was harvested. Cut antlers off only with clean skull plate, cape it and leave the rest. Supporting activities: develop communications, get word out to hunters to educate them on why this is a serious disease. We have started some of that, have CWD information in our regulation's summary on page 17. Do human dimensions work, do surveys to find out what hunters know, what the best way to get information to them and what hunter preferences are, what will help them follow the rules the best they can; need buy-in to prevent spread and have good management in areas where we already have it. Education falls in that, ask hunters what they know and what they need to know. Talk about economic impact, some states have seen changes to license sales; working on CWD in many states has changed budget because of staff hours; impact on where hunters are going and some states with entire towns drying up because of CWD; those that relied on hunters; some preliminary work done but we're looking at the future. In Kansas, continuing surveillance monitoring around the state; research projects in western Kansas looking at deer movements and habitat use. Considering increased sampling on where it occurs in small areas and look at habitats and what habitats are most at risk, then direct surveillance monitoring to those areas to detect it sooner and get ahead of it. Human dimensions work on hunter opinions, develop more

communications and clarify how to do some of this. There are videos from Kansas state vet labs that shows how to take samples if you want to do it on their own. We will be reviewing regulations and potentially offering revisions to simplify things or direct management practices and hunter participation certain ways to slow spread across the state until we find a way to fight it better or cure it. Requires good partnership between KDWPT and hunters. Nothing will be solved without cooperation. Chairman Lauber – Does a deer shed prions through bodily fluids or do we know? As deer decomposes it spreads to the earth? Jaster – Yes, it can spread through bodily fluids and through decomposition. Once prions are in the soil they stay there, plants can pick them up and travel to leaf tips and deer eat them. Chairman Lauber – If there is a puddle of prions, can I dump Clorox on them and kill them? Jaster – No, there is no detergent that works to destroy them, don't get denatured through freezing and to destroy them through heat you have to surpass the melting point of aluminum. The best option is to prevent it. We are our own worst enemy for spreading it fast. Chairman Lauber – Western states are worse than us, and economic impacts are looming, and, in some cases, they are wondering if their herds can withstand the onslaught, it is minimal here. There is a loose association between feeding, baiting and potential, we don't know but think concentration of ungulates would enhance transmission; more transmission in captive herds. Baiting would be big controversial issue for us to take care of, rumors start on social media and it is a cottage industry; will we ever have to deal with that? Jaster – We likely will in some form. If we develop a cure the way to get it into herd will be through feeding. Any unnatural concentration that brings deer together can increase prevalence in an area and cause it to spread further. Chairman Lauber – To eliminate feeding and baiting may be politically impossible. Jaster – I don't have all of the answers, it is difficult even the most knowledgeable about CWD don't have all the answers. Commissioner Dill – I read that technical report and asked for this update, so thank you. It is like when zebra mussels started, how do you prevent spread; when it comes to baiting and mineral supplements and those things, until we get a better handle on it; there may have to be a designated section of western Kansas where we prohibit some, depending on your surveys. If you got it you got it, and that is a big future scare. Jaster – The biggest threat looming over everything, slow moving but you feel like the guy facing a glacier with a hairdryer. Commissioner Dill – You might email out that report to the other commissioners. Jaster – If you google search AFWA and CWD BMP it will take to the report. Commissioner Dill – That was updated just a few months ago. Jaster – Just this year. If you want a not so technical read, go to WAFWA BMP document developed in 2017, it is much easier to read. Commissioner Dill – It appears from your map and the testing that it is creeping. Jaster – We saw a jump at times, often times we don't get enough samples out of those areas; not enough samples to detect it. We rely on taxidermists to get samples throughout the state and we do get some private submissions and participation from folks who see a high number of deer in their area. We test anything that looks sick or suspect sick anywhere in the state. Commissioner Dill – Maybe new secretary will allow more budget. Secretary Loveless – Is there anything you recommend hunters look for when they take a deer? Jaster – It is not something you can see when they first contract it. Need to be concerned about all of them, not just the ones that look sick. Commissioner Sporer – Explain after the harvest the testing, the cost? Is it mandatory testing and what is turn-around time? Jaster – Not mandatory, it is voluntary, the test is \$28 and \$35 if you use a particular shipping set up through the Kansas State Veterinary Diagnostic Lab. You would set up an account with them, if it is a private submission, and pay them. In area where we are sampling for the year, pull sample yourself and take to one of our offices, take to district biologist to get it sent or mail. Commissioner Dill – Blood sample, tissue sample or both?

Jaster – Both, a tissue sample, we use the lymph nodes in the neck or the brain stem. I recommend if you are not aware of how to pull those samples to get on YouTube to diagnostic lab at Kansas State, they have a good video showing how to collect that tissue to get best sample to get the best results. The turn-around time is 2-3 weeks. Difficult to harvest an animal, go through process of butchering it and then find out you need to dispose it. Commissioner Sporer – You are testing this year in southwest Kansas? Jaster - Finished southwest Kansas in 2018. Commissioner Sporer – If someone harvested deer in south central Kansas and they wanted it tested they would have to do it through a private laboratory? Jaster – It is the same laboratory, but they would have to pay for it themselves and do a private submission.

Charlie Black – Kansas Wildscape – You talked about economic impact in counties where finding the cases of CWD; if you find one case in a new county, that county turns yellow? Jaster – A new map at end of the year, any new counties would be yellow to show they were the new ones for the year. Black – How long does county stay yellow? Jaster – Forever, once there, typically we see where we first detected in wild herds in Cheyenne, Rawlins, Decatur, Sheridan counties, that is the hot zone, the highest prevalence is there and where it has been the longest time. Black – Does report show number of cases per county? Jaster – We do have a cumulative map that shows it. The highest in a county is 40 cases, since first detected in 2005. We have taken just over 29,000 samples since we started looking for it, at 207 total positives.

Chairman Lauber – I process some of my own deer and take some to processing plants. If you have a locker plant that works on 500 deer they have a lot of bones and waste they have to get rid of. There are a couple of companies, National Byproducts used to be one, that will not take an animal that has been tested. The fear is they have this in their food supply and have a private contractor buy it and put it into dog food, three months later it comes up and six months later they have an entire unknown supply, so the most logical way to test it is at locker plants to get more numbers. People who buy waste products won't let you do that, I understand their point. Economically there is no incentive for them to do it, just the opposite. If we could prove not fatal to humans or non-ungulates maybe, we could get them to participate more. Jaster – Some states are providing dumpsters for hunters, not for processors or locker plants, still question of disposal and that has a cost associated with it. Some difficult choices will have to be made. Secretary Loveless – Question about data. You have small sample in west, or are you satisfied with that? Jaster – Sampling protocol was developed through our wildlife disease coordinator in conjunction with some of the federal agencies who oversee some of this. They dictated what they wanted to see if they were going to give us money, we are constantly reviewing that. Right now, we are collecting 450 samples in each zone each year, and we definitely sometimes struggle to get enough; we rely heavily on taxidermists. There is an issue of fatigue in doing that even if we can pay to do that we can't pay enough to get someone to do it, and it does take time. We are going to look at getting much more detailed sampling, with another project we have under review. Secretary Loveless – Interested in hearing more about that. In counties with it, do you have data on impacts hunting pressure and consumption in those areas? Jaster – Not on consumption, but down to deer management unit number of people hunting there, so some hunting pressure numbers. Chairman Lauber – There has never been a documented case of this disease in a human has there? It is not likely it can jump, but things happen. Jaster – No. Research shows the danger is not zero, but very low.

Ron Klataske – Appreciate what you are saying about political challenge on feeding facilities, but in reality, is that a risk factor? In comparison, if we have statewide epidemic of CWD in 15-20 years, the economy in local areas as well as the department will suffer. Begin education on

that particular risk factor. Common, started 15-20 years ago. Do a lot of evaluation on how important that is. Chairman Lauber – I agree, and the same thing is on captive deer herds, but there are fewer of them than those who have feeders, but don't know how big of risk that is to the wild either. Klataske – Philosophically they are confined and don't get out to mix with other wild deer. Some people have feeders running for six months of the year. If there was an infected animal, they could contaminate that area. You need to weigh political with long-term prospect of having deer people don't want to hunt or consume. I have a friend who comes out every year from Alabama and this year he had to completely debone his animal, otherwise \$10,000 fine in Alabama. Jaster – Through human dimensions work we are going to start with hunters. Down the road, we need to look at economic impacts and look at trade-offs. If no deer hunting in Kansas then no income, public or private.

Break

Chairman Lauber – Ron Wooly is here, was legislator, glad you are here.

6. Birding Initiatives Update – Michael Pearce, outdoor market content manager, Tourism, presented this update to the commission (Exhibit K). Kansas is popular place because of wildlife, Cheyenne Bottoms is very busy. A group of people in France and Germany who have days circled on their calendars to come to Kansas as well as Canadians who are coming to Kansas to bird watch. America has 45- to 50-million bird watchers who spend an estimated \$80 billion dollars into the economy; both of those double about every 10 years. They want to come to Kansas because the same habitat we have for ducks, geese pheasants and deer has other animals in it. The people I have coming are coming to western Kansas to watch lesser prairie chickens (LPC). For several years, some Kansas birders had told me that someone needed to open something up out there because there were no public land places to watch LPCs; and I don't mean just in Kansas, I mean in the five states that have them. Have reservations for one of two ranches in Gove or Logan counties, each has about 200 LPCs, more than any of the other five states that have birds. Contacted four birding tour companies last year; the first one called within 10 minutes and asked me to take 12 people. They all came in the spring, out of British Columbia and Boston; they came in April and paid a good amount of money and were very happy. It has been educational, always wanted to set this up on LPCs; the main reasons weren't for the money, before I took this job I wanted to educate people about LPCs. I explain that natural grazing with cattle that help birds, use cattle to replicate buffalo; graze an area and push them through as a lot of wildlife needs different sizes of grass and by doing that is why they have more LPCs than any other place. I could also show them large tracts of prairie that they had never seen before, with antelope, prairie dogs and coyotes and explain that prairie is the fastest disappearing ecosystem or habitat we have. Also, educate the public in that area on the value of these birds. Last year ranchers earned \$200 to \$700 for just granting access for part of a morning. We asked birders that came in to wear their binoculars everywhere they go in town. Some stay in Scott City and some stay in Oakley because the Hoeme Ranch and Smoky Valley, the Nature Conservancy ranch, are right between those towns. Trying to show that the birds have value, so ranchers are not trying to get rid of them. Most of the birders visit Lake Scott State Park and the same birders will get motel rooms and pay for meals. One couple wants to visit the Flint Hills Trail and another Cheyenne Bottoms. Education is another goal as we try to teach Kansans the value of non-game species and birders. We also want to educate visiting birders as to the

importance of things like good grazing programs to keep grasslands perfect for prairie bird species. Down the road, it's going to take the combined work of consumptive and non-consumptive users to preserve and protect some of Kansas' top habitats. The first step, 18 groups booked this year by word-of-mouth, it is our goal in KDWPT set it up and then back off and leave it to the locals to set up after that, then go somewhere else; we have two locals, one for each ranch lined up and have a local who will take care of all of the book work and the bookings. Next looking at Cheyenne Bottoms and Quivira in the spring, because birds are more colorful and to not interfere with hunters. Those areas are world class, whooping cranes and shorebirds, have access to lesser prairie chicken grounds south of Great Bend greater prairie chickens (GPC) north of town. I want to have a couple tour guides come in this year. This is state property, we can't interfere with work going on there. It is educational, I will write up promotional pamphlets, so they know who pays for it; I am an avid hunter and I don't mind sharing with bird watchers, we have a lot in common, both sides want the same thing, as hunter numbers go down may need to rely more on non-consumptive people to help pay for habitat. Starting to work on birdwatching on Flint Hills Trail State Park, it is a national-level attraction, and very few trails that have this diversity. It starts at Osawatomie with giant oaks, walnut and timber and goes right into the heart of the Flint Hills, ought to be able to see 100 species of birds there. I am working with department and volunteers to get maps done ahead of time to show what habitat is best for pileated woodpecker, or where they can listen to GPCs and name birds in each area. Make it as easy as possible to get into birding, wildlife and habitats. In birding, like hunting, the average age of people is going the wrong direction. While bikers and hikers are young, and if we can get them invested in the wildlife, stop and listen to the birds, once you hear them you stop and listen everywhere you go and then get them to go to more state parks. The potential is there, I am one person, and this is tiny sliver of my job; on federal and state lands don't want to interfere with work. Happy clients bring more happy clients. The hard part is having great natural resources and Kansas has that.

C. Workshop Session

1. E-bicycles – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit L). We do have a significant number of constituents that enjoy wildlife viewing in our state parks. E-bicycles is electric assisted, they are still pedaled but they have a motor on them, which is not currently allowed on any of our long trails or trails within our parks. Matt Messina of KDOT is here, he is the grant coordinator for bicycle and pedestrians and several of our trails have received funds from them. I gave you a synopsis (Exhibit M) of what Matt has put together on e-bicycles. As you pedal a bicycle, when you need it then it engages that motor, you still have to pedal but it helps you go up a hill a little better. The Flint Hills Trail has an incline and I can see how that would be better. I did research on it and those that have an e-bicycle, which expensive, they ride more often than those with a regular bicycle. There is some value to it, for health of our constituents and that we should accommodate them. Chairman Lauber – Saw magazine in the dentist's office and saw it advertised and I think they are going to be around more, and price will probably go down.

Chairman Lauber – I went fishing Monday at Clinton and roads were dry and clean all the way down to the boat ramp, appreciated that. Lanterman – Bruce Husman is our park manager there

and I like to give him a lot of praise, but every park does that. He has done a good job, thank you.

2. Public Land Regulations – Stuart Schrag, Public Lands Division director, presented this update to the commission (Exhibit N). Proposed changes to a couple of public land regulations. Under 115-8-1, subsection (e) of public reference document: under age restriction, Region 1, Jamestown Wildlife Area (WA), Ringneck and Puddler marshes, mentor areas for all species and all seasons; we want to remove Puddler Marsh and open that to general public. Under non-toxic shot, designated dove fields, under Region 1, Glen Elder, Jamestown and Ottawa we want to remove from designated dove fields for non-toxic shot only; at Glen Elder fields move every year and all of Jamestown requires nontoxic shot; at Ottawa dove fields are designated only occasionally and get minimal use and Lead concentrations and contamination issues have decreased to the point we want to remove those. Under boating restrictions, no motorized boats Region 1 under Jamestown WA; currently Pintail, Puddler and Buffalo Creek marshes and we would like to add Gamekeeper West marsh at Jamestown and also include Talmo marsh, northeast of Concordia. Under refuges, subsection (a) Refuge Area Closed to All Activities Year-round, under Region 3, we would like to include Byron Walker WA, it has been a designate refuge around the headquarters and is posted, but with new highway expansion we want to move signage so more readily identifiable. Under 115-8-2, blinds, stands and decoys; subsection (i) portable blinds shall not be left unattended overnight; brought up a year ago in Wichita, discussed and department recommendation is to strike that subsection from this regulation. We felt not allowing portable blinds to be left overnight was a deterrent to our R3 program; youth mentor participants rely heavily on portable blinds; so, remove that restriction. Doing that will not affect any of the other conditions under this regulation, such as no more than two portable blinds per property, still have to be tagged and anybody can use them; those are outlined in this regulation. Chairman Lauber – There were compelling arguments by the public. Secretary Loveless – They can be left but it is understood it is first come, first serve? Schrag – Yes, just like tree stands and other blinds.

3. Squirrel Regulations – Kent Fricke, small game biologist, presented this report to the Commission (Exhibit O). Staff was made aware that calling squirrels was not allowed in our regulations. Calling squirrels is a common hunting technique and does not conflict with other hunting activities. Staff is recommending change to 115-3-2; we want to make that legal with language highlighted at end of briefing item, inclusion of lures, decoys and calls, including electronic calls, under legal accessory equipment. Chairman Lauber – Second time we workshopped this. Tymeson – We will vote in March.

4. Furbearer Regulations – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit P). Talking about a series of regulations dealing with furbearers, which were last considered in 2013. Several regulations are included in furbearer regulations and we'll talk about them one at a time. Starting with KAR 115-5-1, furbearers and coyote legal equipment, taking methods and general provisions. At last meeting, brought up considering air rifles, but after further discussion, we decided not to make that recommendation at this time. The second item is clarification of body-gripping trap regulation. Currently body-gripping traps with a spread of eight inches or greater can only be used in water sets and we recommend clarifying that eight inches should be measured across the jaw with jaws at a 90-degree angle. The third

item is that furbearer and coyote hunting is allowed at night, but you can't use lights or night-vision in order to hunt them. We have received a lot of comments from people interested in being able to do this. We considered extensively in-house and based on concerns expressed by law enforcement we are not recommending a change at this time, but we have left in briefing book for discussion. Chairman Lauber – Agree with department recommendation on lights and night hunting, but issue is going to continue to come up. This has become an economic issue for the providers of the product, there are more users and it is a new sport where people can use new stuff on the market. Will have to consider this again later on. Commissioner Dill – I got a lot of calls and emails, felt good idea and not detrimental to law enforcement. I think it will happen eventually, too. Secretary Loveless – What do neighbor states do? Peek – Most of them do allow it and we put together a summary we handed out last commission meeting. Iowa, Missouri, Oklahoma and Wisconsin don't allow, some have restrictive season dates and some limit how far you have to be from a vehicle, or may limit caliber of rifle, or just certain species; it is variable, lots of things states have done to make it more palatable. Chairman Lauber – Kicking the can down the road, but not going against recommendation, expect to discuss again next year.

