

Wildlife and Parks Commission Notice of Public Hearing

A public hearing will be conducted by the Wildlife and Parks Commission (the Commission) at 12:00 p.m., Thursday, August 17, 2023, at Pittsburg State University, Bicknell Center VIP Room, 1711 S. Homer Street, Pittsburg, Kansas 66762, 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 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 and Parks, 1020 S. Kansas Avenue, Suite 200, Topeka, Kansas 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. 115-25-7. This regulation amendment covers the provision and restrictions for the antelope open season, bag limit, and permits.

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Economic Impact Summary: No implementation or compliance costs for any sector or individuals is anticipated and any economic impact would be minimal due to the minimal extent of the changes being made. The number of general resident draw permits is reduced by a total of two (2) permits, and the landowner tenant permits are also reduced by a total of two (2). Overall reduction from 160 draw permits to 156, a 2.5% decrease, resulting in anticipated lost revenue to KDWP of \$150. The regulation also would eliminate the late archery season which would impact approximately forty (40) archery hunters, who hunt only the late season. The estimated loss to KDWP is \$2,000 (40 X \$50). The general economic loss created by the reduction of those forty (40) permits is expected to be minimal because historically those late season antelope hunters are concurrently deer hunters, so the goods and services they purchase would be expected to be unchanged.

K.A.R. 115-25-8. This regulation amendment covers the provision and restrictions for the elk open season, bag limit, and permits.

Economic Impact Summary: No enhancement or restriction of business growth is anticipated. No implementation or compliance costs is anticipated, and the only changes made by the proposed regulation involves the dates for the open seasons. No changes related to the number of permits available are involved, so no economic impact is anticipated. Businesses with direct involvement with the dates of the open elk season may be affected. No benefits/costs have been identified; the proposed regulation is benefit/cost neutral. There are no costs or impacts which are anticipated to businesses or economic development, so no measures to minimize same are indicated.

K.A.R. 115-25-9. This regulation amendment covers the provision and restrictions for the deer open season, bag limit, and permits.

Economic Impact Summary: No implementation or compliance costs for any municipal sector or private individuals is anticipated. The number of antlerless deer hunting days will increase slightly in Deer Management Unit #12 (DMU12), which is anticipated to provide more hunting opportunity as well as reduce crop damage due to an increased deer harvest. The benefits of the proposed rule are intended to be increased hunting opportunity in DMU12 and increased antlerless deer harvest in areas experiencing excessive crop damage. No immediate or long-range impact is anticipated to any category of employer, municipality, or individual members of the public.

Copies of the complete text of the regulations and economic impact statements may be obtained by writing the Chairperson 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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115-25-7. Antelope; open season, bag limit, and permits. (a) The open season for the taking of antelope shall be as specified in this subsection. The unit designations in this subsection shall have the meanings specified in K.A.R. 115-4-6.

(1) Archery season.

(A) The archery season dates shall be ~~September 24, 2022 through October 2, 2022 and October 15, 2022 through October 31, 2022~~ the Saturday prior to the last Friday in September through the Sunday following the last Friday in September.

(B) The taking of antelope during the established archery season shall be authorized for Smoky Hill, unit 2; West Arkansas, unit 17; and Cimarron, unit 18. Unlimited archery permits for residents and nonresidents shall be authorized for the area.

(2) Firearm season.

(A) The firearm season dates shall be ~~October 7, 2022 through October 10, 2022~~ the first Friday in October through the following Monday.

(B) The open units for the taking of antelope during the established firearm season and the number of permits authorized shall be as follows:

- (i) Smoky Hill, unit 2: ~~Eighty-eight~~88 resident firearm permits shall be authorized for the unit.
 - (ii) West Arkansas, unit 17: ~~Thirty-two~~30 resident firearm permits shall be authorized for the unit.
 - (iii) Cimarron, unit 18: Four resident firearm permits shall be authorized for the unit.
- (3) Muzzleloader-only season.

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(A) The muzzleloader-only season dates shall be ~~October 3, 2022 through October 10, 2022~~the Monday prior to the first Friday in October through the following Monday. Muzzleloader permits also shall be valid in the unit for which the permit is authorized during the established firearm season dates.

(B) The open units for the taking of antelope during the established muzzleloader-only season and the number of permits authorized shall be as follows:

(i) Smoky Hill, unit 2: ~~Twenty-four~~22 resident muzzleloader permits shall be authorized for the unit.

(ii) West Arkansas, unit 17: Eight resident muzzleloader permits shall be authorized for the unit.

(iii) Cimarron, unit 18: Four resident muzzleloader permits shall be authorized for the unit.

(b) The bag limit for each archery, firearm, and muzzleloader permit shall be one antelope of either sex.

