

AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, November 19, 2020
Virtual Zoom Meeting

A) Log Into Zoom

1. Visit https://ksoutdoors.zoom.us/meeting/register/tJAIce-gqzktGNHOKHcCUI3MsFYduhhj_Ih-
2. Register by entering your first and last name, and email address.
3. Once registered, you will be provided a link to “join the meeting.”
4. Visitors will be muted upon entering the meeting. To comment or ask a question, use the “raise hand” feature or type into the chat area.

B) Call In

1. Call: 1-877-853-5257
2. When a meeting ID is requested, enter: 948 668 52725#
3. When a participant ID is requested, enter: #
4. For comments or questions, email: kdwpt.kdwptinfo@ks.gov

C) Watch Live Video/Audio Stream

1. Individuals may watch a live video/audio stream of the meeting on <https://ksoutdoors.com/commission-meeting>

I. CALL TO ORDER AT 1:30 p.m.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

IV. APPROVAL OF T September 24, 2020 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. 2021 Legislature (Chris Tymeson)**

B. General Discussion

- 1. Pheasant Update (Jeff Prendergast)**
- 2. CWD Update (Levi Jaster and Nadia Reimer)**

C. Workshop Session

- 1. Big Game 4-Series Regulations (Levi Jaster)**
- 2. Deer 25-Series Regulations (Levi Jaster)**
- 3. Antelope 25-Series Regulations (Matt Peek)**
- 4. Elk 25-Series Regulations (Matt Peek)**

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 115-4-4a. Wild turkey; legal equipment and taking methods. (Kent Fricke)**
- 2. KAR 115-18-7. To be revoked. (Kent Fricke)**
- 3. KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season. (Kansas Special Size Limits, Creel Limits, and Bait Restriction Tables) (Doug Nygren)**
- 4. KAR 115-7-10. Fishing; special provisions. (Kansas Aquatic Nuisance Species Designated Waters) (Chris Steffen)**
- 5. KAR 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions. (Chris Steffen)**
- 6. KAR 115-1-1. Definitions. (Chris Steffen)**
- 7. KAR 115-7-3. Fish; taking and use of baitfish or minnows. (Chris Steffen)**
- 8. KAR 115-18-12. Trout permit; requirements, restrictions, and permit duration. (David Breth)**
- 9. KAR 115-2.1. Amount of Fees. (David Breth)**
- 10. Public Land Cabin Rates (Stuart Schrag)**
- 11. Free Park Entrance and Free Fishing Days by Secretary's Orders (Linda Lanterman)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on November 19, 2020, to reconvene November 20, 2020, 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 January 14, 2021 at New Strawn Community Center, New Strawn, Kansas.

Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, September 24, 2020
Virtual Zoom Meeting

Subject to
Commission
Approval

The September 24, 2020 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. Chairman Lauber and Commissioners Emerick Cross, Gary Hayzlett, Warren Gfeller, Aaron Rider, Lauren Sill and 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

Sheila Kemmis – Revised to add KDWPT Diversity Outreach Update to General Discussion, item number three, Tanna Fanshier will present it. (Agenda – Exhibit B).

IV. APPROVAL OF THE August 20, 2020 MEETING MINUTES

Commissioner Gary Hayzlett moved to approve the minutes, Commissioner Warren Gfeller second. *Approved* (Minutes – Exhibit C).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber – Please state your name when you talk so record can reflect that.

None

VI. DEPARTMENT REPORT

A. Secretary's Remarks

Secretary Loveless - We had a personnel issue come up I wanted to share. Richard Sanders, fish biologist with our department since 1984; knew him since he was new in Lawrence, until Monday morning when he passed away in his sleep unexpectedly. He was a consummate fisheries biologist, a great team member, professional and knowledgeable. He trained thousands of youngsters to fish during his career. He was a warm professional person, was very approachable and a great colleague. He took pride in his ability to educate, including me when I was starting out. Always reaching out and interested in youth. In talking with him, he talked about getting his grandkids out fishing and he did that. Sorry to see him go. Praying for his family.

1. Agency and State Status Report – Brad Loveless, Secretary, presented this update to the Commission – Begun preparation for FY22 budget cycle. Our EDIF apportionment remains at \$5.1 million, which is spread out to Tourism, Parks and Administration. We plan to hold our budget static from FY21 to FY22. Based on conversations with the Department of

Administration we are trying to be more transparent than we have been, recognize we could do some things we hadn't in the past; it won't change the way we operate or the decisions we make. Concerns about Covid 19 and the impact to our agency; we depend heavily on fall deer and upland hunting for a significant part of our revenue for Wildlife Fee Fund; that is up in the air. We have done everything we know of to ensure nonresidents still feel safe coming into Kansas in the fall and we have educated everybody. I had a conversation with Governor Kelly, about things we are doing to help nonresidents feel comfortable and educating landowners who share their land and outfitters that they need to talk to their local decision makers to let them know folks are coming and that we have a plan for them, they won't be mixing with everyone in town. A safe enterprise as far as potential impact on Kansans but they bring important money to our economy, so doing everything we can to preserve that. That being said that revenue and EDIF could still be cut, but optimistic. Park Fee Fund revenue finished 2020 up from 2019 about 36 percent, recovered after flood waters. May and June at historic levels, broke previous records, above \$2 million, and August revenues up also. Current cash balance is \$4.4 million, up from \$3.7 million last year. Linda's folks worked very hard and have done a great job handling all of the extra traffic; parks have essentially full since April and May. A number of states shut down all of their parks and Governor Kelly realized the value of our resources and we had doors wide open and with good work of our employees, cleaning restrooms and making sure everything was safe, we had a record spring and summer. Cabin revenue up 12 percent from previous year. Wildlife Fee Fund up 15 percent; balance at end of FY20 was \$26.5 million, and current balance about \$23.6 million. Doing okay but holding our breath a little. In the fall, revenue from permits is about \$14 million, a huge part of income based on how we do this fall. Planning to ensure safe fall hunting season. Chairman Lauber – As of August 14 sending refunds upon request. Are we still doing that? Secretary Loveless – I will have Mike respond as he is in the middle of that. When I came in I said we should take a business-like approach; the department has taken a customer-friendly approach in the past and we advanced that further this year. Assistant Secretary Mike Miller – Through August 14, we had about 40 nonresident deer permits returned for refunds because of the Covid situation. We made decision early last summer that we were going to refund those and try to reissue those to next person in the draw order. We did that through the summer with some still pending. Initially got positive and quick results from those folks and it slowed down as we got closer to the season. We made a policy decision that if season is already going for what your permit is valid for we will not refund unless compelling circumstances. For most part people want to ensure we are going to have deer season and they can come to hunt. Even bird hunters are calling to make sure they can come. I think hunters will be here. We have only had a couple of outfitters call with questions about quarantine situations or best practices to keep their people safe. Doug Nygren, Fisheries and Licensing Director – Mike is right, anything since August 14 is being treated on case-by-case basis. Secretary Loveless – Cool thing about this, what staff has managed to do is make two people happy, person calls in anxious because they can't use permit and we tell them we will send their money back; and then we call person on top of list who didn't get drawn to tell them they can have the permit. Neat approach to customer service and pleased with choices they have made in being customer friendly. Chairman Lauber – That is the way to handle it, on a case-by-case basis. May see more fervor as closer to primary firearm season. Is Ringneck Classic going to be held this year? Secretary Loveless – They are planning on having it, recruiting people and organizing like they always would and hoping distance will allow them to do this as they did in the past.

B. General Discussion

1. Antelope and Elk 25-Series Regulations – Matt Peek, biologist, presented these regulations to the Commission. First discussion for pronghorn and elk for the regulatory cycle. Pronghorn (Exhibit D) – Season since 1974, since 1990, had a four-day firearm season beginning on the last Friday in October, Monday through Friday, and other seasons are based off dates

firearm season is open. Primary nine-day archery season has been in place since 1985 and in 2005, we began reopening the archery season the weekend after firearm season closed, which gives archery hunters an extra 20 days after other seasons close. It is not heavily used, only about 10 percent of harvest comes out of that season. Muzzleloader season established in 2001 and it begins immediately after the archery season and runs for eight days with last four days overlapping with firearm season. With the exception of annual adjustments in permit allocations, the muzzleloader regulation has been unchanged since 2006. Hunting occurs in western Kansas within same units as used for deer; Units 2, 17, and 18 are open to hunting. Archery permits are good in all three units and firearm and muzzleloader permits only available in one of the three. The archery permits are available over-the-counter, and muzzleloader and firearm permits are limited draw. In recent years we have had over 1,000, in some cases as many as 1,500 applicants for the firearm and muzzleloader permits. Demand is high. It takes one to three preference points for general residents to draw a muzzleloader permit, three to five to draw firearm permit. Permits are divided between landowners and general residents and landowners can draw any permits for any of the units with anywhere from zero to two preference points, not as many landowners applying. Allocated on true preference point system, with one point for each year you apply and are unsuccessful. Person with most points gets the permit. Firearm and muzzleloader permits are available to residents only and archery permits to both residents and nonresidents. Proposed season dates are provided in briefing book, standard for over 10 years. Success rates for archery permit has been 10- to 15-percent successful, even since we included crossbows; muzzleloader are about 60 percent; and firearm about 70 percent; and stable year to year. Permit allocations determined after winter aerial surveys, so won't have for a few meetings. We produce detailed harvest reports and population survey reports that are available on our website, so good information out there for hunters to use to decide where they want to go, including success rates and how many animals taken in different units by different equipment types. Go to Pronghorn page, use research reports link. Commissioner Sporer – Are there limited amount of archery tags or unlimited? Peek – It is unlimited. Commissioner Sporer – How many archery tags get sold a year? Peek – It has been over 300, as of the other day based on last year we could sell another 100, but up to 320 the other day. The most we have every sold is 350, so will probably reach an all-time high this year. Heard from archery hunters that many of them converge on Logan or Wallace counties where there are quite a few walk-in areas and I have heard some complaints about amount of competition. Some of them have proposed we should establish a limit on archery hunters, or we should require them to have a preference point, or something like that. The other thing we did several years ago that increased archery hunting, was years ago if they got an archery permit it used up their preference points, now an archery hunter can apply for firearm or muzzleloader preference points and buy an archery permit without losing those preference points. There are a few things we could do to reduce pressure out there.

Elk (Exhibit E) – KAR 115-25-8, elk, open season, bag limit and permits. Elk were reintroduced onto Fort Riley in 1986, hunting season initiated in 1990, which is the best hunt opportunity for average general resident; however, elk are scattered, unpredictably, around the rest of state, an opportunistic hunting for hunters lucky enough to have elk in their area. In last two years, elk have been harvested in Barber, Geary, Greenwood, Hamilton, Jefferson, Kearny, Labette, Lane, Logan, Marshall, Osborne, Phillips, Riley, Reno, Stafford, Thomas, Wallace and Washington counties, In the last six years we have had elk harvested in a quarter of the counties in the state. The third component, besides Fort Riley and these wandering elk, would be small- to fair-sized herds that predictably exist on private lands, which are maintained by landowners who restrict hunting access, and are managing for and protecting those elk. Another key area for consideration of elk management is Cimarron National Grasslands. Elk were reintroduced between 1981 and 1990, but crop damage complaints led to several years of heavy harvest pressure and season was discontinued after 1995 due to lack of elk availability. Today the elk are not predictably present, so this is one area of the state closed to hunting. Units provided in briefing book; Unit 1 is area in southwest corner that includes Cimarron National Grasslands but

also a buffer around it that is not open. If lesson to be learned from early days of elk management in Kansas from Cimarron and Fort Riley, these herds were able to increase in number, conservative in harvest, led to significant crop damage complaints and ultimately significant herd reduction. Since 1999 we have been establishing progressively longer and less restrictive permitting options to address damage issues. We've done this while providing a buffer around Fort Riley and Cimarron, so these areas are protected but in remainder of the state we give landowners the ability to maintain elk at number acceptable to them. In some cases, landowners are protecting and managing for elk and in other cases where they might not want elk; now they have the ability to hunt themselves or let general residents on their property. We think our current system has been effective and landowners have a good incentive to have elk because there are a lot of people who would love to have the opportunity to hunt them. Don't anticipate any changes to season structure, bag limit or permit types. Most of the state is in Unit 3. Different than pronghorn, where permits are allocated by a true preference point system, elk limited draw permits on Fort Riley (Unit 3 permits are over-the-counter) are allocated by a bonus point system. Every time a person applies they get a point, but the person with the most points would have more chances but is not guaranteed to draw the permit, so a person with one point might draw the permit. The other thing we do with elk since most of hunting is on Fort Riley is the permits are weighted, we typically have over 1,000 residents apply, usually less than 100 military personnel apply. What we do to weight the odds to give Fort Riley personnel a better chance is to draw up to 100 military and 100 general residents and put into a small pool and from that small pool of 200, the permits are drawn; a way to give military personnel a better chance of drawing. Permits are restricted to Kansas residents. The number of landowner permits in Units 2 and 3 and general resident permits in Unit 3 are unlimited, not limited outside of Fort Riley unit. Chairman Lauber – Are there more elk harvested in Unit 3 than Unit 2? Talking about 25 counties, one-fourth that had a harvest. Peek - Close to half. Two years had 58 elk harvested and last year 47 harvested, half from Fort Riley. Chairman Lauber – We try to harvest 10- to 15-percent off Fort Riley's population a year? Peek – Yes. There might be up to 300 elk on Fort Riley and the harvest was high last year but usually around 25 on Fort Riley. Chairman Lauber – For years we said, what do we do with elk not on Fort Riley, but there wasn't enough to make a lot of difference, now harvesting almost half off of the base, which may be 40 percent. Our elk management is good and other than the occasional landowner who is overrun, not much complaints. Commissioner Sporer – What is opening day of elk season? Peek – We established an August firearm season two years ago, so August 1, in response to a damage complaint where we were getting pressure to issue a depredation tag, which is something we didn't want to do. We want to be able to use legal hunting to address elk damage issues because there are lot of people who would like to be able to legally hunt them. It opens September 1 on Fort Riley. Commissioner Sporer – My concern is elk sightings are common in western Kansas and where people can buy over-the-counter, how often is animal harvested and then tag purchased? Is that a concern? Peek – We are aware of that, talked about it in deer committee and groups like that as we have shifted to easier access to over-the-counter permits and hunt the same day type of situations. In general, I have not heard of specific issues where people have done that, no indication it has occurred. Commissioner Sporer – Buy tag and harvest, tagged or electronic tagging? Peek – It can be done electronically with other big game species or can also be tagged. People with paper permits still. Commissioner Sporer – If you buy a tag and harvest an animal is it tagged or all electronic? Peek – It could be done electronically, along with other big game species, and could also be tagged. Most people these days are going to have paper permits still. Commissioner Sporer – A concern for me. See elk one day while picking corn and the next somebody has a picture of him on Facebook. I question, if not elk hunters, did they buy permit and then go hunting or hunt him and then go buy the tag. Peek – I can't say that doesn't happen, it could, but we talk to people who have seen an elk and asking about legality of buying a permit. Can't say it doesn't happen, but most hunters abide by the law. The reason the elk have showed up more consistently on private land is that the elk population on Fort Riley is near compacity

and more elk coming off the Fort. So, not carrying capacity, but density related response. Also, as those populations have become established and numbers good, we know elk are moving up and down the western side of the state, so the source of the elk is established populations we know exist.

2. Outdoor Mentors Update – Mike Christensen/Brittany Waldman, Outdoor Mentors, presented this update to the Commission (PP Exhibit F). Mike Christensen, Pass-It-On Outdoor Mentors program – Last year we talked about efforts to reach out to high school shooting sports kids, wanted to share some of the results of that and plans going forward. Our goal was to go out to High school shooting sports kids, if it hadn't been for Covid, would have been 90 high schools shooting trap and over 2,000 kids participating in that. Since June 2019, when we hired a director of field operations to head up this program, we had 220 youth hunt this last year; 13 dove hunts, 13 pheasant hunts, one quail hunt, a bunch of deer hunts and 10 waterfowl hunts. This is kids from 44 different high schools that have trap shooting teams. So far this year, 126 kids out. We are reaching out to college trap teams, as well now. We are seeing great results and excited about what is beginning to happen. The program seems to be going well and excited about what we can make happen. Last year when started, we surveyed the kids and found 85 percent already hunted. If looking at the R3 program, retention, recruitment and reactivation, that would hint we are dealing with a lot of retention rather than recruitment, but what we found in working with the kids is that while the kids say they have hunted, they don't hunt a lot or have hunted a lot of different species. The goal with our program is to get them on multiple hunts to let them experience all of the great hunting Kansas has to offer and hopefully get them excited about becoming a hunter on a long-term basis. Focused on 89 different hunts last year and we do that by brokering the hunts. We aren't there for each one, but we are offering mentoring opportunities and bringing them together. Basically, brokering hunts, reaching out to high school athletes, Kansas High school Clay Target Program, and 4H shooting sports programs. Because of what we did this year, Iowa DNR reached out to us this year and asked us to come to Iowa to do a pilot program. We are reaching out to athletes and putting together a sign-up information form. When we put together a hunt we provide hunters with all of the information they are going to need; what kind of tag they need, what gun they need, what they need to get ready for the hunt, and where they are going to meet. A learning experience last year. Brittany Waldman did the presentation last year and she found, when putting together hunts, she was getting a lot of questions, so what she has done is a good job of putting narratives together to explain all of those and hopefully cut down on the phone calls. We also worked with Marc Murrell to put together a series of videos, so answering questions she was fielding on the phone last year. Now we direct new hunters to these videos, and they can get a handle on what we are going to do and how it is going to work. One of key things we are doing is engaging NGOs to get volunteers. As we put together these hunts we recruit them to help on those events and that is working out well. A lot of people that joined us last year are signing up to do it again this year. Our goal is to broker these hunts and by doing that we are eliminating a lot of work volunteers have to do. A lot of volunteer capital in those groups is used in putting up fund raising events they do; after that hit and miss whether they get youth events on the ground. By putting together the hunt, finding a place to go, lining up the volunteers and lining up the kids, basically all they have to do is show up and have fun and it becomes easy for volunteers and kids to participate. In a study Matt Dunfee did on mentoring and getting people outdoors is we have to ask volunteers, ask student athletes, ask parents and coaches to get them out, you can't just put up an event on Facebook page and expect people to find it and get involved. We are aggressively going out and reaching out to everybody involved in this and getting their involvement in the events. Access has been a key issue for us as well; working through the department's special hunts and depredation tags we have been able to provide some unique opportunities for kids. Based on what happened last year, people are reaching out to us with hunts telling us they are having trouble filling them with kids, since we aggressively recruit we now have the Kansas Forest Service, the Army Corps of Engineers, U.S.

Fish and Wildlife Service, Matador Cattle Company, and Ted Turner's Ranch. All of these folks are offering opportunities for kids to hunt their properties; a great partnership with these groups, getting unique opportunities for the kids and volunteers who participate as well. The new videos answer all kinds of questions and the website has links to all of the things, like how to get your license, etc. The dove hunt video we put up and sent to all the kids getting ready to go dove hunting and it had 178 views in first week. Proven to be a good resource to new hunters and takes the load off us as well as we don't have to answer all of those questions. The key thing is, does this work or not, and I think the data gathered to date shows that it does. With all of the hunts we are asking participants to do a pre-hunt survey and another survey after the hunt, and another one six months later to see how things stuck. We found was 43 percent of kids have been hunting less than three years, 85 percent say they hunt, but not long. Only 40 percent hunt less than three times a year, but they all have friends and family that hunt. The great news is they say our program increases their motivation to go and they are interested in continuing to hunt through programs like ours. Only 99 percent said that, so we looked to see what kid didn't want to go again; and it turned out that young man went on four different hunts and on each post-survey he said he didn't want to go again. Last year we proved this type of program works and gives an opportunity to get them out in the field. This year we want to show it is scalable, so we brought on board some part-time employees. Last year we did 89 hunts, if we would have had a turkey season we feel we would have been up around 120 hunts. I challenge our staff to do a minimum of 200 hunts with 300-400 kids hunting this year. Our plan for Iowa is to put together 30 different hunts and work with 15-20 high schools; their trap program has been around longer than Kansas, have over 4,000 kids participating. We think we have low hanging fruit with addressing these High school and college trap shooting teams and getting kids out. In Iowa, survey found only 53 percent of kids hunted as opposed to 85 percent in Kansas, most of trap shooters in Iowa come from urban areas. We don't have any urban communities in Kansas that have trap teams, Wichita, Topeka, Emporia or Salina; some of surrounding communities do, like Maize. Hope, as program continues to grow, to get more kids in trap shooting and get more kids in the field as well. We can't do any of this without a lot of help, great help from industry, NGOs and KDWP and opportunities they make available as well. Excited about what we have going and what we can do in R3 world with recruiting and retaining a lot of these kids. Commissioner Gfeller – Appreciate update, fabulous programs and important. If a private landowner wanted to host a hunt how could they do that? Christensen – Reach out to us directly, call or go online at outdoormentors.org and we can get them involved. Commissioner Cross – Echo comments on wonderful program. Much luck on participation from urban areas, being from Kansas City I am interested in that? Christensen – In Kansas City there are a couple of private high schools, Piper and St. James Academy have big successful trap teams and we have provided opportunities to those kids to get out. The Johnson County Pheasants Forever chapter does a couple of pheasant hunts at Eklund Game Farm and one they have been doing for a number of years and when they heard about our program asked us to set up a hunt with the trap kids and we reached out to those kids and got them on hunts with them. Also got some of those kids on dove hunts, one at Clinton the Quail and Upland Wildlife Federation does, last year; this year hunt was on a Tuesday and didn't work out well. Also, working on getting them out on deer hunting opportunities. We have 52 different hunting opportunities for kids on pre-rut antlerless hunts coming up next month. Once we put together the narrative and put it on the website, we generate a list and email that to all of the kids in our database and coaches so they can take advantage of those. Commissioner Cross – That sounds good, I appreciate your program. Chairman Lauber – Doing a good job.