115-5-2, furbearer and coyote possession, disposal and general provisions; language clarification between 5-2(a) and 5-2(b) take out duplication language; and eliminate requirement to surrender otter teeth in (f)(2) to get them aged, don't have to do that anymore. Will put multiple year's information into a model, about 70 percent of harvest are young of year so reproductive rates are effective and ages range up to 12 years old. Chairman Lauber – How old do they get? Peek – That is long in the wild, in captivity can live up to age 20.

115-5-4 is nonresident bobcat hunter permit, this is tagging and other provisions. Permit is currently not valid until the next calendar day and this stipulation was eliminated for big game and turkey as a result of internet sales, so we should, for consistency, do the same here. Regulation also states that removal of the carcass tag from permit invalidates it, and that is no longer valid with online sales.

115-6-1 is fur dealer's license, application, authority and possession. Current regulation says that bobcats, otters and swift fox may only be purchased if they have a pelt tag from the state they were harvested. Otter and bobcats are federally mandated to be tagged under CITES, so they are always pelt tagged. Our swift fox program is state mandated and there are some states that allow swift fox harvest without requiring tags, so we want to remove swift fox from this regulation, so fur dealers can legally buy them. Chairman Lauber – How many fur dealers do we have? Peek – Usually around 30 to 35, some are taxidermists. Anybody who buys a raw furbearer for taxidermy or pelt has to have one. A handful of taxidermists buy one in order to buy animals to sell mounted furbearers. Chairman Lauber – What do they pay for that? Peek – I don't know, variable based on animal. Chairman Lauber - How much is the license? Is it complicated to get? Peek – No, just a one-page application and they have to renew every year. Miller – It is \$102.50 per year for residents.

115-13-4, field trial permit for furbearers and coyotes; currently requires map of the specific areas where the field trials are to occur, and we want to modify requirement so only the headquarters and county of the event needs to be identified. The current regulation is written where a field trial with an animal in a cage would be used; typically, in Kansas it is a night hunt where you turn dogs out hunting wild raccoons, so they may end up with 20 or more hunting locations in one-night hunt. This is a simplification of the application process that was requested by organizers of these hunts.

115-25-11, furbearer open season and bag limits; we recommend increasing bag limit on otters from two to five, population is healthy, reproducing well and gradually expanding into central Kansas. Not in western Kansas where there is not sufficient water to hold them; the greatest numbers are in southeast and eastern Kansas. That is where greatest push is to increase the quota related to damage. When they get into ponds where people live, they can bring in a trapper but there may be more than two otters in a single pond. There is a lot of interest to help people removing problem otters. Where populations are lower, it doesn't make sense to wait until they become abundant, on edge of their territory. Current harvest is caught incidentally in trapping other animals, will give people better chance to utilize the resource. We are considering changing the opener to midnight on day season opens instead of noon, so trappers can set traps in the morning. Used to be competition between houndsmen with raccoon harvest, not what it once was. Chairman Lauber – Moving it to calendar day at midnight? Peek – Yes, taking input on that right now. Chairman Lauber – Have you gotten many comments? Peek – Get comments every year in furbearer harvest surveys every year from trappers who take the day off and want to be able to trap in the morning. Chairman Lauber – Not controversial.

5. Coast Guard Navigation Rules – Dan Heskett, assistant Law Enforcement Division director, presented this update to the Commission (Exhibit Q). Proposal is to adopt by CFR, title 33, part 83 of code of federal regulation as our regulation. It pertains to inland navigation rules. We are federally funded in recreational safe boating program, Sportfish Restoration trust fund administered by the U.S. Coast Guard. Every three years they do a site visit every and August of 2017 they found us in noncompliance of our navigation rule. That rule used to be by a policy with the U.S. Coast Guard where they didn't enforce it on the states; in 2014 that was changed to code of federal regulation, so the Coast Guard has been working with states to try and get them into compliance with language of the CFR.

6. Unmanned Aerial Vehicles (UAV) – Rich Schultheis, migratory game bird biologist, presented this update to the Commission (Exhibit R). No information on what changes will be at this time. Current regulations do apply to unmanned vehicles in addition to manned aircraft and mainly working on clarification to make things for straightforward where our regulations are concerned. Chairman Lauber – If I have a drone can I use it to locate game? Schultheis – In some scenarios, yes. On private land and not at a time you were actively hunting. In FAQ available online if it uses the same day is what the cut off might be; you could locate something on your property and on another day could be hunting that same property, so that would be an allowable scenario. Chairman Lauber – Some attendees at WAFWA said you can use to locate, but had to hunt the next day, not same day. Schultheis – Same rule for manned aircraft as well. Chairman Lauber – This is coming, it is still new. Commissioner Cross – What about schooling fish? Schultheis – That would not be a permitted activity. Tymeson – Using to take, versus using a drone to take a picture. Take, in a broad sense in our definition is basically doing anything using that aircraft to gain advantage and harvest that animal; so, can't use to chase fish, can't use to locate game and then take game the same day, that is using drone to take deer and that is prohibited by our rules. You can use it to photograph wildlife or scout the day before, that is where things are grayer and that is why places have airborne hunting rules. Like in Alaska, you can't fly in, locate a moose on way in and then go shoot it.

7. Electronic Licensing Update – Todd Workman, assistant secretary, presented this report to the Commission. I'm head of licensing committee that has been implementing churn strategies for several years. The first plank was multi-year licenses and second and third plank we launched together, the 365-day license and auto-renewal. The fourth plank is e-licensing. Multi-year licenses are currently implemented and being measured to see if we are getting those folks that don't buy a license every year and we find we are hitting that target. The 365-day licenses and auto-renew; just got back from Denver and those two things came up constantly from people from out-of-state who came and talked to our booth; positive things. Third highest category for auto-renewal is nonresidents, they like our state, utilize the program and feel they are getting their money's worth from the 365-day license. E-licensing will go off in two phases: phase one should be completed by end of May or mid-June, the main frame; the second part will be the reporting part; both the canned reports and field reporting like i-Sportsmen and things like that. We don't have a solid date on when that will be completed. One of the things in our way of getting e-licenses done is removal of the fee for duplicate licenses, which you will vote on in March.

VII. RECESS AT 3:53 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

B. General Discussion (continued evening)

7. Track Chair Update (ASK Program) – Jess Rice, ASK (Adaptive Sportsmen of Kansas) program coordinator, presented this report to the commission (Exhibit S). This is a recently introduced program that aims at increasing accessibility for disabled individuals through the purchase of track-driven wheelchairs. We purchased eight chairs and will eventually be housed in four corners of the state in pairs. They will have a trailer with a generator, so they can be charged on-the-go. We hosted a hunter through a program called Operation Pay It Forward, a program that has veterans come through and do hunts. This gentleman came from Arizona and was paraplegic. He filled both of his tags, so it was a successful hunt. We were able to see not only things that may trip us up in the implementation of this program, so we can plan for that; but also, able to see the capabilities of the chairs because there was six inches of snow on the ground, which was no problem. We have a couple of upcoming events; the Outdoor mentor group is hosting a disabled young man whose deer hunting equipment was stolen this past season, so they have coordinated with a landowner and will be taking this boy out to harvest a turkey during youth spring turkey. Several landowners have donated use of their land for upcoming hunts during deer season and have a couple of hunters lined up. Those will be guided by Michael Pearce. We have a spring turkey hunt at Timber Hills Lake Ranch, we will host two

hunters and their caretakers the weekend of April 26. In order to promote the program Todd went to the Denver Sport Show; he made several contacts with private landowners and organizations that are interested in coordinating and participating with us for future hunts. We do plan on attending the R3 summit and the Monster Buck Classic coming up on January 26 in an effort to promote the program. We are trying to make Kansas conservation organizations in Kansas aware that this resource is available to them. Recently purchased new accessories for the track chairs. After the first hunt we realized our gun mounts were a little precarious, so we ordered a different accessory to allow for safer operation and storage of guns. Also purchased accessories for remote operation, basically someone can be 6 feet behind the track chair and be in complete control of the chair. This can be used for bird hunting or a kid who is trying to fish or needs both hands to control their pole and someone else can be in control behind them. We purchased four, so each pair of chairs has one. Spoke to assistant editor of the NRA American Hunter magazine today and they will be featuring the program in the March 2019 issue. They have also expressed interest in covering the Operation Pay It Forward hunt for online publication. Still planning on continuing fund-raising efforts through June with \$15,000 left to be raised. Commissioner Cross – How many chairs total? Rice – Eight.

C. Workshop Session (continued evening)

8. Antelope Regulations (KAR 115-25-7) – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit T). Everything is standard as far as season dates. We are waiting on winter surveys to come up with permit allocations for limited draw permits. We had those scheduled but due to partial snow cover there has been delays; waiting for snow to melt or we can go with complete snow cover, but not partial. If we can't get that we will come up with permit allocations based on this year's harvest success and summer production survey results. I posted harvest report online. Estimated harvest at 236 animals, third highest on record; 63 during archery, the most ever, those are over the counter, sold 318 and had a 23 percent success rate, usually 12-15 percent range. Other measures from harvest survey were standard. Chairman Lauber – How much time until you have to set allocations? Tymeson – Depends on whether we vote in March or April.

9. Elk 25-Series Regulations (115-25-8) – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit U). No changes to season structure, bag limit or permit type. Permit allocations will be done at same time as pronghorn. Fort usually does a survey but usually after we set permit allocations. The current season is ongoing, but we know of at least 25 elk killed in the state, that number is without hearing from the rest of the over-the-counter permits throughout the remainder of the state. On Fort Riley, 11 of the 13 any-elk permit holders were successful and I believe they all killed bulls and eight of 16 antlerless elk permits were filled on the Fort. Those are good success rates considering the Fort was closed for a big chunk of this season; not very assessable this year. In addition, I know of four bulls and two cows that have been killed on private land in the state. We are off to a good start and have a couple months left. Last season we added August season for crop damage and I have not heard of any elk killed because of that. We shrunk buffer zone around Fort Riley to allow more elk assessable to general hunters buying over-the-counter permits and have not heard of any killed in that area.

10. Big Game Regulations – Levi Jaster, big game research biologist, presented this report to the Commission (Exhibit V). Discussing permanent big game regulations, I will go through only the ones we are proposing changes on. In 115-4-4, big game legal equipment, and taking methods; new equipment always coming out, evaluating large bore air rifles and tumble-upon-impact centerfire ammunition. Have proposed change to allow tumbling ammunition; it tumbles end-over-end rather than mushrooming to create large wound cavity. Looking for comment on that. Chairman Lauber – Where is that in briefing book? Jaster – I apologize it did not get changed, I had strep throat and was trying to do it from home. Chairman Lauber – The change for tumble-upon-impact, the department is going to recommend that be included in legal projectiles? Jaster – Yes, unless we get a lot of public comment in opposition. Chairman Lauber – Will we have one more opportunity to workshop this? Tymeson – It will be voted on in March. Chairman Lauber – Will that be an amendment? Tymeson – It will be an amended regulation placed before you; it is already drafted. Not an amendment to the proposal. Ryan Kraft – I have more information for you if you want to see it. Chairman Lauber – I don't think we need to, all of us have seen it. Secretary Loveless – What are the downsides or concerns of it? Jaster – The concern would be whether or not, by not mushrooming, using a different method it would achieve enough of a wound cavity to be ethical way to harvest big game. Looking at information provided by manufacturers it appears it would be as ethical as normal mushrooming, expanding ammunition. Ryan Kraft, Fort Scott Munitions – I would like to show one photograph that should sum it up. Currently this law is confusing, you could say in a way that our ammunition expands because there is more surface area on the side of a car sliding sideways. What is created is faster blood pressure drop and quick incapacitation of the animal and the animal would suffer less. Biggest point is the difference in the wound cavity. As far as ethical enough to take large game I have a video of a bear taken with a .380 ACP. If we could get tumble-upon-impact ammunition added to the law that would bring more money and jobs back to Kansas as we are a Kansas-based company. The bear in the video was 200 pounds and did not feel a thing. Jaster – The next change is 115-4-11, big game turkey permit applications, due to recent changes in elk season we propose changing application period to second Friday in June from second Friday in July. We need more time for elk hunters to get permits before the start of the season with it beginning earlier. Also, shifting either-species either-sex deer application deadline to same date, second Friday in June.

11. Deer 25-Series Regulations – Levi Jaster, big game research biologist, presented this report to the Commission (Exhibit W). This regulation sets state deer seasons; following traditional season structure We have proposed, and are seeking comments on, adjusting October 12-14 pre-rut whitetail antlerless season, to include youth and disability either-sex hunting to muzzleloader either-sex hunting during those three days. Comments received so far have been negative, rather we don't change that. Also discussed what we did last year, to have a single day season in some deer management units with only one whitetail antlerless deer permit in January. We have had a lot of requests to provide additional days to make it 2-3 days instead; too hard with one day and possible bad weather. Rest of seasons would hold as it has been in the past (Exhibit X). Commissioner Dill – What about the one day? Jaster – In January in some units there is only a one-day season to provide additional opportunity, request was to make it two to three days instead of one. Chairman Lauber – Would that effect the population? Jaster – Very little, even if we added three days there would still be no weekend day. Majority of deer are killed on a Saturday. Chairman Lauber – Continuing complaint from KLA to have more

additional days, especially in units where biologists determined did not need it. If it doesn't hurt the resource like to accommodate them. Jaster – I looked at that, a couple more days, not including a Saturday, limits the harvest and would not hurt the resource. It would still be limited to one single antlerless permit in those units. Chairman Lauber – We regularly get muzzleloader hunters who want to hunt later in the season. In pre-rut antlerless only you are trying to accommodate those people and you are getting negative comments? Jaster – Concern that we could lose some opportunity for youth because bucks could be taken with firearms by youth or muzzleloaders, felt they could be kicked out by hunters who could hunt bucks in the same area. Chairman Lauber – Not sure how much sense that makes. Jaster - Also, comments from law enforcement on how to regulate that. Tymeson – Need direction tonight so I can draft regulation and not have need for an amendment. Chairman Lauber – Is this staff recommendation that we do this? Jaster – Still seeking comments. Would likely go to not changing that to include additional days. Chairman Lauber – If staff not supporting and comments are negative, leave it the way it is. *Commissioners agreed.* Chairman Lauber – Straw poll leads toward making no change. We are leaning toward allowing tumble-upon-impact ammunition, so draft accordingly. Commissioner Dill – I would agree with three days instead of one day, with weather iffy and not on a weekend. Chairman Lauber – I agree.

D. Public Hearing

Notice and Submission Forms, Attorney General letters dated September 5 (Exhibit Y).

1. KAR 115-11-2. Controlled shooting areas; operational requirements – Jason Ott, Law Enforcement Division director, presented this regulation to the commission (Exhibit Z). In 2018, HB 2558 extended the game bird hunting season on controlled shooting areas. It was extended from March 31 to April 30. That was signed by the governor and we need to make the change to the regulation in order to credit the birds killed in that extra month to allowable take.

Commissioner Emerick Cross moved to revoke KAR 115-11-2 as presented to the Commission. Commissioner Harrison Williams second.

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

Commissioner Cross	Yes
Commissioner Dill	Yes
Commissioner Hayzlett	Absent
Commissioner Rider	Absent
Commissioner Sporer	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 11-2 passed 5-0.

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

March 28, 2019 – Topeka – Capitol Plaza Hotel, Emerald Room

April 25, 2019 – Colby – Colby Community Building

June 13, 2019 – Salina – Rolling Hills Zoo

August 15, 2019 – Kansas City, Johnson County area

XIV. ADJOURNMENT

Adjourned at 7:05 pm.

Secretary's Remarks

Agency and State Fiscal Status
No briefing book items – possible handout at meeting

2019 Legislature

No briefing book items – possible handout at meeting

Tourism Update

No briefing book items – possible handout at meeting

General Discussion

Commissioner Big Game Permit Redraw

Seven Commissioner Big Game Permits were drawn from 176 applicants at the Jan. 17, 2019 public meeting in Lawrence. However, it was determined after the drawing that one of the applicants drawn, NRA Caldwell KS-42 Chapter, was ineligible because the chapter was inactive when the drawing occurred. As a result, the permit was revoked and a drawing will be conducted today for a new winner. All those drawn in January selected deer, so a deer, elk or antelope permit is available.

Fees Discussion

Senate Bill 50 is a bill sponsored by the department during this legislative session, which proposed increasing caps on many of our license and permit fees. Shortly after the bill came out, the public expressed concern that the department was raising fees even though fee increases are not planned. Adjusting the caps in statute is necessary for possible future fee increases through the regulatory process, if and when they are deemed necessary.

The department last raised fees in 2016, which was the first time fees had been increased in 14 years. In that time, revenue necessary to maintain major fish and wildlife programs had fallen behind inflation. The most recent fee increase, which was completed through the regulatory process over numerous public meetings, pushed several of the fees close to the statutory caps.

SB50, which has no effect on current fees, was introduced because fees will eventually have to be increased and cap adjustments are necessary to accommodate that.

A history of department fees is provided for perspective.

Disabled Veteran Hunting and Fishing License Fees

K.A.R. 115-2-1 Amount of fees.

Licensing Section staff are considering changes to the fee structure for disabled veteran fishing and hunting licenses to better serve these customers.

The 2009 Kansas Legislature issued a legislative mandate for the department to provide any Kansas veteran who has at least a 30 percent service-related disability with a hunting, fishing or hunt/fish combo license at no cost to the veteran. The mandate also included hunting and fishing licenses and state park annual vehicle permits for current Kansas National Guard members. The Legislature approved annual appropriations of \$39,827 for disabled veteran licenses, \$36,342 for National Guard licenses and \$17,922 for National Guard park permits. Applications for these licenses and permits are required to establish applicants' status – and as they are approved and fulfilled, fees are transferred from the appropriated funding.