~~This regulation shall have no force and effect on and after March 1, 2023.~~ (c) Permits are not valid after October 31 following the date of issuance. (Authorized by and implementing K.S.A. ~~2021~~2022 Supp. 32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. 32-937; and K.S.A. ~~2021~~2022 Supp. 32-937; amended P-_____.)

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115-25-8. Elk; open season, bag limit, and permits. (a) The unit designations in this regulation shall have the meanings specified in K.A.R. 115-4-6b, except that the area of Fort Riley, subunit 2a, shall not be included as part of Republican-Tuttle, unit 2.

(b) The open seasons for the taking of elk shall be as follows:

(1) The archery season dates and units shall be as follows:

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: ~~September 12, 2022~~ the Monday after the second Saturday in September through December 31, 2022 ~~the last day of the same year.~~

(B) Fort Riley, subunit 2a: the first day of September 1, 2022 through the last day of September 30, 2022.

(2) The firearm season dates and units shall be as follows:

(A) Statewide, except Fort Riley, subunit 2a, and unit 1: the first day of August 1, 2022 through the last day of August 31, 2022; November 30, 2022 the Wednesday after Thanksgiving through the second following Sunday December 11, 2022; and the first day of January 1, 2023 through the 15th day of March 15, 2023.

(B) Fort Riley, subunit 2a:

(i) First segment: the first day of October 1, 2022 through the last day of October 31, 2022.

(ii) Second segment: the first day of November 1, 2022 through the last day of November 30, 2022.

(iii) Third segment: the first day of December 1, 2022 through the last day of December 31, 2022.

(3) The muzzleloader season dates and units shall be as follows:

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(A) Statewide, except Fort Riley, subunit 2a, and unit 1: the first day of September 1, 2022 through the last day of September 30, 2022.

(B) Fort Riley, subunit 2a: the first day of September 1, 2022 through the last day of September 30, 2022.

(c) A limited-quota either-sex elk permit shall be valid during any season using equipment authorized for that season. Twelve either-sex elk permits shall be authorized.

(d) A limited-quota antlerless-only elk permit shall be valid during any season using equipment authorized for that season, except that a limited-quota antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only as follows:

(1) A first-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the first segment. Six first-segment antlerless-only elk permits shall be authorized.

(2) A second-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the second segment. Six second-segment antlerless-only elk permits shall be authorized.

(3) A third-segment antlerless-only elk permit shall be valid on Fort Riley, subunit 2a, only during the third segment. Six third-segment antlerless-only elk permits shall be authorized.

(4) All antlerless-only elk permits shall be valid on Fort Riley, subunit 2a, during the September 1, 2022 through September 30, 2022 archery and muzzleloader seasons.

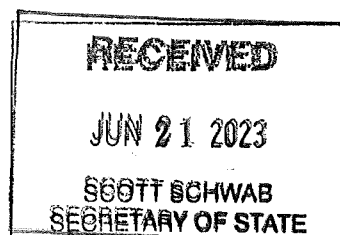
(e) The bag limit shall be one elk as specified on the permit issued to the permittee.

(f) An unlimited number of hunt-on-your-own-land antlerless-only elk permits and either-sex elk permits shall be authorized in units 2 and 3. A hunt-on-your-own-land permit shall be valid during any open season. The bag limit for each hunt-on-your-own-land elk permit shall be one elk as specified on the permit.

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(g) An unlimited number of over-the-counter antlerless-only elk permits and either-sex elk permits shall be authorized in unit 3.

~~This regulation shall have no force and effect on and after April 1, 2023.~~ (h) Permits are not valid after March 15 following the date of issuance. (Authorized by and implementing K.S.A. ~~2021~~2022 ~~Supp.~~32-807, as amended by L. 2023, ch. 7, sec. 28, and K.S.A. ~~2021~~2022 ~~Supp.~~32-937; amended P-
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115-25-9. Deer; open season, bag limit, and permits. (a) The open season for the taking of deer shall be as follows:

(1) Archery season.

(A) The archery season in all deer management units shall ~~be September 12, 2022~~ begin on the second Monday following the first Saturday in September and shall be valid through December 31, 2022 the last day of the same calendar year.

(B) Archery deer permits also shall be valid during the portion of the extended firearm ~~seasons~~ seasons beginning on January 1, 2023 and extending through the last open day in units open during an extended firearm season and shall be valid with any legal equipment authorized during a firearm season, but shall be valid only for antlerless white-tailed deer during those dates.

(C) The number of archery deer permits shall be based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information.

(D) The urban antlerless-only white-tailed deer archery season shall begin on ~~January 23, 2023~~ and extend through January 31, 2023 the third Monday following January 4 and shall continue through January 31 in all units designated as an urban deer management unit.