3. KDWPT Diversity Outreach Update – Tanna Fanshier, R3 coordinator, presented this update to the Commission (PP Exhibit G). Began focus work on diversity equity inclusion as part of efforts to recruit, retain and reactive more hunters and outdoor participation. Through research, we identified a language access plan as a top priority. According to data from 2015 U.S. Census, proximately 4.5 percent of Kansas is comprised of limited English proficiency

individuals – English is not their primary language or they don't speak English very well. More than 120,000 Kansans did not designate English as their first language and approximately 7.5 percent of Kansas households speak Spanish at home. Of those about 41 percent speak English less than very well. By doing research we were able to identify areas of the state where outreach might be needed. We do not assume every Hispanic individual in the population speaks Spanish as primary language, however this gives us a good place to start looking for potential outreach. We established a focus group in Dodge City, Ford County, to help us work through this effort of Spanish speakers. In that county over 55 percent of the population identifies as Hispanic. The public lands regional supervisor, Manuel Torres, was instrumental in organizing these focus groups, which were facilitated by the department staff and sponsored by Kansas Wildlife Federation. We decided to move forward with a language access plan, intitled "Afuera Para Todos," which basically means "outside for all." Through this plan we will target Kansas' largest limited English proficiency group, Spanish speakers. It will also provide essential guidance and framework for the department to better recognize and serve this community. It is important work that will allow us to become more culturally inclusive and sensitive while bringing us into compliance with federally mandated language access requirements. The work we are doing today will also help shape and inform the future of diversity, equity and inclusion work we are excited to pursue. Some implementation steps have been identified as a way to move forward. We have begun with translation of vital documents; we have completed translation of 2020/21 hunting and furharvesting regulation summary and we are hoping that will be out in mid-October. We will follow that with Spanish translation of the fishing and boating regulation summary and move forward with vital documents. Aside from regulations, area signage has also been identified as an important step in this process; for example, when we have areas with blue green algae warnings posted, that could pose health risk for Spanish speaking individuals. We are going to meet internally to determine what signage is most appropriate to move forward with first, would like to move forward with all signage but we need to be strategic in efforts. We have also created a Spanish-only webpage and we will be improving our social media content as well; that page will host some of these translated documents as well as updates and information about programming; it can be found at our website, ksoutdoors.com, under Espanol tab. We will continue to update that and work on engaging audiences on social media. We will also be moving forward with bilingual programming and events, exploring a variety of outlets for events including increased partnership opportunities, translation technologies and being able to speak through a phone and have it translated in real time, as well as the recruitment of more bilingual volunteers. We will also be working extensively to ensure the recruitment of more multi-lingual applicants to KDWPT and make sure we advocate for more Hispanic individuals to get involved in conservation and wildlife management as a career. With focus groups, we will continue to work on translations of future documents, next fishing then boating. Hired a part-time bi-lingual representative, whose main function will be receiving calls and trying to direct people, answer questions or put them in touch with right person in our agency and translate any information.. That person will also log interactions to capture information so if common points of confusion come up we can address them through other appropriate information output. This position will be in the public affairs division and supervised by Nadia Reimer, who has dedicated countless hours to this work and continues to do so with ongoing development of a potential campaign that will house this effort, facilitation of focus groups and gathering media assets including video and photo shoot and organizing a media event with Governor Laura Kelly to announce this work. That will occur at Meade State Park on Tuesday, September 29; she is going to sign the proclamation for Hispanic Heritage Month and helping us announce this work. Also, timely as National Hunting and Fishing Day is Saturday. When we talk about measuring effectiveness, looking for customer satisfaction to make sure if we are receiving questions that those start to dwindle, and questions aren't so repetitive and address information that needs to get out to the public. On a more statistical analysis, looking at increase in general license sales to see if more people are going out hunting and fishing. For a micro-look we will look at increase in regional

license sales and break down by county to determine if specific counties saw an increase in license sales. From that make assumptions on whether that audience was reached. We will also be looking at distribution rates of printed materials to see how quickly they fly off the shelf. That will help us gauge need for this work. We will be looking at visits to the Spanish-only landing page as well and track it through Google Analytics to see how many people visit the page, how long they stayed on and if they ran into any hang-ups. Also, looking at utilization of part-time bilingual information representative. We plan to continue translation of vital documents, moving forward with fishing and boating regulation summaries; continue work with focus group to make sure they maintain language integrity but also understood by what they consider the common folks in their area, those with an average level of education and is attainable. We will also be using this work to put together a guiding document of Best Management Practices for future group facilitation and outreach. This will all be under the brand of “Explore Your Element,” which is our over-arching diversity equity inclusion campaign brand; we will be looking at connecting with the black community, indigenous folks, Vietnamese, and LGBTQA plus communities. A lot of work to be done, you never really complete it but you continue and we are excited to make this resource available. We are happy to have started this foundation. Thank partners instrumental in helping us get these efforts off the ground, Kansas Wildlife Federation has inspired some of these efforts and have hosted focus groups; Hispanic and Latino American Affairs Commission who has provided guidance and support, especially when it comes to cultural appropriateness of our messaging in reaching out to diverse communities; we received a pro-bono bilingual legal review of our Spanish hunting regulation document from Kansas Appleseed and we made sure our document maintained its legal integrity once translated.

Chairman Lauber – Tell me about Kansas Appleseed, what group are they? Fanshier – Justice for all, they take on some of these legal issues pro-bono, an outreach group, legal representation group that is working with Spanish speakers specifically, but overall outreach inclusion.

Chairman Lauber – Out of Lawrence? Fanshier – The gentleman we worked with was out of Topeka area. Chairman Lauber – Heard of them but wasn’t sure how legitimate they were.

Fanshier – They have been wonderful to work with, modest as well, they didn’t want to receive any money for services or recognition, important to see this work get done with them.

Commissioner Sill – Thank you for doing this. When I am out in the field there are a couple of places I run across Hispanic speaking individuals and we usually use sign language to communicate. Thinking of them and children they bring out hunting, this is awesome, appreciative of work you are doing.

Fanshier – Found from some of our research that this group tends to be extremely family-oriented so if we are able to recruit one person into hunting or fishing we end up a group of family or friends. We would like to thank members of our focus group who have dedicated their evenings to make sure this happens.

C. Workshop Session

1. Park Regulations – Linda Lanterman, Parks Division director, presented this regulation to the Commission. Kansas state parks were full this summer, at capacity March through this month. Looking at regulations, nothing to propose today. Thanks to other divisions, our Commission and Secretary for their support, it has been an interesting year.

Commissioner Gfeller – With the added traffic at parks, do you get a sense that there are a lot of first-timers and what is sustainability of that? Lanterman – I would say as a state park director and our state park managers, we would much rather have them in the state parks, that is what we are there for. We do have holes we need to fill, some positions; it is tiring, but I would never say we shouldn’t have people in our parks. There were new customers and more enjoyable, but challenge will be to make sure they come back next year and hopefully we can provide a great space to do that.

Commissioner Gfeller – That was my question, are we going to be able to get these people to come back; I hope we can.

Lanterman – That is our goal and we will be doing some training on that, to make sure they come back and the equipment they purchased, jet skis, boats and campers,

will have a place to use it next year. Secretary Loveless – Agency-wide a lot of conversations because of the phenomenon. Nationally, the data I just saw recently was that during Covid crisis, 80 percent of Americans went out and did an outdoor activity, hiking, biking, fishing, hunting, etc. and 30 percent were first timers. It underlines the need for us, now that we have recruited them, to retain them, the second “R” in R3. We are working hard to come up with best ideas to keep those folks on a string, so we can get them back, and remind them of good time they had and keep them coming. As I travel around, our folks have said they never taught so many people how to tie on a fishhook, how to back up a trailer, how to get a boat in the water. I was down at El Dorado, catfish sampling, saw a pod of kayaks come by, those the fisheries biologist said, those are Covid kayaks; brand new and fresh on the water. We are celebrating that and looking to figure out ways to keep bringing those people back out for more. Chairman Lauber – I fish all winter long, before and after Covid and our State Parks responded to last year’s high water better than federal people. First of all, we have accountability and our people care. You could tell which group was trying to accommodate their constituents the most. Relative to resources, it was extremely expensive, we had roads and stuff washed away and some of those things the feds haven’t gotten around to yet. Congratulations on a job well done. Commissioner Sporer – We wanted to stay in one of the cabins a couple times this year and they were obviously empty, but we were required to reserve them 48 hours before our arrival. Can you school us on that? Lanterman – We are moving that to one day; that provides us the ability to get someone out to get them cleaned, before that there was a 24-hour turn-around and we needed opportunity to clean them better than normal. We have a cleaning protocol we use on all of our cabins and most of them will go back to about a 24-hour, a full day turn around. If that is a problem, call the park office and we can try to get you in there if it is open. Commissioner Sporer – That is a possibility, not going through the internet, going to local park office? Lanterman – Yes, that is correct. Go to park office, call Pratt or call park office instead of going there.

2. Fishing Regulations – Doug Nygren, Fisheries Division director, presented these regulations to the Commission (Exhibit H). Second workshop for fishing regulation changes for next year. Reference document is referenced in 115-25-14, this is where we create length and creel limits and other regulations that are different than statewide regulations. Changes: Kanopolis Reservoir, reduce creel to a 20/day creel limit on crappie. At Junction City there is a new urban fishing opportunity, Helland Pond, add a 15-inch minimum length limit and a 5/day creel limit on largemouth bass and a 5/day creel limit on channel catfish. Sherman County was able to renovate Smoky Gardens, with help from the department, we have been operating under Secretary’s Order and we want to formalize that; a 15-inch minimum length limit and a 2/day creel limit on channel catfish, and catch and release only for largemouth bass, bluegill, and redear sunfish until established. Great to have it up in northwest Kansas where there is limited fishing opportunity. Another relatively new lake is Agra City Lake, which is in the Community Assistance Fishing Program located north of Kirwin reservoir, have a proposal for 18-inch minimum length limit and a 2/day creel limit on largemouth bass. Plainville Township Lake – 18-inch minimum length limit and a 5/day creel limit on largemouth bass. We went into detail last time about the issue of blue catfish in Oklahoma reservoirs influencing rivers in Kansas. Five Oklahoma reservoirs Hulah, Copan, Oologah and Grand Lake and the rivers above them, Caney, Little Caney, Verdigris and Neosho rivers. In addition, Kaw Reservoir over in southcentral Kansas on the Arkansas River. We are interested in increasing the opportunity for people to catch blue catfish in the mainstem of the Arkansas River as well. On the Neosho River from state line to John Redmond Dam and its tributaries; on Verdigris River and tributaries, including Big Hill Reservoir Dam, Elk City Dam, Fall River Dam and Toronto Dam. On Caney River, the entire river and Little Caney rivers and their tributaries down into Oklahoma. A lot of this flows through private property, anywhere they cross through communities or stretches of wildlife areas or places we might have leased would be open to the public, as well as below some of these dams. A change from 5/day to 10/day on blue catfish. We are proposing to do the same on the

Arkansas River from state line all the way to 21st Street Dam in Wichita. On Ninnescah River and South Fork of Ninnescah River to low-head dam in Kingman. A different goal there, concerned about increased numbers of blue catfish and the role they could be playing in depressing some native species so willing to increase the opportunity for people to help us remove blue catfish at a higher rate. Chairman Lauber – Once blue catfish get out of a dam we can't really manage them at all, can we? Nygren - They move onto property that is not owned by the department then so can't without permission. Those that come out of our reservoirs and stay within the state can live a long time and there is a management strategy for dealing with them. A little different for walleye, if a walleye leaves one of our federal reservoirs, temperatures may not allow them to survive long-term. Blue catfish can move downstream and come back up another river system and influence multiple fisheries in their lifetime. They are mobile. Chairman Lauber – Are channel catfish the primary victim of too many blues? Nygren – We talked with biologists of those reservoirs in Oklahoma and they have higher densities, and they have seen a decline and are interested in reducing the number of blue catfish in hopes it will benefit channel catfish. We have not seen that in Kansas, where we are seeing impact on channel catfish from blue catfish population. The city of Olpe wants to create a youth/mentor fishing location at Jones Park and wants to limit people from using cast nets and seining. Emporia, wants to add no cast nets and seining allowed at Peter Pan Park. Similar requests came in from Johnson County, which is associated with us through Community Fisheries Assistance Program, not in enhanced program, they have their own fisheries program with their own fishing licenses and additional things our other community lakes don't have, but we try to help them manage their fishery and they came to us wanting to set special regulations, they didn't fit into our current special regulations packages but we agreed to present a set of regulation on two lakes, Kill Creek Park and Lexington Park lakes, similar to what we have done on the Missouri River to have regulations that will be similar on both sides of the river; also similar at Coffey County lake where they had regulations they wanted to put in place that were different than the options we have traditionally used. Proposing a special paragraph in reference document that will allow them to have those in our regulations, which makes them more enforceable by their law enforcement as well as our own. Lastly, I have one that did not get into the briefing book in the reference document. A few years ago, after a long drought at Wilson Reservoir, we had a lot of skinny fish, particularly striped bass population, due to a lack of forage. We asked commission to liberalize the creel on striped bass to knock the numbers back a little in hopes to improve the forage situation and provide more food for those not harvested. Since then the lake has filled and forage problem is gone and fish are in excellent condition, so we want to go back to 2/day creel limit. To make sure we were doing this in a way to not be controversial with our anglers we have reached out to angling community, through Facebook, social media and talking with known concerned parties such as guides and outfitters, as well as the general public. So far, positive input from the public. We will continue to get additional information between now and public hearing. Chris feels he can amend and get this through as part of the reference document. Some of the commissioners have seen input from the public. Commissioner Cross – How did you turn that shad population around? Nygren – Mother Nature filled the lake. It went above conservation pool for extended periods of time and when you do that it brings in a lot of nutrients, floods terrestrial vegetation and stimulates more productivity in the lake. When Wilson gets low, it reduces the volume and ability to produce food and it gets salty, the saltier the less productive it is at the low end of the food chain. We are in a position now where fish have returned to excellent condition. We also had a couple of challenges in meeting our stocking requests, down a year class or two and that fishery has maintained almost entirely by striped bass from Milford Hatchery, no natural reproduction, getting stocking back on track to get them going again to take advantage of new forage there and be more conservative with the harvest. Commissioner Sporer – Give update on how the 21-inch walleye initiative is going? Nygren – That has been in place on some lakes for several years and gone well; we did it at Cheney and El Dorado, largely in response to white perch as well as provide an opportunity for fish to reach larger sizes, increase yield and improve

quality of fishery. The 21-inch length limit at Milford has done well too, a few ups and downs with high water and lost some fish through the dam last year that impacted predictions of what we thought we would see. In place at Cedar for a couple of years, in third year of evaluation. This has been a year that has pushed us because we were seeing fish in poor condition earlier this year, had problems with bad shad year again this year but later in the summer started to see young-of-the-year shad and fish started to bump up. As we sample this fall we will be evaluating like we said we would when we implemented the three-year project on Cedar with walleye. If appropriate we will continue, but if we need to go in a different direction, based on the data, we are in a position to change directions if we need to. John Reinke regional fisheries supervisor, Topeka – The 21-inch limit at Milford is doing fine. The first year it was implemented we already had fish busting over that 21-inch length limit and had as many fish over 21 as the previous year when it was 18. We had high water the last two years so it inhibited our ability to sample those walleye in the fall, so can't say looking at data for past two years. Hopefully this year have conducive water levels for fall sampling. Can report back with data in November or December. Nygren – Turn next four regulations over to Chris Steffen, he has landed five grants this week to help with invasive species program. Maybe he can come back later and talk about what he is going to be doing with the hundreds of thousands of dollars of new money.

Chris Steffen, aquatic nuisance species (ANS) coordinator in Emporia – I got four ANS regulations to go through. Changes to 115-18-10, which is our prohibited species list, species we don't want people to possess in the state. We want to include species that the U.S. Fish and Wildlife Service has deemed potentially impactful in the United States. These fish are on the federal injurious species list and adding them to our list would close some loopholes whereby their list only applies when moving between states and this would prevent legal ability to possess these species in state. Clean up to match federal list.

115-7-10, fishing special provisions, which has the Kansas Aquatic Nuisance Species (ANS) Designated Water list that has white perch, zebra mussels or Asian carp lakes on it to help prevent the spread of ANS. Three to add this year. We found white perch in Wichita South Lake; zebra mussels were found in Linn Valley Main Lake, and zebra mussels and white perch in Emerald Bay Lake.

115-1-1 is definitions. We want to update outdated terms and clarify some. We would like to remove the word "carp" and clarify that to cover the multiple species of carp common, silver, big head, black and grass carp. In addition, we want to remove the term "White Amur", which is an outdated term for grass carp.

Change for 115-7-3. We are proposing is to add verbiage that allows for the take of silver carp and big head carp, regardless of size, for bait. Right now, the regulation restricts those to only be harvested under 12 inches size. With the growth rates we have where people are using Asian carp for bait, most are above that 12-inch size. This would change regulation so that silver and big head carp are treated like gizzard shad where you can use fish of any size for bait. There is also a provision in that regulation that clarifies that it is illegal to possess these species alive.

Chairman Lauber – Do we know what our big head or silver carp population is? Is it going up or down or do we know? Steffen – We have been doing some work in the Kansas River and some on Missouri River. Slow growing fish, compared to a lot of populations in the Mississippi River basin so that indicates either it is sub-par habitat or more likely over-populated. Most of that information is for the section of the river up to the Bowersock Dam, which prevents upstream movement. It appears in 1993, a few big head carp made it over that dam, but they didn't establish a population up there; so, we think we have what we are going to in the Kansas River.

One of those grants is to start removing Asian carp below Bowersock Dam; we know the section of river from that dam down to Water One Dam in Edwardsville, the 435 Dam, the fish don't move in or out of that section of river a lot. The grant will make progress to move some of those fish there. Chairman Lauber – Any chemical that will affect Asian carp and harmless to other fish? Steffen – A lot of work in USGS looking for something along those lines, but no silver bullet for that at the moment. Chairman Lauber – I was hoping the population had ran its course

and was dropping, you say not growing fast because too many of them. Steffen – In Kansas River see a lot of 5- to 7-pound fish that are several years old, capable of growing to 40 pounds in the same time frame if they had food they need. Chairman Lauber – And the food they need is the same food every other sportfish needs? Steffen – Right; they filter feed the bottom of the food chain, they eat plankton, the same stuff small fish eat but larger sportfish generally eat small fish that consume that plankton, the Asian carp cut all of that out and go straight to eating the bottom of the food chain. Chairman Lauber – When you remove them to do you seine them and catch them in a net? Steffen – In this case it is going to be trying some new stuff, Kansas River is shallower and a little quicker than a lot of areas. Work has been going on, but most likely gill nets in the water. The tough thing with Asian carp is they are more net-adverse than native species, after one experience with the net they get really smart about staying out. It is not as simple as just laying a net in the water and walking away, there is an active component where you have to drive those fish into the net. We have a lot of learning to do. Commissioner Sporer – Is it legal to transport and stock grass carp? Steffen – Yes as long as they are triploid, which makes them sterile. Those fish are unable to breed. Forty-four states require grass carp to be triploid, so fish producers sell those fish.

Nygren – David Breth gave a talk about fishing privileges being proposed at last meeting. He is going to talk about that. David Breth – New certification rules will be impacting how many anglers and hunters' states can count towards federal aid through Wildlife and Sportfish Restoration Fund. Certification refers to the number of unique individuals who paid for qualifying privileges to hunt or fish in Kansas. The new rule states any privilege valued at \$2 or more for fishing or hunting, and \$4 or more for combination privileges are now eligible. This is a game changer as many states have privileges that will now be included and count toward certification numbers. Kansas does as well, including the youth multi-year licenses and the senior lifetime combo. The federal aid funding apportioned to each state depends on both land area and numbers of licensed anglers or hunters. For example, in Kansas our angler count was 252,000, which made up .9 percent of total anglers nationwide. This translates to just over \$5 million from Sportfish Restoration Fund. If Kansas makes up less than .9 percent in the future, we risk losing money to other states and if we increase our percentage we can see an increase in funding. So, there is a nationwide push for states to increase privileges to increase their share of funding. KDWPT put a task force together to see what other states are offering and see if any are appropriate for Kansas. We came up with three recommendations; 1) youth trout permit at a cost of \$7, including the vendor fee, less than half price of current trout permit; 2) reduce one-day resident permit to \$6; and 3) one-day nonresident to \$10, which includes vendor fee; a reduction of \$2.50 and \$4.50.

