

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, April 23, 2020 at the Hutchinson Zoo, 6 Emerson Loop E, Hutchinson, 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., April 23 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. April 24 at the location listed above.

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

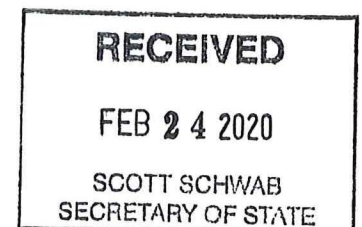
This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations.

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

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

K.A.R. 115-25-20. This exempt regulation sets management unit, hunting season, shooting hours, bag and possession limits, and permit validation for sandhill cranes. The proposed version of the regulation would adjust the season dates and management units for sandhill crane season.

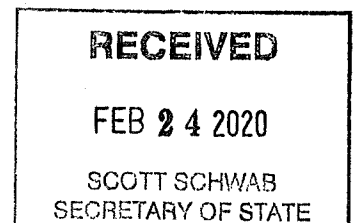
Economic Impact Summary: The proposed version of the regulation is expected to generate approximately \$7,000 to the agency, all of which would accrue to the wildlife fee fund and generate a corresponding collateral economic impact to the State of Kansas estimated at \$1,411,022. Otherwise, no substantial negative 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



115-25-20. Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation.

(a) The open season for the taking of sandhill crane in the central crane hunting zone shall begin on the Wednesday after the first Saturday in November and shall continue for 58 days, including the opening day. The open season for the taking of sandhill crane in the west crane hunting zone shall begin on the third Saturday in October and shall continue for 58 days, including the opening day.

(b) The following areas shall be open for the taking of sandhill crane during the established hunting season:

(1) Central zone: that part of Kansas bounded by a line from the junction of interstate highway I-35 and the Oklahoma-Kansas state line, then north on interstate highway I-35 to its junction with interstate highway I-135, then north on interstate highway I-135 to its junction with interstate highway I-70, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then west on Nebraska-Kansas state line to its junction with federal highway US-283, then south on federal highway US-283 to its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-1, then south on state highway K-1 to its junction with the Oklahoma-Kansas state line, and then east on the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries.

(2) West zone: that part of Kansas bounded by a line from the junction of federal highway US 283 and the Nebraska-Kansas state line, then south on federal highway US-283 to

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its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-1, then south on state highway K-1 to its junction with the Oklahoma-Kansas state line, then west on the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north on the Colorado-Kansas state line to its junction with the Nebraska-Kansas state line, and then east on the Nebraska-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(c) Shooting hours shall be from sunrise until sunset.

(d) The daily bag limit shall be three sandhill cranes.

(e) The possession limit shall be nine sandhill cranes.

(f) Each person hunting sandhill cranes in Kansas shall possess a federal sandhill crane hunting permit that has been issued through and validated by the department. Except as specified in subsection (g), any individual may secure a federal sandhill crane hunting permit upon application to the department and payment of the sandhill crane permit validation fee.

(g) Each person wanting to hunt sandhill cranes in Kansas shall be required to pass an annual, online sandhill crane identification examination before meeting the requirements specified in subsection (f). (Authorized by and implementing K.S.A. 2019 Supp. 32-807.)

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Proposed

**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. 115-25-20
K.A.R. Number(s)

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

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

This proposed version of the regulation sets the seasons for sandhill crane hunting in Kansas. The proposal would create two crane hunting zones rather than one.

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

This is not a federal mandate. Oklahoma, Nebraska and Colorado all have varying regulations dealing with crane hunting seasons and requirements. Nebraska does not currently have a crane season.

III. Agency analysis specifically addressing following:

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

The proposed version of the regulation may enhance business activities and growth.

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

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

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

Outfitters or landowners.

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

The proposed version of the regulation establishes two sandhill crane hunting zones. The two zones allow for an early opening

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date in the west zone. Additionally, the corresponding positive economic impact to Kansas would not occur without the season.

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

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

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

The sale of crane hunting permits to the public generates approximately \$7,000 to the agency, all of which accrues to the wildlife fee fund, based on 2019 permit sales.

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

The sale of crane hunting permits to the public generates approximately \$7,000 to the agency, all of which accrues to the wildlife fee fund, based on 2019 permit sales.

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

YES NO

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

The total number of crane hunting permits sold was 1382 in 2019. This generates approximately \$7,000 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable elk hunter (1382) goes 7 days afield per year and spends approximately \$1021 per year, generating \$1,411,022 for the Kansas economy, based on economic studies provided by the USFWS.

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

YES NO

The agency held public hearings on this regulation on November 14 in Scott City, where 8 members of the public signed the attendance roster, and will hold public commission meetings on January 9 in Iola, on March 26 in Topeka and April 23 in New Strawn.

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- 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.