(2) Firearm season.

(A) The regular firearm season dates in all deer management units shall ~~be November 30, 2022 through December 11, 2022~~ begin the Wednesday following Thanksgiving and shall continue for a total of 12 days including the opening day.

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(B) The pre-rut white-tailed deer antlerless-only season in all deer management units shall be October 8, 2022 through October 10, 2022 begin on the Saturday immediately preceding Columbus Day and shall continue for a total of three days including the opening day.

(C) The extended pre-rut white-tailed deer antlerless-only season in deer management unit 12 shall begin the Tuesday immediately following Columbus Day and continue for a total of six days including the opening day.

(C)(D) During the regular and extended firearm deer seasons, white-tailed either-sex deer permits issued for a deer management unit adjacent to or encompassing an urban deer management unit shall be valid in both the designated unit and the urban deer management unit.

(D)(E) The number of firearm deer permits for each management unit shall be based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information.

(3) Muzzleloader-only season.

(A) The muzzleloader-only season in all deer management units shall be September 12, 2022 through September 25, 2022 begin on the second Monday following the first Saturday in September and shall continue for a total of 14 days including the opening day. Muzzleloader deer permits shall also be valid during the established firearm seasons using muzzleloader equipment, except that during the portion of the extended firearm season beginning on January 1, 2023 and extending through the last open day in units open during an extended firearm season, these permits shall be valid with any legal equipment authorized during a firearm season. During an extended firearm season, only muzzleloader deer permits for deer management units open during these dates shall be valid, and only for antlerless white-tailed deer.

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(B) The number of muzzleloader deer permits issued for each management unit shall be based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information.

(4) Season for designated persons.

(A) The season for designated persons to hunt deer shall ~~be September 3, 2022 through September 11, 2022 in all deer management units~~ begin on the first Saturday of September and shall continue for a total of 9 days including the opening day.

(B) Only the following persons may hunt during this season:

(i) Any person 17 years of age or younger, only while under the immediate supervision of an adult who is 18 years of age or older; and

(ii) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4 or a disability assistance permit issued according to K.A.R. 115-18-15.

(C) All resident and nonresident deer permits shall be valid during this season.

(D) All persons hunting during this season shall wear blaze orange according to K.A.R. 115-4-4.

(5) Extended firearm seasons.

(A) Each unfilled deer permit valid in unit 6, 8, 9, 10, or 17, as applicable, shall be valid during an extended antlerless-only firearm season beginning on January 1, 2023 ~~and extending through January 8, 2023 in those units~~ and continuing through the first Sunday occurring after the third day in January.

(B) Each unfilled deer permit valid in unit 1, 2, 3, 4, 5, 7, 11, 14, or 16, as applicable, shall be valid during an extended antlerless-only firearm season beginning January 1, 2023 ~~and extend through January 15, 2023 in those units~~ and continuing through the second Sunday occurring after the third day in January.

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(C) Each unfilled deer permit valid in unit 10A, 12, 13, 15, or 19, as applicable, shall be valid in an extended antlerless-only firearm season beginning January 1, ~~2023 and extend through January 22,~~ 2023 in those units and continuing through the third Sunday occurring after the third day in January.

(D) Only antlerless white-tailed deer may be taken.

(E) Permits restricted to a specific unit shall remain restricted to that unit during the extended firearm season.

(F) Equipment legal during a firearm season shall be authorized with any permit.

(b) Unlimited resident hunt-on-your-own-land, special hunt-on-your-own-land, and nonresident hunt-on-your-own-land deer permits shall be authorized for all units. These permits also shall be valid during the portion of the extended firearm season beginning on January 1, ~~2023~~ and extending through the last open day in units open during an extended or special extended firearm season, but shall be valid only for antlerless white-tailed deer during an extended or special extended firearm season.

(c) Any individual may apply for and obtain multiple deer permits, subject to the following limitations:

(1) Any individual may apply for or obtain no more than one deer permit that allows the taking of an antlered deer, except when the individual is unsuccessful in a limited quota drawing and alternative permits for antlered deer are available at the time of subsequent application.

(2) Any individual may obtain no more than five antlerless white-tailed deer permits. One antlerless white-tailed deer permit shall be valid statewide, except in unit 18, including lands managed by the department. Four additional antlerless white-tailed deer permits shall be valid in units 1, 2, 3, 4, 5, 7, 10A, 11, 12, 13, 14, 15, 16, and 19 on lands not managed by the department, except Berentz-Dick, and Elk City Wildlife Areas.

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(3) Any resident may obtain no more than one either-species, either-sex permit through the application period ~~described~~specified in K.A.R. 115-4-11.