3. Public Land Cabin Rates – Stuart Schrag, Public Lands director, presented this regulation to the Commission (Exhibit I). We currently have a handful of rental cabins across the states: one at Atchison State Fishing Lake, two at Mined Land Wildlife Area, one at Ottawa State Fishing Lake, one McPherson State Fishing Lake, and at one time two at Kingman State Fishing Lake. Because of low annual occupancy rates and expenditures exceeding revenue and operating at a loss we made the decision to close the cabins at Ottawa and McPherson for rentals. Those will be utilized as staff office space. The cabins at Atchison and Mined Land are over 10 years old and since inception our nightly rental rate has been \$70. These cabins are old and in need of extensive repairs and annual cost of maintenance and upkeep continues to rise, operating at a loss for last few years. We are asking for increase in rental rate for these three cabins from \$70 to \$105 a night. When we made this decision, we compared this \$105 rate to existing state park cabin rates as well as local lodging rates in close proximity to these cabins as well as annual cost to maintain. Secretary Loveless – One comment in support of Stuart's recommendation. One of the comments we have gotten over the years from people in private business who we might be perceived as competing with, when our rates are low they feel we are undercutting them. The twofold benefit of this is to reflect cost to operate those and to be closer to what they are

offering. We think there is room for all but don't want to be seen as undercutting what private business owners are trying to do, so this works in favor of both those efforts. Commissioner Rider – Are you planning on doing remodeling of those cabins, or carry on what you have now and do it years down the road? Schrag – If you agree with this recommendation we will plan upgrades and current repairs that are needed. A prime example is the flooring is popping up and needs to be replaced and heating and cooling units are old and need to be upgraded. Also, the exterior needs to be maintained annually, a lot of repairs and upkeep that we have not been able to do the last few years. We will try to do this efficiently with funding available as soon as we can. Commissioner Gfeller – These have low occupancy and I am assuming, and you concluded that didn't have much to do with the price but other reasons. Do you expect by raising the rate it will affect occupancy? Schrag – Discussed that and that is a consideration, initially we might see some annual rental rates drop a little but over time it will line itself back out. The ones at Mined Land are pretty popular, if you look at annual occupancy rates the one at Atchison is in low 30s. I believe there is enough constituent base there I don't think we will see a great negative impact and over time will even itself out and maintain these numbers.

4. Big Game Regulations – Levi Jaster, big game biologist, presented these regulations to the commission (Exhibit J). KAR 115-4-2, general provisions for big game, this is proof of sex we modified last year to allow hunters to voluntarily reduce amount of excess carcass material they are carrying of harvested deer, to now quarter and leave a portion of the hide attached to voluntarily helping to prevent spreading chronic wasting disease (CWD). No changes proposed this year.

On 115-4-4, legal equipment for big game. We have a couple of items the Commission asked us to review. As part of our review looked at where airguns are legal for big game hunting in other states (Map – Exhibit K). Yellow/orange states, not allowed for big game hunting, orange striped, appear to not allow but not confirmed; solid green allow for all big game species; striped green appear to allow but not confirmed; blue allow for some species, such as Kentucky and Arkansas allow for deer hunting, not elk; New Mexico only allows it for javelina and cougar; and Utah, all big game but only allows airguns that fire an arrow with broadhead that conforms to their archery equipment standards. Alaska does not allow these, Hawaii apparently does but they don't have anything that is not an introduced species as far as big game hunting, so mostly axis deer, feral goats and sheep. Most states that do allow airguns do have restrictions on caliber, either the muzzle velocity or muzzle energy of the projectile, or in some cases the weight of the projectile. Most of them also require the gun be charged through an external piece of equipment whether that is a high-pressure tank, an actual compressor or a hand pump. Also, got a couple of responses from Canadian counterparts, mostly no, except for Ontario that allows for black bear but nothing else. Chairman Lauber – Where do we go with this? Your guidance was to find out what other states are doing, and you have done that. Somebody is going to have to own it and take it and push it through or it isn't going to go anywhere. Do you have an opinion on whether we should add it or not as a legal means of hunting? Jaster – We are working on that review. Two sticking points, right now are not required to pay excise tax that funds conservation, for Pittman Robertson, some voluntarily do but not all of them are. Another thing is I don't have constituents clamoring to use airguns. We have had a couple of people who have presented about airguns before that either manufacture them or trying to sell them. I would like to hear constituents ask for them, we get a request here and there but not any number asking to be used in Kansas. Chairman Lauber – Got phone calls and emails on airguns and had presentations that generally showed the effectiveness of what an airgun can do and I think they are a realistic weapon. Problem is, every time someone wants something to be allowed, and we do that we have a lot of other people disappointed in our decision making, so we don't allow everything. I am at a loss of what to do and was hoping for recommendation from deer group to tell us one way or the other what to do. I think I am getting a soft indication of where you are coming from. Jaster – At this time we still feel it is premature to make a recommendation, still having

discussions on this. Chairman Lauber – That is a good enough answer for me. Secretary Loveless – To Levi’s point, doing our best to be open minded, we do try to gauge demand. There is a never-ending supply of ideas and nuances in terms of ammunition and arms. We know, as we complicate our regulations and add to the volume of those, that is the enemy so trying to weigh adding to volume of regulations with the merit of those additions. There is a negative aspect to adding and adding. We constantly are trying to make things simpler and easier to follow. We are constantly weighing these new options, don’t want to add in fear of making them more complex. They need to be significant benefit to our customers. Nadia Reimer, chief of public affairs - Two constituents called our office prior to the meeting and asked that they input be shared. The first was from Michael Rohr, he said he would like to know why airguns are not legal, he believes they are better for older people and kids for shooting deer. He would also like to know why they are not legal for varmints. Michael has several airguns and feels they are more accurate than 9 mm and have more knock down power. Michael wanted to know about airbows and he said that in most states airbows are considered crossbows but not in Kansas. He said the Benjamin Pioneer brand is deadly accurate. Pat French, Walker Kansas said, “I’m 68 years old and regular rifles kick too much. I would still like to hunt so airguns would be a lot more accommodating if I could use one of those. A .35 caliber is plenty to kill a deer. Other states have it and I hope Kansas will adopt it too.” Commissioner Rider – We have seen some presentations last couple of years and ballistics. What they have done with airgun is significant. I would like us to take a close look at them. I thought this would be a good thing for our new regulation with coyote hunting and people nervous about some of the ballistics and some of the rifles that are okay now. Matt did a great presentation over that. It might be something to look forward to in the future and I would encourage more discussion and I would like to see us progress with one way or the other but continue discussion. Secretary Loveless – In response to Commissioner Rider’s comment, part of our information gap is how many of these arms are out there, so we need to find that out. See if big or small number. They are expensive, so some people priced out of the market, nevertheless appreciate the comments from the public about potential benefits for folks who don’t think they can shoot a regular firearm any longer, so important to consider. We will continue investigation into this and provide more information in the future. Jaster - The other system that Commission asked us to review was the Firestick system and whether that would be a muzzleloader. We are in the same place, premature to offer recommendation. There is concern that some of the advancements are significant over what we currently allow for muzzleloaders. We would like to have more time to consider this and gather more information before we make a recommendation. Commissioner Sill – During early muzzleloader season, what percentage of hunters using primitive muzzleloaders? Intended as primitive season initially. Jaster – In 2018/19 season, had a total of 2,304 deer harvested with inline muzzleloaders and 412 with traditional muzzleloaders. Commissioner Sill – How has participation changed since advent of inline equipment? Jaster – Don’t have that information in front of me so don’t know for sure. Traditionally, muzzleloader hunting in Kansas was not very popular compared to archery or rifle. Two years ago, we had almost 82,000 deer killed and not even 3,000 with muzzleloader. Chairman Lauber – Give statistics again on inline versus traditional? Jaster – We estimated 2,304 deer harvested using inline, 412 traditional. Chairman Lauber – About one out of seven harvested with traditional muzzleloader. Jaster – Following the harvest, it follows the same ratio for hunters carrying that equipment, or at least my best estimation. Commissioner Sill – I would like you to consider, as you continue to discuss this in your deer group, is that be okay but only for regular firearm season, a place for more advanced equipment, but not during muzzleloader season. I would like to revise the season back to a more primitive different type of equipment season. Consider that and there might be a way to allow people to use that and yet retain spirit of earlier season that it was originally intended for. Jaster – That is one of the considerations, where it fits based on what we are seeing and whether or not, with our management goals or opportunities for hunters, where it fits within that. With changes of what most people and what our regulations require as far as a muzzleloader. Jason Dickson – Jon Zinnel wants to make comment on the Firestick. Jon Zinnel,

Federal Ammunition – Thanks for opportunity to present on the Firestick during the last meeting. I wanted to make one point, to Commissioner Sill's comments about the system being more updated or adding or changing to more of a modern gun, it is still a muzzleloader, loaded through the muzzle so it has all of those same capabilities as a normal muzzleloader. Also, I want to be here as resource to answer questions during continued review by Mr. Jaster and Big Game Committee as well. Jason Dickson – I missed a question earlier on airguns. Brandon Anderson asked, is Kansas doing any R&D on their effectiveness? Jaster – That is part of the discussion for consideration. We have a couple of times shot these at ranges, last time prior to a commission meeting. If we were to propose adding them, since most states have some regulations as far as restrictions that apply to make it a legal piece of equipment for big game, we would have to review that and decide what we would need to adopt. Part of the whole process. No changes proposed this year.

115-4-6, Deer Management Units (map – Exhibit L). Changed boundary last year to expand Unit 19 to have more uniformity of management objectives and actions and simplify the boundary. Need to propose change to clean up portion of the boundary, road listed for boundary doesn't make a complete polygon. The boundary includes U.S. 73, but about 4/10s of a mile before it reaches the Missouri/Kansas border, U.S. 73 turns south and ends down in Kansas City/Olathe area, it intersects with K92 there. Proposed change would be to add that section in to complete the polygon as was intended originally.

115-4-11, Big Game and Wild Turkey Permit Applications, no changes proposed.

115-4-13, Deer Permits. We have not issued any either-species antlerless-only deer permits because of mule deer population concerns. No proposed change to this regulation.

Chairman Lauber – I have been getting a lot of comments at our January meeting we discussed having those nonresident who were unsuccessful in obtaining a permit, whether they should be able to apply for antlerless permit to be used in lawful area. As year went on a group of outfitters had some input, not sure if anecdotal or scientific, who didn't like that. I have been hearing from landowners in favor of this, one you sent a helpful email to, he believes outfitters are looking at competitive situation, from landowner's perspective he should be able to have an antlerless deer harvested and be able to bring in people so he could sell access rights. I don't disagree. We are talking about limited number of people who are unsuccessful in the draw. If you have a group of people who want to come hunt and one doesn't draw, then he would be willing to take an antlerless tag and use it in that area, I don't see where it is a problem. I know KLA sent a letter asking what happened to this and how come it was not included last year. I think we should reconsider whether or not you have to have a buck permit before you have an antlerless permit. Probably simpler to allow nonresidents unable to get a buck permit to get an antlerless.

Comments will be that it will increase the opportunity to cheat, if have four or five groups coming in from out of state with a couple of them who have doe permits, odds are they could still shoot two bucks and put somebody else's tag on it. This might be something to consider for benefit of ranchers and landowners. Secretary Loveless. Had a lot of conversation about this. Talked to outfitters and talked to Dean at Kansas Livestock Association and he said he had talked to a couple landowners that leased their ground for nonresident hunters. Levi did write him a long thoughtful letter, he appeared before committee meeting in Iola. We have history with this. Experimented a few years ago, collectively felt it failed for a variety of reasons. I offer that we prepare a more thoughtful, more thorough response for next meeting and give the justice due. We can answer today, but not in thorough way. Chairman Lauber – Not expecting answer today, so that is fine. In this case we can accommodate wishes of landowners. Care more about what ranchers and landowners think than outfitters, who want to make money off of our wildlife. This might be an opportunity to throw them a bone at no effect to the resource and no negative effect from any others. Every time we make a change there is a law enforcement issue we have to think about. Fine to bring up at November meeting and more thought but consider making it permissible.

5. Deer 25-Series Regulations – Levi Jaster, big game biologist, presented these regulations to the commission (Exhibit M). In 25-series we set season dates (calendar showing days proposed - Exhibit N). Not proposing anything outside of what we have done in past season and other than calendar shift changes. Youth and disability, September 4-12, 2021; early muzzleloader and archery open concurrently on September 13 and muzzleloader will run until September 26, 2021 and archery will run through December 31, 2021; pre-rut whitetail antlerless-only (WAO) firearm, three days of Columbus Day weekend, October 9-11, 2021; regular firearm, first Wednesday after Thanksgiving, December 1-12, 2021; January antlerless seasons we have three options: shortest extended WAO, January 1-9, 2022; middle, January 1-16, 2022; longest, January 1-23, 2022; and extended archery (DMU 19), January 24-31, 2022.

Jaster – I have one other issue, due to a recent change that is not affecting any regulations but will benefit hunters. We posted information about our chronic wasting disease research project that is going to sample around the state. In reviewing our methodologies, we decided we could allow the sampling throughout the three years of the project all across the entire state instead of just six units each year. We will still have some field technicians who will focus on those six units to have a little more effort for one year throughout each of our units. We will be able to accept those samples and have the project pay for them for hunters across the state up until we reach the sampling goal for the project in that unit, 450 per unit. Those samples will have to be sent to the University of Missouri, working on getting information and announcements posted or samples can also be dropped off at any of our offices.

6. Big Game and Wild Turkey Legal Equipment and Taking Methods – Kent Fricke, turkey (Exhibit O). In April 2020, Commission voted to allow draw locks for vertical bows as legal equipment for big game, which Levi addressed under KAR 115-4-4. To reduce inconsistencies, we have been reviewing other regulations. KAR 115-4-4a, wild turkey legal equipment and taking methods, which includes specific equipment differences for wild turkey harvest, arrows, shot size and those types of things as well as shooting hours. With the removal of that requirement from 115-4-4 that it doesn't make any sense to keep that for turkeys. Recommending removing the language that restricts the use of mechanical devices that lock bows within 115-4-4a. If we do that we could strike 115-18-7, which outlines the process a person would need to apply for using draw locks, primarily for disabled hunters.

Kris Kobach – This doesn't have to do with what Kent just mentioned, but thanks for your time and continuing these meetings remotely. I wanted to ask the Commission to address a gap I saw in the regulations and discussed with Chris concerning legal equipment for turkeys. Existing regulations have made clear shotguns are permitted and handguns are not based on the assumption the handgun is shooting a single bullet. In the last 10 years, a hybrid class of firearm has increased in popularity. That is handguns chambered in .410. Initially those are for self-defense. Most people have heard of the Taurus Judge and those small ones, but in the last 10 years Magnum Research developed a pure hunting handgun chambered in .410 called the BFR. Those have been widely selling. It is a shotgun for all intents and purposes, it has a seven and half inch barrel, removable choke tubes, it doesn't have iron sights it has a shotgun vented rib and beads like a shotgun. It weighs four and a half pounds and I patterned it prior to this meeting. Shooting a modified choke at 20 yards, 90 percent of the shot is within a 16-inch circle. So, it is almost identical to what a .410 long gun shoots. I haven't tried a full choke with it yet, I am ordering one. It is basically a shotgun. I wanted to propose an amendment, four words to 115-4-4a, which would be in the allowed class of means of taking, a handgun using shot only.

Chairman Lauber – I guess I thought a Taurus Judge was legal to hunt turkeys with. I didn't realize it fell between the cracks. I don't own one or use one, but thought it was legal. Kobach – I thought so too and was reviewing the regs to be certain it was okay, and I realized it just says, shotguns, yes, handguns, no. This would clarify that I don't think I would use a Judge because it has such a short barrel but if you had one like the Magnum Research BFR you could shoot it

effectively with a .410 long gun. Secretary Loveless – We are glad to put that on our list of items to review and follow up with Commission on. Kobach – That would be great. Commissioner Sporer – I have a Thompson Contender .410 that has a 12- to 14-inch barrel and it is an extremely effective firearm. Challenging to shoot a turkey but agree with Kris it could be done. Chairman Lauber – Can you get yours to shoot 3-inch shells? Commissioner Sporer – Yes it will, but I only use two and a half and I am just shooting gophers and things like that. Chairman Lauber – We will go forward and look into that.

Assistant Secretary Miller – I should have made a comment earlier when Tanna got done with her program. What she presented represents a mountain of work that she and Nadia have done. I know what it has taken to get where they are at. All the collaboration and cooperation they have gotten from outside groups and what they have done is pretty remarkable in just a few months. She made a nice presentation, but it represented a huge amount of work and effort that they put into this and it wouldn't have happened without Brad's support or without collaborations they created with these outside groups. It really does deserve recognition.

Chairman Lauber – Thank you. I want to point out for 30 years, if I had question about something biological at Clinton lake, I called Richard Sanders, I have his phone number written down on a book in my truck. His passing is a real loss. I am sorry for his family and sorry for our agency. Brad has big shoes to try and fill on this.

VII. RECESS AT 4:16 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Commissioner Sill – Two different emails I received since last meeting, warranted thought or discussion. Woman asked if we would add florescent pink to safety orange. Chairman Lauber – Have management and staff look at that and see if they want to do it. Secretary Loveless – Glad to evaluate that. Commissioner Sill – I appreciate that and I'm sure she does. At the beginning of the meeting I forwarded an email to the Commissioners and staff for you to look at. I had a nice conversation afterwards and told him I would share his concern with you. He as prepping for upcoming deer season, in light of decisions at last meeting, he is asking us to consider the regulation surrounding locating and dispatching wounded deer after legal hours. He explains it better than I can, but he finds this to be a moral and ethical conundrum, concern he has for wildlife and not wanting deer to suffer for an inordinate amount of time. He would like to see discussed is the possibility of allowing legal hunters to dispatch wounded animals after legal hours. He explains methodology and says he realizes possible implications of allowing this. Commission recently allowed the hunting/shooting of coyotes after dark with the aid of artificial light. He thought the concerns would be the same in deciding to allow it as this. The first thing he thought when he read this was how easy it would be to poach a deer while out coyote hunting, but then thought at some point you have to have a certain amount of trust for fellow hunters and that trust should be given until proven otherwise. He believes vast majority of hunters are honest and ethical, there are a few bad apples, but they should not be allowed to dictate the requirements of all. He asked you to give consideration to this suggestion to see if it warrants further discussion. I told him I was nervous of bringing this forward and if it came to a vote I couldn't guarantee I would support it. The logic presented for the use of small caliber handguns and rifles for hunting deer. For most recently the use of night vision. For going to e-permitting where somebody could copy off more permits. Overall, there has been a theme of we need to trust our

fellow hunters. When this was his logic I thought I needed to bring this forward to do what you think, but his logic is consistent with what has been presented on other topics. Chairman Lauber – What is expected procedure if 30 minutes after sundown we are still chasing a wounded animal, we find it and it is still breathing. I don't think we are supposed to field dress it without dispatching it. What is the expected behavior? Jason Ott, law enforcement division director – What he brings up, Mike Miller and I have had discussions on, and is a legitimate question. It definitely comes down to an ethical situation when it comes to the take of the deer. If the deer is wounded during hunting hours but not killed, that means he is actually killed after hunting hours so that is the problem. As far as guidance given, I will tell you that the law is pretty clear, and it says it is to be taken during hunting hours and if take happens after hours that does present an issue. I would like to believe in most situations when my wardens become involved in something like that, looking at case and conducting investigation that we are going to err on side of responsible sportsmen and put animal out of its misery appropriately and probably going to allow a hunter to do that as well. The way the law reads, the gentleman is correct, and it is an ethical quandary. Chairman Lauber – Another item to add to Brad's list to talk about before the next meeting. Secretary Loveless – Glad to do that. Commissioner Sporer – Jason, are you willing in workshops with your wardens, are you willing to express what you just told us to your wardens? Ott – Of course, I always expect and ask them to use good judgement. Secretary Loveless – I know they have a lot of these conversations. If you think about typical situations, if a warden hears a gunshot after hours and walks up, the animal will probably have two holes in it, so common sense involved in this and Jason's wardens are good at using common sense. I guess if we don't have a lot to discuss, part of our evaluation Commissioners is that we will talk with Jason and have him ask his wardens how often this comes up and is it a concern or challenge you face out there. We can give you their cumulative years of experience about how often this has come up and if it is an issue we need to address or if it is working out comfortably. The other thing we might ask, is if the public would let us know if this is working out. It might be posed as a hypothetical situation, but we may have sports men and women who have actually had to deal with this and bring their experience to the conversation next time. Commissioner Sill – I did tell this gentleman the best practice would be to call his officer, keep the CO's number in his pocket and let him know and officers may give him permission to go ahead but that he needed to have a conversation with them. The one thought I had was our conservation officers run out of hours in a week. Last year, in my area the conservation officer's hours were out on Friday at noon during rifle season and we still had two and a half days to go. He said, in that event you have to call the sheriff, but that is not as smooth as talking to the CO. There are nuances too that can make that more challenging than it first appears.

VI. DEPARTMENT REPORT

D. Public Hearing

Notice and Submission Forms and Attorney General letter dated July 14, 2020 (Exhibit P).

Jake George - Bringing forth three regulation amendments for your consideration, all dealing with falconry. We have previously discussed and workshopped the substance of these but have not reviewed the specifics.

1. KAR 115-14-12. Falconry; permits, applications, and examinations – Jake George, Wildlife Division director, presented this regulation to the Commission (Exhibit Q). The substantive changes to this occur on pages 6 and 7, cleanup of language pertaining apprentice falconers, indicating that they are limited to the taking or possessing not more than one wild-caught raptor. That raptor shall be limited to the species specified in paragraph (j)(5), which includes an American kestrel, a red-tailed hawk or a red-shouldered hawk.

It was decided to discuss all three items before the vote – for clarity’s sake showing vote after each item.

Commissioner Lauren Sill moved to approve KAR 115-14-12 as presented to the Commission. Commissioner Warren Gfeller second.

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

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-14-12 passed 7-0.

2. KAR 115-14-13. Falconry; facilities, equipment, care requirements, and inspections – Jake George, wildlife division director, presented this regulation to the Commission (Exhibit S). Page 1, we talked about this before and had a few questions on primary facilities inspections. Regarding the inspections and approval of all primary facilities by the department, the amendment would modify the regulation that after initial inspection and issuance of the falconry permit that future inspections would only be a requirement if the physical location of the primary facility changes. All facilities will still be subject to department inspection upon request. Page 3, strikes the language which require written approval for modifications to primary facilities so long as said modifications meet the specifications identified within the regulation.

Commissioner Aaron Rider moved to approve KAR 115-14-13 as presented to the Commission. Commissioner Emerick Cross second.