In recent years, demand for disabled veteran licenses has exceeded appropriation. Even with donations and the transfer of unused National Guard funding to the disabled veteran account, disabled veteran license applications have remained unfilled until the beginning of the new fiscal year (July 1) when new funding is appropriated.

It is important that fees be received for these licenses because the department receives funding through the Wildlife and Sport Fish Restoration Program (WSFR), which is derived from excise taxes placed on hunting and fishing equipment. WSFR funding is then allocated back to the states based, in part, on the number of hunters and anglers who purchase licenses in each state.

Licensing staff are considering a proposal to reduce the fee for each disabled hunting/fishing license by half in an effort to ensure all applications are filled and that license revenue would be maintained. The price reduction would not negatively impact WSFR funding received.

While it won't require regulatory action, licensing staff are also considering adding a Senior Disabled Veteran Lifetime Hunting/Fishing Combo license. The current Senior Lifetime Combo is \$42.50, and is available to residents age 65-74. Disabled veteran applicants age 65-74 currently receive annual senior hunting and fishing licenses, but they must apply each year. While the initial cost would be more to issue Senior Lifetime Combos at the current price, time and money would be saved in processing applications, and it would be more convenient for the disabled veterans, who would receive plastic lifetime license cards and no longer have to apply each year.

Briefing: Five-Year Review of Species Listed in Kansas as Threatened, Endangered or Species in Need of Conservation

Introduction

Every five years, Kansas Department of Wildlife, Parks and Tourism (KDWPT) staff review the wildlife species listed in the state as Threatened, Endangered (T&E), or Species-in-need-of-conservation (SINC). These lists were first authorized by the Nongame and Endangered Species Conservation Act of 1975 and are in KDWPT Regulations 115-15-1 (T&E) and 115-15-2 (SINC). The review process was initiated with a request for petitions to change a listing with supporting evidence. A Threatened and Endangered Species Task Committee then determined if the petition merited a full review. Three petitions were submitted to the KDWPT. The Task Committee determined that substantial evidence was presented to warrant a full review.

Recommendations

The Task Committee evaluated the scientific literature and consulted with experts for their input to assist with proper listing category determination. In addition, a numerical evaluation was also completed by the expert panel and that score was used as a guideline for listing category.

Common name	Current listing/Year	Petitioned listing change	Task Committee recommendation
Arkansas darter	Threatened / 1978	Downlist to SINC	SINC
Cylindrical Papershell	SINC / 1987	Uplist to Endangered	Endangered
Wabash Pigtoe	SINC / 1993	delist from SINC	unlisted

There is a repository of information regarding the three reviewed species available on the KDWPT website.

Nomenclature changes

As more genetic information regarding species relationships becomes available coupled with efforts to standardize nomenclature, there are changes that occur in common and scientific names. To keep this effort simple and straight forward, the Task Committee will recommend the accepted nomenclature that is used by NatureServe.org. Because any recommended name changes to listings found in 115-15-1 and 115-15-2 represent an amendment to these regulations, their acceptance will also require Commission approval.

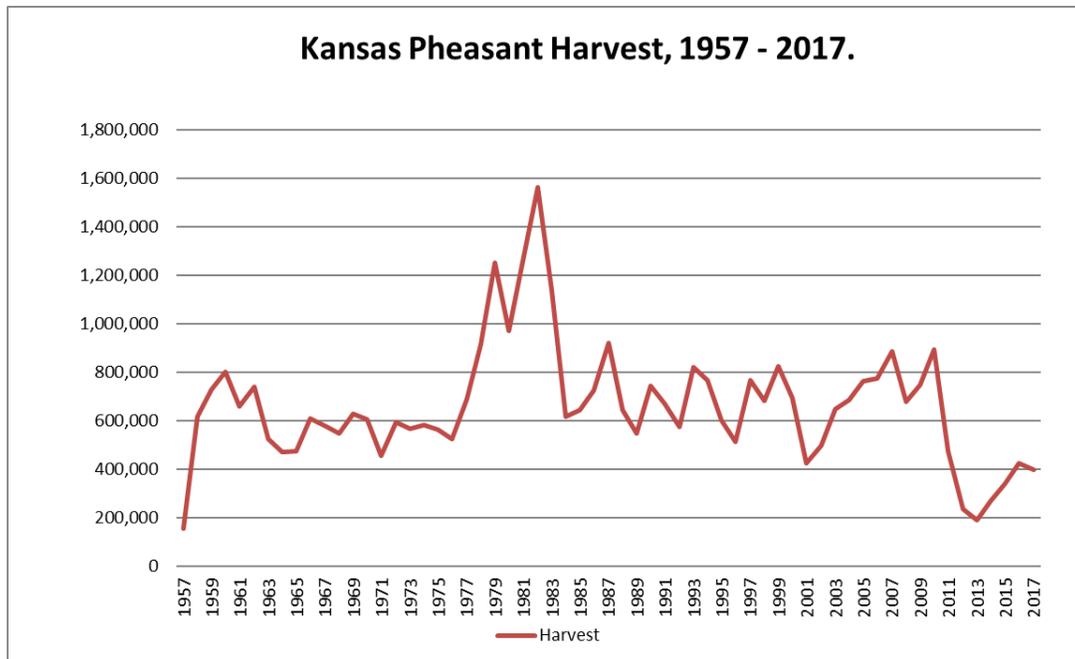
VI. DEPARTMENT REPORT

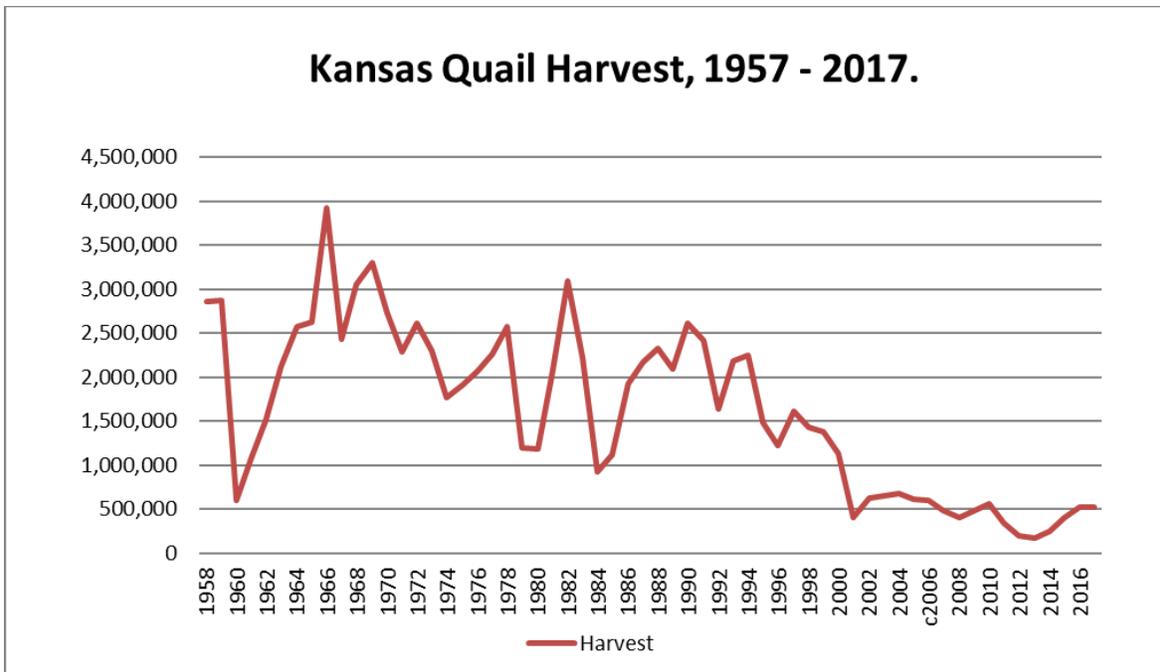
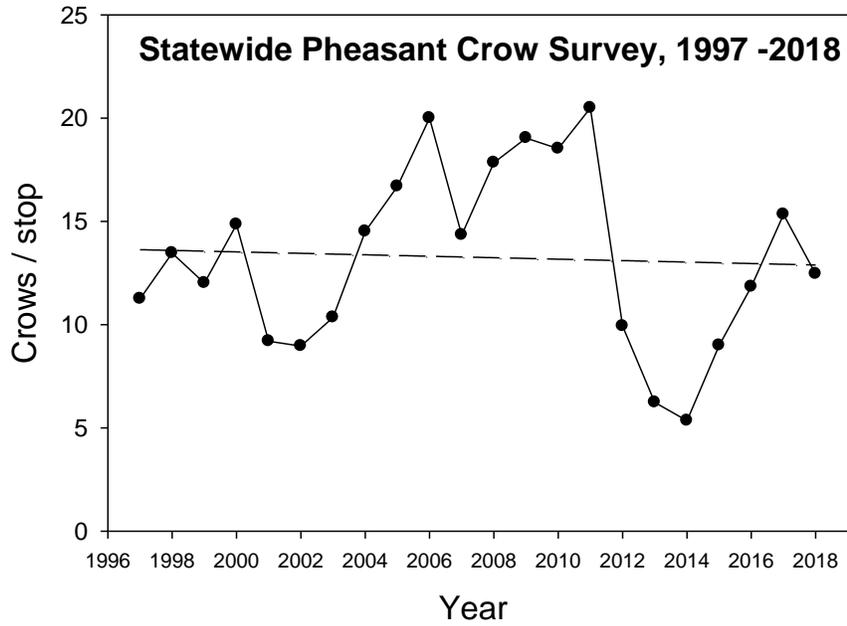
B. General Discussion

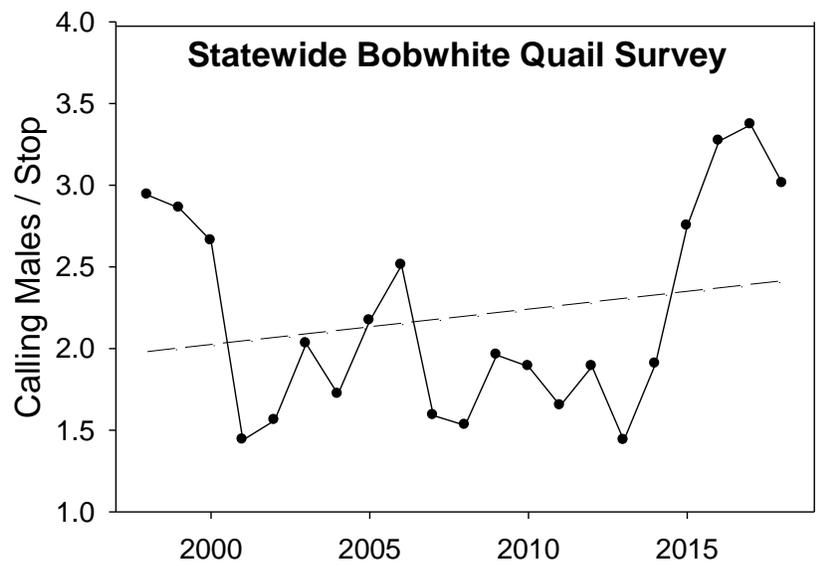
4. Upland Game Bird Update

There is a common misconception that changing upland bird harvest regulations can have a large impact on hunter harvest and thus increase populations. Given hunter behavior and success, drastic regulation change would be required to have any meaningful impact on harvest. Additionally, given survival and reproductive strategy of upland birds, hunter harvest has little relevance to the number of birds available for harvest in the following year. As such the department has maintained season structures to accommodate the most preferred options for Kansas' upland hunters. Changes in harvest are largely driven by density of birds produced each year and hunter participation.

Season	Open Dates	Daily Bag (Possession)	Open Areas
Youth Pheasant	1 st full weekend of Nov.	2(4)	Statewide
Youth Quail	1 st full weekend of Nov.	4(8)	Statewide
Pheasant	2 nd Saturday of Nov. to Jan. 31	4(16)	Statewide
Quail	2 nd Saturday of Nov. to Jan. 31	8(32)	Statewide







Backcountry Access Pass

No briefing book items – possible handout at meeting

Workshop Session

Coast Guard Navigation Rules

Commissioners, KDWPT Staff and the public,

Kansas Department of Wildlife, Parks and Tourism (KDWPT) provides the Recreational Boating Safety Program for the State of Kansas. To provide boating infrastructures, law enforcement, public education, aids to navigation, search and rescue and administrative duties, the KDWPT relies heavily on Recreational Boating Safety federal dollars administered through the United States Coast Guard, Recreational Boating Safety Division.

Every three years, the U.S. Coast Guard conducts an on-site visit with the Boating Law Administrators of the states to look over the components required within the agreement between the state and the federal government and to inform the state of any inadequacies or deficiencies discovered that relate to changes in Code of Federal Regulations or problems with program implementation.

On August 8-9, 2017, an on-site review of our program was conducted. Though most of our program was found in compliance, one issue requires an action plan to be addressed in front of this commission.

Language from the letter dated on August 16, 2017 from the United States Coast Guard states, “Deficiencies in the following areas were noted that require corrective action by the state: State Boating Laws and Regulations – The Kansas Boating Statutes addressing navigation must contain terminology consistent with the Inland Navigation Rules (NAVRULES) found in Title 33 CFR Part 83. This may be accomplished by adopting 33 CFR Part 83 by reference.”

Today, this is the proposal brought forth in front of this commission.

By authority granted to the Secretary of KDWPT in K.S.A. 32-1119 (k) The secretary is hereby authorized to adopt, in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto, rules and regulations required to carry out in the most effective manner, all of the provisions of this act and to alter, modify or supplement the equipment requirements contained in this section to the extent necessary to keep these requirements in conformity with the provisions of the federal navigation laws or with the navigation rules promulgated by the United States coast guard.

(1) The secretary is hereby authorized to establish and maintain, for the operation of vessels on the waters of this state, pilot rules in conformity with the pilot rules contained in the federal navigation laws or the navigation rules promulgated by the United States Coast Guard.

Major Dan Hesket

Copies of the following have been made available for your review:

August 16, 2017 USCG Site Visit Compliance Letter.

Corrective Action Plan response to the United States Coast Guard (USCG).

Title 33 CFR Part 83.

References:

Sport Fish Restoration and Boating Trust Fund.

MOU between State of Kansas and USCG for Boating Safety Program

K.S.A. 32-1119

Title 33 CFR Part 83

Site Visit Letter on Compliance Issues, August 16, 2017, USCG.

Corrective Action Plan (CAP) letter to USCG in response to site visit conducted on August 8-9, 2017.

Electronic Licensing Update

We are continuing to move forward with plans to implement electronic licensing and, in fact, Aspira, the department's license contractor, has a demonstration ready for review. E-licensing will be a part of a larger mobile device app, designed to be a hunter or angler's portal to everything the agency provides online. One username or password and you're in – buy a license, review your account, sign up for auto-renew, check in to iSportsman, check into an iWIHA area, read fishing reports, register your deer and turkey (eventually moving to electronic tagging), and more.

Initially, this app will have a wallet where you can store PDFs of all your licenses and permits that qualify for e-licensing. It will also allow for updates and notices to be sent to anyone who has the app. If testing goes well this spring, tentative plans call for a launch of e-licenses in May or June.

E-Bicycles (E-Bike)

E-Bikes are battery powered “assist” that comes with pedaling or in some cases a throttle, making pedaling easier while not eliminating the need to pedal. The battery does not make any sound.

"When you push the pedals on a pedal-assist e-bike, a small motor engages and gives you a boost, so you can zip up hills and cruise over tough terrain without gassing yourself. Called "pedalecs," they feel just like conventional bikes—but better, says Ed Benjamin, senior managing director at the consulting firm eCycleElectric. "You control your speed with your feet, like with a regular bike," he says. "You just feel really powerful and accelerate easily."

~ **Bicycling News**

VI. DEPARTMENT REPORT

C. Workshop Session

4. Public Lands Regulations

March 28, 2019

KAR 115-8-1 (e) - Department Lands and Waters:

Background

Subsection (e) of this regulation covers the Department's public lands special use restrictions.

Discussion

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

Recommendation

The Department is proposing changes to the following Sections:

II.) Age Restrictions

Region 1

-Jamestown WA – Ringneck and Puddler Marshes; mentor area – all species, all seasons

**remove Puddler Marsh*

V.) Non Toxic Shot – designated dove fields

Region 1

-Glen Eder WA (*remove, fields move every year*)

-Jamestown WA (*remove, entire WA is now ALL non-toxic*)

-Ottawa SFL (*remove, occasional fields' w/minimal use*)

VI.) Boating Restrictions

a.) No Motorized Boats

Region 1

-Jamestown WA – Pintail, Puddler, and Buffalo Creek Marshes

**add Gamekeeper West Marsh*

-add Talmo Marsh (NE of Concordia)

XII.) Refuges

a.) Refuge Area Closed to All Activities Year Round

Region 3

**would like to add Byron Walker WA; immediate area surrounding the headquarters and archery range.*

Furbearer Regulations

KAR 115-5-Series; Furbearers and coyotes. KAR 115-6-1; Furdealers. KAR 115-13-4; Field Trial Permit, furbearer and coyotes. KAR 115-25-11; Furbearer seasons.

Background:

These regulations referencing furbearers are permanent regulations that are not considered every year. Most of these were last in front of the Commission in 2013.

Discussion and Recommendations:

K.A.R. 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.

- Body-gripping traps with a jaw spread of 8 inches or greater may only be used in water sets (c)(10). We recommend a clarification in language indicating the outer edges of the jaws shall not exceed 8 inches when measured across the jaws at a 90 degree angle.