(4) Nonresidents shall be eligible to obtain antlerless white-tailed deer permits. Otherwise, a nonresident shall be eligible to apply for and obtain only those permits designated as nonresident deer permits.

(5) No resident or nonresident shall purchase any deer permit that allows the taking of antlerless-only deer without first having obtained a deer permit that allows the taking of antlered deer, unless the antlerless-only deer permit is purchased after December 30, 2022.

(6) Any individual may obtain one antlerless-only either-species deer permit, subject to the number of antlerless-only either-species deer permits authorized.

(d) The bag limit for each deer permit shall be one deer, as specified on the permit issued to the permittee.

(e) No deer permit ~~issued pursuant to this regulation~~ shall be valid after January 31, 2023 following the date of issuance. ~~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; amended P-
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Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP

Agency

Dan Riley

Agency Contact

296-1032

Contact Phone Number

115-25-7

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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Revised 05/03/2022

Section I

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

The proposed regulation establishes the open seasons, bag limits and the available permits for the Antelope hunting season 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.)*

No applicable federal law exists.

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 enhancement or restriction of business growth is 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 implementation or compliance costs for any sector or individuals are anticipated and any economic impact would be minimal due to the minimal extent of the changes being made. The number of general resident draw permits are reduced by a total of two (2) permits, and the landowner tenant permits are also reduced by a total of two (2). Overall reduction from 160 draw permits to 156, (2.5%), resulting in anticipated lost revenue to KDWP of \$150.

The regulation also would eliminate the late archery season which would impact approximately 40 archery hunters, who hunt only the late season. The estimated loss To KDWP is \$2000 (40X \$50). The general economic loss created by the reduction of those 40 permits is expected to be minimal because historically those late season antelope hunters are concurrently deer hunters, so the goods and services they purchase would be expected to be unchanged.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Businesses that serve the antelope hunters during the season may be impacted proportionately to the change in the number of overall hunters.

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

The anticipated benefits of the proposed rules would be to reduce the harvest of antelope in response to declining herd numbers related to ongoing drought. The cost would be a slight reduction in revenue generated by the reduced permits available

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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;

Due to the minimal anticipated impact no measures have been taken.

- 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 implementation or compliance costs are anticipated as a result of this regulation

- ☐ 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.

No change in state revenue or expenditures is anticipated due to the minimal extent of the changes.

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.

It is anticipated that if any changes result they will be negligible.

- 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

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Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

No increase or decrease in revenue to any city, county or school district is anticipated.

- 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. The regulation was presented a total of five times at commission. There was a total of 38 members of the public in attendance to these meetings.

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)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

115-25-8
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 regulation would establish open seasons, bag limits and permit conditions for Elk hunting 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.)*

No applicable federal law exists.

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 enhancement or restriction of business growth is 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 implementation or compliance costs are anticipated, and the only changes made by the proposed regulation involve the dates for the open seasons. No changes related to the number of permits available are involved, so no economic impact is anticipated.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Businesses with direct involvement with the dates of the open elk season may be affected.

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

No benefits/costs comparison have been identified, the proposed regulation is benefit/cost neutral.

- 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 costs or impacts are anticipated on businesses or economic development, no measures to minimize are indicated.

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Revised 05/03/2022

- 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. The regulation was presented a total of five times at commission. There was a total of 38 members of the public in attendance to these meetings.

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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R. Scott Schwab
SECRETARY OF STATE

Kansas Administrative Regulations Economic Impact Statement (EIS)

KDWP
Agency

Dan Riley
Agency Contact

296-1032
Contact Phone Number

115-25-9
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 regulation establishes the open seasons, bag limits and the available permits for the Kansas white-tailed deer 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.)*

No applicable federal law exists.

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 enhancement or restriction of business growth is 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 implementation or compliance costs for any sector or individuals are anticipated. The number of antlerless deer hunting days will increase slightly in management unit # 12(DMU 12), which would be anticipated to provide more hunting opportunity and reduce crop damage due to an increased deer harvest. Otherwise, there are no changes that would be expected to have any impact on the economic impact.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Businesses impacted by the number of days of deer hunting in DMU 12 and businesses that benefit from the reduction of deer population reductions which reduce crop damage.

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

The benefits of the proposed rule are intended to be increased hunting opportunity in DMU 12 and increased antlerless deer harvest in areas experiencing excessive crop damage. No costs are 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 costs or negative impacts are 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; no methodology required.

- ☐ 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.

No measurable changes in revenue or expenditures is anticipated.

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.

No immediate or long-range impact is anticipated on any category of individual, employer or member of the public.

- 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.

No impact on revenue or expenditures is anticipated for any city, county or school district.

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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. The regulation was presented a total of seven times at commission. There was a total of 45 members of the public in attendance to these meetings.

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.
- 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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