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

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-14-13 passed 7-0.

3. KAR 115-14-14. Falconry; taking, banding, transporting, and possessing raptors – Jake George, Wildlife Division director, presented this regulation to the Commission (Exhibit U). Quite a bit of change in this one, had to do with work Chris had to do for clarification of definition of falconer specific to this regulation in order to differentiate between falconry permittees and discussions concerning take permittees. Falconer is defined as a person taking, or attempting to take, a raptor from the wild for falconry purposes. As part of the language cleanup it changes anywhere in the regulation where it references permittee and is changed to falconer. The other changes to this regulation remove the requirement for resident permitted falconers to apply for and receive a take permit from the department before taking a raptor from the wild. The exception to that is those attempting to take a peregrine, due to limited quota available. The

reasoning behind this change is that the department already receives notification when falconers file 3-186a form, which goes into an online database that the U.S. Fish and Wildlife Service maintains. We get notifications for any capture or release and it's already specified in the regulation the limitation of how many birds can be taken from the wild. We do not get those notifications for nonresidents however, which is why this only applies to residents. Nonresidents are still required to apply for the take permit and receive that prior to attempting wild capture. Page 13, added language for requirements for reporting process for peregrine take. We are limited to a quota of six birds. They are required to notify us and this puts that information into the regulation as opposed to just something on the website.

Commissioner Sill – How do you pronounce what you call a raptor under one year of age? Jake – Eyas. Chairman Lauber – Can falconers trade birds with each other? Jake – Yes, they can as long as they are both permitted falconers, trade and transfer in a lot of cases, is how an apprentice gets their initial bird, transfer from their mentor.

Commissioner Gary Hayzlett moved to approve KAR 115-14-14 as presented to the Commission. Commissioner Lauren Sill second.

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

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-14-14 passed 7-0.

XII. OLD BUSINESS

None

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

November 19, 2020 – Chairman Lauber – I think there is likelihood that next meeting will be in this format. I realize intent to have Ringneck Classic and this meeting was timed to coincide with that. Depending on what we have on the agenda and how many of Secretary Loveless' listed items get talked about, we may enough people where we might exceed 50, depending on phase of Covid policy. More will be revealed but likelihood of virtual meeting. It will probably be the case until next spring unless things improve. Commissioner Sporer – Are you for sure that it is still 50 participants. If so, how many did we have at Scott City last fall? Secretary Loveless – I don't know or what county we will be in. Where is November meeting scheduled to take place? Commissioner Sporer – In Logan County. Secretary Loveless – I don't know what the county regulations are now or what they will be then. Chairman Lauber – I bet right now they are 50, maybe smaller number than that. Commissioner Sporer – No. We are having high school sports and events and I am not hearing any county restrictions in Logan or Thomas counties. The meeting would be in Logan County, the classic in Thomas County. Not hearing any county restrictions but don't know about state restrictions. Chairman Lauber – I think we are going to have to see where we are. The problem is being a state agency we don't want a reporter to write

something up, and have it look like we are trying to embarrass the Governor. We need to defer to Secretary Loveless and staff and wait and see. It might be that we could have bifurcated meeting and have some attend like this and those going to the classic, if still being held, be live. Commissioner Sporer – I agree. Secretary Loveless – We are comfortable having a conversation with you a couple weeks prior or so to put our heads together and see what makes sense at that point. Chairman Lauber – I think that makes the most sense. We will know more the first of November. I prefer the concept of live meetings but having people be able to get on from all over the state for something that is important to them, we will probably have a screen with the public asking questions from now on. It was disappointing when we traveled some place and there were people who couldn't make that distance or had to work but could get off for an hour or so to call in and discuss something. Have discussions and staff will look into it and get a focused view of state guidelines, whether county we are in does or not. Commissioner Hayzlett – I think that has changed, I have a meeting in Topeka on Monday in the capital in 112 on the first floor, a big room. By that time maybe we will be loosened up. Chairman Lauber – We need to be flexible.

January 14, 2021 - New Strawn

Chris Tymeson – Have we set March or April? Kemmis – No, we have not. Tymeson – Suggest March 25 and April 22 or 29, prefer later. Chairman Lauber – Both days seem fine to me. Any known conflicts? Do we need to set a location? Tymeson – I think we should. I am still publishing for those locations and can accommodate depending on whatever happens next spring. Set them so Sheila can secure a facility and I can start planning back counting for regulations.

March 25 - Topeka

April 29 – Beloit (plans to try for tour of Ring Neck Ranch)

Tymeson – Remind everyone of January date and location. We will set June at the November meeting. That should give you plenty of time to find a location. Correct? Kemmis – Yes.

Chairman Lauber – Thank you Commissioners and staff for doing a good job.

XIV. ADJOURNMENT

Adjourned at 7:01 pm.

Secretary's Remarks

Agency and State Fiscal Status

No briefing book items – possible handout after the meeting

2021 Legislature

No briefing book items – possible handout after the meeting

General Discussion

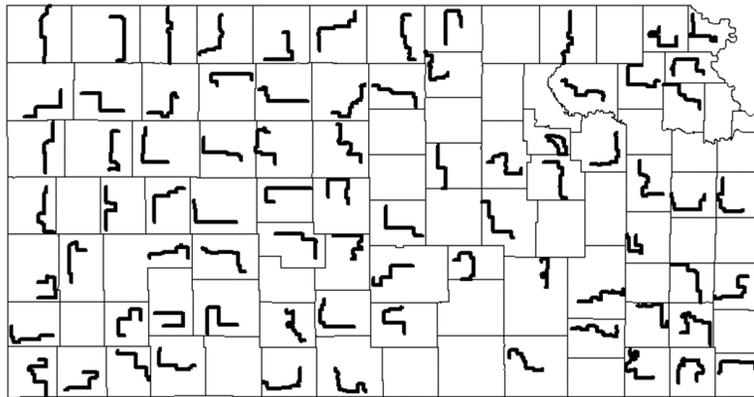
VI. DEPARTMENT REPORT

B. General Discussion

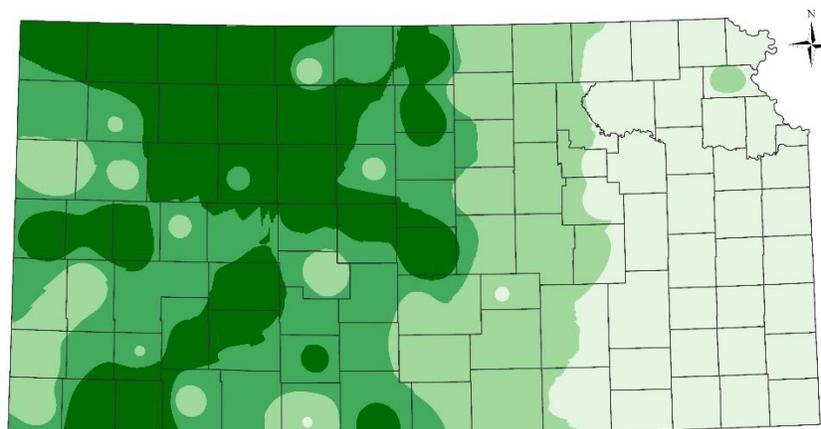
Brood survey and forecast

Each year, KDWPT performs a roadside brood survey to estimate fall densities of upland game birds after the nesting season. While there are many uses for this data, one product from this effort is the upland game bird forecast, which describes regional bird hunting opportunities as a resource for hunters. The value and accuracy of these type of data are often called into question. However, populations of upland birds are highly reliant on annual production and this data is the best way for us to estimate production and factors influencing it. These estimates of production have correlated well with daily hunter success rates. Overall, statewide population indices remained similar to last year for quail, which would indicate another good year for quail, while indices decreased for pheasants.

2020 Roadside brood survey routes



2020 Pheasant Brood Survey Results



Mean birds/mile:
Pheasant Quartiles



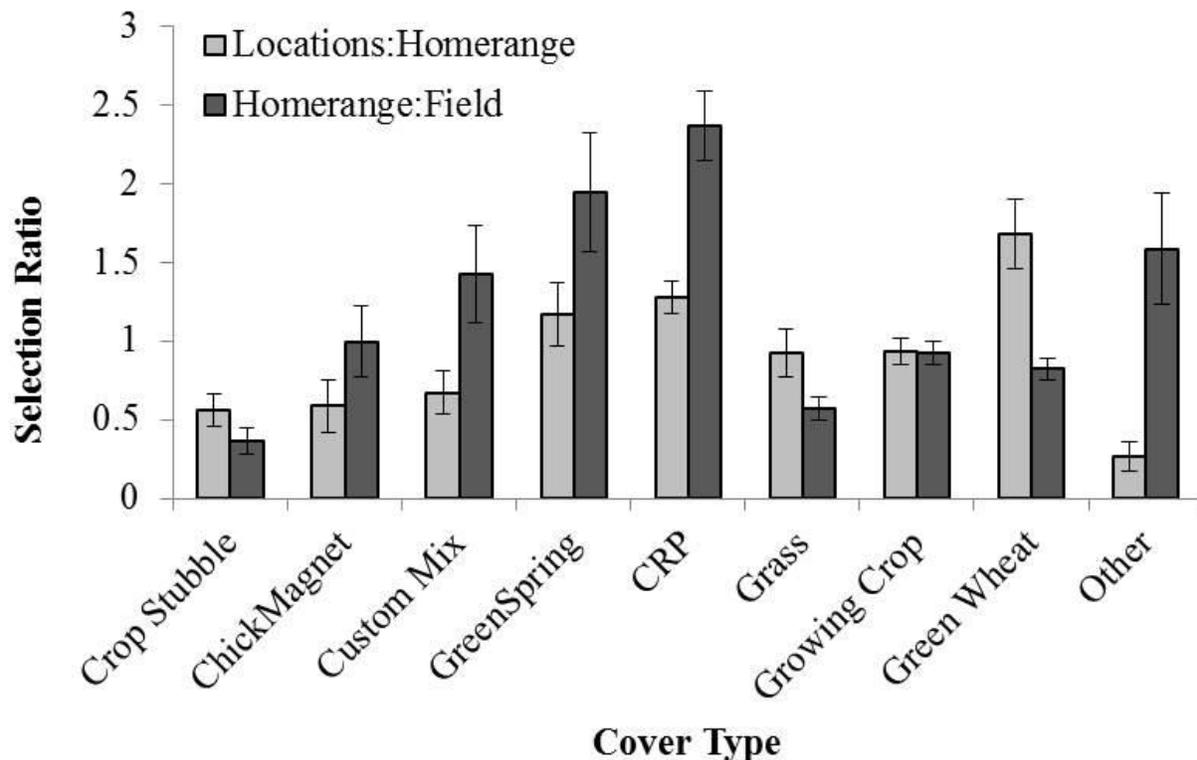
Brood survey counts plotted as route centroid, then interpolated using Inverse Distance Weighting. Results displayed are quartiles of distribution (0-25%, 25-50%, 50-75%, 75-100%)

VI. DEPARTMENT REPORT

B. General Discussion

Cover Crops as habitat for Ring-necked pheasant

Agricultural expansion and intensification have reduced both the quantity and quality of habitat throughout the Great Plains. While most agricultural producers enjoy wildlife, perceived increases in economic costs often prevent them from managing land to benefit most wildlife species. Because many states in the central U.S. are composed of 95 percent or more private lands, this reduced habitat has detrimental effects to wildlife across the region. Wildlife biologists are therefore in a unique and important position to work with producers to create and manage wildlife habitat within the private landscape. Historically, farming practices provided some habitat within growing and/or harvested crop fields, but this is becoming increasingly less common due to advances in equipment and chemical treatments resulting in lower plant diversity and less residual cover during non-growing seasons. As such, biologists have relied heavily on set-aside programs through the farm bill and waste ground to provide habitat; however, these opportunities are becoming increasingly rare. Cover crops have presented a unique opportunity to manage within-field habitat to provide wildlife resources for a portion of the year, while having an economic or agricultural advantage for the producer. The realized wildlife benefits of cover crops depend on many factors, including crop rotation, seed mix, timing and management. Despite the nuances of managing cover crops to meet the needs of both the producer and wildlife, this new tool increases opportunities for biologists to connect with producers and lead to improved wildlife habitat and landowner relationships.



CWD Update

No briefing book items – possible handout after the meeting

Workshop Session

VI. DEPARTMENT REPORT

C. Workshop Session

1. Big Game 4-Series Permanent Regulations.

All permanent regulations dealing with big game will be discussed together at this meeting. In recent years these regulations have been brought forward in the General Discussion portion of the Commission Meeting in August to allow public comments and to determine if further review was needed.

a) K.A.R. 115-4-2. Big game; general provisions.

Background

This regulation contains the following items:

- Information that must be included on the carcass tag
- Registration (including photo check) needed to transport certain animals
- Procedures for transferring meat to another person
- Procedures for possessing a salvaged big game carcass
- Who may assist a big game permittee and how they may assist, including the provisions for designated individuals to assist disabled big game permittees.

Discussion

Last year, changes to this regulation included modifying proof-of-sex regulations for antlerless deer and elk to allow hunters to voluntarily help prevent spreading chronic wasting disease by leaving the most infective parts of a carcass, the head and spine, at the site of harvest. Additionally, recent changes have been made to regarding E-Tagging big game.

Recommendation

No change is proposed for this regulation.

b) K.A.R. 115-4-4. Big game; legal equipment and taking methods.

Background

This regulation contains the following items:

- Specific equipment differences for hunting various big game species.
- Specifications for bright orange colored clothing, which must be worn when hunting during certain big game seasons.
- Accessory equipment such as calls, decoys, and blinds.
- Shooting hours
- Special restrictions on the use of horses or mules to herd or drive elk.

Discussion

New hunting equipment continues to be created and people request changes in the regulation to allow novel equipment. Historically changes in this regulation have attempted to balance a

potential benefit of allowing new equipment for benefit of a few hunters against the added complexity caused by changing the regulation, which may confuse other hunters. Typically, the department has changed this regulation after a review for a period of years rather than annually.

Large caliber airguns have been proposed as legal hunting equipment for big game. Currently, the airgun industry does not engage in the American model of conservation funding (Wildlife Restoration Act, commonly the Pittman-Robertson Act) as do the archery and firearms industries. Initial entry cost of airguns suitable for big game hunting may also be cost prohibitive for many hunters. The ability to utilize airguns, has in other states, increased hunting opportunities in urban areas; but currently the Department is unaware of any municipalities that have requested the ability to utilize airguns for urban deer management hunting. Additionally, to ensure airguns are capable of ethically harvesting game, several requirements and restrictions would be necessary that would add complexity to hunting regulations.

The Commission requested that KDWPT review the Firestick, produced by Federal Ammunition, for inclusion as legal muzzleloading equipment for big game hunting. The Firestick system eliminates some of the handicaps of more traditional muzzleloading equipment such as inconsistent powder charges and eliminating powder issues due to moisture and the elements. The Firestick does require the projectile to be loaded from the muzzle; the powder charge loads from the breach, can be easily removed or reinserted, which if utilized by shooters would be an improvement in safety over most traditional and inline muzzleloaders. Due to ATF categorization, weapons utilizing the firestick system are subject to the Wildlife Restoration Act excise tax.

Recommendation

At this time, the Department has not found that legalizing airguns would positively impact our constituents or the delivery of wildlife conservation through increased access, herd regulation, or contribution to conservation funding. The Department does not recommend airguns be approved as legal hunting equipment.

Evaluation of the Firestick by the Department has found no biological reason to oppose or support inclusion of the Firestick as legal muzzleloading equipment for big game hunting.

c) K.A.R. 115-4-6. Deer; firearm management units.

Background

This regulation established the boundaries for the 19 Deer Management Units in Kansas.

Discussion

Recent changes adjusted the boundaries of Deer Management Unit 19 for greater continuity of harvest management and to simplify the boundary lines for hunters.

Recommendation

A segment of the DMU 19 boundary, US-73, does not intersect with the Kansas-Missouri state line. Federal Highway US-73 intersects with Kansas highway K-92 which intersects with the Kansas-Missouri state line. We recommend changing the DMU 19 boundary to include this segment of Kansas highway K-92.

d) K.A.R. 115-4-11. Big game and wild turkey permit applications.

Background

This regulation describes general application procedures, including the establishment of priority drawing procedures when the number of applicants exceeds the availability of authorized permits. The regulation also authorized hunters to purchase a preference point for future applications.

Discussion

No changes in the application process of big game or wild turkey permits are currently being discussed within the department.

Recommendation

No change is proposed for this regulation and it is not scheduled for further review this year.

e) K.A.R. 115-4-13. Deer permits; descriptions and restrictions.

Background

This regulation contains the following items:

- Creates permit types that include:
 - White-tailed deer, either-sex (WTES) permit or white-tailed deer antlerless only (WTAO) permit for residents of Kansas. These permits are valid during all seasons with equipment authorized for that season.
 - White-tailed deer, either-sex permit for nonresidents valid for one equipment type and one unit. Nonresident hunters may designate one adjacent unit where they may hunt.
 - Either-species, either-sex permit, restricted to a season or seasons and units where they may be used by resident and nonresident deer hunters.
 - Hunt-on-your-own-land permits, including resident HOYOL, nonresident HOYOL, and special HOYOL permits for certain direct relatives of the landowner or tenant.
- Each deer permit is valid only for the species and antler category specified on the permit.
- Antlerless deer are defined as a deer without a visible antler plainly protruding from the skull.

Discussion

Starting with the 2016 season, Either-species Antlerless Only Permits (ESAO) were no longer issued in Kansas. This was done to address the changing mule deer population to reduce harvest of female mule deer. Mule deer population status in other DMUs within the East and West mule deer hunt zones currently is stability at low density or declining.

Recommendation

No change is proposed for this regulation.

VI. DEPARTMENT REPORT

C. Workshop Session

2. Deer 25-Series Regulations.

Background

The regulation contains the following items:

- Dates of deer seasons when equipment such as archery, firearms, or muzzleloader may be used.
- Provisions when seasons may occur on military subunits within management units.
- Dates for a special firearm deer season and extended archery seasons in urban units.
- Dates of deer seasons for designated persons.
- Dates and units when extended firearm seasons are authorized and the type of permits and changes in the species and antler categories of those permits.
- Limitations in obtaining multiple permits.

Discussion

Annual adjustments will be made in the deer hunting season dates. This review process initiates the discussion of potential changes in deer hunting seasons for 2021-2022. The recommendations currently follow the traditional season structure, with potential changes to some seasons:

Typically, the first extended white-tailed deer antlerless-only (WAO) season has started on the New Year's Holiday and was open through the first weekend in January, or during the first weekend if January 1 fell on a Saturday. New Year's Day falls on Saturday in 2022. Hunter input during the 2018-19 season's deer harvest survey indicated hunters wanted more days to hunt and always want weekend days included in an antlerless season. There is also a need to increase harvest as part of chronic wasting disease management. The option currently being considered:

1. Three January WAO season lengths, 9 days, 16 days, and 23 days.

Population indices, mortality due to disease and changes in fawn recruitment will be examined and public input will be considered in the development of a list of units where an extended firearms season and WAO permits will be authorized. The number of WAO permits that may be used in each unit will also be evaluated after additional data becomes available.

Public comment is sought about this option.

Recommendation

The proposed season dates suggested for deer hunting during 2021-22 are as follows:

Youth and Disability	Sept. 4, 2021 – Sept. 12, 2021
Early Muzzleloader	Sept. 13, 2021 – Sept. 26, 2021
Archery	Sept. 13, 2021 – Dec. 31, 2021
Pre-Rut WAO	Oct. 9, 2021 – Oct. 11, 2021
Regular Firearm	Dec. 1, 2021 – Dec. 12, 2021
1 st Extended WAO	Jan. 1, 2022 – Jan. 9, 2022
2 nd Extended WAO	Jan. 1, 2022– Jan. 16, 2022
3 rd Extended WAO	Jan. 1, 2022 – Jan. 23, 2022
Extended Archery (DMU 19)	Jan. 24, 2022– Jan. 31, 2022

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 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 this regulation at this time, including season structure, bag limits, and 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. Firearm and muzzleloader permit allocations will be determined following winter aerial surveys.

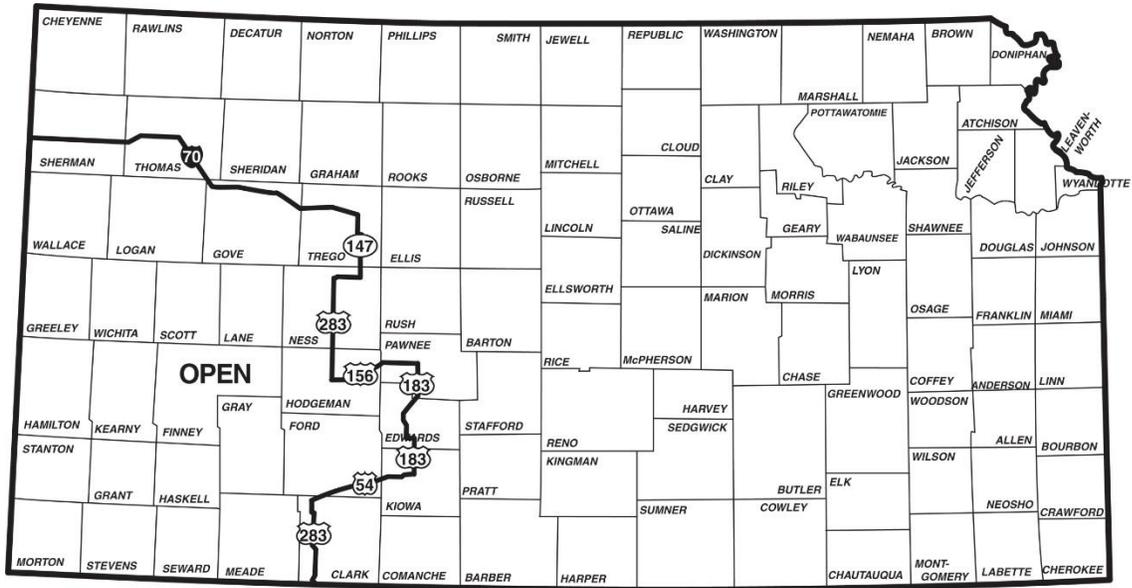
The proposed season dates are:

September 18-26, 2021 and October 9-31, 2021 for the archery season.

