

115-25-1. Prairie chickens; open seasons, bag limits, and possession limits; permit. (a) East unit.

The open season for the taking of prairie chickens shall be September 15 through January 31 of the following year, in that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-156, then east on state highway K-156 to its junction with state highway K-19, then south on state highway K-19 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with the Colorado-Kansas state line, and then south along the Colorado-Kansas state line to its junction with interstate highway I-70.

(b) Southwest unit. There shall be no open season for the taking of prairie chickens in that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-156, then east on state highway K-156 to its junction with state highway K-19, then south on state highway K-19 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with the Oklahoma-Kansas state line, then west along

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the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70.

(c) Daily bag limit. The daily bag limit shall be two prairie chickens in units with an open season for the taking of prairie chickens.

(d) Possession limit. The possession limit shall be eight prairie chickens.

(e) Permit required. Before taking any prairie chickens, the individual shall have obtained and shall possess, while hunting, a current prairie chicken hunting permit from the department. (Authorized by and implementing K.S.A. 2020 Supp. 32-807.)

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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. 115-25-1
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 regulation sets the open seasons, bag limits, and possession limits for prairie chickens. The proposed version of the regulation would allow hunting of prairie chickens from Sept 15 to January 31.

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. Nebraska and Colorado have a prairie chicken season. Oklahoma and Missouri do not. Colorado's season runs October 1 to January 3 and Nebraska's season runs September 1 to January 31.

III. Agency analysis specifically addressing following:

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

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

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

The proposed version of the regulation would not impact specific businesses, sectors, public utility ratepayers, individuals or local governments.

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

Outfitters and guides.



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

The proposed version of the regulation would allow the prairie chicken season to run from September 15 to January 31.

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

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

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

None.

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.

None.

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.

Licensure is already required to hunt for prairie chickens. The proposed version of the regulation merely allows for more hunting days and opportunity. Approximately 5,387 prairie chicken hunting permits were sold in 2020 at \$2.50 per permit.

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 ☒

Prairie chicken hunting is a subset of small game hunting. Small game hunting requires a general hunting license and prairie chicken hunting also requires a prairie chicken hunting permit. Big game hunting requires a permit for the species to be hunted as well as a general hunting license. As a result, the agency cannot determine the economic impact of the sale of hunting licenses specifically used to hunt prairie chickens because of the overlap of pheasant, quail and prairie chicken hunting. However, based on the sales of the prairie chicken hunting permit, if those purchasing the permit solely hunted prairie chickens, the economic impact of prairie chicken hunting



alone would be \$2,542,664 to the Kansas economy, based on data contained in a report published by the United States Fish and Wildlife Service every five years. Further, based on 2020 hunting license sales, the agency sold approximately 156,236 general hunting licenses of all categories, both resident and nonresident, generating approximately \$9,209,640.00, all of which accrues to the wildlife fee fund. The sale of small game hunting licenses generates an additional \$73,743,392.00 for the Kansas economy, based on data contained in a report published by the United States Fish and Wildlife Service every five years. The agency held public hearings on this regulation on January 14, attended by 52 members of the public and will hold a public hearings on March 25, April 29 and June 17.

- 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.