K.A.R. 115-5-2. Furbearers and coyotes; possession, disposal, and general provisions.

- We recommend eliminating the requirement in (f)(2) to surrender otter teeth to the Department.

K.A.R. 115-5-4. Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting hours, and general provisions.

- This permit is currently not valid until the next calendar day (d). This stipulation was eliminated for big game and turkey as a result of internet license sales and should be eliminated for this permit as well.
- The regulation states that removal of the carcass tag from the permit shall invalidate the permit (f). This is also a stipulation from prior to existing internet sales options that should also be eliminated.

K.A.R. 115-6-1. Fur dealer license; application, authority, possession of furs, records, and revocation.

- Bobcats, otters and swift foxes may only be purchased if they have a pelt tag from the state in which they were harvested (f). Otter and bobcat tagging is federally mandated, whereas swift fox tagging is not, and not all states that allow swift fox harvest require them to be tagged. Therefore, we would like to allow untagged swift foxes to be purchased from states that do not require swift fox pelt tagging.

K.A.R. 115-13-4. Field trial permit; furbearers and coyotes.

- This regulation currently requires a map of specific areas where the field trial is to occur (a)(4)(C). We would like to modify this requirement so that only the headquarters and county of the event need to be identified.

K.A.R. 115-25-11. Furbearers; open seasons and bag limits.

- We recommend increasing the bag limit of otters from 2 to 5. The population is healthy, reproducing well, and gradually expanding in range into central Kansas. The greatest numbers and the primary demand for this change comes from eastern and in particular southeastern Kansas where damage concerns are highest. Like muskrats and beavers for which harvest is unlimited, otters will always be scarce or absent in the state where water is lacking. This change will allow those who live in areas where otters are common to better use the resource. In parts of the state where otters are less common, they are more often captured in beaver sets rather than as an intentional target, so this change is not likely to impact otters where they are less abundant.
- We recommend changing the season opening time from noon to 12:01 a.m. on opening day. The noon opener was established to alleviate issues with the calendar day (12:01 a.m.) opener related to houndsmen having to wait until late to hunt, and was considered a compromise between houndsmen and trappers when competition between the two groups was greater than it is today.

VI. DEPARTMENT REPORT

C. Workshop Session

6. KAR 115-25-7 Antelope; open season, bag limit and permits

Background

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for pronghorn antelope.

Western Kansas pronghorn antelope populations have supported a hunting season since 1974. The firearm pronghorn season has been four days long since 1990, starting on the first Friday in October. The archery pronghorn season was nine days long from 1985 to 2004, and included the two weekends prior to the firearm season. Since 2005, the archery season has reopened on the Saturday following the firearm season and continued through the end of October. A muzzleloader season was initiated in 2001. It has begun immediately after the first segment of the archery season and ran for eight days, the last four overlapping the firearm season. With the exception of annual adjustments in permit allocations, this regulation has basically been unchanged since 2006.

Discussion & Recommendations

No changes are recommended for season structure, bag limits, or permits.

We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents.

The proposed permit allocations are:

Unit 2 – 122 firearms permits and 34 muzzleloader permits

Unit 17 – 44 firearms permits and 10 muzzleloader permits

Unit 18 – 12 firearms permits and 4 muzzleloader permits

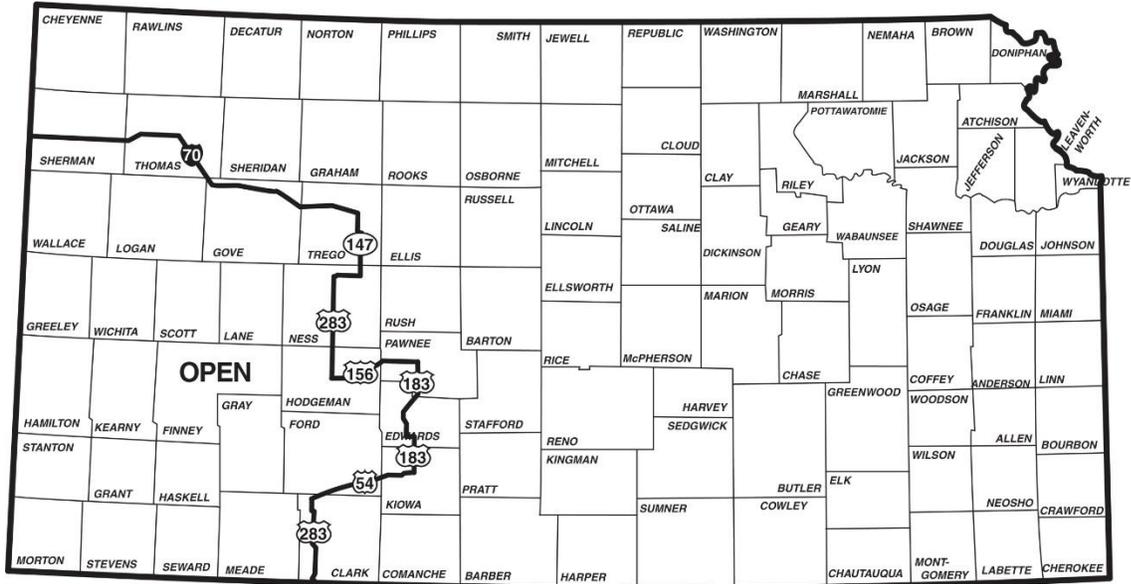
The proposed season dates are:

September 21-29, 2019 and October 12-31, 2019 for the archery season.

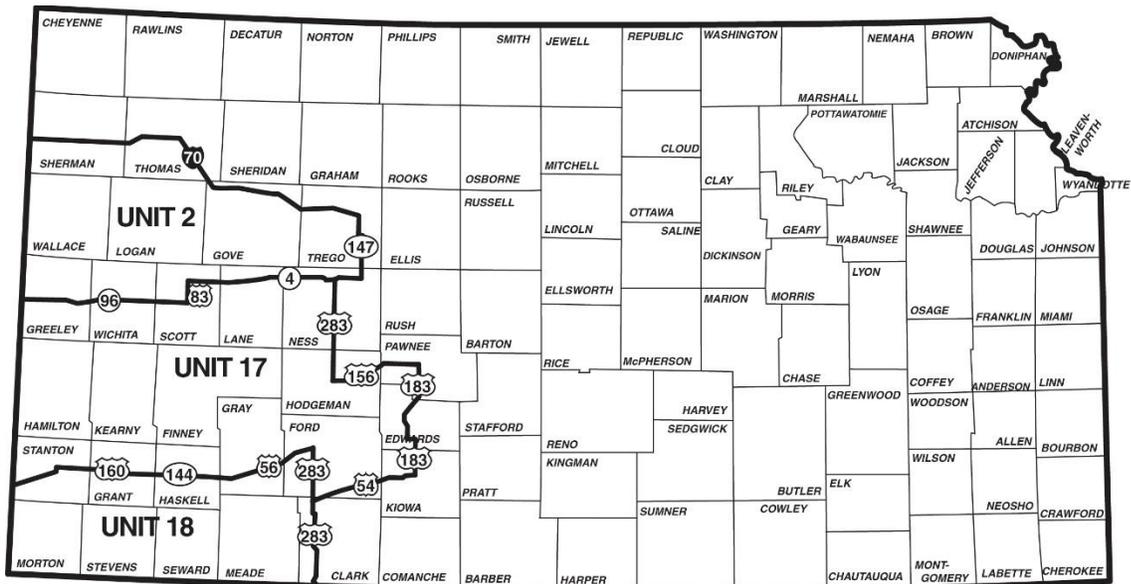
September 30, 2019 - October 7, 2019 for the muzzleloader season.

October 4-7, 2019 for the firearm season.

Archery Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



Kansas Department of Wildlife, Parks & Tourism UAS Frequently Asked Questions

What is a UAS?

UAS is the acronym for unmanned aircraft systems, aircraft without a human pilot onboard. Unmanned aircraft vehicles (UAV) or drones are other names you may have heard.

Is UAS use permitted on KDWPT-owned and managed properties?

UAS use is only permitted within specified UAS operating areas located at some state parks. The use of a UAS is not permitted outside of these areas unless authorized by the KDWPT Secretary (see KAR 115-8-13). Within the operating areas, flying over people, structures, campgrounds or beaches is prohibited.

What KDWPT properties have drone operation areas?

The list of state parks with UAS operating areas is currently being developed and will be available by fall 2018. This FAQ will be updated when that list is available.

What are the penalties for unlawful use of UASs on KDWPT lands?

Unlawful use would be classified as a class c misdemeanor.

Who do I contact for more information about using UASs on department lands?

For more information about UAS use, contact the state park or appropriate regional office. Contact information is available on the department website, www.ksoutdoors.com

Are licenses required for UAS operation on department lands?

FAA regulations pertaining to UAS use are available at https://www.faa.gov/uas/getting_started/. In general, hobby flight requires the UAS to be registered, but no pilot certification. Any non-hobby commercial use requires both UAS registration and a remote pilot certification. All FAA regulations pertaining to UAS use apply on KDWPT-owned and managed properties.

Are there statutes regarding privacy that apply to UAS use?

Kansas statute 60-31a02 provides protection from stalking or harassment, including the use of UAS over or near any dwelling, occupied vehicle, or other place where one may reasonably expect to be safe from uninvited intrusion or surveillance.

Can a UAS be used for hunting or scouting?

The use of a UAS for hunting is prohibited. Both federal (16 USC 742j1) and state (32-1003) statutes prohibit the use of aircraft to take wildlife.

Using a UAS for scouting on lands not owned or managed by KDWPT is permitted. However, like manned aircraft flights, scouting and hunting on the same day is prohibited, and harassment of wildlife is prohibited.

Can a UAS be used for fishing?

A UAS is not a permitted method of take for fish in Kansas (via Kansas statute 32-1002)

Can a UAS be used to locate harvested game?

Based on the definition of take in KAR 32-701, a UAS could not be used to locate wounded or harvested game.

Can a UAS be used to film hunts?

UAS use for filming is permitted on land not owned or managed by KDWPT as long as it is not used as part of taking or locating game.

Can a UAS be used to harass wildlife?

Harassment of wildlife with any aircraft, including a UAS, is prohibited by federal regulation. The state does have the ability to issue permits for specific harassment activity if it chooses to do so. This permitting process is currently being considered, and may be an option in the future.

How do I report unlawful use of UAS?

Illegal operation of a UAS that relates to fisheries, wildlife, or department-owned or managed lands can be reported through the toll-free operation game thief phone number, 877-426-3843.

There is also a report form available on the department website, www.ksoutdoors.com

Illegal operation of a UAS that does not relate to wildlife or department lands can be reported to the FAA.

Can I shoot down a UAS?

It is a felony to damage or destroy any aircraft, including a UAS (18 USC 32). A summary of regulations pertaining to UAS use is available at

https://www.faa.gov/uas/resources/uas_regulations_policy/

Kansas Department of Wildlife, Parks & Tourism
Webless Migratory Game Bird Briefing Item
March 28, 2019

Background

The taking methods, legal equipment, and possession of migratory doves (Mourning and White-Winged Doves) in Kansas are currently regulated by KAR 115-20-7. This regulation was initially adopted in 2009 in conjunction with the establishment of seasons for exotic dove species (Eurasian Collared and Ringed Turtle Doves). A 2012 amendment added the requirement that doves can only be taken while in flight. The regulation included exotic doves until 2017, when changes were made to exotic dove seasons and legal methods of take. The taking methods, legal equipment, and possession of migratory doves (Mourning and White-Winged) are also subject to federal regulations regarding migratory birds (50 CFR 20).

Discussion

KAR 115-20-7 currently permits the use of pellet and BB guns to take migratory doves. Federal regulations do not specifically mention pellet, BB, or air guns, but do prohibit the use of rifles, which may be interpreted as a conflict between state and federal regulations. State regulations also require migratory doves to be taken while in flight only, potentially limiting the use of air rifles.

Recommendation

Staff recommendation is to remove language relating to pellet and BB guns as legal equipment for the taking of migratory doves from 115-20-7, but retain the remainder of the regulation, including the requirement for doves to be taken while in flight only.

Proposed 2019-20 Webless Migratory Game Bird Bag Limits and Season Dates

Species	Bag/Possession Limits	Season Dates
Crow	no limit	November 10 - March 10
Migratory Dove	15/45	September 1 - November 29
Exotic Dove	no limit	year-round
Sandhill Crane	3/9	November 6 - January 2
Snipe	8/24	September 1 - December 16
Rail	25/75	September 1 - November 9
Woodcock	3/9	October 12 - November 25

KDWPT WATERFOWL SEASON BRIEFING

March 28, 2019

BACKGROUND

The U.S. Fish and Wildlife Service (USFWS) annually develops frameworks from which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state-specific migratory game bird seasons. The following are background material and USFWS frameworks from which Kansas may establish Kansas' 2019-20 waterfowl hunting seasons.

SEPTEMBER TEAL SEASON - Blue-winged teal are one of the earliest migrating waterfowl, with most migrating through Kansas from late August through early October, often prior to the opening of general duck seasons. Green-winged teal are also early migrants but are commonly found in Kansas throughout the fall and winter, depending on weather conditions. Cinnamon teal are occasionally found mixed with flocks of blue-winged teal in Kansas. Special teal seasons were initiated to provide additional harvest opportunities for blue-winged and green-winged teal. States can offer a 9-day September teal season when the blue-winged teal breeding population index (BPI) is above 3.3 million and a 16-day season is permitted when the blue-winged teal BPI exceeds 4.7 million. The most recent blue-winged teal BPI was 6.4 million, allowing a 16-day season for 2019 season. In the High Plains Unit of Kansas (west of Highway 283), the liberal package framework allows for 97 days of general duck season. Coupled with two youth hunting days, the addition of a nine- or 16-day teal season would exceed the Migratory Bird Treaty Act's maximum allowance of 107 annual hunting days for any one migratory species. Thus, when the liberal package for the regular duck season is available and a teal season can be held, it is necessary to reduce the High Plains Unit teal season to eight days or reduce days in the High Plains Unit general duck season as not to exceed 107 hunting days. For the past eight seasons, a nine-day teal season coupled with a 96-day regular duck season has been selected in the High Plains Unit to satisfy this criterion.

DUCK, MERGANSER, AND COOT SEASONS - Since 1995, Adaptive Harvest Management (AHM) has been adopted for setting duck hunting regulations in the United States. The AHM approach provides the framework for making objective decisions through four regulatory packages listed below. Optimal AHM strategies are calculated using: (1) harvest-management objectives specific to each mallard stock; (2) regulatory alternatives; and (3) current population models and associated weights for midcontinent mallards. The four AHM regulatory alternatives are:

- **Liberal Alternative**
 - o Season Length: 74-day Low Plains Season, 97-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Moderate Alternative**
 - o Season Length: 60-day Low Plains Season, 83-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Restrictive Alternative**
 - o Season Length: 39-day Low Plains Season, 51-day High Plains Season
 - o Daily bag limit: 3 birds with various species restrictions.
- **Closed Alternative**

The final USFWS federal frameworks have not been released. However, it is anticipated the prescribed regulatory choice for the 2019-20 general duck season is the liberal alternative with the only species-specific federal regulation change of reducing the northern pintail daily bag limit from 2 birds to 1 bird. It is also anticipated that the USFWS will extend general duck season framework closing date from the last Sunday in January to a fixed closing date of January 31st.

GOOSE SEASONS - Harvest prescriptions for the Central Flyway's goose populations are based on population and harvest objectives as specified in population specific management plans. There are no changes in harvest prescriptions for geese from the 2019-20 season.

YOUTH WATERFOWL HUNTING DAYS - States may select two consecutive days per duck-hunting zone, designated as "Youth Waterfowl Hunting Days," in addition to their regular duck seasons.

EXTENDED FALCONRY SEASON - In addition to general waterfowl seasons, falconers may take migratory game birds during the special "extended" falconry season. The combined total number of days of take (i.e., teal season, general waterfowl season, and falconry) cannot exceed the Migratory Bird Treaty Act imposed maximum allowable 107 annual hunting days for any one species. This allows for additional 15 hawking days for waterfowl in Kansas Low Plain zones.

ANTICIPATED 2019-20 WATERFOWL USFWS FRAMEWORK

SEPTEMBER TEAL SEASON

Season Dates: Between September 1, 2019 and September 30, 2019
Season Length: 16 days
Daily Bag Limit: 6 teal (any combination of teal)
Possession Limit: 18 teal in possession (any combination of teal)
Shooting Hours: One-half hour before sunrise to sunset
Zones/ Split: No zones or splits options

DUCK, MERGANSER, AND COOT SEASONS

Season Dates: Between the September 21, 2019 and January 31, 2020
Season Length: *High Plains Unit:* 97 days. The last 23 days may start no earlier than December 07, 2019
Low Plains Unit: 74 days
Daily Bag Limit: *Duck:* 6 ducks, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females), 3 scaup, 3 wood ducks, 2 redheads, 2 canvasbacks, and 1 pintail.
Merganser: 5 mergansers of which only 2 may be hooded mergansers. States have the option to include mergansers in the duck daily bag limit, in which case the daily limit of merganser would be the same as the duck bag limit (6), of which two may be hooded mergansers
Coot: 15 coots
Possession Limit: Three times the daily bag limit.
Shooting Hours: One-half hour before sunrise until sunset
Zones/ Split: *High Plains* – no zones and up to two segments
Low Plains – 3 zones with each having up to two segments
or no zones with three segments
Ducks zones are visited every 5 years. Next zone configuration window will be in 2021.