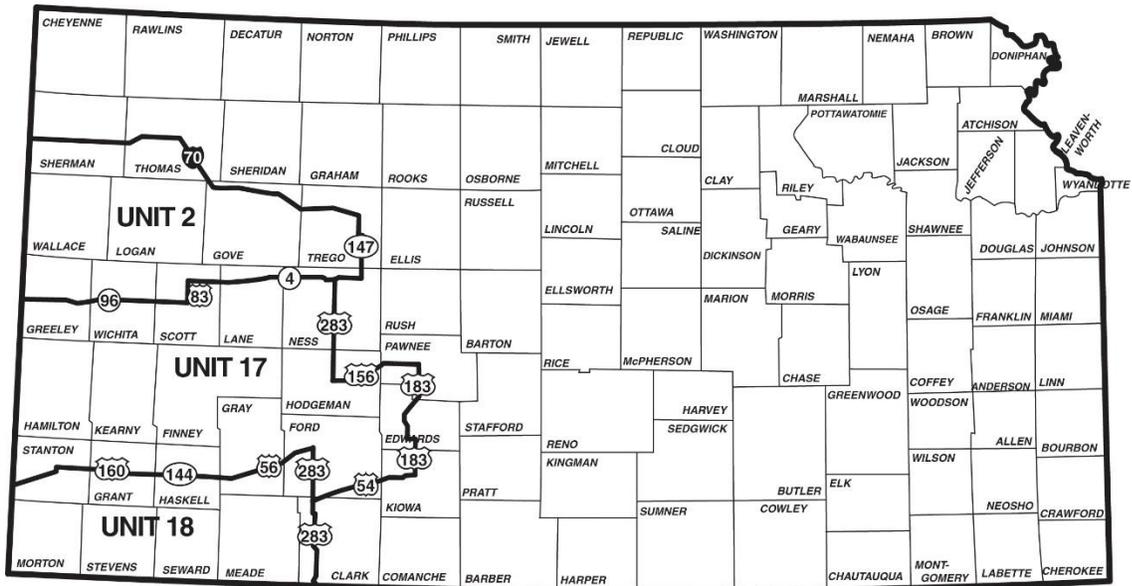
September 27, 2021 - October 4, 2021 for the muzzleloader season.

October 1-4, 2021 for the firearm season.

Archery Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



KAR 115-25-8

Elk; open season, bag limit and permits

Background

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for elk hunting.

Elk were first reintroduced onto Fort Riley in 1986, and a hunting season was initiated in 1990. Most of the hunting opportunity in the state occurs on the Fort. However, elk do exist on private lands, though unpredictably in most of the state, with parts of southwest Kansas being the main exception. Elk also occur in the vicinity of Cimarron National Grasslands, but these elk are primarily found in neighboring states, and the Grasslands have been closed to elk hunting since 1995, following several years of heavy harvest pressure.

Since 1999, longer seasons and less restrictive permitting options have been authorized except near Fort Riley and the Grasslands. This framework is intended to allow for elk that may be causing crop damage or other conflicts on private land to be harvested, and for landowners to have the opportunity to maintain elk at desirable numbers on their own property while at the same time allowing the Fort Riley and Cimarron herds to be maintained.

Discussion & Recommendations

We do not currently anticipate any changes to season structure, bag limits or permit types.

Unit boundaries are defined in K.A.R. 115-4-6b. Units 2 and 3 will be open to hunting.

The proposed season dates on Fort Riley are:

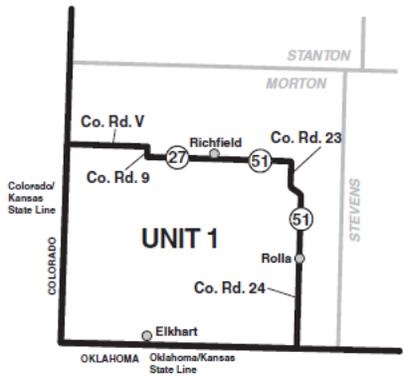
- a) September 1-30, 2021 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2021 for the firearm season.
 - a. Any elk permits are valid during all three months.
 - b. One-third of the antlerless only permits valid during each of the following segments:
 - 1) First segment: October 1-31, 2021.
 - 2) Second segment: November 1-30, 2021.
 - 3) Third segment: December 1-31, 2021.

The proposed season dates outside the boundaries of Fort Riley are:

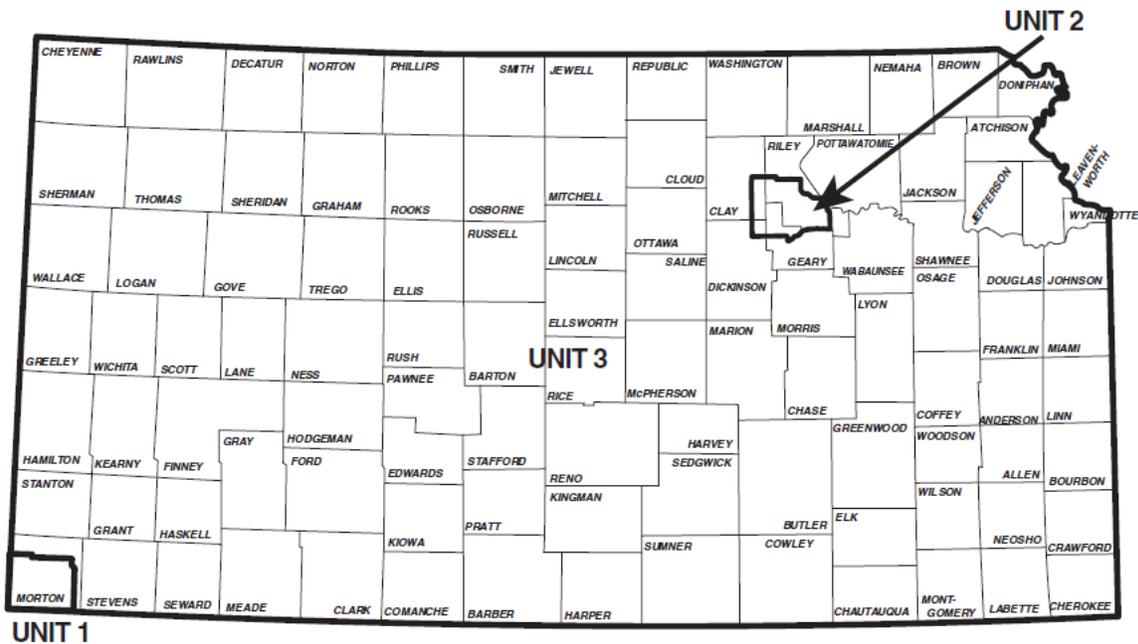
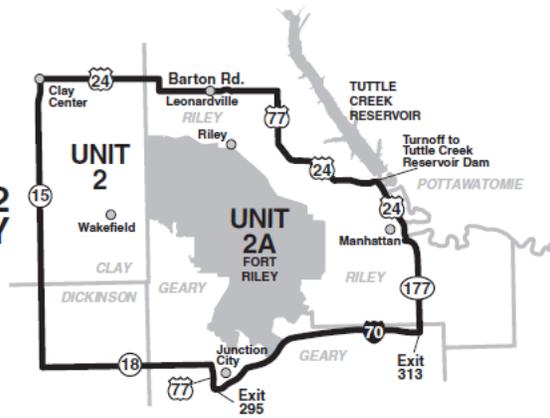
- a) September 1-30, 2021 for the muzzleloader season.
- b) September 13-December 31, 2021 for the archery season.
- c) August 1-31, 2021, December 1-12, 2021, and January 1-March 15, 2021 for the firearm seasons.

Elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants. Unit 2 permit recommendations will be determined at a later date. An unlimited number of hunt-on-your-own-land antlerless-only and either-sex elk permits will also be authorized in Units 2 and 3. An unlimited number of general resident and landowner tenant antlerless-only and any-elk permits will be authorized in Unit 3.

Elk Units



NEW UNIT 2 BOUNDARY



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 - September 17, 2020

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

(785) 296-2281

Title

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, November 19, 2020 at the Buffalo Bill Cultural Center, 3083 US Highway 83, Oakley, Kansas, to consider the approval and adoption of the proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on the business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., November 19 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. November 20 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 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. To provide all parties with an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

K.A.R. 115-1-1. This permanent regulation establishes definitions. The proposed changes would clean up and clarify language about the definition of carp.

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. 115-2-1. This permanent regulation establishes amounts of fees. The proposed

changes would establish a price for nonresident landowner and tenant elk permits, reduce resident and nonresident calendar day fishing licenses, and create a reduced price youth trout permit.

Economic Impact Summary: The changes collectively could result in a reduction to the wildlife fee fund in the amount of \$72,355. Otherwise, no substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-4-4a. This permanent regulation establishes legal equipment and taking methods for wild turkeys. The proposed changes would allow the use of draw locking devices, similar to recent changes for big game legal equipment.

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. 115-7-3. This permanent regulation establishes provisions for the taking and use of baitfish or minnows. The proposed changes would allow the use of silver carp and bighead carp larger than 12 inches in total length to be used as baitfish, provided the two carp types are not transported from the water live.

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. 115-7-10. This permanent regulation establishes special provisions for fishing. The proposed changes would update the reference document in relation to designated aquatic nuisance species waters.

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. 115-18-7. This permanent regulation establishes the application, permit and general provisions for the use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities. The regulation is proposed for revocation as those equipment types are now authorized for general use.

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. 115-18-10. This permanent regulation establishes prohibitions, permit requirements and restrictions for importation and possession of certain wildlife. The proposed changes would add species already listed as injurious by federal law, which already prohibits possession of 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. 115-18-12. This permanent regulation establishes requirements, restrictions and

permit duration for the trout permit. The proposed changes would remove the exemption for persons under 16 from obtaining a trout permit in conjunction with changes in other regulations for take and price structure.

Economic Impact Summary: The economic impact is contained in K.A.R. 115-2-1. Otherwise, no substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-25-14. This exempt regulation establishes creel limits, size limits, possession limits and open seasons for fishing. The proposed version of the regulation would update the reference document for size and length limits at various waterbodies throughout the state and adjust the trout creel limit for youths.

Economic Impact Summary: If fishing license and permit sales are similar to 2019, the proposal would generate approximately \$6,794,800 to the agency and an additional \$292,962,000 to the Kansas economy. Otherwise, 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 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 ksoutdoors.com, or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

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WWW.AG.KS.GOV

September 4, 2020

Chris Tymeson
Chief Counsel
Kansas Department of Wildlife Parks and Tourism
1020 S. Kansas Ave
Topeka, KS 66612

RE: **K.A.R. 115-1-1, 115-4-4a, 115-7-3, 115-7-10, 115-18-7, 115-18-10, 115-18-12,
115-25-14**

Dear Chris:

Pursuant to the Rules and Regulations Filing Act, K.S.A. 77-415, *et seq.*, 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. The stamped economic impact statements are also enclosed.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Philip R. Michael
Assistant Attorney General

PRM:PRM
Enclosures

cc: Sen. Caryn Tyson, 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
Jill Shelley, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E



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September 9, 2020

Chris Tymeson, General Counsel
Kansas Department of Wildlife, Parks & Tourism
1020 S. Kansas Ave.
Topeka, KS 66612

RE: **K.A.R. 115-2-1**

Dear Mr. Tymeson:

Pursuant to the Rules and Regulations Filing Act, K.S.A. 77-415, *et seq.*, we have reviewed the above-referenced regulation and finding no issues of concern, have approved it. The stamped original regulation is enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Philip R. Michael
Assistant Attorney General

PRM:sb

Enclosure

cc: Sen. Caryn Tyson, 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
Jill Shelley, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E



Kansas Legislative Research Department

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(785) 296-3181

kslegres@klrd.ks.gov

kslegislature.org/klrd

October 12, 2020

To: Kansas Legislature

From: Jill Shelley, Principal Research Analyst

Re: Report of the October 5, 2020, Meeting of the Joint Committee on Administrative Rules and Regulations

With this report, the Joint Committee on Administrative Rules and Regulations (Committee) provides its comments on rules and regulations reviewed at its meeting of October 5, 2020. Agencies are asked to respond to each comment or request for information; responses are compiled and maintained by staff of the Kansas Legislative Research Department.

Department of Wildlife, Parks and Tourism

KAR 115-1-1, definitions; KAR 115-2-1, amount of fees; KAR 115-4-4a, wild turkey, legal equipment and taking methods; KAR 115-7-3, fish, taking and use of baitfish or minnows; KAR 115-7-10, fishing, special provisions; KAR 115-18-7, revoked (was use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities, application, permit, and general provisions); KAR 115-18-10, importation and possession of certain wildlife, prohibition, permit requirement, and restrictions; KAR 115-18-12, trout permit, requirements, restrictions, and permit duration; KAR 115-25-14, fishing, creel limit, size limit, possession limit, and open season.

The Committee had no comments.

Kansas Department of Agriculture, Division of Animal Health

KAR 9-2-35, movement of sexually intact cattle and bison from designated surveillance areas; KAR 9-3-9, certificate of veterinary inspection, importation and intrastate movement requirements and permits.

The Committee had no comments.

Department of Transportation

New Article 45, escort vehicles, escort vehicle service providers, and escort vehicle operators: KAR 36-45-1, definitions; KAR 36-45-2, registration; KAR 36-45-3, insurance; KAR 36-45-4, escort vehicle operator; KAR 36-45-5, escort vehicle; KAR 36-45-6, equipment; KAR

36-45-7, documentation for permitted route; KAR 36-45-8, trip procedures; KAR 36-45-10, determination of registration revocation or denial, registration committee.

Request. The Committee requests information on the states from which Kansas will accept escort vehicle operator training certification and the states on whose rules and regulations the Kansas proposed rules and regulations are based.

Department of Health and Environment, Division of Health, Bureau of Air

KAR 28-19-719, revoked (was fuel volatility); KAR 28-19-720, new source performance standards.

The Committee had no comments.

Kansas Board of Barbering

KAR 61-4-3, potentially disqualifying civil and criminal records, advisory opinion, fee.

Request. The Committee asks for how many license or permit applicants with civil or criminal records the Board has reviewed an application and how many of those applicants were approved for a license or permit.

Kansas Corporation Commission

KAR 82-4-3a, hours of service.

The Committee had no comments.

Kansas State Board of Cosmetology

KAR 69-3-8, curricula and credits.

The Committee had no comments.

Department of Health and Environment, Division of Health Care Finance

KAR 129-6-103, determined eligibles, income standards.

The Committee had no comments.

STATE OF KANSAS



J. G. SCOTT
Director
MELISSA RENICK
Assistant Director for Research
AMY DECKARD
Assistant Director for Fiscal Affairs

STAFF
LEGISLATIVE COORDINATING COUNCIL
INTERIM COMMITTEES
STANDING COMMITTEES
LEGISLATIVE INQUIRIES

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 68-West — State Capitol Building — 300 SW Tenth Avenue — Topeka, Kansas 66612-1504
(785) 296-3181 ♦ www.kslegislature.org/kldr ♦ kslegres@kldr.ks.gov

October 11, 2020

Brad Loveless, Secretary of Wildlife, Parks and Tourism
Department of Wildlife, Parks and Tourism
1020 S. Kansas Ave., Room 200
Topeka, Kansas 66612

Re: KAR 115-1-1, definitions; KAR 115-2-1, amount of fees; KAR 115-4-4a, wild turkey, legal equipment and taking methods; KAR 115-7-3, fish, taking and use of baitfish or minnows; KAR 115-7-10, fishing, special provisions; KAR 115-18-7, revoked (was use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities, application, permit, and general provisions); KAR 115-18-10, importation and possession of certain wildlife, prohibition, permit requirement, and restrictions; KAR 115-18-12, trout permit, requirements, restrictions, and permit duration; KAR 115-25-14, fishing, creel limit, size limit, possession limit, and open season.

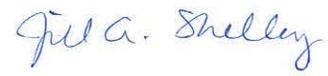
Dear Secretary Loveless:

At its meeting on October 5, the Joint Committee on Administrative Rules and Regulations reviewed for public comment the rules and regulations listed above. The enclosed Committee report from that meeting does not contain comments for which a response from your agency is expected.

The enclosed report should be part of the public record on these regulations. An electronic version of this report has been sent to the agency representative who presented the proposed rules and regulations and is available on the Kansas Legislative Research Department website <http://www.kslegresearch.org/KLRD-web/Committees/Committees-JCARR.html>. The Committee may review the regulations the agency ultimately adopts, and it reserves any expression of legislative concern to that review. To assist in that final review, agencies are expected to respond to each question or comment of the Committee and to inform the Committee and its Kansas Legislative Research Department (KLRD) staff, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes that have been made following the public hearing. Agencies are expected to notify the Committee and KLRD, in writing, when the agency has adopted the regulations as permanent, delayed implementation of the regulations, or decided not to adopt any of the regulations.

Thank you for your attention to this matter. Please let us know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Jill A. Shelley". The signature is written in a cursive style with a large initial 'J' and 'S'.

Jill A. Shelley,
Principal Research Analyst

VI. DEPARTMENT REPORT

D. Public Hearing

1-2. Regulatory Cleanup, Big Game and Wild Turkey Legal Equipment and Taking Methods

In April 2020, the Commission voted to allow draw locks for vertical bows as legal equipment for big game (K.A.R. 115-4-4). To ensure consistency across species and reduce unnecessary regulations, staff are reviewing the following regulations.

Since 2014, the Department has issued the following number of draw lock permits each year (valid for both big game and wild turkey): 2014 – 8, 2015 – 2, 2016 – 5, 2017 – 4, 2018 – 1, 2019 – 1.

1. K.A.R. 115-4-4a. Wild turkey; legal equipment and taking methods

Background

This regulation contains:

- Specific equipment differences for hunting wild turkeys (vertical bows, crossbows, shotguns)
- Arrow and shot size requirements
- Accessory equipment such as calls, decoys and blinds
- Shooting hours

Discussion

Relatively few disabled hunters apply for draw lock permits each year. Because draw locks are now allowed for any archery hunter pursuing big game, this restriction for wild turkeys is inconsistent with the big game regulations. Allowing draw locks as legal equipment for wild turkeys is not anticipated to result in a significant increase in overall harvest or individual hunter success.

Recommendation

Staff recommend removing language restricting the use of mechanical devices that lock bows at full or partial draw and reference to K.A.R. 115-18-7, which would then be unnecessary.

2. K.A.R. 115-18-7. Use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities; application, permit, and general provisions

Background

This regulation outlines the process for a disabled hunter to apply for and acquire a permit to allow them to use a draw lock on a vertical bow for big game and wild turkeys.

Discussion

If language restricting the use of draw locks is removed from K.A.R. 115-4-4a, it is unnecessary to have a regulation that outlines the process for a disabled hunter to acquire a permit to allow such a draw lock to be used.

Recommendation

Strike K.A.R. 115-18-7.

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

(1) Archery equipment.

(A) ~~No bow 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)~~ (B) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

~~(2) Crossbows 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 wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

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

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

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consist of the following:

- (1) Archery and crossbow equipment as authorized in subsection (a); and
- (2) shotguns and muzzleloading shotguns using only size two shot through size nine shot.
- (c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall

consist of the following:

- (1) Lures; decoys, except live decoys; and nonelectric calls;
- (2) blinds and stands;
- (3) range-finding devices, if the devices do not project visible light toward the target; and
- (4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy.

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

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

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

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

(h) Handguns may be possessed during all wild turkey seasons. However, no handgun shall be used to take wild turkeys. (Authorized by and implementing K.S.A. 2019 Supp. 32-807, ~~as amended by L. 2012, Ch. 47, Sec. 25,~~ and K.S.A. 2011 2019 Supp. 32-969; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended April 19, 2013; amended P-_____.)

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**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. 115-4-4a
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 locking draws on archery equipment.

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 technology 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;

Locking draw manufacturers.

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

The proposed benefits to allowing the equipment would give some archers another option to harvest big game. The equipment is currently authorized for individuals with disabilities that prevent them from drawing a bow.



- 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 an alternative equipment 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 an alternative equipment 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

The agency will hold hearings on August 20 via teleconference, September 25 in Topeka, and November 19 in Oakley.

- 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.



115-18-7. This regulation shall be revoked on and after January 1, 2021. (Authorized by K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, K.S.A. 2011 Supp. 32-919, as amended by L. 2012, Ch. 154, Sec. 5, and K.S.A. 2011 Supp. 32-932, as amended by L. 2012, Ch. 47, Sec. 48; implementing K.S.A. 2011 Supp. 32-932, as amended by L. 2012, Ch. 47, Sec. 48; effective Oct. 30, 1989; amended, T-115-9-9-97, Sept. 9, 1997; amended Dec. 29, 1997; amended Oct. 1, 1999; amended April 19, 2002; amended Feb. 18, 2005; amended April 11, 2008; amended May 21, 2010; amended April 19, 2013; revoked P-_____.)

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ATTORNEY GENERAL

**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. 115-18-7
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 permanent regulation provides for use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities. The regulation is proposed for revocation as the equipment types the regulation allows for persons with disabilities are allowed generally now.

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 big game legal equipment.

