

Wildlife and Parks Commission
Notice of Public Hearing

A public hearing will be conducted by the Wildlife and Parks Commission at 6:30 p.m., Thursday, August 4, and 9:00 a.m., Friday, August 5, 2022, at the Dillon Nature Center, 3002 E.30th, Hutchinson, Kansas to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

An education session for commissioners may be conducted beginning at 9:00 a.m. August 4, 2022, at the location listed above. A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:00 p.m., August 4, 2022, 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 meetings 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 the hearing or other business matters, the commission will reconvene at 9:00 a.m., August 5, 2022, at the location listed above.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing 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 exempt administrative regulations.

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

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

K.A.R. 115-25-9a. This permanent regulation establishes deer season dates and bag limits for the Fort Riley, Fort Leavenworth and Smokey Hill subunits.

Economic Impact Summary: The proposed amendment is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-25-20. This permanent regulation clarifies the existing requirement that the online sandhill crane identification examination be completed prior to hunting sandhill cranes in Kansas.

Economic Impact Summary: The proposed amendment is not anticipated to

RECEIVED

JUN 28 2022

SCOTT SCHWAB
SECRETARY OF STATE

have any appreciable economic impact on the department, other agencies or the public.

Copies of the complete text of the regulations and economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.ksoutdoors.com, or by calling (785) 296-2281.

Gerald Lauber, Chairman

RECEIVED

JUN 28 2022

**SCOTT SCHWAB
SECRETARY OF STATE**

115-25-9a. Deer; open season, bag limit, and permits; additional considerations; military subunits. (a) In addition to the season for designated persons specified in K.A.R. 115-25-9, in the Fort Riley subunit the season for designated persons shall also be October 8, 2022 through October 10, 2022.

(b) In the Fort Riley subunit, the open firearm season for the taking of deer shall be November 25, 2022 through November 27, 2022; December 17, 2022 through December 23, 2022; and December 26, 2022 through December 27, 2022. A deer hunter may use only one white-tailed antlerless-only permit in Fort Riley.

(c) In addition to the archery season specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall be September 1, 2022 through September 11, 2022 and January 1, 2023 through January 31, 2023 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

(d) In the Fort Riley subunit, the pre-rut white-tailed deer antlerless-only season specified in K.A.R. 115-25-9 shall be closed.

(e) In the Fort Riley subunit, the extended firearms season for the taking of antlerless-only white-tailed deer shall be closed.

(f) In the Fort Leavenworth subunit, the open firearm season for the taking of deer shall be November 12, 2022 through November 13, 2022; November 19, 2022 through November 20, 2022; November 24, 2022 through November 27, 2022; December 3, 2022 through December 4, 2022; and December 10, 2022 through December 11, 2022.

(g) In the Fort Leavenworth subunit, the extended firearms season for the taking of antlerless-only white-tailed deer shall be January 1, 2023 through January 23, 2023.

(h) In the Fort Leavenworth subunit, the extended archery season for the taking of antlerless-only white-tailed deer shall be January 23, 2023 through January 31, 2023.

APPROVED

MAY 20 2022

DEPT. OF ADMINISTRATION

APPROVED

JUN 03 2022

ATTORNEY GENERAL

RECEIVED

JUN 28 2022

SCOTT SCHWAB
SECRETARY OF STATE

(i) In the Smokey Hill subunit, the open firearm season for the taking of deer shall be November 30, 2022 through December 11, 2022. Five additional antlerless white-tailed deer permits shall be valid in subunit 4a.

This regulation shall have no force and effect on and after March 1, 2023. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-937.)