GOOSE SEASONS

Season Dates: *Dark Geese* (all geese except Ross's and snow geese): between September 21, 2019 and February 16, 2020
Light Geese (Ross's and Snow): between September 21, 2019 and March 10, 2020
Light Goose Conservation Order: between January 1, 2020 and April 30, 2020 (KAR 115-18-16). Must be held outside of all other waterfowl seasons
Season Length: *Dark Geese:*
Canada geese (or any other dark goose species except white-fronted geese) not to exceed 107 days
White-fronted geese - states may select either a season of:
Option A: 74 days with a bag limit of 3
Option B: 88-day season with a bag limit of 2

Light Geese: not to exceed 107 days
Light Goose Conservation Order: Must be held outside of all other waterfowl seasons

- Daily Bag Limit:** *Dark Geese:*
Canada geese (or any other dark goose species except white-fronted geese) 8 geese
White-fronted geese - states may select either a season of:
Option A: 74 days with a bag limit of 3
Option B: 88-day season with a bag limit of 2
Light Geese: 50 light geese
Light Goose Conservation Order: No daily bag limit
- Possession Limit:** *Dark Geese:* Three times the daily bag limit
Light Geese: No possession limit
Light Goose Conservation Order: No possession limit
- Shooting Hours:** *General Goose Seasons:* One-half hour before sunrise to sunset
Light Goose Conservation Season: One-half hour before sunrise to one-half hour after sunset
- Zones/ Split:** *General Goose Seasons:* No zones and up to two segments
Light Goose Conservation Season: No zones or splits

YOUTH WATERFOWL HUNTING DAYS

States may select two consecutive days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to their regular duck seasons, under the following guidelines:

1. The days must be held outside any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate.
2. The days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.
3. The daily bag limits may include ducks, geese, mergansers, coots, moorhens, and gallinules and would be the same as those allowed in the regular season. Flyway species and area restrictions would remain in effect.
4. Shooting hours would be one-half hour before sunrise to sunset.
5. Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day.

EXTENDED FALCONRY SEASON

- Season Dates:** Between September 1, 2019 and March 10, 2020
- Season Length:** For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area.
- Daily Bag Limit:** No more than 3 migratory game birds, singly or in the aggregate
- Possession Limit:** Three times the daily bag limit
- Hawking Hours:** One-half hour before sunrise to sunset
- Zones/ Split:** Each extended season may be divided into a maximum of three segments

Table 1. Kansas September Teal Season Dates and September Teal Harvest from 1992 to 2018

Year	Low Plains Dates	Hunting Days	High Plains Dates	Hunting Days	Bag Limit	Green-winged Teal	Blue-winged Teal	Total Harvest
1992*	Sept 12-20	9	Sept 12-20	9	4	4,267	12,902	17,169
1993*	Sept 11-19	9	Sept 11-19	9	4	1,081	5,604	6,685
1994*	Sept 10-18	9	Sept 10-18	9	4	2,217	7,083	9,300
1995*	Sept 16-24	9	Sept 16-24	9	4	1,896	10,227	12,123
1996*	Sept 14-22	9	Sept 14-22	9	4	1,415	17,115	18,530
1997*	Sept 13-21	9	Sept 13-21	9	4	2,367	14,858	17,225
1998*	Sept 12-27	16	Sept 12-20	9	4	8,454	19,727	28,181
1999*	Sept 11-26	16	Sept 11-19	9	4	3,052	28,022	31,074
2000	Sept 9-24	16	Sept 9-16	8	4	4,621	27,724	32,345
2001	Sept 15-30	16	Sept 15-22	8	4	1,790	10,741	12,531
2002	Sept 21-29	9	Sept 21-28	8	4	3,783	8,723	12,506
2003	Sept 13-28	16	Sept 20-27	8	4	9,024	21,393	30,417
2004	Sept 18-26	9	Sept 18-25	8	4	2,901	19,173	22,074
2005	Sept 17-25	9	Sept 17-24	8	4	2,200	10,387	12,587
2006	Sept 9-24	16	Sept 16-23	8	4	4,733	23,664	28,397
2007	Sept 8-23	16	Sept 15-22	8	4	4,534	25,582	30,116
2008	Sept 13-28	16	Sept 13-20	8	4	7,200	15,120	22,320
2009	Sept 12-27	16	Sept 19-26	8	4	2,775	15,165	17,940
2010	Sept 11-26	16	Sept 18-26	9	4	1,812	16,829	18,641
2011	Sept 10-25	16	Sept 17-25	9	4	1,748	22,562	24,310
2012	Sept 8-23	16	Sept 15-23	9	4	4,298	19,420	23,718
2013	Sept 7-22	16	Sept 14-22	9	6	2,323	28,213	30,536
2014	Sept 13-28	16	Sept 20-28	9	6	2,806	36,736	39,542
2015	Sept 12-27	16	Sept 19-27	9	6	3,620	28,504	32,124
2016	Sept 10-25	16	Sept 17-25	9	6	3,172	22,910	26,082
2017	Sept 9-24	16	Sept 16-24	9	6	4,821	13,329	18,150
2018	Sept 8-23	16	Sept 15-23	9	6	N/A**	N/A**	N/A**
1999-2017 Average						3,748	20,757	24,495

* Years prior to 1999, harvest estimates are based on USFWS Mail Survey Questionnaire.
Harvest estimates from 1999 to current are based on Harvest Information Program (HIP).

** Harvest Data is not available until August.

Figure 1. Kansas Duck Hunting Zones

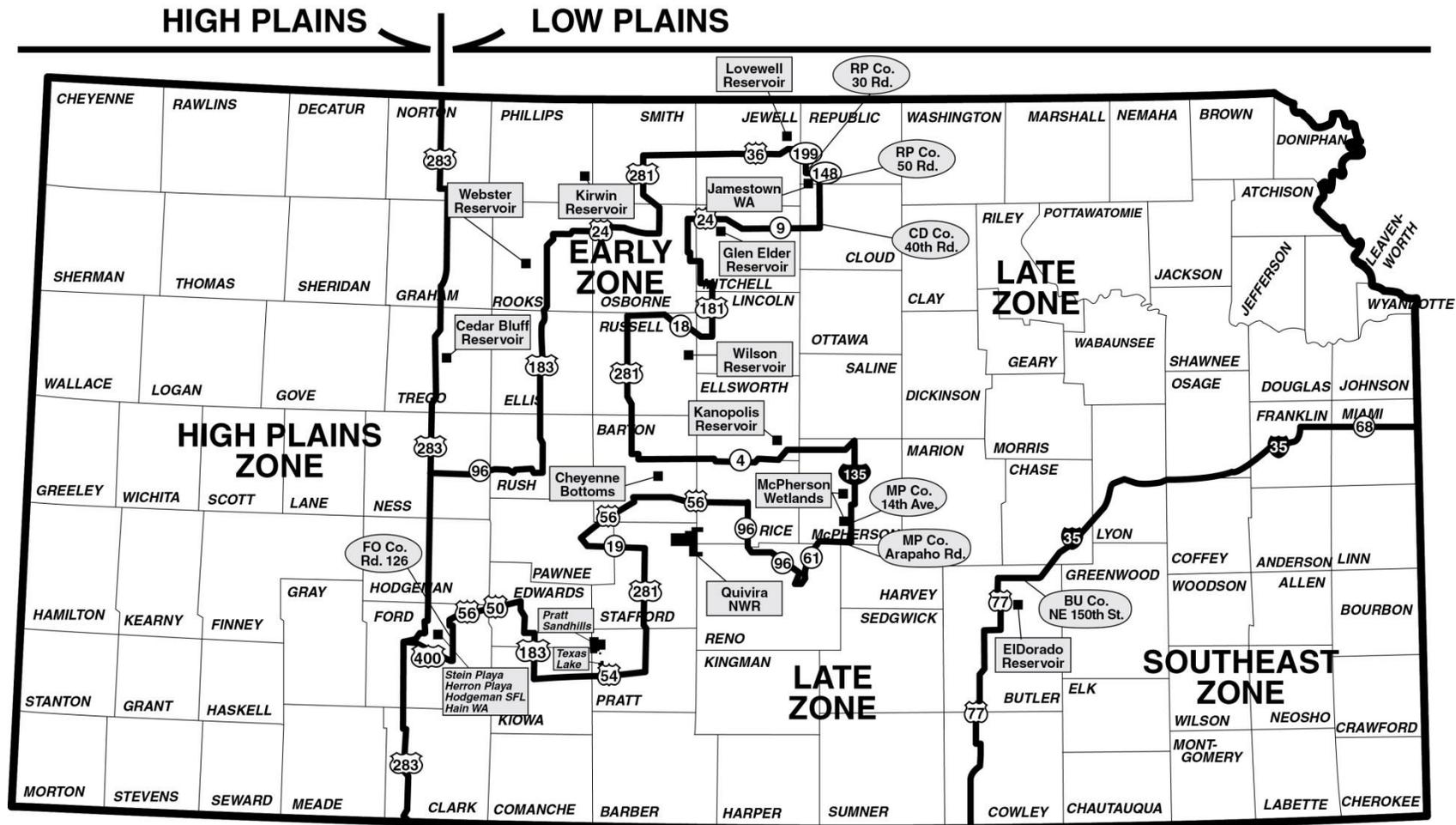


Table 2. Historic season dates by zone in Kansas from 1994 to 2018

Year	Season Days	High Plains (HP)	Low Plains Early	Low Plains Late	Low Plains Southeast
1995	60 +23HP	Sep 30 - Oct 3 Oct 14 - Dec 17 Dec 23 - Jan 5	Oct 21 - Oct 29 Nov 11 - Dec 17 Dec 23 - Jan 5	--	--
1996	60 +23HP	Oct 12 - Dec 1 Dec 7 - Jan 7	Oct 12 - Dec 1 Dec 21 - Dec 29	Nov 2 - Dec 15 Dec 21 - Jan 5	--
1997	74 +23 HP	Oct 4 - Jan 4 Jan 15 - Jan 18	Oct 4 - Dec 7 Dec 20 - Dec 28	Oct 25 - Dec 14 Dec 20 - Jan 11	--
1998	74 +23 HP	Oct 3 - Jan 3 Jan 14 - Jan 17	Oct 10 - Dec 13 Dec 26 - Jan 3	Oct 24 - Nov 1 Nov 7 - Jan 10	--
1999	74 +23 HP	Oct 2 - Jan 2 Jan 20 - Jan 23	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 23 - Oct 31 Nov 6 - Jan 9	--
2000	74 +23 HP	Sep 30 - Jan 1 Jan 19 - Jan 21	Oct 7 - Dec 10 Dec 23 - Dec 31	Oct 21 - Oct 29 Nov 4 - Jan 7	--
2001	74 +23 HP	Oct 6 - Jan 1 Jan 12 - Jan 20	Oct 13 - Dec 16 Dec 24 - Jan 1	Oct 27 - Nov 4 Nov 10 - Jan 13	--
2002	74 +23 HP	Oct 12 - Jan 7 Jan 18 - Jan 26	Oct 12 - Dec 15 Dec 24 - Jan 1	Oct 26 - Nov 3 Nov 9 - Jan 12	--
2003	74 +23 HP	Oct 11 - Jan 6 Jan 17 - Jan 25	Oct 11 - Dec 14 Dec 26 - Jan 3	Oct 25 - Nov 2 Nov 8 - Jan 11	--
2004	74 +23 HP	Oct 9 - Jan 4 Jan 22 - Jan 30	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2005	74 +23 HP	Oct 8 - Jan 3 Jan 21 - Jan 29	Oct 15 - Dec 11 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	--
2006	74 +23 HP	Oct 7 - Jan 2 Jan 20 - Jan 28	Oct 14 - Dec 10 Dec 16 - Dec 31	Oct 28 - Dec 31 Jan 20 - Jan 28	--
2007	74 +23 HP	Oct 6 - Jan 1 Jan 19 - Jan 27	Oct 13 - Dec 9 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	--
2008	74 +23 HP	Oct 4 - Dec 30 Jan 17 - Jan 25	Oct 11 - Dec 7 Dec 20 - Jan 4	Oct 25 - Dec 28 Jan 17 - Jan 25	--
2009	74 +23 HP	Oct 10 - Jan 5 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 - Jan 3 Jan 23 - Jan 31	--
2010	74 +23 HP	Oct 9 - Jan 3 Jan 22 - Jan 30	Oct 9 - Dec 5 Dec 18 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2011	74 +23 HP	Oct 8 - Jan 2 Jan 21 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	Nov 5 - Jan 8 Jan 21 - Jan 29
2012	74 +23 HP	Oct 6 - Dec 30 Jan 19 - Jan 27	Oct 6 - Dec 2 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	Nov 15 - Jan 27
2013	74 +23 HP	Oct 5 - Dec 2 Dec 21 - Jan 26	Oct 5 - Dec 1 Dec 21 - Jan 5	Oct 26 - Dec 29 Jan 18 - Jan 26	Nov 2 - Nov 3 Nov 16 - Jan 26
2014	74 +23 HP	Oct 11 - Dec 8 Dec 20 - Jan 25	Oct 11 - Dec 7 Dec 20 - Jan 4	Nov 01 - Jan 04 Jan 17 - Jan 25	Nov 8 - Nov 9 Nov 15 - Jan 25
2015	74 +23 HP	Oct 10 - Jan 4 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 - Jan 3 Jan 23 - Jan 31	Nov 14 - Jan 3 Jan 9 - Jan 31
2016	74 +23 HP	Oct 8 - Jan 1 Jan 20 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	Nov 12 - Jan 1 Jan 7 - Jan 29
2017	74 +23 HP	Oct 7 - Jan 1 Jan 20 - Jan 28	Oct 7 - Dec 3 Dec 16 - Dec 31	Oct 28 - Dec 31 Jan 20 - Jan 28	Nov 11 - Dec 31 Jan 6 - Jan 28
2018	74 +23 HP	Oct 13 - Dec 31	Oct 13 - Dec 16	Oct 27 - Dec 30	Nov 10 - Jan 6

	Jan 12 - Jan 27	Dec 22 - Dec 30	Jan 19 - Jan 27	Jan 12 - Jan 27
--	-----------------	-----------------	-----------------	-----------------

Table 3. The 2018 duck population and pond estimate from the annual Waterfowl Breeding Population and Habitat Survey and comparison to 2017 and long-term average (1955-2017). Numbers are in millions. The 2019 population and pond estimates are not available until late July.

Species	2018	% Change from 2017	% Change Long-Term Average
Mallard	9.3	-12%	+17%
Gadwall	2.9	-31%	+43%
American Wigeon	2.8	+2%	+8%
Green-winged Teal	3.0	-16%	+42%
Blue-winged Teal	6.4	-18%	+27%
Northern Shoveler	4.2	-3%	+62%
Northern Pintail	2.4	-18%	-40%
Redhead	1.0	-10%	+38%
Canvasback	0.7	-6%	+16%
Scaup	4.0	-9%	-20%
Total Ducks	41.2	-13%	+17%
May Pond Counts	5.2	-14%	0%

Figure 2. Estimates of active duck hunters, duck hunting days and duck harvest in Kansas from 1999 to 2017 based upon the Harvest Information Program. The 2018 harvest data is not available until late July.

Kansas HIP Estimates of Duck Harvest and Duck Hunters

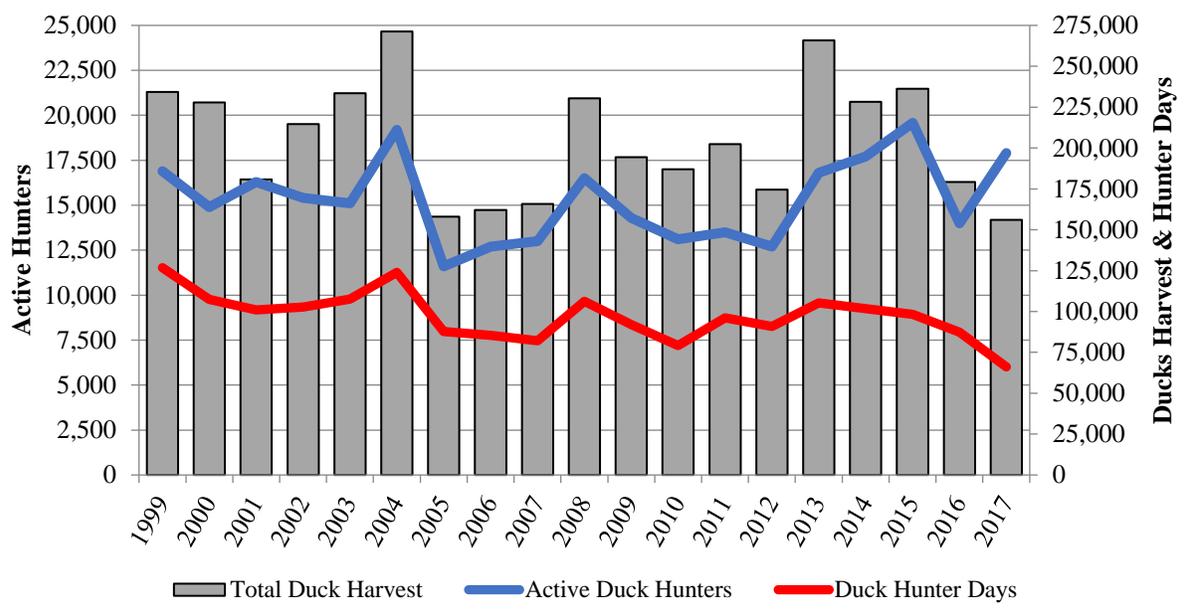


Table 4. All Seasons (teal and regular) estimates of active duck hunters, season duck harvest, and average duck per hunter, average seasonal bag per hunter, and total duck hunter days in Kansas from 1999 to 2017 as estimated by the Harvest Information Program. The 2018 harvest data is not available until late July.