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 revocation will neither enhance nor 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 revocation 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 benefits include removing an unnecessary regulation.

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

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.

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

The agency will hold hearings on August 20 virtually, September 25 in Topeka, and November 19 in Oakley.

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.



2021 Reference Document Proposed Changes for Special Length and Creel Limits:

- Kanopolis Reservoir -- change to a 20/day creel limit on crappie.
- Junction City - Helland Pond -- add a 15-inch minimum length limit and a 5/day creel limit on largemouth bass and a 5/day creel limit on channel catfish.
- Sherman County – Smoky Gardens -- add a 15-inch minimum length limit and a 2/day creel limit on channel catfish. In addition, add catch and release only for largemouth bass, bluegill, and redear sunfish.
- Agra City Lake -- add an 18-inch minimum length limit and a 2/day creel limit on largemouth bass.
- Plainville Township Lake -- add an 18-inch minimum length limit and a 5/day creel limit on largemouth bass.
- We have a unique situation in Southeast Kansas, where four major river systems (Caney, Little Caney, Verdigris and Neosho) are greatly influenced by Oklahoma reservoirs. These four Oklahoma reservoirs (Hulah, Copan, Oologah and Grand) have been intensely managed for Blue Catfish for over a decade and have greatly influenced the catfish populations in our systems. We are considering proposing a regulation change on Blue Catfish from the current 5/day creel limit to a 10/day creel limit on the Caney, Little Caney, Verdigris and Neosho River systems. This regulation would include the entire Caney River and all its tributaries and the entire Little Caney River and all its tributaries. We are also considering proposing this regulation would include the Verdigris River upstream to the Toronto Reservoir Dam and all of its tributaries including: the Elk River upstream to the Elk City Reservoir Dam, the Fall River upstream to the Fall River Reservoir Dam and Big Hill Creek upstream to the Big Hill Reservoir Dam. In addition, we are also considering that the regulation be in effect on the Neosho River upstream to the John Redmond Reservoir Dam and all its tributaries including Labette Creek upstream to the Parsons City Lake Dam and Wolf Creek up to the Coffey County Lake Dam. And finally, we propose this same regulation on the Arkansas River from the state line upstream to the Lincoln Street Dam in Wichita and on the Ninnescah River from the confluence with the Arkansas River upstream to the Kingman City Dam.
- Olpe - Jones Park Pond -- add to the list of Youth/Mentor Fishing Locations. No cast nets and seining allowed.
- Emporia - Jones Park Ponds -- add to the list of Youth/Mentor Fishing Locations. No cast nets and seining allowed.
- Emporia - Peter Pan Park Pond -- No cast nets and seining allowed.
- Johnson County - Kill Creek Park Lake -- add 15-inch minimum length limit and a 2/day creel limit for channel catfish, 15- to 18-inch slot length limit and a 10/day creel limit for largemouth bass, 18-inch minimum length limit and a

2/day creel limit for smallmouth bass, 18-inch minimum length limit and a 2/day creel limit for walleye, 18-inch minimum length limit and a 2/day creel limit for wiper, 50/day creel limit for black and white crappie (single species or combination), and 4/day creel limit for rainbow trout.

- Johnson County - Lexington Park Lake -- add 15-inch minimum length limit and 2/day creel limit for channel catfish, 10-inch minimum length limit and 15/day creel limit for black and white crappie (single species or combination), 15- to 18-inch slot length limit and 5/day creel limit for largemouth bass, and 4/day creel limit for rainbow trout.
- Wilson Reservoir -- change to a 2/day creel limit on striped bass.

Other 2021 Proposed Fishing Regulation Changes.

Change 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions.

We would like to **update our prohibited species** list to include fish and crayfish species that would align our list with the Federal Injurious Species List, which added several species in 2016.

- We propose adding:
 - Crucian Carp *Carassius carassius*
 - largescale Silver Carp *Hypophthalmichthys harmandi*
 - Prussian Carp *Carassius gibelio*
 - Wels Catfish *Silurus glanis*
 - Eurasian Minnow *Phoxinus phoxinus*
 - Stone Moroko *Pseudorasbora parva*
 - European Perch *Perca fluviatilis*
 - Nile Perch *Lates niloticus*
 - Roach *Rutilus rutilus*
 - Amur Sleeper *Perccottus glenii*
 - Zander *Sander lucioperca*
 - Yabby, common (a crayfish) *Cherax destructor*

Change 115-7-10. Fishing; special provisions.

Last year white perch were found in Wichita - South Lake, so we need to add this impoundment to the Kansas Aquatic Nuisance Species Designated Waters list. In addition, zebra mussels have recently been found in Linn County - Linn Valley Lake - Main Lake and needs to be added to the list. And Emerald Bay (private waterbody) needs to be added to the list for zebra mussels and white perch.

Change 15-1-1. Definitions. (a) (39)

We would like the words "Carp" and "white amur" removed and replaced with "Common Carp, Silver Carp, Bighead Carp, Black Carp and Grass Carp"

Change 115-7-3. Fish; taking and use of baitfish or minnows.

We propose adding verbiage that allows the take of Silver Carp and Bighead Carp regardless of size (how gizzard shad are currently treated). In addition, we propose adding verbiage that clarifies that Silver and Bighead Carp in possession must be immediately euthanized per 115-18-10 (prohibited species list).

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

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

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

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

(4) those areas closed by posted notice.

(b) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish on the following waters during the specified time periods:

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

(A) Dodge City Lake Charles;

(B) Coffeyville LeClere Lake;

(C) Eisenhower State Park Pond;

(D) Fort Scott Gun Park Lake;

(E) Garnett Crystal Lake;

(F) Glen Elder Reservoir Outlet;

(G) Glen Elder State Park Pond;

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- (H) Kanopolis Seep Stream;
- (I) KDOT East Lake, located in Wichita;
- (J) Lake Henry, located in Clinton State Park;
- (K) Pratt Centennial Pond;
- (L) the following Sedgwick County Park waters:
 - (i) Vic’s Lake; and
 - (ii) Slough Creek;
- (M) Scott State Park Pond;
- (N) Topeka Auburndale Park;
- (O) Walnut River Area, located in El Dorado State Park;
- (P) Webster Stilling Basin; and
- (Q) Willow Lake, located in Tuttle Creek State Park; and
- (2) November 1 through October 31: unit number 30, located in the Mined Land Wildlife Area.
- (c) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants

to fish for and possess trout on the following waters from November 1 through April 15 (type two waters):

- (1) Atchison City Lake No. 1;
- (2) Belleville City Lake (Rocky Pond);
- (3) Cameron Springs, located on Fort Riley;
- (4) Cedar Bluff Stilling Basin;
- (5) Cherryvale City Lake (Tanko);

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- (6) Cimarron Grasslands Pits;
- (7) Colby-Villa High Lake;
- (8) Great Bend Veterans Memorial Park Lake;
- (9) Great Bend Stone Lake;
- (10) Herington-Father Padilla Pond;
- (11) Holton-Elkhorn Lake;
- (12) Hutchinson Dillon Nature Center Pond;
- (13) Kanopolis State Park Pond;
- (14) Lake Shawnee, located in Shawnee County;
- (15) Meade State Fishing Lake;
- (16) Moon Lake, located on Fort Riley;
- (17) Salina Lakewood Lake;
- (18) Sandsage Bison Range and Wildlife Area Sandpits;
- (19) Scott State Fishing Lake;
- (20) the following Sedgwick County Park waters:
 - (A) Moss Lake; and
 - (B) Horseshoe Lake;
- (21) Sherman County Smoky Gardens Lake;
- (22) Solomon River between Webster Reservoir and Rooks County #2 Road; and
- (23) Syracuse-Sam's Pond.

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

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

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

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

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

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

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

(f) Special size limits, creel limits, and bait restrictions for designated waters shall be those limits and restrictions specified in the department’s “Kansas special size limits, creel limits, and bait restriction tables,” dated August 3, 2020, which is hereby adopted by reference. All fish caught from these designated waters that are of a size or number that is illegal to possess shall be released unrestrained to the water immediately.

This regulation shall be effective on and after January 1, 2021. (Authorized by and implementing K.S.A. 2019 Supp. 32-807.)

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**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. 115-25-14
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 exempt regulation establishes fishing seasons. The proposed version would add adjust length and creel limits within the reference document. The proposed version would also change the creel limit for anglers under 16 in relation to other proposed regulation changes.

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, Colorado and Nebraska all have fishing opportunities managed by dates, times, species and locations.

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 regulation proposal would not likely 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 version of the proposed regulation already allows various types of fishing by species and location. The proposed changes would not have any significant compliance costs.

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

Guide businesses, bait retailers, state parks.

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

Fishing is funded by user fees. License buyers pay the way for public fishing opportunities within Kansas.

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

Again, the proposal and potential alternatives would likely have no substantial measure on the economic impact on businesses because fishing seasons already exist.

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 expected to be incurred by business or local governments.

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 expected to be incurred by business or local governments.

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 active fishing licenses was approximately 314,000 in 2019. A like number of participants is expected in 2020. This generates approximately \$6,794,800 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable angler (314,000) goes 8 days afield per year and spends approximately \$933 per year, generating \$292,962,000 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 a public hearing on this regulation on June 25 virtually, where 26 members of the public attended. The agency will also hold hearings on August 20 virtually, September 25 in Topeka, and November 19 in Oakley.

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.



K.A.R. 115-25-14.
Fishing; creel limit, size limit, possession limit, and open season.
POSSIBLE AMENDMENT

As a result of Department comment and research at Wilson Reservoir regarding reducing the striped bass daily creel down from 5 to 2, the Department suggests that the following amendment be made to the version of the regulation submitted for public comment.

K.A.R. 115-25-14. Fishing; creel limit, size limit, possession limit, and open season.

1. Amend proposed subsection (f) on page 5 as follows:

(f) Special size limits, creel limits, and bait restrictions for designated waters shall be those limits and restrictions specified in the department's "Kansas special size limits, creel limits, and bait restriction tables," dated ~~August 3~~ October 16, 2020, which is hereby adopted by reference. All fish caught from these designated waters that are of a size or number that is illegal to possess shall be released unrestrained to the water immediately.

Kansas Department of Wildlife, Parks, and Tourism

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

Dated: October 16, 2020

Blue Catfish Creel Limits

2 fish daily creel limit

Wilson Reservoir

5 fish daily creel limit

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

10 fish daily creel limit

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

Blue Catfish Length Limits

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

Milford Reservoir

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

El Dorado Reservoir

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

Wilson Reservoir

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

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

Channel Catfish Creel Limits

2 fish daily creel limit

Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Blue Mound City Lake, Bonner Springs - North Park Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Buhler City Pond, Butler State Fishing Lake, Chanute City Lake, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Columbus - VFW Pond, Colwich City Lake, Emporia - Jones Park Ponds, Emporia - Peter Pan Park, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Gardner City Lake, Garnett City Lake North, Garnett City Lake South, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Hays - Vineyard Park Pond, Haysville - Riggs Lake, Humboldt - Franklin Street Pond, Hutchinson - North Pond, Impounded F.I.S.H. Waters, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, Lansing City Lake, Lansing - Billy Blackwell Lake, Lawrence - Mary's Lake, Lawrence - Oregon Trail Park Pond, Lawrence Pat Dawson Billings N & S, Lawrence - Sandra Shaw Community Health Park Pond, Leavenworth - Jerry's Lake, Leavenworth State Fishing Lake, Leawood - Ironwoods Park Pond, Leawood - Tomahawk Parkway Middle, Leawood - Tomahawk Parkway North , Leawood - Tomahawk Parkway South , Lebo City Lake, Lebo Kid's Pond, Lenexa - Mize Blvd. Lake, Lenexa - Rose's Pond, Linn Co. - Critzer Reservoir, Linn Co. Strip Pits, McPherson State Fishing Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, Mound City Lake, Mt. Hope - Woodland Park Pond, Mulberry City Park Lake, Mulvane - Cedar Brook Pond, Nebo State Fishing Lake, New Strawn City Lake, Newton - Spring Lake Ponds, North Newton - Sunfield Pond, Olathe - Black Bob Park Pond, Olathe - Cedar Lake, Olathe - Frisco Lake, Olathe - Mahaffie Farmstead Pond, Olathe - North Waterworks Park Lake, Olathe - Oregon Trail Park Pond, Olathe - Prairie Center Park Pond, Olathe - Prairie Center Pond, Olathe - Settler's Park Pond, Olathe - Waterworks Lake, Olpe - Jones Park Pond, Osage State Fishing Lake, Overbrook City Lake, Overbrook - Kids' Pond, Overland Park - Amesbury Lake, Overland Park - Kingston Lake, Overland Park - Regency Lake, Overland Park - South Lake, Overland Park - Summercrest Lake, Overland Park -

Wilderness Lake, Parker City Lake, Pittsburg - Lincoln Park Pond, Pittsburg - Lakeside Park Lake, Pittsburg - Wilderness Pond, Pleasanton City Lake - East, Pleasanton City Lake - West, Pratt County Lake, Richmond City Lake, Rose Hill - School Street Pond, Salina - Lakewood Lake, Shawnee Co. Shawnee Jr., Sherman County - Smoky Gardens, Spring Hill Woodland Ridge Pond, Topeka-Auburndale Park Stream, Topeka - Cedar Crest Pond, Topeka - Central Park Lake, Topeka - Clarion Lake, Topeka - Freedom Valley Lake, Topeka - Governor's Ponds East & West, Topeka-Horseshoe Bend Park Pond, Topeka - West Lake, Uniontown School Pond, Valley Center - McLaughlin Pond, Wichita - Harrison Park Lake, Windom City Pond, Woodson State Fishing Lake, Wyandotte Co. Big 11, Wyandotte Co. Bonner Lake, Wyandotte Co. Pierson Park Lake, Yates Center - South, Yates Center Reservoir - New

5 fish daily creel limit

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

Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Saline State Fishing Lake, Sandsage Bison Range & Wildlife Area, Scott State Fishing Lake, Sedan New City Lake, Sedan Old City Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Severy City Lake, Shawnee - Monticello Springs Lake, Shawnee State Fishing Lake, Sheridan State Fishing Lake, Sherman County - Smoky Gardens, Sherman State Fishing Lake, St. Francis - Keller Lake, St. Francis Sand Pits, Syracuse-Sam's Pond, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Ulysses City Lake, Washington State Fishing Lake, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - K-96 Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Wilson State Fishing Lake, Wyandotte Co. Lake

Channel Catfish Length Limits

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

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

Lake - West, Pottawatomie 1, Pratt County Lake, Prescott City Lake, Richmond City Lake, Rose Hill - School Street Pond, Sabetha City Lake, Sabetha - Pony Creek Lake, Sedan New City Lake (South), Sedan Old City Lake (North), Severy City Lake, Sherman County - Smoky Gardens, Spring Hill Woodland Ridge Pond, Thayer City Lake (New), Thayer City Lake (Old), Troy 4-H Lake, Uniontown School Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wilson State Fishing Lake, Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir - New

Crappie Creel Limits

10 fish daily creel

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

20 fish daily creel

Atchison State Fishing Lake, Bone Creek Reservoir, Brown State Fishing Lake, Clinton Reservoir, Council Grove City Lake, Council Grove Reservoir, El Dorado Reservoir, Frontenac City Lake, Glen Elder Reservoir, Hillsdale Reservoir, Jackson County - Banner Creek, Kanopolis Reservoir, Lovewell Reservoir, Marion County Lake, Marion Reservoir, Melvern Reservoir, Perry Reservoir, Sabetha - Pony Creek Lake, Thayer City Lake (New), Thayer City Lake (Old), Wellington City Lake, Winfield City Lake, Yates Center Reservoir - New

Crappie Length Limits

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

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

Largemouth Bass Creel Limits

2 fish daily creel limit

Agra City Lake, Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Benton - Poling Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Brown State Fishing Lake, Buhler City Pond, Carbondale East

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

Largemouth Bass Length Limits

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

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

Lake, Sedan Old City Lake, Severy City Lake, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Woodson State Fishing Lake, Yates Center Reservoir – New

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

Big Hill Reservoir

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

Agra City Lake, Alma City Lake, Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Benton - Poling Lake, Black Kettle State Fishing Lake, Brown State Fishing Lake, Buhler City Pond, Carbondale East Lake, Centralia City Lake, Cherryvale City Lake (Tanko), Clearwater - Chisholm Ridge Lake, Clinton Reservoir, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Coffeyville - LeClere Lake, Colwich City Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Douglas State Fishing Lake, Edna City Lake, Emporia-Jones Park Ponds, Emporia-Peter Pan Park, Eskridge - Lake Wabaunsee, Eureka City Lake, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Garnett - Cedar Valley Reservoir, Glen Elder Park Pond, Glen Elder Reservoir, Greenbush Community Lake, Harvey County West Lake, Harveyville City Lake, Herington City Lake - New, Herington City Lake - Old, Herington - Father Padilla Pond, Hillsdale Reservoir, Holton City (Prairie) Lake, Horton - Mission Lake, Horton Little Lake, Humboldt - Franklin Street Pond, Hutchinson - North Pond, Impounded F.I.S.H. Waters, Jackson County - Banner Creek , Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Johnson Co. - Kill Creek North Pond, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Kill Creek South Pond, Johnson Co. - Shawnee Mission Park , Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South , Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, LaCygne Reservoir, Lebo City Lake, Lebo Kid's Pond, Linn County Critzer Reservoir, Logan City Lake, Louisburg - Middle Creek, Marion Reservoir, Melvern Reservoir, Moline New City Lake, Mt. Hope - Oak Street Park Pond, Mulvane - Cedar Brook Pond, Nebo State Fishing Lake, Neosho State Fishing Lake, Olathe - Cedar Lake, Olathe - Lake Olathe, Olpe City Lake, Olpe-Jones Park Pond, Osage City Lake, Park City - Chisholm Pointe, Perry Reservoir, Plainville Township Lake, Pratt County Lake, Rooks State Fishing Lake, Rose Hill - School Street Pond, Sabetha - Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Salina - Lakewood Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Shawnee Co. Lake Shawnee, Sherman County - Smoky Gardens, Tuttle Creek Reservoir, Tuttle Creek Willow Lake, Uniontown School Pond, Valley Center-Arrowhead Park Lake, Valley Center - McLaughlin Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - K-96 Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Yates Center - South

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

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

Smallmouth Bass Creel Limit

2 fish daily creel limit

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

Smallmouth Bass Length Limit

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

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

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

Glen Elder Reservoir

Spotted Bass Creel Limit

2 fish daily creel limit

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

Spotted Bass Length Limit

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

Eureka City Lake, Melvern Reservoir

Walleye Creel Limits

2 fish daily creel limit

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

Walleye Length Limits

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

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

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

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

Sauger Creel Limit

2 fish daily creel limit

Jackson County - Banner Creek, Milford Hatchery Water Supply Pond

Sauger Length Limits

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

Jackson County - Banner Creek, Melvern Reservoir, Perry Reservoir

Saugeye Creel Limits

2 fish daily creel limit

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

Saugeye Length Limits

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

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

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

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

Striped Bass Creel Limits

2 fish daily creel limit

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

Striped Bass Length Limits

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

LaCygne Reservoir, Pleasanton City Lake – East

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

Cheney Reservoir

Trout Creel Limits

2 fish daily creel limit

Salina – Lakewood Lake

Wiper Creel Limits

2 fish daily creel limit

Atchison City Lake #7, Atwood Lake, Carbondale East Lake, Cedar Bluff Reservoir, Centralia City Lake, Council Grove Reservoir, Cheney Reservoir, Clinton Reservoir, Crawford State Fishing Lake, Ellis City Lake, El Dorado Reservoir, Eureka City Lake, Great Bend Stone Lake, Glen Elder Reservoir, Garnett City Lake North, Garnett City Lake South, Garnett - Cedar Valley Reservoir, Gridley City Lake, Herington City Lake – New, Horton Little Lake, Harvey County West Lake, Impounded F.I.S.H. Waters, Region 1 & 3, Johnson Co. - Shawnee Mission Park Lake, Johnson Co. - Kill Creek Park Lake, Jeffrey Energy Center, John Redmond Reservoir, Jetmore City Lake, Kanopolis Reservoir, Kanopolis State Park Pond, Kiowa State Fishing Lake, Lawrence - Mary's Lake, Louisburg City Lake, LaCygne Reservoir, Lebo City Lake, Lovewell Reservoir, Lyon State Fishing Lake, Madison City Lake, Middle Creek State Fishing Lake, Melvern Reservoir, Melvern River Pond, Milford Hatchery Water Supply Pond, Mined Land Wildlife Area, Marion County Lake, Moline New City Lake (North), New Strawn City Lake,

Olathe - Lake Olathe, Olpe City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Overbrook - Kids' Pond, Pleasanton City Lake – East, Pomona Reservoir, Pratt County Lake, Plainville Township Lake, Salina - Lakewood Lake, Sabetha - Pony Creek Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Sterling City Lake, Topeka - West Lake, Wellington City Lake, Wichita - Watson Park Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - East KDOT, Wichita - West KDOT, Winfield City Lake, Woodson State Fishing Lake, Wyandotte Co. Lake, Wyandotte Co. Bonner Lake, Yates Center - South (Owl), Yates Center Reservoir - New

Wiper Length Limits

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

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

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

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

Paddlefish Length Limits

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

Marais des Cygnes River

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

Length limits on that portion of the Missouri River which bound the Kansas-Missouri state boundary (Kansas-Missouri Boundary Waters and the Browning Oxbow): Black bass

(largemouth, spotted and smallmouth bass) of a length less than twelve (12) inches, Channel Catfish, Sauger, and Walleye of a length less than fifteen (15) inches, and only paddlefish of a length less than twenty-four (24) inches are protected and must be returned to the water immediately.

