

Wildlife and Parks Commission Notice of Public Hearing

A public hearing will be conducted by the Wildlife and Parks Commission at 12:00 p.m., Thursday, August 17, 2023, at Pittsburg State University in the Bicknell Center VIP Room, Pittsburg, Kansas to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

The public hearing will begin at 12:00 p.m., August 17, 2023, at the location above. Other commission business will follow and will include general discussions, which may include educational presentations, workshop sessions, and public comment opportunities following the public hearing and again toward the end of the meeting. The meeting will continue until all business is complete.

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 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 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 regarding 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. 115-7-10. The proposed amendment will change the date of the reference document "Kansas aquatic nuisance species designated waters" from October 16, 2020 to November 17, 2022. This change is to mark that the reference document was amended to add and remove certain waterbodies, waters downstream, the aquatic nuisance species, and counties.

Economic Impact Summary: This amendment is not expected to have any measurable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-10. The proposed amendment will add rusty crayfish to list of species that is prohibited to be imported, possessed, or released in Kansas.

Economic Impact Summary: This amendment is not expected to have any measurable economic impact on the department, other agencies, or the public.

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K.A.R. 115-25-14. The proposed amendment will add and remove locations where a trout permit shall be required for each individual who wants to fish at the locations listed. These changes are in reference to the “Kansas special size limits, creel limits, and bait restriction tables” document.

Economic Impact Summary: This amendment is not expected to have any measurable 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

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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 ~~October 16, 2020~~ November 17, 2022, 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. 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 Dec. 25, 2020; amended P-_____.)

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

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- (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*); and
- (27) rusty crayfish (*Orconectes rusticus*).

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

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(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 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 the wildlife importation permit.

(d) Each individual 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 refused issuance or revoked by the secretary if any of the following conditions is met:

- (1) The application is incomplete or contains false information.

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(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. 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 Dec. 25, 2020; amended P-_____.)

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

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

(1) Dodge City Lake Charles;

(2) Coffeyville LeClere Lake;

(3) Colby Villa High Lake;

(4)(3) Eisenhower State Park Pond;

(5)(4) Fort Scott Gun Park Lake;

(6)(5) Garnett Crystal Lake;

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~~(7)~~(6) Glen Elder Reservoir Outlet;

~~(8)~~(7) Glen Elder State Park Pond;

~~(9)~~(8) Kanopolis Seep Stream;

~~(10)~~ KDOT East Lake, located in Wichita;

~~(11)~~(9) Lake Henry, located in Clinton State Park;

~~(12)~~(10) Unit number 30, located in the Mined Land Wildlife Area;

~~(13)~~(11) Pratt Centennial Pond;

~~(14)~~(12) the following Sedgwick County Park waters:

~~(A)~~(i) Vic's Lake; and

~~(B)~~(ii) Slough Creek;

~~(15)~~(13) Scott State Park Pond;

~~(16)~~ Sherman County Smoky Gardens Lake;

~~(17)~~(14) Topeka Auburndale Park;

~~(18)~~(15) Walnut River Area, located in El Dorado State Park;

~~(19)~~(16) Webster Stilling Basin; and

~~(20)~~(17) Willow Lake, located in Tuttle Creek State Park;

~~(18)~~ King Lake-Emporia; and

~~(19)~~ OJ Watson Park.

~~(B)~~ 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):

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

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(21) Syracuse-Sam's Pond;

(22) Colby-Villa High Lake; and

(23) Sherman County Smokey Gardens Lake.

(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	--

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* 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.

*** 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 2, 2021~~ November 17, 2022, 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, 2022.~~ (Authorized by and implementing K.S.A. 2020-Supp-32-807; amended P-_____.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP

Agency

Dan Riley

Agency Contact

296-1032

Contact Phone Number

115-7-10

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.

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Section I

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

The proposed amendment will change the date of the reference document "Kansas Aquatic nuisance species designated waters" from October 16, 2020 to November 17, 2022. This change is to mark that the reference document was amended to add and remove certain waterbodies, waters downstream, the aquatic nuisance species, and counties.

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.)*

KDWP biologists and Midwestern states' fish and game commissions utilize the same scientifically accepted research and methodologies when determining whether a body of water contains nuisance species.

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 measurable restriction or enhancement 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 measurable economic effect is anticipated.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
None anticipated.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
There are 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 economic impact is anticipated.

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- 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 measurable costs are anticipated.

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

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- 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.](#)

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**Kansas Administrative Regulations
Economic Impact Statement (EIS)**

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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.

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Section I

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

The proposed amendment will add rusty crayfish to list of species that is prohibited to be imported, possessed, or released in Kansas.

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.)*

KDWP biologists and Midwestern states' fish and game commissions utilize the same scientifically accepted research and methodologies when determining whether a species is invasive and/or to limit its importation into the state.

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 measurable restriction or enhancement 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 measurable economic effect is anticipated.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
None anticipated.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
There are 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 economic impact is anticipated.

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- 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 measurable costs are anticipated.

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

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- 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.

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- 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.

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Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP

Agency

Dan Riley

Agency Contact

296-1032

Contact Phone Number

115-25-14

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.

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Section I

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

The proposed amendment will add and remove locations where a trout permit shall be required for each individual who wants to fish at the locations listed. These changes are in reference to the "Kansas special size limits, creel limits, and bait restriction tables" document.

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 relevant laws or standards. KDWP biologists and Midwestern states' fish and game commissions utilize the same scientifically accepted research and methodologies when determining appropriate fish stocking practices and creel lengths and limits.

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 measurable restriction or enhancement 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 measurable economic effect is anticipated.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
None anticipated.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
There are 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 economic impact is anticipated.

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- 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 measurable costs are anticipated.

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.

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Not applicable

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Proposed

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

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

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