Year	Active Duck Hunters	Duck Harvest	Average Duck Hunter Days	Average Seasonal Duck Bag	Duck Hunter Days
1999	16,900	234,300	7.5	13.9	126,800
2000	14,900	227,900	7.2	15.2	107,400
2001	16,344	180,800	6.2	11.1	100,989
2002	15,426	214,600	6.7	13.9	102,744
2003	15,100	233,600	7.1	15.5	107,600
2004	19,200	271,200	6.5	14.2	124,000
2005	11,600	158,000	7.6	13.7	87,700
2006	12,663	162,100	6.7	12.8	85,416
2007	13,021	165,800	6.3	12.7	82,149
2008	16,531	230,400	6.4	13.9	106,154
2009	14,259	194,400	6.5	13.6	92,081
2010	13,053	187,100	6.1	14.3	79,064
2011	13,534	202,400	7.1	15.0	96,138
2012	12,739	174,600	7.1	13.7	90,851
2013	16,847	265,900	6.3	15.8	105,344
2014	17,700	228,300	5.8	15.9	101,802
2015	19,600	236,200	5.0	12.1	98,300
2016	14,000	179,200	6.2	12.8	87,300
2017	17,900	156,100	3.7	8.7	66,100
1999-2016 Average	15,182	208,156	6.3	13.7	93,937
% Change from 2016	+28%	-13%	-41%	-32%	-24%
% Change from Avg.	+18%	-25%	-41%	-37%	-30%

Table 5. Duck species composition in the Kansas regular duck season harvest from 1999 to 2016 and as estimated by the Harvest Information Program. The 2017 harvest data is not available until late July.

Year	Total Duck Harvest	Mallard	Gadwall	Green-winged Teal	Blue-winged Teal	Pintail	American Wigeon	Northern Shoveler	Wood Duck	Diving Ducks*
1999	203,226	114,167	27,189	21,918	6,936	5,410	7,075	4,578	4,439	10,404
2000	195,555	102,846	29,363	27,872	2,385	7,453	12,520	1,789	2,683	7,154
2001	168,267	97,739	19,154	20,049	1,074	7,339	6,265	3,401	3,938	8,055
2002	202,093	93,112	36,572	31,423	3,468	4,624	13,032	3,783	3,153	10,614
2003	203,184	95,711	41,063	24,536	4,258	4,157	15,513	4,258	3,751	8,315
2004	249,126	133,582	41,374	29,012	6,812	3,280	13,371	5,298	3,027	10,595
2005	145,413	84,193	21,629	13,197	1,588	3,666	7,332	4,277	1,589	7,453
2006	133,701	55,780	30,594	11,156	1,183	2,704	7,944	6,254	2,874	14,198
2007	135,523	61,041	27,687	22,182	1,296	2,591	6,638	4,210	1,133	7,125
2008	208,056	98,160	34,080	22,560	3,840	6,872	17,760	2,400	3,600	16,864
2009	176,862	80,574	27,589	23,569	3,654	5,664	11,511	7,674	3,106	11,876
2010	168,422	76,639	30,940	15,276	3,366	5,437	8,415	9,321	3,366	14,369
2011	178,112	85,163	29,553	18,113	4,131	5,243	8,262	8,262	2,224	14,777
2012	150,901	78,157	32,473	9,232	1,910	6,367	7,959	2,706	1,114	9,869
2013	235,335	94,432	34,188	32,861	20,414	12,115	9,460	12,945	2,655	15,435
2014	188,655	114,417	13,648	22,067	11,225	4,847	4,975	4,592	1,531	10,716
2015	204,053	112,358	31,068	17,193	11,312	6,033	9,803	4,524	1,508	8,897
2016	153,083	95,986	13,981	16,566	4,699	5,169	3,760	3,290	1,645	6,578
2017	137,833	65,323	19,380	15,126	3,025	4,160	7,185	7,468	1,512	11,818
1999-2016 Average	180,916	93,160	28,501	20,732	5,083	5,428	9,409	5,317	2,571	10,983
% Change from 2016	-10%	-32%	+39%	-9%	+36%	-20%	+91%	+127%	-8%	+80%
% Change Average	-24%	-30%	-32%	28%	-42%	-24%	-24%	+43%	-42%	+8%

* includes redhead, canvasback, ring-necked duck, lesser scaup, greater scaup, goldeneye and ruddy duck

Table 6. Kansas goose seasons from 2006 to 2018.

Season	Canada Goose	Season Days/ Daily Bag Limit	Light Goose	Season Days/ Daily Bag Limit	White-fronted Goose	Season Days/ Daily Bag Limit
2006	Oct 28 - Oct 29 Nov 08 - Feb 18	105/3	Oct 28 - Oct 29 Nov 08 - Feb 18	105/20	Oct 28 - Oct 29 Nov 08 - Jan 07 Feb 10 - Feb 18	72/2
2007	Oct 27 Oct 28 Nov 07 - Feb 17	105/3	Oct 27 Oct 28 Nov 07 - Feb 17	105/20	Oct 27 - Oct 28 Nov 07 - Jan 06 Feb 09 - Feb 17	72/2
2008	Oct 25 - Oct 26 Nov 05 - Feb 15	105/3	Oct 25 - Oct 26 Nov 05 - Feb 15	105/20	Oct 25 - Oct 26 Nov 05 - Jan 04 Feb 07 - Feb 15	72/2
2009	Oct 31 - Nov 08 Nov 11 - Feb 14	105/3	Oct 31 - Nov 08 Nov 11 - Feb 14	105/20	Oct 31 - Nov 08 Nov 11 - Jan 03 Feb 06 - Feb 14	72/2
2010	Oct 30 - Nov 07 Nov 10 - Feb 13	105/3	Oct 30 - Nov 07 Nov 10 - Feb 13	105/20	Oct 30 - Nov 07 Nov 10 - Jan 02 Feb 05 - Feb 13	72/2
2011	Oct 29 - Nov 06 Nov 09 - Feb 12	105/3	Oct 29 - Nov 06 Nov 09 - Feb 12	105/20	Oct 29 - Jan 01 Feb 04 - Feb 12	74/2
2012	Oct 27 - Nov 04 Nov 07 - Feb 10	105/3	Oct 27 - Nov 04 Nov 07 - Feb 10	105/20	Oct 27 - Dec 30 Feb 02 - Feb 10	74/2
2013	Oct 26 - Nov 03 Nov 06 - Feb 09	105/3	Oct 26 - Nov 03 Nov 06 - Feb 09	105/20	Oct 26 - Dec 29 Feb 01 - Feb 09	74/2
2014	Nov 01 - Nov 09 Nov 12 - Feb 15	105/3	Nov 01 - Nov 09 Nov 12 - Feb 15	105/50	Nov 01 - Dec 14 Jan 17 - Feb 15	74/2
2015	Oct 31 - Nov 01 Nov 04 - Feb 14	105/6	Oct 31 - Nov 01 Nov 04 - Feb 14	105/50	Oct 31 - Jan 03 Jan 23 - Feb 14	74/2
2016	Oct 29 - Jan 01 Jan 04 - Feb 12	105/6	Oct 29 - Jan 01 Jan 04 - Feb 12	105/50	Oct 29 - Jan 01 Jan 21 - Feb 12	74/2
2017	Oct 28 – Oct 29 Nov 08 - Feb 18	105/6	Oct 28 – Oct 29 Nov 08 - Feb 18	105/50	Oct 28 – Dec 31 Jan 27 - Feb 18	88/2
2018	Oct 27 – Oct 28 Nov 07 - Feb 17	105/6	Oct 27 – Oct 28 Nov 07 - Feb 17	105/50	Oct 27 – Dec 30 Jan 26 - Feb 17	88/2

Figure 3. Estimates of active goose hunters, goose hunting days and goose harvest in Kansas from 1999 to 2017 based upon the Harvest Information Program. The 2017 harvest data is not available until late July.

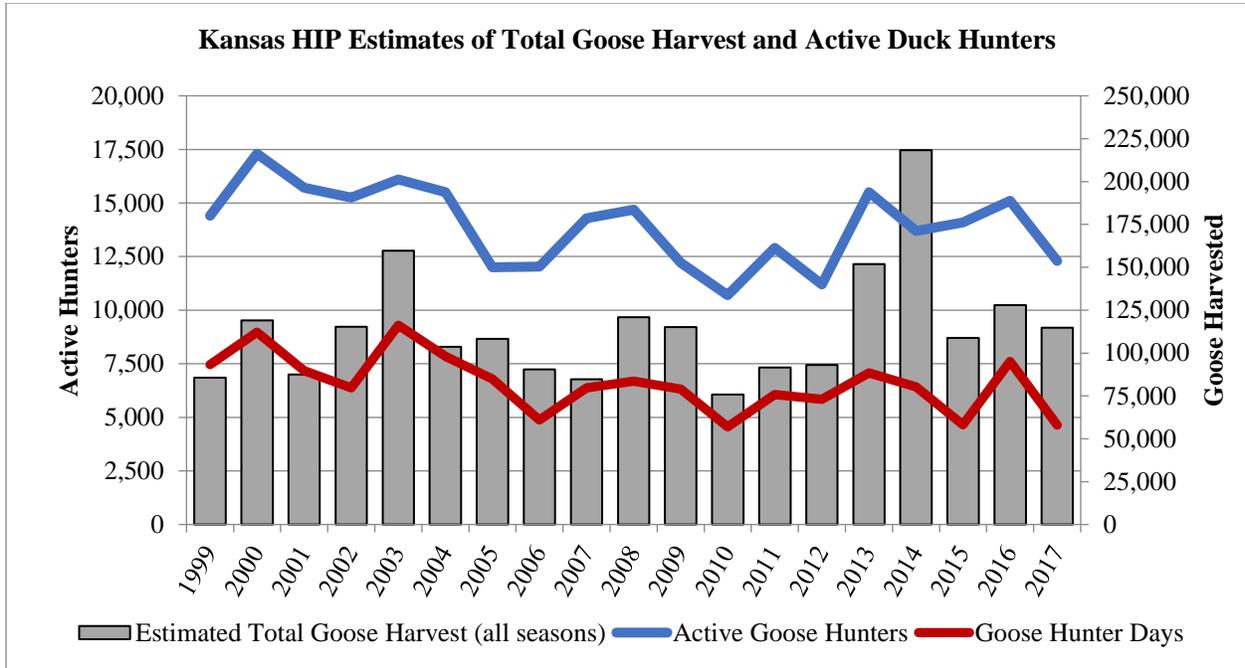


Table 7. Estimates of active goose hunters, goose harvest, average goose per hunter, average seasonal bag per hunter, total goose hunter days, and regular season harvest for Canada, light goose and white-fronted geese in Kansas from 1999 to 2017 based upon the by the Harvest Information Program. The 2018 harvest data is not available until late July.

Year	Active Goose Hunters	Total Goose Harvest	Avg. Goose Hunter Days	Avg. Goose Seasonal Bag	Goose Hunter Days	Canada Goose Harvest	Light Goose Harvest	White-fronted Goose Harvest	Light Goose Conservation Season
1999	14,400	85,700	6.5	5.9	93,300	66,255	12,048	5,476	11,165
2000	17,300	119,000	6.5	6.9	112,200	98,005	8,164	11,303	11,937
2001	15,715	87,499	5.7	5.6	89,663	72,707	4,405	4,721	35,138
2002	15,248	115,400	5.2	7.6	79,771	80,982	18,222	8,966	17,087
2003	16,100	159,700	7.2	9.9	116,200	123,866	19,263	9,735	65,608
2004	15,500	103,700	6.3	6.7	98,000	80,118	16,481	5,688	25,272
2005	12,000	108,300	7.1	9.1	84,800	99,178	3,689	970	18,802
2006	12,038	90,400	5.1	7.5	60,994	59,566	12,848	2,336	12,711
2007	14,294	84,699	5.6	5.9	79,723	59,968	10,943	13,788	4,260
2008	14,692	120,900	5.7	8.2	83,525	87,067	12,540	16,325	11,924
2009	12,213	115,201	6.5	9.4	78,955	92,267	4,267	12,267	15,244
2010	10,700	75,800	5.3	7.1	56,936	66,494	4,459	4,847	53,863
2011	12,900	91,653	5.9	7.1	75,795	51,900	19,876	19,877	62,092
2012	11,207	92,367	6.5	8.3	73,084	72,204	13,016	7,127	72,447
2013	15,543	151,837	5.7	9.8	88,386	108,657	27,253	15,927	92,825
2014	13,700	218,300	5.9	15.9	80,287	166,812	32,409	19,064	55,271
2015	14,100	108,900	4.1	7.7	58,200	71,175	21,928	15,817	41,416
2016	15,100	127,998	6.3	8.5	95,000	96,863	14,222	16,913	45,501
2017	12,300	114,800	4.7	9.3	57,900	95,786	14,255	4,752	73,295
1999-2016 Average	14,039	114,329	5.9	8.2	82,249	86,338	14,224	13,633	36,4117
% Change from 2016	-19%	-10%	-25%	+9%	-39%	-1%	0%	-72%	+61%
% Change Average	-12%	0%	-21%	+14%	-30%	+11%	0%	-55%	+101%

VI. DEPARTMENT REPORT

C. Workshop Session

9. K.A.R. 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Smoky Hill ANG, Fort Riley, and Fort Leavenworth

Background

This regulation has typically been brought to a Public Hearing in June. Personnel at Fort Riley requested this later period to finalize the seasons because the schedule for military training activities were occasionally unknown at the time KAR 115-25-9 was approved. The regulation has also been used to address legislative actions pertaining to deer hunting that were made after KAR 115-25-9 was approved.

Discussion

We shall address all deer seasons on military subunits under one regulation. Personnel at Smoky Hill ANG, Fort Riley and Fort Leavenworth have been contacted and we have received preliminary information on the season dates that they prefer.

Smoky Hill ANG has requested to have deer hunting seasons at the same dates as the seasons established in KAR 115-25-9 with the following exception:

- The firearms season dates will be November 26, 2019 through December 7, 2019.

Fort Riley has requested the same seasons as those established in KAR 115-25-9 with the following exceptions:

- Additional archery days for individuals authorized by Fort Riley would include the period from September 1, 2019 through September 15, 2019, and from January 2, 2020 January 31, 2020.
- Additional days of hunting opportunity for designated persons (i.e., youth and people with disabilities) from October 12, 2019 through October 14, 2019.
 - No pre-rut firearm season for antlerless white-tailed deer.
- Firearm season dates of November 29, 2019 through December 1, 2019, and December 14, 2019 through December 22, 2019.

Fort Leavenworth has requested the same deer hunting seasons described in KAR 115-25-9 with the following exceptions:

- The open firearm season for the taking of deer shall be November 16, 2019, through November 17, 2019, November 21, 2019 through November 24, 2019, November 30, 2019 through December 1, 2019, December 7, 2019 through December 8, 2019, and December 14, 2019 through December 15, 2019.
- An extended firearm season for the taking of antlerless-only, white-tailed deer shall be from January 1, 2020 through January 12, 2020.
- An extended archery season for the taking of antlerless-only, white-tailed deer shall be from January 13, 2020 through January 31, 2020.

A deer hunter may use one antlerless-only white-tailed deer permit in Fort Riley, subunit 8A or Smoky Hill ANG, subunit 4A. A deer hunter may use up to five antlerless-only white-tailed deer permits in Fort Leavenworth, subunit 10A.

Recommendation

The proposed dates for the firearm season at the Smoky Hill Air National Guard subunit, Fort Riley subunit and at the Fort Leavenworth subunit will be reviewed at Workshop Session in March. Final action on those seasons shall be completed at the Public Hearing in June.

VI. DEPARTMENT REPORT

C. Workshop Session

10. KAR 115-25-7 Antelope; open season, bag limit and permits

Background

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for pronghorn antelope.

Western Kansas pronghorn antelope populations have supported a hunting season since 1974. The firearm pronghorn season has been four days long since 1990, starting on the first Friday in October. The archery pronghorn season was nine days long from 1985 to 2004, and included the two weekends prior to the firearm season. Since 2005, the archery season has reopened on the Saturday following the firearm season and continued through the end of October. A muzzleloader season was initiated in 2001. It has begun immediately after the first segment of the archery season and ran for eight days, the last four overlapping the firearm season. With the exception of annual adjustments in permit allocations, this regulation has basically been unchanged since 2006.

Discussion & Recommendations

No changes are recommended for season structure, bag limits, or permits.

We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents.

The proposed permit allocations are:

Unit 2 – 122 firearms permits and 34 muzzleloader permits

Unit 17 – 44 firearms permits and 10 muzzleloader permits

Unit 18 – 12 firearms permits and 4 muzzleloader permits

The proposed season dates are:

September 21-29, 2019 and October 12-31, 2019 for the archery season.

September 30, 2019 - October 7, 2019 for the muzzleloader season.

October 4-7, 2019 for the firearm season.

Public Hearing

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

Agency Address - 1020 S. Kansas Ave., Suite 200

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - January 24, 2019

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

I hereby certify that I have reviewed the attached documents, and that they conform to all applicable Kansas Register publication guidelines and to the requirements of K.S.A. 75-431, as amended. I further certify that submission of these items for publication is a proper and lawful action of this agency, that funds are available to pay the publication fees and that such fees will be paid by this agency on receipt of billing.

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, March 28, 2019 at the Capitol Plaza Hotel, Emerald I & II, 1717 SW Topeka Blvd., Kansas to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., March 28 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. March 29 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulation.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheila.kemmis@ks.gov if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

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

K.A.R. 115-2-1. This permanent regulation establishes fees. The proposed amendments would remove fees for duplicate issues as the agency transitions towards electronic licensing.