Daily creel limits on that portion of the Missouri River which bound the Kansas-Missouri state boundaries (Kansas-Missouri Boundary Waters and the Browning Oxbow): Catfish (Blue and Flathead) daily creel limit of five (5) fish each; Channel Catfish daily creel limit of ten (10) fish; Crappie (white and black; single species or in combination) daily creel limit of thirty (30) fish; Walleye, Sauger and their hybrids (single species or in combination) daily creel limit of four (4) fish; *Morone* spp. (Yellow bass, Striped bass, White bass and their hybrids; single species or in combination) daily creel limit of fifteen (15) fish; Paddlefish daily creel limit of two (2) fish; Black Bass (Largemouth, Spotted, and Smallmouth; single species or in combination) daily creel limit of six (6) fish; all other species (excluding T&E and SINC species) daily creel limit of fifty (50) fish.

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

Kanopolis Seep Stream (Sand Creek):

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

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

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

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

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

Dodge City Demon Lake:

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

Emporia - Peter Pan Park Pond:

No cast nets and seining allowed.

Garden City Kids' Fishing Pond:

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

Sherman County – Smoky Gardens:

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

Youth/Mentor Fishing Locations:

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

Elk City State Park Pond

Emporia - Jones Park Ponds. No cast nets and seining allowed.

Fall River State Park Pond

Kanopolis State Park Pond

Melvern Mentoring Pond

Olpe - Jones Park Pond. No cast nets and seining allowed.

Wilson State Park Pond

Length and Creel Limits for Coffey County Lake:

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

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

No trotlines or setlines allowed.

Paddlefish Snagging Locations:

Locations open to paddlefish snagging during the paddlefish season (March 15-May 15): Posted areas inside the city parks at Burlington and Chetopa on the Neosho River, Neosho River at Iola downstream from dam downstream to posted Iola city property boundary, Marais des Cygnes River below Osawatome Dam downstream to posted boundary, Neosho Falls Dam, Erie Dam, and Oswego Dam on the Neosho River, Coffeyville Dam on the Verdigris River, Ottawa Dam on

the Marais des Cygnes River, Marais des Cygnes River on the upstream boundary of the Marais des Cygnes Wildlife Area downstream to Kansas-Missouri state line, and the Browning Oxbow Lake of the Missouri River.

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

Float Fishing Locations:

Locations open to float fishing during the float fishing season (July 15-September15): Council Grove Reservoir, Elk City Reservoir, Fall River Reservoir, Glen Elder Reservoir, Hillsdale Reservoir, John Redmond Reservoir, Kanopolis Reservoir, Lovewell Reservoir, Pomona Reservoir, Toronto Reservoir, Tuttle Creek Reservoir, Wilson Reservoir.

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

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

Wichita - Chisholm Island Pond:

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

Sedgwick County - Slough Creek:

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

Length and Creel Limits for Grand Osage Wildlife Area:

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

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

Trophy Sunfish Length and Creel Limits:

A 6- to 9-inch slot length limit on bluegill, redear sunfish, green sunfish, and their hybrids. In addition, a 5/day creel limit (single species or in combination) for any of these species greater than 9 inches and unlimited creel number for fish under 6 inches.

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

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

15-inch minimum length limit and a 2/day creel limit for Channel Catfish, 15- to 18-inch slot length limit and a 10/day creel limit for Largemouth Bass, 18-inch minimum length limit and a 2/day creel limit for Smallmouth Bass, 18-inch minimum length limit and a 2/day creel limit for Walleye, 18-inch minimum length limit and a 2/day creel limit for Wiper, 50/day creel limit for Black and White Crappie (single species or combination), and 4/day creel limit for Rainbow Trout.

Length and Creel Limits for Johnson County Lexington Park Lake:

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

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

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament. During a department-permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic nuisance species waters shall be those specified in the department's "Kansas aquatic nuisance species designated waters," dated ~~July 19~~ August 4, 2019 2020, which is hereby adopted by reference.

(c) No person may fish or collect bait within, from, or over a fish passage, fish ladder, fish steps, or fishway. "Fish passage, fish ladder, fish steps, or fishway" shall mean a structure that facilitates the natural migration of fish upstream on, through, or around an artificial barrier or dam. (Authorized by and implementing K.S.A. ~~2018~~ 2019 Supp. 32-807; effective Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013; amended Nov. 15, 2013; amended Nov. 14, 2014; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended P-_____.)

APPROVED
AUG 17 2020

DIVISION OF THE BUDGET

APPROVED
AUG 18 2020

DEPT. OF ADMINISTRATION

APPROVED
SEP 04 2020

ATTORNEY GENERAL

**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. 115-7-10
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 update the list of known properties with aquatic nuisance species through adoption of a reference document.

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 the movement of invasive species.

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;

Introducing invasive species has significant cost management implications. To allow transportation of invasive species from known vectors is ill advised at best. The regulation is designed to protect water bodies.



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. Fish can still be removed from lakes, just not live or using local water.

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. Fish can still be removed from lakes, just not live or using local water.

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

The agency held a public hearing on this regulation on June 25 via teleconference, where 26 members of the public attended. The agency will also hold hearings on August 20 via teleconference, September 25 in Topeka, and November 19 in Oakley.

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.

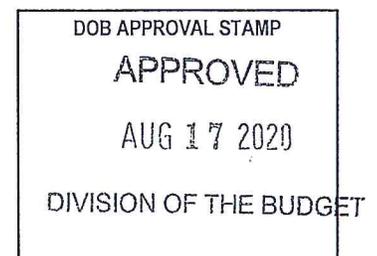


- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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.



K.A.R. 115-7-10.
Fishing; special provisions.
POSSIBLE AMENDMENT

As a result of the discovery of white perch at Wichita West KDOT Lake in Sedgwick County, the Department suggests that the following amendment be made to the version of the regulation submitted for public comment.

K.A.R. 115-7-10. Fishing; special provisions.

1. Amend proposed subsection (b) on page 1 as follows:

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament. During a department- permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic nuisance species waters shall be those specified in the department’s “Kansas aquatic nuisance species designated waters,” dated ~~July 19~~ August 4 ~~October 16, 2019~~ 2020, which is hereby adopted by reference.



Kansas Aquatic Nuisance Species Designated Waters

October 16, 2020

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

FEDERAL RESERVOIRS, STATE FISHING LAKES & STATE WILDLIFE AREAS

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

Milford Reservoir	Republican River, Kansas River	Zebra Mussel	Clay, Dickinson, Geary
Osage State Fishing Lake	Osage SFL outflow, 110-Mile Creek, Pomona Reservoir, Marais Des Cygnes River	Zebra Mussel	Osage
Perry Reservoir	Delaware River, Kansas River	Zebra Mussel	Jefferson
Pomona Reservoir	110-Mile Creek, Marais Des Cygnes River	Zebra Mussel	Osage
Tuttle Creek Reservoir and River Pond	Big Blue River, Kansas River	Zebra Mussel	Marshall, Pottawatomie, Riley
Wilson Reservoir	Saline River, Smoky Hill River, Kansas River	White Perch, Zebra Mussel	Lincoln, Russell
CITY, COUNTY AND PRIVATE WATERS			
WATERBODY	WATERS DOWNSTREAM	AQUATIC NUISANCE SPECIES	COUNTIES
Coffey County Lake – Wolf Creek Generating Station <i>Boat inspection required</i>	Wolf Creek, Neosho River	Zebra Mussel	Coffey
Council Grove City Lake <i>Aquatic Nuisance Species Course certificate required to boat or fish this lake</i>	Canning Creek, Council Grove Reservoir, Neosho River, John Redmond Reservoir	Zebra Mussel	Morris
El Dorado – East Park Pond	Walnut River	Zebra Mussel	Butler
Emerald Bay		White Perch, Zebra Mussel	Sedgwick
Eskridge – Lake Wabaunsee <i>Boat inspection required</i>	Lake Wabaunsee outflow, East Branch Mill Creek, South Branch Mill Creek, Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
Hutchinson – Carey Park Lagoon		White Perch	Reno
Hutchinson – Carey Park Pond		White Perch	Reno
Jeffrey Energy Center Auxiliary Lake and Make-up Lake	Kansas River	Zebra Mussel	Pottawatomie
Kingman – Hoover Pond	South Fork Ninescah River, Ninescah River, Arkansas River	White Perch	Kingman
Linn County – Linn Valley Lakes – Main Lake	Linn Valley Lakes – Main Lake outflow, Middle Creek, Marais Des Cygnes River	Zebra Mussel	Linn
McPherson County – Emerald Lake	Smoky Hill River, Kansas River	Zebra Mussel	McPherson
Paola – Lake Miola (Paola City Lake)	Dorsey Branch, South Wea Creek, Bull Creek, Marais Des Cygnes River	Zebra Mussel	Miami
Sedgwick County – Lake Afton	Clearwater Creek, Ninescah River, Arkansas River	White Perch, Zebra Mussel	Sedgwick

Sedgwick County Park Lakes: Vic's Lake, Horseshoe Lake, Tom Scott Lake, Moss Lake, Kids Lake		White Perch	Sedgwick
Shawnee County – Lake Shawnee	Deer Creek, Shunganunga Creek, Kansas River	Zebra Mussel	Shawnee
Spirit/Boeing Employee Association Lake		White Perch	Sedgwick
Wellington City Lake	East Prairie Creek, Prairie Creek, Chikaskia River	Zebra Mussel	Sumner
Wichita – South Lake	Wichita – South Lake outflow, MS Mitch Mitchell Floodway, Arkansas River	White Perch	Sedgwick
Wichita – West KDOT Lake		White Perch	Sedgwick
Winfield City Lake	Timber Creek, Walnut River, Arkansas River	Zebra Mussel	Cowley
Wyandotte County Lake	Marshall Creek, Missouri River	Zebra Mussel	Wyandotte

RIVERS AND STREAMS

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

WATERBODY	WATERS DOWNSTREAM	AQUATIC NUISANCE SPECIES	COUNTIES
110-Mile Creek from Osage SFL outflow to confluence with Marais Des Cygnes River	Pomona Reservoir, Marais Des Cygnes River	Zebra Mussel	Osage
Arkansas River from Ninnescah River to the Oklahoma State Line		White Perch, Zebra Mussel	Cowley, Sumner
Arkansas River from MS Mitch Mitchell Floodway to confluence with Ninnescah River	Arkansas River	White Perch	Sedgwick, Sumner
Betts Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte
Big Blue River from Tuttle Creek Reservoir dam to confluence with Kansas River	Kansas River	Zebra Mussel	Pottawatomie, Riley
Big Slough from Sedgwick County Park to confluence with MS Mitch Mitchell Floodway		White Perch	Sedgwick
Blue River to the Missouri State Line	Missouri River	Asian Carp	Johnson
Branch Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Brenner Heights Creek to confluence with Muncie Creek	Muncie Creek, Kansas River	Asian Carp	Wyandotte
Brewery Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison
Brush Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Brush Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Buckhorn Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Bull Creek from Hillsdale Reservoir dam to confluence with Marais des Cygnes River	Marais des Cygnes River	Zebra Mussel	Miami

Burger Creek to confluence with Turkey Creek	Turkey Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Buttermilk Creek to confluence with South Fork Wolf River	South Fork Wolf River, Wolf River, Missouri River	Asian Carp	Brown
Buttermilk Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Camp Branch to confluence with Blue River	Blue River, Missouri River	Asian Carp	Johnson
Camp Creek to confluence with Cedar Creek	Cedar Creek, Kansas River	Asian Carp	Johnson
Camp Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Atchison
Canning Creek from Council Grove City Lake dam to Council Grove Reservoir	Council Grove Reservoir, Neosho River, John Redmond Reservoir	Zebra Mussel	Morris
Captain Creek to confluence with Kansas River	Kansas River	Asian Carp	Douglas, Johnson
Cedar Creek from Olathe Lake dam to confluence with Kansas River	Kansas River	Asian Carp	Johnson
Cedar Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Charlie Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Chicken Creek to confluence with Washington Creek	Washington Creek, Wakarusa River, Kansas River	Asian Carp	Douglas
Chikaskia River to Oklahoma State Line		Zebra Mussel	Sumner
Clear Creek to confluence with Mill Creek	Mill Creek, Kansas River	Asian Carp	Johnson
Clear Creek to confluence with Turkey Creek	Turkey Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Marshall, Nemaha
Clearwater Creek from Lake Afton dam to confluence with Ninescah River	Ninescah River, Arkansas River	White Perch, Zebra Mussel	Sedgwick
Coal Creek from Douglas State Fishing Lake dam to confluence with Wakarusa River	Wakarusa River, Kansas River	Asian Carp	Douglas
Coffee Creek to Blue River	Blue River, Missouri River	Asian Carp	Johnson
Cold Ryan Branch to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Connor Creek to confluence with Missouri River	Missouri River	Asian Carp	Wyandotte
Coon Creek to confluence with Mill Creek	Mill Creek, Kansas River	Asian Carp	Johnson
Coon Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Corral Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Cottonwood River from Marion Reservoir dam to confluence with Neosho River	Neosho River, John Redmond Reservoir	Zebra Mussel	Chase, Lyon, Marion
Cow Creek to confluence with Ninemile Creek	Ninemile Creek, Stranger Creek, Kansas River	Asian Carp	Leavenworth
Cramer Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth

Crooked Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Atchison, Jefferson
Dawson Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Jefferson, Leavenworth
Deer Creek from Lake Shawnee dam to confluence with Shunganunga Creek	Shunganunga Creek, Kansas River	Zebra Mussel	Shawnee
Deer Creek from Sabetha City Lake dam to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Deer Creek to confluence with Independence Creek	Independence Creek, Missouri River	Asian Carp	Atchison
Delaware River from Perry Reservoir dam to confluence the Kansas River	Kansas River	Zebra Mussel	Jefferson
Dorsey Branch from Lake Miola dam to confluence with South Wea Creek	South Wea Creek, Bull Creek, Marais Des Cygnes River	Zebra Mussel	Miami
Duck Creek	Marais Des Cygnes River, Melvern Reservoir	Zebra Mussel	Lyon
East Branch Mill Creek from Lake Wabaunsee outflow to confluence with South Branch Mill Creek	South Branch Mill Creek, Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
East Prairie Creek to confluence with West Prairie Creek	Prairie Creek, Chikaskia River	Zebra Mussel	Sumner
Eddy Creek to confluence with Missouri River	Missouri River	Asian Carp	Wyandotte
Euchre Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Fall Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Jefferson, Leavenworth
Fisher Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Fivemile Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Fourmile Creek to the Nebraska State Line	Missouri River	Asian Carp	Nemaha
Fox Creek to confluence with Cedar Creek	Cedar Creek, Missouri River	Asian Carp	Brown, Doniphan
Geary State Fishing Lake outflow from Geary SFL dam to confluence with Lyons Creek	Lyons Creek, Kansas River	Zebra Mussel	Geary
Halling Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Harris Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Hog Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Honey Creek to confluence with Island Creek	Island Creek, Missouri River	Asian Carp	Wyandotte
Honey Creek to the Nebraska State Line	Missouri River	Asian Carp	Nemaha
Howard Creek to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson

Hulls Branch to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson
Illinois Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Independence Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison, Doniphan
Indian Creek to confluence with Walnut Creek	Walnut Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson
Indian Creek to the Missouri State Line		Asian Carp	Johnson
Island Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth, Wyandotte
Jarbalo Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Jersey Creek to confluence with Missouri River	Missouri River	Asian Carp	Wyandotte
Jordan Creek to confluence with Independence Creek	Independence Creek, Missouri River	Asian Carp	Doniphan
Kansas River from Bowersock Dam to confluence with Missouri River		Asian Carp, White Perch, Zebra Mussel	Douglas, Leavenworth, Johnson, Wyandotte
Kansas River to Bowersock Dam	Kansas River	White Perch, Zebra Mussel	Douglas, Geary, Jefferson, Pottawatomie, Shawnee, Wabaunsee
Kenney Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Kent Creek to confluence with Kansas River	Kansas River	Asian Carp	Leavenworth
Kill Creek to confluence with Kansas River	Kansas River	Asian Carp	Johnson
Lake Wabaunsee outflow from Lake Wabaunsee dam to confluence with East Branch Mill Creek	East Branch Mill Creek, South Branch Mill Creek, Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
Linn Valley Lakes – Main Lake outflow to confluence with Middle Creek	Middle Creek, Marais Des Cygnes River	Zebra Mussel	Linn
Little Cedar Creek to confluence with Cedar Creek	Cedar Creek, Kansas River	Asian Carp	Johnson
Little Kaw Creek to confluence with Kansas River	Kansas River	Asian Carp	Leavenworth
Little Mill Creek to confluence with Mill Creek	Mill Creek, Kansas River	Asian Carp	Johnson
Little Sandy Creek to confluence with Little Stranger Creek	Little Stranger Creek, Stranger Creek, Kansas River	Asian Carp	Leavenworth
Little Snell Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Little Stranger Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Atchison
Little Stranger Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Little Turkey Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte

Little Wakarusa Creek to confluence with Wakarusa River	Wakarusa River, Kansas River	Asian Carp	Douglas
Little Walnut Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison
Lyon State Fishing Lake outflow from Lyon SFL dam to confluence with Duck Creek	Duck Creek, Marais Des Cygnes River, Melvern Reservoir	Zebra Mussel	Lyon
Lyons Creek from outflow of Geary SFL to confluence with Kansas River	Kansas River	Zebra Mussel	Geary
Manly Creek to confluence with Pole Creek	Pole Creek, Turkey Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Marshall, Nemaha
Marais Des Cygnes River to the Missouri State Line		Zebra Mussel	Franklin, Linn, Lyon, Miami, Osage
Marshall Creek from Wyandotte County Lake dam to confluence with Kansas River	Kansas River	Asian Carp, Zebra Mussel	Wyandotte
Mattoon Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte
Middle Creek to confluence with Marais Des Cygnes River	Marais Des Cygnes River	Zebra Mussel	Linn
Middle Fork Wolf River to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Brown
Mill Creek from South Branch Mill Creek to confluence with Kansas River	Kansas River	Zebra Mussel	Wabaunsee
Mill Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte
Mill Creek to confluence with Kansas River	Kansas River	Asian Carp	Johnson
Mill Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Mission Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Missouri River		Asian Carp, White Perch, Zebra Mussel	Atchison, Doniphan, Leavenworth, Wyandotte
Mooney Creek to confluence with Crooked Creek	Crooked Creek, Stranger Creek, Kansas River	Asian Carp	Atchison, Jefferson
Mosquito Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
MS Mitch Mitchell Floodway from Big Slough to confluence with Arkansas River	Arkansas River	White Perch	Sedgwick
Mud Creek to confluence with Kansas River	Kansas River	Asian Carp	Douglas, Jefferson, Leavenworth
Mulberry Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Muncie Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte
Murray Creek to confluence with Little Stranger Creek	Little Stranger Creek, Stranger Creek, Kansas River	Asian Carp	Leavenworth



Nearman Creek to confluence with Missouri River	Missouri River	Asian Carp	Wyandotte
Negro Creek to confluence with Blue River	Blue River, Missouri River	Asian Carp	Johnson
Negro Creek to confluence with Clear Creek	Clear Creek, Turkey Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Nelson Creek to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan

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

Quarry Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Rattlesnake Creek to the Nebraska State Line	Missouri River	Asian Carp	Nemaha
Republican River from Milford Reservoir dam to Kansas River	Kansas River	Zebra Mussel	Geary
Rittenhouse Branch to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Rock Creek to confluence with Independence Creek	Independence Creek, Missouri River	Asian Carp	Doniphan
Rock Creek to the Nebraska State Line	Missouri River	Asian Carp	Nemaha
Roys Creek to the Nebraska State Line	Missouri River	Asian Carp	Brown
Saline River from Wilson Reservoir dam to confluence with Smoky Hill River	Smoky Hill River, Kansas River	White Perch, Zebra Mussel	Lincoln, Ottawa, Russell, Saline
Salt Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Scatter Creek to confluence with Walnut Creek	Walnut Creek, Stranger Creek, Kansas River	Asian Carp	Jefferson
Sevenmile Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Shunganunga Creek from Deer Creek to confluence with Kansas River	Kansas River	Zebra Mussel	Shawnee
Smith Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Smoky Hill River from Cedar Bluff Reservoir dam to confluence with Saline River	Smoky Hill River, Kansas River	Zebra Mussel	Ellis, Ellsworth, McPherson, Rush, Russell, Saline, Trego
Smoky Hill River from Saline River to Kansas River	Kansas River	White Perch, Zebra Mussel	Dickinson, Geary, Saline
Solomon River from Glen Elder Reservoir dam to confluence with Smoky Hill River	Smoky Hill River, Kansas River	Zebra Mussel	Cloud, Dickinson, Mitchell, Ottawa, Saline
South Branch Mill Creek from East Branch Mill Creek to confluence with Mill Creek	Mill Creek, Kansas River	Zebra Mussel	Wabaunsee
South Fork Big Nemaha River to the Nebraska State Line		Asian Carp	Nemaha
South Fork Ninescah River from Byron Walker Wildlife Area to confluence with Ninescah River	Ninescah River, Arkansas River	White Perch	Kingman, Sedgwick
South Fork Wildcat Creek to Wildcat Creek	Wildcat Creek, South Fork Big Nemaha River	Asian Carp	Nemaha
South Fork Wolf River to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Brown
South Wea Creek from Dorsey Branch to confluence with Bull Creek	Bull Creek, Marais Des Cygnes River	Zebra Mussel	Miami
Spoon Creek to confluence with Kill Creek	Kill Creek, Kansas River	Asian Carp	Johnson
Spring Branch to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown

Spring Creek to confluence with Cedar Creek	Cedar Creek, Missouri River	Asian Carp	Brown, Doniphan
Spring Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Atchison
Spring Creek to confluence with Wakarusa River	Wakarusa River, Kansas River	Asian Carp	Douglas
Spring Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Springs Branch to confluence with Cold Ryan Branch	Cold Ryan Branch, Wolf River, Missouri River	Asian Carp	Doniphan
Squaw Creek to confluence with Missouri River	Missouri River	Asian Carp	Brown, Doniphan
Stranger Creek to confluence with Kansas River	Kansas River	Asian Carp	Atchison, Leavenworth
Striker Branch to confluence with Wolf River	Wolf River, Missouri River	Asian Carp	Doniphan
Tennessee Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Terrapin Creek to confluence with Walnut Creek	Walnut Creek, Missouri River	Asian Carp	Brown
Threemile Creek to confluence with Missouri River	Missouri River	Asian Carp	Leavenworth
Timber Creek from Winfield City Lake dam to confluence with Walnut River	Walnut River, Arkansas River	Zebra Mussel	Cowley
Tomahawk Creek to confluence with Indian Creek	Indian Creek	Asian Carp	Johnson
Tonganoxie Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
Turkey Creek to confluence with Kansas River	Kansas River	Asian Carp	Johnson, Wyandotte
Turkey Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Wakarusa River from Clinton Reservoir dam to confluence with Kansas River	Kansas River	Asian Carp, Zebra Mussel	Douglas
Walnut Creek to confluence with Missouri River	Missouri River	Asian Carp	Doniphan
Walnut Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison
Walnut Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Jefferson, Leavenworth
Walnut Creek to the Nebraska State Line	Missouri River	Asian Carp	Brown
Walnut River from El Dorado Reservoir dam to confluence with Arkansas River	Arkansas River	White Perch, Zebra Mussel	Butler, Cowley
Washington Creek from Lonestar Lake dam to confluence with Wakarusa River	Wakarusa River, Kansas River	Asian Carp	Douglas
West Brush Creek to confluence with Stranger Creek	Stranger Creek, Kansas River	Asian Carp	Leavenworth
West Mission Creek to confluence with Kansas River	Kansas River	Asian Carp	Wyandotte



Whiskey Creek to confluence with Missouri River	Missouri River	Asian Carp	Atchison
Wichita – South Lake outflow	MS Mitch Mitchell Floodway, Arkansas River	White Perch	Sedgwick
Wildcat Creek to confluence with South Fork Big Nemaha River	South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Wolf Creek from Coffey County Lake dam to confluence with Neosho River	Neosho River	Zebra Mussel	Coffey
Wolf Creek to Blue River	Blue River, Missouri River	Asian Carp	Johnson
Wolf Creek to confluence with Kansas River	Kansas River	Asian Carp	Leavenworth, Wyandotte
Wolf Pen Creek to confluence with Deer Creek	Deer Creek, South Fork Big Nemaha River, Missouri River	Asian Carp	Nemaha
Wolf River to confluence with Missouri River	Missouri River	Asian Carp	Brown, Doniphan

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

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

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(19) Eurasian minnow (*Phoxinus phoxinus*);

(20) stone moroko (*Pseudorasbora parva*);

(21) European perch (*Perca fluviatilis*);

(22) Nile perch (*Lates niloticus*);

(23) roach (*Rutilus rutilus*);

(24) amur sleeper (*Perccottus glenii*);

(25) zander (*Sander lucioperca*); and

(26) common yabby (*Cherax destructor*).