APPROVED

MAY 20 2022

DEPT. OF ADMINISTRATION

APPROVED

JUN 03 2022

ATTORNEY GENERAL

RECEIVED

JUN 28 2022

**SCOTT SCHWAB
SECRETARY OF STATE**

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 its junction with state highway K-24, then east on state highway 24 to its junction with state

APPROVED

JUN 02 2022

DEPT. OF ADMINISTRATION

APPROVED

JUN 24 2022

ATTORNEY GENERAL

RECEIVED

JUN 28 2022

SCOTT SCHWAB
SECRETARY OF 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 first possess a federal sandhill crane hunting permit that has been issued through and validated by the department and shall complete the annual online sandhill crane identification examination. (Authorized by and implementing K.S.A. 32-807.)

APPROVED

JUN 02 2022

DEPT. OF ADMINISTRATION

APPROVED

JUN 24 2022

ATTORNEY GENERAL

RECEIVED

JUN 28 2022

SCOTT SCHWAB
SECRETARY OF STATE

Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

115-25-9a
K.A.R. Number(s)

☒ Permanent ☐ Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- ☒ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- ☒ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

**SCOTT SCHWAB
SECRETARY OF STATE**

Section I

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

The proposed regulation sets the deer seasons on military installations in the state and adjusts the dates from the previous season.

Section II

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

There are no known relevant federal laws or standards. Our contiguous states each have varying regulations regarding their deer hunting seasons.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;
No restrictions are anticipated. The presence of deer hunters will likely enhance local businesses that serve hunters.
- 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(s) and regulation(s) and on the state economy as a whole;
No anticipated compliance or implementation costs.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
Businesses involved with deer hunting or deer hunters.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
No costs anticipated.
- 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;
None required.

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

**SCOTT SCHWAB
SECRETARY OF STATE**

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.
Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$None

Costs to Local Governmental Units – \$None

Costs to Members of the Public – \$None

Total Annual Costs – \$None
 (sum of above amounts)

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

No costs anticipated

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing 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.
- ☐ No
- ☒ Not Applicable

No significant costs are anticipated, however the agency held a hearing on November 18, 2021,(45 public attendees), on January 13, 2022 (virtual) attended by 28 public members, and March 31, 2022,with a total of 30 public attendees.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

Not applicable.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

Not applicable, no impact anticipated.

- 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

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

SCOTT SCHWAB
 SECRETARY OF STATE

- 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 statewide, public hearings with on-line access, publication in the Kansas Register and the agency website.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.
☒ No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

Click here to enter agency response.

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

Click here to enter agency response.

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

Click here to enter agency response.

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

Click here to enter agency response.

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

SCOTT SCHWAB
SECRETARY OF STATE

Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

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

☒ Permanent ☐ Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

☒ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?

☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.

☒ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

**SCOTT SCHWAB
SECRETARY OF STATE**

Section I

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

The proposed amendment will clarify the requirement that the online sandhill crane identification examination be completed prior to hunting sandhill cranes.

Section II

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

This regulation is consistent with all relevant federal laws or standards. Oklahoma and Colorado have corresponding similar provisions.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;
None anticipated.
- 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(s) and regulation(s) and on the state economy as a whole;
No compliance or implementation costs are anticipated.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
Businesses that engage in hunting sandhill cranes.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
No costs anticipated.
- 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;
No measures required, no cost or significant impact anticipated.

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

**SCOTT SCHWAB
SECRETARY OF STATE**

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.
Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$None
 Costs to Local Governmental Units – \$None
 Costs to Members of the Public – \$None
Total Annual Costs – \$None
 (sum of above amounts)

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

No costs anticipated

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing 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.
- ☐ No
- ☒ Not Applicable

No anticipated costs, however the agency held a hearing on January 13, 2022 (virtually) 28 members of the public attended, March 31, 2022 in Topeka (30 members of the public in attendance) and April 21, 2022 in Beloit, Kansas with a total of 19 public attendees.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

Not applicable.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

Not applicable

- 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

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

SCOTT SCHWAB
 SECRETARY OF STATE

- 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 statewide, public hearings with on-line access, publication in the Kansas Register and the agency website.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.
☒ No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

DOB APPROVAL STAMP (If Required)

RECEIVED

JUN 28 2022

SCOTT SCHWAB
SECRETARY OF STATE