Economic Impact Summary: The proposal would reduce fees in the amount of approximately \$126,000 annually to the wildlife fee fund based on previous duplicate issuances. No other substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-2-3. This permanent regulation establishes camping, utility and other fees. The proposed amendments would remove fees for duplicate issues as the agency transitions towards electronic licensing.

Economic Impact Summary: The proposal would reduce fees in the amount of approximately \$1500 annually to the park fee fund based on previous duplicate issuances. No other substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-2-4. This permanent regulation establishes boating fees. The proposed amendments would remove fees for duplicate issues as the agency transitions towards electronic licensing.

Economic Impact Summary: The proposal would reduce fees in the amount of approximately \$13,500 annually to the boating fee fund based on previous duplicate issuances. No other substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-3-2. This permanent regulation establishes legal equipment, taking methods, and possession requirements for rabbits, hares and squirrels. The proposed amendments would clarify that lures, decoys and calls may be used when hunting these species.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-4-4. This permanent regulation establishes legal equipment and taking methods for big game. The proposed amendments would allow the use of a new bullet type for taking big game.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-4-11. This permanent regulation establishes requirements for big game and wild turkey applications. The proposed amendments would align application dates for resident big game permit drawings.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-8-2. This permanent regulation establishes requirements for blinds, stands, and decoys on department lands and waters. The proposed amendments would remove the requirement that portable blinds may not be left overnight.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-9-5. This permanent regulation establishes effective dates for hunting, fishing, and furharvester licenses, state park permits and annual trail passes. The proposed amendments would clean up language related to annual trail passes as the regulation related to those passes was revoked previously by the commission.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

Copies of the complete text of the regulation and its respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the

department's website at www.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, Chairman

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

Agency Address - 1020 S. Kansas Ave., Suite 200

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - February 21, 2019

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

I hereby certify that I have reviewed the attached documents, and that they conform to all applicable Kansas Register publication guidelines and to the requirements of K.S.A. 75-431, as amended. I further certify that submission of these items for publication is a proper and lawful action of this agency, that funds are available to pay the publication fees and that such fees will be paid by this agency on receipt of billing.

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, March 28, 2019 at the Capitol Plaza Hotel, Emerald I & II, 1717 SW Topeka Blvd., Topeka, Kansas to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., March 28 at the location listed above. The meeting will recess at approximately 5:00 p.m. and then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. March 29 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheila.kemmis@ks.gov if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations, in addition to the previously published notice, that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-25-8. This permanent regulation establishes the elk open season, bag limits, and permits. The proposed version of the regulation updates the season dates.

Economic Impact Summary: The proposal would generate approximately \$17,000 to the wildlife fee fund based on 2018 permit sales and an additional \$156,800 in collateral economic benefit to the State of Kansas. No other substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-25-9. This permanent regulation establishes deer open season, bag limits and permits. The proposed amendments would adjust season dates for the upcoming season.

Economic Impact Summary: The proposal would generate \$12,950,000 to the wildlife fee fund based on 2018 permit sales and an additional \$172,667,000 in collateral economic benefit to the State of Kansas. No other substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

Copies of the complete text of each regulation and its respective economic impact statement may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

January 15, 2019

Chris Tymeson, Chief Legal Counsel
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Avenue
Topeka, Kansas

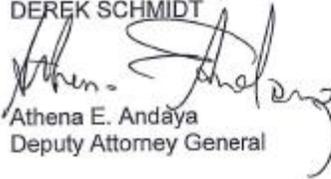
RE: K.A.R. 115-2-1, 115-2-3, 115-2-4, 115-3-2, 115-4-4, 115-4-11, and 115-9-5

Dear Mr. Tymeson:

Pursuant to K.S.A. 2018 Supp. 77-420(b), we have reviewed the above-referenced regulations and finding no issues of concern, have approved them. The stamped original regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT


Athena E. Andaya
Deputy Attorney General

AEA:sb
Enclosures

cc: Rep. Ron Highland, Chair, Joint Committee on Rules and Regulations
Sen. Mary Pilcher-Cook, Vice Chair, Joint Committee on Rules and Regulations
Rep. John Carmichael, Ranking Minority Member, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

September 5, 2018

Chris Tymeson
Chief Legal Counsel
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Ave., Suite 200
Topeka, KS 66612-1327

RE: K.A.R. 115-2-3; K.A.R. 115-2-5 (revocation); K.A.R. 115-7-3; K.A.R. 115-8-2;
K.A.R. 115-11-2; K.A.R. 115-17-2; K.A.R. 115-18-10

Dear Chris:

Pursuant to K.S.A. 2018 Supp. 77-420(b), we have reviewed the above-referenced regulations and have approved them for legality. The stamped regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Sarah Fertig
Assistant Attorney General

Enclosures

Cc: Sen. Vicki Schmidt, Chair, Joint Committee on Rules and Regulations
Rep. Ron Highland, Vice Chair, Joint Committee on Rules and Regulations
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on Rules
and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

February 13, 2019

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

Chris Tymeson
Kansas Department of Wildlife, Parks & Tourism
1020 S. Kansas Ave., Ste. 200
Topeka, KS 66612-1327

RE: **K.A.R. 115-5-1, 115-5-2, 115-5-4, 115-6-1, 115-8-1, 115-13-4, 115-20-7, 115-25-8, 115-25-9, 115-25-9a and 115-25-11**

Dear Mr. Tymeson:

Pursuant to K.S.A. 2018 Supp. 77-420(b), we have reviewed the above-referenced regulations and finding no issues of concern, have approved them. The stamped original regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Craig Paschang
Assistant Attorney General

CP:sb
Enclosures

cc: Rep. Ron Highland, Chair, Joint Committee on Rules and Regulations
Sen. Mary Pilcher-Cook, Vice Chair, Joint Committee on Rules and Regulations
Rep. John Carmichael, Ranking Minority Member, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E

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).....	95.00
Nonresident junior hunting license (under 16 years of age)	40.00
Resident big game hunting permit:	
General resident: either-sex elk permit	300.00
General resident: antlerless-only elk permit	150.00
General resident youth (under 16 years of age): either-sex elk permit.....	125.00
General resident youth (under 16 years of age): antlerless-only elk permit	50.00
Landowner/tenant: either-sex elk permit	150.00
Landowner/tenant: antlerless-only elk permit	75.00
Hunt-on-your-own-land: either-sex elk permit.....	150.00
Hunt-on-your-own-land: antlerless-only elk permit	75.00
General resident: deer permit	40.00
General resident youth (under 16 years of age): deer permit	10.00
General resident: antlerless-only deer permit	20.00

General resident youth (under 16 years of age): antlerless-only deer permit	7.50
Landowner/tenant: deer permit	20.00
Hunt-on-your-own-land: deer permit	20.00
Special hunt-on-your-own-land: deer permit	85.00
General resident: antelope permit	50.00
General resident youth (under 16 years of age): antelope permit	10.00
Landowner/tenant: antelope permit	25.00
Antelope preference point service charge	10.00
Any-deer preference point service charge	10.00
Application fee for elk permit.....	10.00

Wild turkey permit:

General resident: turkey permit (1-bird limit)	25.00
General resident youth (under 16 years of age): turkey permit (1-bird limit)	5.00
Resident landowner/tenant: turkey permit (1-bird limit)	12.50
Nonresident: fall turkey permit (1-bird limit)	50.00
Nonresident tenant: fall turkey permit (1-bird limit)	25.00
Nonresident: spring turkey permit (1-bird limit)	60.00
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

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)	415.00
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: 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).....	50.00

Resident calendar day fishing license	6.00
Nonresident calendar day fishing license	12.00
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

(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
Nonresident combination hunting and fishing license (valid for one year from date of purchase).....	135.00

(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	10.00 <u>0.00</u>

Special departmental services, materials, or supplies At cost

Vendor bond

For bond amounts of \$5,000.00 and less50.00

For bond amounts of more than \$5,000.0050.00

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 timefive percent of the total price

~~This regulation shall be effective on and after January 1, 2018.~~ (Authorized by K.S.A. 2016 2018 Supp. 32-807 and K.S.A. 2016 2018 Supp. 32-988; implementing K.S.A. 2016 2018 Supp. 32-807, K.S.A. 2016 2018 Supp. 32-988, and K.S.A. 2016 2018 Supp. 32-9,100; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2007; amended Jan. 1, 2008; amended Jan. 1, 2009; amended Jan. 1, 2010; amended Aug. 1, 2010; amended Jan. 1, 2011; amended Jan. 1, 2013; amended April 19, 2013; amended Nov. 15, 2013; amended Jan. 1, 2015; amended Jan. 1, 2016; amended Jan. 1, 2018; amended P-_____.)

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

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-2-1

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

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

This proposed amendments to the regulation would reduce the price of duplicates from \$10 to no cost.

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

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying fees dealing with duplicates.

III. Agency analysis specifically addressing following:

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

The proposed amendments will not enhance or restrict business activities or growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will reduce costs for constituents seeking duplicate issuances of the Department.

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

None.

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

The proposed benefit is that the public will be able to get duplicates of issuances at no cost. The Department feels this is prudent as the conversion to electronic licensing occurs.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

There are no costs to business and economic development associated with this proposal.

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

\$There are no implementation or compliance costs with this proposal. It will reduce income to the Department by \$126,000 annually.

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

§ There are no implementation or compliance costs with this proposal. It will reduce income to the Department by \$126,000 annually.

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

YES NO

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

There are no implementation or compliance costs with this proposal. There were approximately 12,600 duplicates issued in 2018 at \$10.00 per duplicate.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

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. 115-2-2.

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

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
Duplicate permit.....	10.00
Special event permit negotiated based on event type, required services, and lost revenue—maximum.....	200.00

~~This regulation shall be effective on and after January 1, 2019.~~ (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 P-_____.)

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

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-2-3
K.A.R. Number(s)

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

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

This proposed amendments to the regulation would remove the fee for the production of duplicate replacement permits.

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

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying regulations dealing with duplicate issuance production.

III. Agency analysis specifically addressing following:

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

The proposed amendments will not enhance or restrict business activities or growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will have no negative economic effect on any sector.

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

None.

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

The proposed benefit is that the public may obtain a no cost replacement park permit as the agency moves to electronic forms of licensing and permitting.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal.

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

\$There are no implementation or compliance costs with this proposal.

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

\$ There are no implementation or compliance costs with this proposal.

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

YES NO

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

This proposal will result in a reduction of \$1500 approximately to the Park Fee Fund. The agency issued approximately 150 duplicate permits on the park side of the agency in calendar year 2018.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the

state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

115-2-4. Boat Boating fees. (a) 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
Duplicate registration, certificate, or permit	10.00
Special services, materials, or supplies.....	at cost

~~(b) This regulation shall be effective on and after January 1, 2018.~~ (Authorized by and implementing K.S.A. ~~2016~~ 2018 Supp. 32-1172, as amended by ~~L. 2017, Ch. 15, Sec. 1;~~ 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 P-_____.)

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

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-2-4
K.A.R. Number(s)

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

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

This proposed amendments to the regulation would remove the fee for the production of duplicate replacement vessel registrations.

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

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying regulations dealing with duplicate issuance production.

III. Agency analysis specifically addressing following:

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

The proposed amendments will not enhance or restrict business activities or growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will have no negative economic effect on any sector.

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

None.

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

The proposed benefit is that the public may obtain a no cost replacement vessel registration as the agency moves to electronic forms of licensing and permitting.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal.

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

\$There are no implementation or compliance costs with this proposal.

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

\$ There are no implementation or compliance costs with this proposal.

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

YES NO

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

This proposal will result in a reduction of \$13,500 approximately to the Boating Fee Fund. The agency issued approximately 1,350 duplicate permits on the boating side of the agency in calendar year 2018.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the

state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

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 only;

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

(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 shall be 24 hours per day during established running seasons.

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

(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. 2018 Supp. 32-807 and K.S.A. 2018 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 P-_____.)

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

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-3-2
K.A.R. Number(s)

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

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

This proposed amendments to the regulation would clarify that certain types of equipment are legal when hunting squirrels, hares and rabbits.

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

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying regulations dealing with squirrels, hares and rabbits.

III. Agency analysis specifically addressing following:

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

The proposed amendments will not enhance or restrict business activities or growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will have no economic effect on any sector.

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

None.

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

The benefit of the changes is to clarify what is currently in practice in the field.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal.

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

There are no implementation or compliance costs with this proposal.

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

There are no implementation or compliance costs with this proposal.

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

YES NO

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

There are no implementation or compliance costs with this proposal.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

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
2018 Supp. 32-807; effective April 30, 1990; amended July 20, 2012; amended July 26, 2013; amended
P-_____.)

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

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-8-2
K.A.R. Number(s)

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

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

This proposed amendments to the regulation would remove the requirement that portable blinds must be removed from KDWPT property daily.

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

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have regulations for conduct on public hunting property related to blinds. All require blinds to be portable and non-permanent and to be removed within varying time frames.

III. Agency analysis specifically addressing following:

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

The proposed amendments will not enhance or restrict business activities or growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will have no economic effect on any sector.

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

None.

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

There are no costs to repealing a prohibition on portable blind restrictions.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal.

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

\$There are no implementation or compliance costs with this proposal.

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

\$There are no implementation or compliance costs with this proposal.

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

YES NO

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

There are no implementation or compliance costs with this proposal.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

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; ~~or annual trail pass~~ for the next calendar year on and after a mid-December date determined annually by the secretary.

(b) ~~Any~~ Each hunting, fishing, or furharvester license; or state park annual permit; ~~or annual trail pass~~ purchased on or after the ~~determined~~ date specified in subsection (a) shall be valid from the date purchased through the expiration date as stated on the license; or permit; ~~or pass~~. (Authorized by and implementing K.S.A. 2018 Supp. 32-807, K.S.A. ~~1996~~ 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 P-_____.)

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

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-9-5
K.A.R. Number(s)

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

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

This proposed amendments to the regulation would clean up language related to annual trail passes as the regulation dealing with annual trail passes was repealed.

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

This is not a federal mandate. This is simply a cleanup measure. Missouri, Oklahoma, Nebraska and Colorado all have regulations and statutes that deal with the sale dates of various issuances.

III. Agency analysis specifically addressing following:

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

The proposed amendments will not enhance or restrict business activities or growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will have no economic effect on any sector.

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

None.

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

The proposed changes to the regulation are simply clean up as the regulation dealing with annual trail permits was repealed.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal.

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

\$There are no implementation or compliance costs with this proposal. The proposed amendments are simply regulatory cleanup.

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

§ There are no implementation or compliance costs with this proposal. The proposed amendments are simply regulatory cleanup.

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

YES NO

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

There are no implementation or compliance costs with this proposal.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the

state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

115-25-8. Elk; open season, bag limit, and permits. (a) The unit designations in this regulation shall have the meanings specified in K.A.R. 115-4-6b, except that the area of Fort Riley, subunit 2a, shall not be included as part of Republican-Tuttle, unit 2.

(b) The open seasons for the taking of elk shall be as follows:

(1) The archery season dates and units shall be as follows:

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: September 16, 2019 through December 31, 2019.

(B) Fort Riley, subunit 2a: September 1, 2019 through September 30, 2019.

(2) The firearm season dates and units shall be as follows:

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: August 1, 2019 through August 31, 2019; December 4, 2019 through December 15, 2019; and January 1, 2020 through March 15, 2020.

(B) Fort Riley, subunit 2a:

(i) First segment: October 1, 2019 through October 31, 2019.

(ii) Second segment: November 1, 2019 through November 30, 2019.

(iii) Third segment: December 1, 2019 through December 31, 2019.

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

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: September 1, 2019 through September 30, 2019.

(B) Fort Riley, subunit 2a: September 1, 2019 through September 30, 2019.

(c) A limited-quota either-sex elk permit shall be valid during any season using equipment authorized for that season. Twelve either-sex elk permits shall be authorized.

(d) A limited-quota antlerless-only elk permit shall be valid during any season using equipment authorized for that season, except that a limited-quota antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only as follows:

(1) A first-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the first segment. Six first-segment antlerless-only elk permits shall be authorized.

(2) A second-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the second segment. Six second-segment antlerless-only elk permits shall be authorized.

(3) A third-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the third segment. Six third-segment antlerless-only elk permits shall be authorized.

(4) All antlerless-only elk permits shall be valid on Fort Riley, subunit 2a, during the September 1, 2019 through September 30, 2019 archery and muzzleloader seasons.

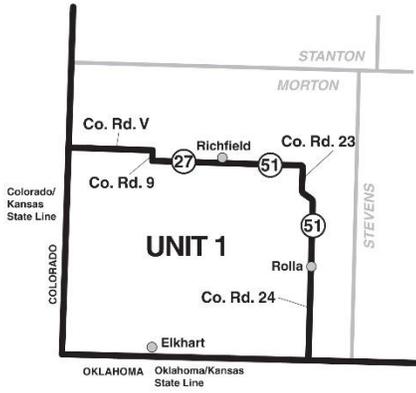
(e) The bag limit shall be one elk as specified on the permit issued to the permittee.

(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.