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

(1) February 1, 1978 for fish and bird species other than black carp, snakehead fish, round goby, white perch, zebra mussel, quagga mussel, New Zealand mudsnail, and diploid grass carp;

(2) February 1, 1986 for mammal species;

(3) October 1, 2000 for black carp;

(4) May 1, 2003 for snakehead fish;

(5) August 1, 2004 for round goby, quagga mussel, and zebra mussel;

(6) May 15, 2005 for New Zealand mudsnail;

(7) February 15, 2007 for white perch;

(8) January 1, 2008 for diploid grass carp; and

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(9) January 30, 2019 for marbled crayfish; and

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

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

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

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

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

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

(f) In addition to other penalties prescribed by law, any wildlife importation permit may be

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refused issuance or revoked by the secretary if any of the following conditions is met:

- (1) The application is incomplete or contains false information.
- (2) Issuance of a permit would not be in the best interest of the public or of the natural resources of Kansas.
- (3) The permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. ~~2018~~ 2019 Supp. 32-807 and K.S.A. 32-956; implementing K.S.A. 32-956; effective Dec. 27, 1993; amended Sept. 22, 2000; amended April 18, 2003; amended July 23, 2004; amended May 20, 2005; amended Feb. 9, 2007; amended Nov. 16, 2007; amended Dec. 21, 2018; amended P-_____.)

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**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. 115-18-10
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).

The proposed amendments to the regulation include adding species already listed as injurious species under federal law and possession is already prohibited.

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)

The federal government already prohibits the possession of the species proposed for listing. The species are already prohibited from possession in the surrounding states.

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 ban on possession of the proposed species will not enhance or restrict business activities and growth because the species are already prohibited from possession under federal law.

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;

None.

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 species are already prohibited from possession under federal law. The listing of species under state law provide one source of information for our constituents.



- 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;**

The prohibited possession of the proposed species is already in effect under federal law so there is no impact in Kansas.

- 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.**

\$0

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.

\$0

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 species are not currently offered within the state for sale. Therefore, there is no methodology or data to be used in estimating the above cost estimate.

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 a public hearing on this regulation on June 25 virtually, where 26 members of the public attended. The agency will also hold hearings on August 20 virtually, September 25 in Topeka, and November 19 in Oakley.

- 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

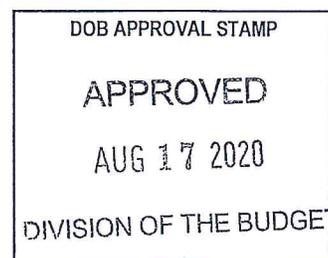


- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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.



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

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

(2) "Artificial lure" means a man-made fish-catching device used to mimic a single prey item. Artificial lures may be constructed of natural, nonedible, or synthetic materials. Multiple hooks, if present, shall be counted as a single hook on an artificial lure.

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

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

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

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

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

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

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

(10) "Cast net" means a circular or conical weighted net designed to be cast mouth-downward

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by hand and withdrawn by lines attached to its margin.

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

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

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

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

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

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

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

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

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

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- (20) "Eyass" means a young of the year raptor not yet capable of flight.
- (21) "Falconer" means the holder of a falconry permit.
- (22) "Falconry" means the taking of wildlife with a trained raptor.
- (23) "Field trial event for dogs" means a competitive event involving at least six dogs that are judged on hunting or running ability.
- (24) "Firearm" means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.
- (25) "Fire ring" means an open-topped, man-made, fire-retaining device.
- (26) "Fireplace" means an enclosed, man-made, fire-retaining device.
- (27) "Fishing line" means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.
- (28) "Fish trap" means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.
- (29) "Fully automatic firearm" means a firearm capable of firing more than one round with a single trigger pull.
- (30) "Gaff" means a hook attached to a rigid pole.
- (31) "Gig" means a hand-operated spear with one or more prongs with or without barbs.
- (32) "Group camping area" means any area within a state park designated by posted notice for camping by organized groups.
- (33) "Haggard" means an adult raptor in mature plumage.
- (34) "Hook" means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

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

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

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

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

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

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

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

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

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

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

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

(46) "Prime camping site" means any site within a state park so designated by posted notice of

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the secretary and subject to an additional charge.

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

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

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

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

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

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

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

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

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hooks, and is not associated with a hand-operated mechanical reel.

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

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

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

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

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

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

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

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

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

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

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

(C) to carry another individual's license, permit, or other issue of the department when that individual is not present.

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

(65) "Turkey" means wild turkey.

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

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

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

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

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

(1) The context requires a different definition.

(2) The defined term is specifically defined differently within the department's other regulations. (Authorized by and implementing K.S.A. 2014 2019 Supp. 32-807; effective Dec. 26, 1989; amended June 8, 1992; amended Sept. 19, 1997; amended Nov. 21, 2003; amended July 22, 2011; amended Nov. 26, 2012; amended Nov. 30, 2015; amended P-_____.)

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DIVISION OF THE BUDGET, DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

**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. 115-1-1
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).

The proposed changes to the regulation would better define nonsport fish.

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)

There is no federal mandate and Colorado, Nebraska, Missouri and Oklahoma all have varying regulations on what constitutes a nonsport fish.

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 regulation would likely not enhance or restrict business activities.

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;

There is no economic effect to the proposed changes in the regulation.

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 amendments to the regulation are designed to reduce barriers to possible uses of dead nonsport fish that are also prohibited species to possess live.



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 is no cost or impact to businesses, local governments or individuals from 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.

\$0.

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.

\$0.

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 proposed amendments to the regulation are designed to reduce barriers to possible uses of dead nonsport fish that are also prohibited species to possess live.

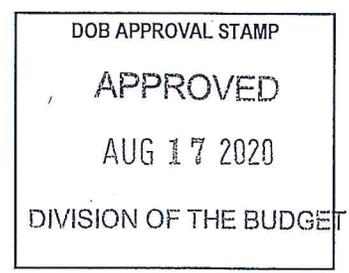
Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for 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 a public hearing on this regulation on June 25 via teleconference, where 26 members of the public attended. The agency will also hold hearings on August 20 via teleconference, September 25 in Topeka, and November 19 in Oakley.

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.

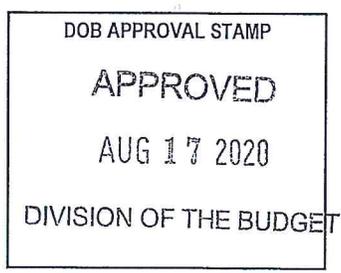


H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

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.



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

- (1) A seine not longer than 15 feet and four feet deep with mesh not larger than 1/4 inch;
 - (2) a fish trap with mesh not larger than 1/4 inch and a throat not larger than one inch in diameter;
 - (3) a dip or cast net with mesh not larger than one inch; or
 - (4) a fishing line.
- (b) Each fish trap shall be tagged with the operator's name and address when the fish trap is in use.
- (c) Baitfish taken, except gizzard shad, silver carp, and bighead carp, shall not exceed 12 inches in total length. Silver carp and bighead carp shall not be transported from the water alive.
- (d) The possession limit shall be 500 baitfish.
- (e) For the species specified in this subsection, the department's applicable creel and possession limits shall apply.

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

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that water and shall not be transported from the water alive.

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

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

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**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. 115-7-3
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).

The proposed changes to the regulation would align certain types of nonsport fish uses.

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)

There is no federal mandate and Colorado, Nebraska, Missouri and Oklahoma all have varying regulations on what is a nonsport fish and how they may be used.

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 regulation would likely not enhance or restrict business activities.

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;

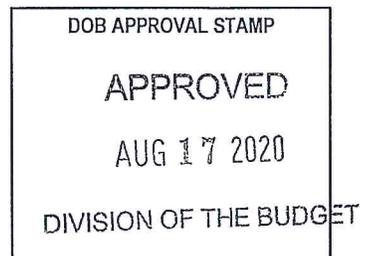
There is no economic effect to the proposed changes in the regulation.

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 amendments to the regulation are designed to reduce barriers to possible uses of dead nonsport fish that are also prohibited species to possess live.



- 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 is no cost or impact to businesses, local governments or individuals from 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.**

\$0.

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.

\$0.

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 proposed amendments to the regulation are designed to reduce barriers to possible uses of dead nonsport fish that are also prohibited species to possess live..

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 a public hearing on this regulation on June 25 via teleconference, where 26 members of the public attended. The agency will also hold hearings on August 20 via teleconference, September 25 in Topeka, and November 19 in Oakley.

- 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.



115-18-12. Trout permit; requirements, restrictions, and permit duration. (a) Each individual ~~who is 16 years of age or older and~~ who wants to fish or to fish for and possess trout during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a trout permit.

(b) Each trout permit shall be valid statewide for one year from the date of purchase.

(c) Each trout permit shall be validated by the signature of the permit holder written across the face of the permit. A trout permit shall not be transferable. (Authorized by and implementing K.S.A. ~~2016~~ 2019 Supp. 32-807; effective Nov. 15, 1993; amended Jan. 30, 1995; amended July 24, 1998; amended Nov. 27, 2006; amended Nov. 16, 2007; amended Dec. 22, 2017; amended P-_____.)

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ATTORNEY GENERAL

**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. 115-18-12

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 permanent regulation relates to the trout permit, requirements, restrictions, and permit duration. The proposed amendments to the regulation would require every angler fishing for trout to have a trout permit. Anglers under 16 would still be exempt from the licensing requirements.

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 fishing and permits. Missouri requires a trout permit for all anglers but exempts anglers under 16 from having a license. Colorado requires a fishing license for nonresidents under 18 but not residents. Nebraska and Oklahoma do not have trout permits and exempt all anglers under 16 from having a license.

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 revocation will neither enhance nor 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;

Anglers under 16 would be required to have a reduced price trout permit.

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 benefits include increasing the base to pay for the trout program and being able to count those anglers in the federal sportfish and restoration program as an angler.

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;

The agency has proposed a reduced price for the permit 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.

Although the fee structure for permits is contained in K.A.R. 115-2-1 and the information is contained in that economic analysis, the change in permit structure will generate \$2799 approximately.

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.

Although the fee structure for permits is contained in K.A.R. 115-2-1 and the information is contained in that economic analysis, the change in permit structure will generate \$2,799 approximately.

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.

It is estimated that 622 youth trout permits will be sold x 4.50=\$2,799.

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 will hold hearings on August 20 virtually, September 25 in Topeka, and November 19 in Oakley.

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

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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.



115-2-1. 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 disabled veteran hunting license (valid for one year from date of purchase, 30 percent or more service-connected disabled).....	12.50
Resident senior hunting license (valid for one year from date of purchase, 65 years of age through 74 years of age).....	12.50
Resident youth hunting license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year)	40.00
Nonresident hunting license (valid for one year from date of purchase).....	95.00
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

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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

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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

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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
<u>Nonresident tenant: either-sex elk permit</u>	<u>300.00</u>
<u>Nonresident tenant: antlerless-only elk permit</u>	<u>150.00</u>
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.

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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 disabled veteran fishing license (valid for one year from date of purchase, 30 percent or more service-connected disabled).....	12.50
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 <u>3.50</u>
Nonresident calendar day fishing license	12.00 <u>7.50</u>
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

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Trout permit (valid for one year from date of purchase)12.00
Youth trout permit (under 16 years of age, valid for one year from date of purchase)4.50

(c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license (valid for one year from date
of purchase)45.00

Resident combination hunting and fishing license (valid for five years from date
of purchase)..... 180.00

Resident disabled veteran combination hunting and fishing license (valid for one year
from date of purchase, 30 percent or more service-connected disabled).....22.50

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 license960.00
or eight quarterly installment payments of130.00

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

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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

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Commercial prairie rattlesnake dealer permit.....50.00

Prairie rattlesnake round-up event permit25.00

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit10.00

Raptor propagation permit0

Rehabilitation permit0

Wildlife damage-control permit0

Wildlife importation permit10.00

Threatened or endangered species: special permits0

(g) Falconry.

Apprentice permit75.00

General permit75.00

Master permit75.00

Testing fee50.00

(h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department.....0.00 0

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.

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(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, 2021. (Authorized by K.S.A. 2018 2019 Supp. 32-807 and K.S.A. 2018 2019 Supp. 32-988; implementing K.S.A. 2018 2019 Supp. 32-807, K.S.A. 2018 2019 Supp. 32-988, and K.S.A. 2018 2019 Supp. 32-9,100; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2007; amended Jan. 1, 2008; amended Jan. 1, 2009; amended Jan. 1, 2010; amended Aug. 1, 2010; amended Jan. 1, 2011; amended Jan. 1, 2013; amended April 19, 2013; amended Nov. 15, 2013; amended Jan. 1, 2015; amended Jan. 1, 2016; amended Jan. 1, 2018; amended April 26, 2019; amended Sept. 20, 2019; amended P-_____.)

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**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 daily resident and nonresident fishing licenses, create a price category for nonresident tenant elk permits and create a youth trout permit at a reduced price.

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 licenses and 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 reduce costs for resident and nonresident anglers when purchasing daily fishing permits, add a category of elk permits for nonresident tenants and create a youth trout permit at a reduced cost.

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 a reduction in fees for resident and nonresident anglers, a reduced price youth trout permit and allow elk hunting opportunities for nonresident tenants.

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. Reducing the fees for resident and nonresident daily permits will result in a reduction to the wildlife fee fund in the amount of \$79,335 annually. It is estimated that the nonresident tenant elk permit will generate approximately \$4,200. It is also estimated that the youth trout permit will generate approximately \$2,800.

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. Reducing the fees for resident and nonresident daily permits will result in a reduction to the wildlife fee fund in the amount of \$79,335 annually. It is estimated that the nonresident tenant elk permit will generate approximately \$4,200. It is also estimated that the youth trout permit will generate approximately \$2,800.

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.

In 2019, the agency sold 10,899 resident and 11,575 nonresident daily fishing permits. $10,899 \times 2.50 = 27,247.50 + 11,575 \times 4.50 = 52,087.50$ resulting in a total reduction to the WFF of 79,335.00. It is estimated that 14 nonresident tenant elk permits will be sold $\times 300 = \$4200$. It is estimated that 622 youth trout permits will be sold $\times 4.50 = \$2,799$.

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

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The agency held a public hearing on this regulation on June 25 via teleconference, where 26 members of the public attended. The agency will also hold hearings on August 20 via teleconference, September 25 in Topeka, and November 19 in Oakley.

- 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.**

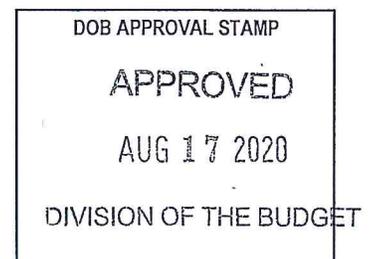
Not applicable.

- 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.



**Public Hearing
Public Lands Cabins
November 19, 2020**

Background:

The Public Lands Division operates rental cabins at Atchison, McPherson, and Ottawa State Fishing Lakes and the Mined Lands Wildlife Area.

Each of these properties features one cabin available for rent except for Mined Lands WA which has two.

Public Lands cabin rental rates have been \$70 per night at all cabins since their inception in 2007.

Discussion:

These cabins are 10 – 13 years old and are in need of extensive repairs and upgrades. Maintenance and cleaning costs continue to increase. The current rental rate of \$70 per night is not keeping up with expenses and the public lands cabin program is operating in the red.

-Annual occupancy for these cabins is as follows:

Ottawa SFL = 23%

McPherson SFL = 26%

Atchison SFL = 34%

Mined Lands WA = 60% & 47% (2 cabins)

**Because of low annual occupancy and other management factors, an internal decision has been made that the cabins at Ottawa SFL and McPherson SFL will no longer be operated as rental cabins. They will be utilized as offices for KDWPT staff.

Recommendation:

The Department is recommending that the nightly rental rate for the cabins at Atchison SFL and Mined Lands Wildlife Area be increased from \$70 to \$105.

This recommendation is based on research conducted and comparisons made to State Park cabin rental rates (\$70 - \$140), local lodging rates, and annual costs to maintain.

	Current	Recommended
Atchison SFL	\$70.00	\$105.00
Mined Land WA (2 cabins)	\$70.00	\$105.00
Ottawa SFL	\$70.00	will be used as office
McPherson SFL	\$70.00	will be used as office

Secretary's Resolution

2021 KANSAS FREE FISHING DAYS

Under authorities contained in K.S.A. 32-906(f), the dates of June 5 and 6, 2021 are established as "Free Fishing Days." All persons may fish in the waters of the State, by legal means, without a valid fishing license on these dates. All residents and visitors to the State of Kansas are encouraged to use this opportunity to enjoy our outdoor recreational resources.

Date

Brad Loveless, Secretary
Kansas Department of Wildlife, Parks & Tourism

Secretary's Resolution

2021 KANSAS FREE PARK ENTRANCE DAYS

Under authorities contained in K.S.A. 32-901(f), the following dates:

January

9 – Milford – Eagle Days

February

No free events planned

March

No free events planned

April

No free events planned

May

1 – ALL PARKS – Let's Camp America Day

8 – Cheney – OK Kids Day

8 – Wilson – OK Kids Day

June

5 – Cross Timbers – National Trails Day

5 – Elk City – Free Fishing Day

5 – Flint Hills Nature Trail – National Trails

Day

5 – Glen Elder – Youth Fishing Tournament

5 – Perry – Free Fishing Day

5 – Prairie Dog – OK Kids Day

5 – Prairie Spirit – National Trails Day

5 – Sand Hills – Fishing Clinic

12 – Cedar Bluff – OK Kids Day

12 – Historic Lake Scott – OK Kids Day

July

10 – Little Jerusalem – Wildflower and Birding
Hike

August

14 – Clinton – OK Kids Day

21 – Hillsdale – Kids Archery Skills Day

28 – Tuttle Creek – OK Kids Day

September

12 – Lovewell – 3D Archery Shoot

18 – Meade – Car Show

18 – Webster – Car Show

25 – Crawford – Annual Chili Cook-off Contest

25 – Fall River – National Public Lands Day

25 – Pomona – Fall Festival

October

2 – El Dorado – OK Kids Day

9 – Eisenhower – Trail Benefit Ride

23 – Kanopolis – Prairie Long Rifles

Rendezvous

November

21 – ALL PARKS - Black Friday #optoutside

December

No free events planned

are established as “2021 Free Park Entrance Days.” All persons may enter Kansas state parks listed above free-of-charge on dates specified. All residents and visitors to the State of Kansas are encouraged to use this opportunity to enjoy our outdoor recreational resources.

Date

Brad Loveless, Secretary
Kansas Department of Wildlife, Parks & Tourism