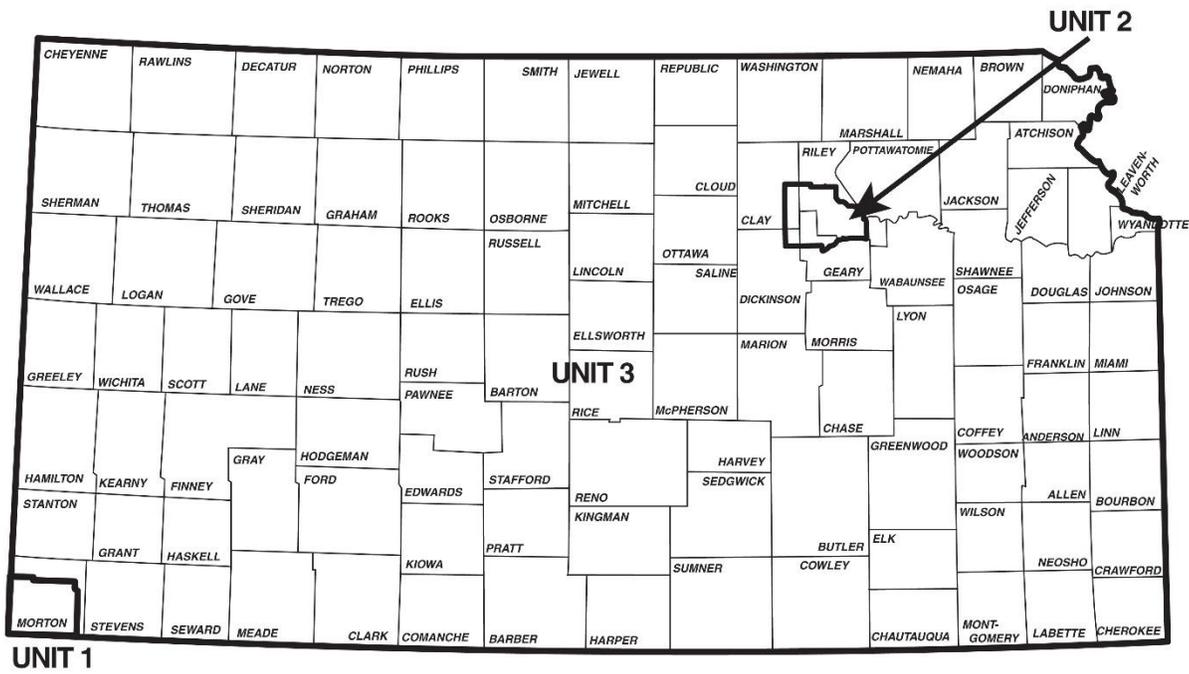
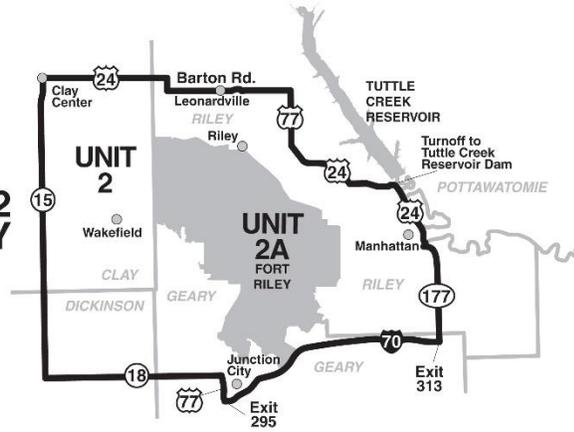
(g) An unlimited number of over-the-counter antlerless-only elk permits and either-sex elk permits shall be authorized in unit 3.

(h) This regulation shall have no force and effect on and after April 1, 2020. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and K.S.A. 2018 Supp. 32-937.)

Elk Units



NEW UNIT 2 BOUNDARY



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

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-25-8

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

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

This proposed version of the regulation sets the seasons for elk hunting in Kansas.

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

This is not a federal mandate. Oklahoma, Nebraska and Colorado all have varying regulations dealing with elk hunting seasons and requirements. Missouri does not currently have an elk season. The season structure is the same as last season and draw permit numbers are the same as last season.

III. Agency analysis specifically addressing following:

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

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

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

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

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

Outfitters or landowners.

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

The proposed version of the regulation establishes an elk season. Without the regulation, elk populations will rise and negative human-wildlife conflicts will occur. Additionally, the corresponding positive economic impact to Kansas would not occur without the season.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

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

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

The sale of elk hunting permits to the public generates approximately \$17,000 to the agency, all of which accrues to the wildlife fee fund, based on 2018 permit sales.

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

The sale of elk hunting permits to the public generates approximately \$17,000 to the agency, all of which accrues to the wildlife fee fund, based on 2018 permit sales.

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

YES NO

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

The total number of elk hunting permits 97 in 2018. This generates approximately \$17,000 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable elk hunter (97) goes 11 days afield per year and spends approximately \$1616 per year, generating \$156,752 for the Kansas economy, based on economic studies provided by the USFWS.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

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

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

Not applicable.

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 shall have a mechanical device that locks the bow at full or partial draw.

(B) 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.

(C) 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 and locking draws as authorized under K.A.R. 115-18-7.

(3) 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 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.

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 only through the front of the firing chamber with separate components 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 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. ~~2013~~ 2018 Supp. 32-807 and K.S.A. ~~2013~~ 2018 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 P-_____.)

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

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-4-4

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

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

This proposed amendments to the regulation would allow the use of tumble on impact bullets for big game.

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

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying regulations dealing with legal equipment for big game.

III. Agency analysis specifically addressing following:

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

The proposed amendments may enhance business growth as a new bullet will be authorized for use in big game hunting.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will have no negative economic effect on any sector.

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

Bullet and ammunition manufacturers.

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

The proposed benefits to allowing the new bullet type include allowing a nontoxic bullet type and greater choices for hunters when selecting ammunition.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

There are no negative costs associated with this proposal.

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

\$There are no implementation or compliance costs with this proposal. This proposal provides and alternative bullet choice for personal use in big game hunting.

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

§ There are no implementation or compliance costs with this proposal. This proposal provides and alternative bullet choice for personal use in big game hunting

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

YES NO

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

There are no implementation or compliance costs with this proposal.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

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 desires 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 ~~July~~ 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) Firearm antelope permit applications. In awarding firearm 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 a firearm antelope permit.

(2) 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.

(3) If an applicant obtains a firearm 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 desires to apply for a preference point for an antelope firearms permit that allows the taking of an antelope 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.

(6) Applications for resident firearm and muzzleloader 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.

(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 a period of 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 desires 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 ~~July~~ 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 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 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 desires 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. ~~2016~~ 2018 Supp. 32-807, K.S.A. ~~2016~~ 2018 Supp. 32-937, K.S.A. ~~2016~~ 2018 Supp. 32-969, and K.S.A. ~~2016~~ 2018 Supp. 32-970; implementing K.S.A. ~~2016~~ 2018 Supp. 32-937, K.S.A. ~~2016~~ 2018 Supp. 32-969, and K.S.A. ~~2016~~ 2018 Supp. 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 P-_____.)

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

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-4-11

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

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

This proposed amendments to the regulation would align application dates for limited license draws for residents for antelope, elk and either-species, either-sex deer.

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

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying regulations dealing with applications for limited permits.

III. Agency analysis specifically addressing following:

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

The proposed amendments will not enhance or restrict business activities or growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed amendments will have no economic effect on any sector.

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

None.

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

The benefit of the changes is to have one standard application deadline for limited draw permits for customers.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal.

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

There are no implementation or compliance costs with this proposal.

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

There are no implementation or compliance costs with this proposal.

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

YES NO

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

There are no implementation or compliance costs with this proposal.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

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

(1) Archery season.

(A) The archery season in all deer management units shall be September 16, 2019 through December 31, 2019.

(B) Archery deer permits also shall be valid during the portion of the extended firearm season beginning on January 1, 2020 and extending through the last open day in units open during an extended firearm season and shall be valid with any legal equipment authorized during a firearm season, but shall be valid only for antlerless white-tailed deer during those dates.

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

(D) The urban antlerless-only white-tailed deer archery season shall begin on January 13, 2020 and extend through January 31, 2020 in all units designated as an urban deer management unit.

(2) Firearm season.

(A) The regular firearm season dates in all deer management units shall be December 4, 2019 through December 15, 2019.

(B) The pre-rut white-tailed deer antlerless-only season in all deer management units shall be October 12, 2019 through October 14, 2019.

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

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

(3) Muzzleloader-only season.

(A) The muzzleloader-only season in all deer management units shall be September 16, 2019 through September 29, 2019. Muzzleloader deer permits shall also be valid during established firearm seasons using muzzleloader equipment, except that during the portion of the extended firearm season beginning on January 1, 2020 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 be September 7, 2019 through September 15, 2019 in all deer management units.

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

(i) Any person 16 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, 2020 and extending

through January 3, 2020 in those units.

(B) Each unfilled deer permit valid in units 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, 2020 and extending through January 5, 2020 in those units.

(C) Each unfilled deer permit valid in units 10A, 12, 13, 15, or 19 as applicable, shall be valid in an extended antlerless-only firearm season beginning January 1, 2020 and extending through January 12, 2020 in those units.

(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, 2020 and extending through the last open day in units open during an extended or special extended firearm season, but shall be valid only for antlerless white-tailed deer during an extended or special extended firearm season.

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

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

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

except Glen Elder, Kanopolis, Lovewell, Norton, Webster, and Wilson Wildlife Areas and Kirwin National Wildlife Refuge.

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

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

(5) No resident or nonresident shall purchase any deer permit that allows the taking of antlerless-only deer without first having obtained a deer permit that allows the taking of antlered deer, unless the antlerless-only deer permit is purchased after December 30, 2019.

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

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

(e) No deer permit issued pursuant to this regulation shall be valid after January 31, 2020.

(f) This regulation shall have no force and effect on and after March 1, 2020. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and K.S.A. 2018 Supp. 32-937.)

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

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-25-9

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

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

This proposed version of the regulation sets the seasons for deer hunting in Kansas.

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

This is not a federal mandate. Oklahoma, Nebraska, Missouri and Colorado all have varying regulations dealing with elk hunting seasons and requirements. The season structure is generally the same as last season.

III. Agency analysis specifically addressing following:

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

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

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

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

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

Outfitters or landowners.

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

The proposed version of the regulation establishes various deer seasons. Without the regulation, deer populations will rise and negative human-wildlife conflicts will occur. Additionally, the corresponding positive economic impact to Kansas would not occur without the season.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

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

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

The sale of deer hunting permits to the public generates approximately \$12,950,000 to the agency, all of which accrues to the wildlife fee fund, based on 2018 permit sales.

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

The sale of deer hunting permits to the public generates approximately \$12,950,000 to the agency, all of which accrues to the wildlife fee fund, based on 2018 permit sales.

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

YES NO

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

The total number of deer hunting permits sold was 157,410 in 2018. This generates approximately \$12,950,000 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable deer hunter (106,948) goes 11 days afield per year and spends approximately \$1616 per year, generating \$172,666,368 for the Kansas economy, based on economic studies provided by the USFWS.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

The agency held public hearings on this regulation on August 2, 2018 in Medicine Lodge, where 11 members of the public signed the attendance roster, on November 15, 2018 in Russell, where 11 members of the public signed the attendance roster, on December 13, 2018 in Wichita, where 5 members of the public signed the attendance roster, and on January 17, 2019 in Lawrence, where 4 members of the public signed the attendance roster.

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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

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

Not applicable.

**SECRETARY'S ORDERS
2019 DEER SEASON PERMIT QUOTAS**

The Secretary of the Kansas Department of Wildlife Parks, and Tourism, as authorized by K.A.R. 115-25-9, hereby establishes the 2019 deer season permit quotas in the following deer management units:

2019 RESIDENT DEER SEASON PERMIT QUOTAS

ANTLERED DEER PERMITS

STATEWIDE: ARCHERY ONLY:

Either Species Either Sex open availability ^c

STATEWIDE: ARCHERY, FIREARMS &

MUZZLELOADER:

White-tailed Deer Either Sex open availability ^c

HUNT-ON-YOUR-OWN-LAND:

UNITS 1-19:

Either Species Either Sex open availability ^c

WESTERN MULE DEER:

UNITS 1, 2, 17, & 18:

Firearms Either Species Either Sex 1425 ^c

Muzzleloader Either Species open availability ^c

EASTERN MULE DEER:

UNITS 3, 4, 5, 7, & 16:

Firearms Either Species Either Sex 100 ^c

Muzzleloader Either Species open availability ^c

ANTLERLESS DEER PERMITS

HIGH PLAINS: UNIT 1:

Whitetail Antlerless Only ^{a & b}

SMOKY HILL: UNIT 2:

Whitetail Antlerless Only ^{a & b}

KIRWIN-WEBSTER: UNIT 3:

Whitetail Antlerless Only ^{a & b}

KANOPOLIS: UNIT 4:

Whitetail Antlerless Only ^{a & b}

PAWNEE: UNIT 5:

Whitetail Antlerless Only ^{a & b}

MIDDLE ARKANSAS: UNIT 6:

Whitetail Antlerless Only ^a

SOLOMON: UNIT 7:

Whitetail Antlerless Only ^{a & b}

REPUBLICAN: UNIT 8:

Whitetail Antlerless Only ^a

TUTTLE CREEK: UNIT 9:

Whitetail Antlerless Only ^a

KAW: UNIT 10:

Whitetail Antlerless Only ^a

OSAGE PRAIRIE: UNIT 11:

Whitetail Antlerless Only ^{a & b}

CHAUTAUQUA HILLS: UNIT 12:

Whitetail Antlerless Only ^{a & b}

LOWER ARKANSAS: UNIT 13:

Whitetail Antlerless Only ^{a & b}

FLINT HILLS: UNIT 14:

Whitetail Antlerless Only ^{a & b}

NINNESCAH: UNIT 15:

Whitetail Antlerless Only ^{a & b}

RED HILLS: UNIT 16:

Whitetail Antlerless Only ^{a & b}

WEST ARKANSAS: UNIT 17:

Whitetail Antlerless Only ^a

CIMARRON: UNIT 18:

KANSAS CITY URBAN: UNIT 19:

Whitetail Antlerless Only ^{a & b}

^a One WTAO permit valid statewide, except DMU 18, and on KDWP public hunting areas.

^b Four additional WTAO permits valid only on private lands and wildlife areas specified in K.A.R. 115-25-9.

^c Antlered deer permit option, one per hunter.

SECRETARY'S ORDERS
2019 DEER SEASON PERMIT QUOTAS
 Page 2

2019 NONRESIDENT DEER SEASON PERMIT QUOTAS

HIGH PLAINS; UNIT 1:

Whitetail Either Sex	850
Choice of Archery, Muzzleloader, or Firearms	
Mule Deer Stamp	50
Whitetail Antlerless Only	* & b

SMOKY HILL; UNIT 2:

Whitetail Either Sex	466
Choice of Archery, Muzzleloader, or Firearms	
Mule Deer Stamp	40
Whitetail Antlerless Only	* & b

KIRWIN-WEBSTER; UNIT 3:

Whitetail Either Sex	1002
Choice of Archery, Muzzleloader, or Firearms	
Mule Deer Stamp	8
Whitetail Antlerless Only	* & b

KANOPOLIS; UNIT 4:

Whitetail Either Sex	542
Choice of Archery, Muzzleloader, or Firearms	
Mule Deer Stamp	1
Whitetail Antlerless Only	* & b

PAWNEE; UNIT 5:

Whitetail Either Sex	707
Choice of Archery, Muzzleloader, or Firearms	
Mule Deer Stamp	1
Whitetail Antlerless Only	* & b

MIDDLE ARKANSAS; UNIT 6:

Whitetail Either Sex	538
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	*

SOLOMON; UNIT 7:

Whitetail Either Sex	1603
Choice of Archery, Muzzleloader, or Firearms	
Mule Deer Stamp	1
Whitetail Antlerless Only	* & b

REPUBLICAN; UNIT 8:

Whitetail Either Sex	1940
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	*

TUTTLE CREEK; UNIT 9:

Whitetail Either Sex	981
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	*

KAW; UNIT 10:

Whitetail Either Sex	1252
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	*

OSAGE PRAIRIE; UNIT 11:

Whitetail Either Sex	3253
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	* & b

CHAUTAUQUA HILLS; UNIT 12:

Whitetail Either Sex	2132
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	* & b

LOWER ARKANSAS; UNIT 13:

Whitetail Either Sex	621
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	* & b

FLINT HILLS; UNIT 14:

Whitetail Either Sex	1934
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	* & b

NINNESCAH; UNIT 15:

Whitetail Either Sex	1405
Choice of Archery, Muzzleloader, or Firearms	
Whitetail Antlerless Only	* & b

* One WTAO permit valid statewide, except DMU 18, and on KDWPT public hunting areas.

^b Four additional WTAO permits valid only on private lands and wildlife areas specified in K.A.R. 115-25-9.

^c Antlered deer permit option, one per hunter.

SECRETARY'S ORDERS
2019 DEER SEASON PERMIT QUOTAS
Page 3

2019 NONRESIDENT DEER SEASON PERMIT QUOTAS (Continued)

RED HILLS; UNIT 16:

Whitetail Either Sex 1795
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 0
Whitetail Antlerless Only.....*

WEST ARKANSAS; UNIT 17:

Whitetail Either Sex 562
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 50
Whitetail Antlerless Only.....*

CI MARRON; UNIT 18:

Whitetail Either Sex 233
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 20

KANSAS CITY URBAN; UNIT 19:

Whitetail Antlerless Only.....* & b
Any non-resident deer hunter with a whitetail either sex
deer permit valid in Unit 9, 10, 11 or 14 may also hunt in
unit 19.

HUNT-ON-YOUR-OWN-LAND:

UNITS 1-19:

Either Species Either Sex^c

_____ Secretary

_____ Date

* One WTAO permit valid statewide, except DMU 18, and on KDWPT public hunting areas.

^b Four additional WTAO permits valid only on private lands and wildlife areas specified in K.A.R. 115-25-9.

^c Antlered deer permit option, one per hunter.