

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, December 13, 2018 at the Great Plains Nature Center, 6232 East 29<sup>th</sup> St N, Wichita, Kansas to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., December 13 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. December 14 at the location listed above.

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

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

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

In addition to the previously published notice, the regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

**K.A.R. 115-25-5.** This exempt regulation establishes the fall turkey season, bag limits and permits. The proposed version of the regulation would close the fall season for turkeys in 2019 in 4 hunting units to account for several years of poor reproduction.

**Economic Impact Summary:** The economic effect on the Department would be a reduction of \$157,000, which would impact the wildlife fee fund. There would also a corresponding decrease in collateral economic impact to the economy of the state in the estimated amount of \$8,000,000. Otherwise, no other economic impact to the department, other

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state agencies, small businesses, or individual members of the public is anticipated.

**K.A.R. 115-25-6.** This exempt regulation establishes the spring turkey season, bag limits and permits. The proposed version of the regulation would adjust opening dates for youth, archery and the regular seasons in 2020.

**Economic Impact Summary:** The season generates approximately \$1,742,500 in user fees, all of which accrue to the wildlife fee fund, and generates approximately \$51,712,000 to the Kansas economy, based on economic studies provided by the USFWS. Otherwise, the proposed version of the regulation is not anticipated to have any other significant economic impact to the department, other state agencies, small businesses, or individual members of the public.

**K.A.R. 115-25-14.** This exempt regulation establishes fishing seasons, creel limits, size limits, and possession limits. The proposed version of the regulation adds two new trout locations and several new mentor fishing ponds.

**Economic Impact Summary:** Fishing in Kansas generates approximately \$6,794,800 in user fees, all of which accrue to the wildlife fee fund, and approximately \$292,962,000 to the Kansas economy, based on economic studies provided by the USFWS. Otherwise, the proposed version of the regulation is not anticipated to have any other significant economic impact to the department, other state agencies, small businesses, or individual members of the public.

Copies of the complete text of the regulations and their respective 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.kdwpt.state.ks.us](http://www.kdwpt.state.ks.us), or by calling (785) 296-2281.

Gerald Lauber, Chairman

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**115-25-5. Turkey; fall season, bag limit, and permits.** (a) The open fall season for the taking of turkey shall be the first day of October through the day before the first day of the regular deer firearms season as specified in K.A.R. 115-25-9 and shall reopen on the day following the last day of the regular deer firearms season through the last day in January. Any equipment that is legal during an archery or fall firearm turkey season shall be permitted during this season.

(b) The units and the number of permits authorized for the taking of turkey during the established seasons shall be as follows:

(1) Unit 1. Unit 1 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-183 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. No permits shall be authorized in unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on

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interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with Nebraska-Kansas state line, and then west along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. No permits shall be authorized in unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by a line from the Kansas-Colorado state line east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries. No permits shall be authorized in unit 4.

(5) Unit 5. Unit 5 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, and then east along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state

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sanctuaries. No permits shall be authorized in unit 5.

(6) Unit 6. Unit 6 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, and then west along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. No permits shall be authorized in unit 6.

(c) The bag limit for the open fall season shall be one turkey of either sex for each permit or game tag.

(d) An individual shall not apply for or obtain more than one turkey permit for the open fall season.

(e) Turkey permits and turkey game tags shall be valid only for the unit or units designated on the turkey permit or turkey game tag.

This regulation shall be effective on and after January 1, 2019. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and K.S.A. 2018 Supp. 32-969.)

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115-25-6. Turkey; spring season, bag limit, permits, and game tags. (a) The open season for the taking of turkey by archery equipment only shall begin on the first Monday after the first Saturday in April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. On and after January 1, 2020, the open season for the taking of turkey by archery equipment only shall begin on the first day in April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season for use with archery equipment only.

(b) The open season for the taking of turkey by use of firearms or archery equipment shall begin on the second Wednesday after the first Saturday in April and shall continue through the last day in May. On and after January 1, 2020, the open season for the taking of turkey by use of firearms or archery equipment shall begin on the Wednesday after the first Saturday in April and shall continue through the last day in May.

(c)(1) The season for designated persons for the taking of turkey shall begin on the first day of April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season.

(2) The following persons may hunt during the season for designated persons:

(A) Any person having a valid turkey permit or second turkey game tag who is 16 years of age or younger, while under the immediate supervision of an adult who is 18 years of age or older;

(B) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4; and

(C) any person with a disability assistance permit issued according to K.A.R. 115-18-15.

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(d) The legal limit shall be one bearded turkey per turkey permit and one bearded turkey per second turkey game tag where game tags are authorized.

(e) The units and the number of permits authorized for the taking of turkey during the established season shall be as follows:

(1) Unit 1. Unit 1 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-183 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56

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to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with Nebraska-Kansas state line, and then west along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by a line from the Kansas-Colorado state line east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries. A total of 500 permits shall be authorized for unit 4, and all youth permits shall also be valid in unit 4.

(5) Unit 5. Unit 5 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, and then east along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except

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federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 5.

(6) Unit 6. Unit 6 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, and then west along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 6.

(f) Turkey permits and second turkey game tags shall be valid only for the unit or units designated on the turkey permit or second turkey game tag, except that youth turkey permits shall be valid in all units and unit 4 turkey permits shall also be valid in adjacent units.

(g) Only those individuals who have purchased a turkey permit shall be eligible to purchase a second turkey game tag.

This regulation shall be effective on and after February 1, 2019. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and K.S.A. 2018 Supp. 32-969.)

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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) the open season for floatline fishing shall be 24 hours a day, year-round 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:

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

(A) Dodge City Lake Charles;

(B) Coffeyville LeClere Lake;

(C) Eisenhower State Park Pond;

(D) Fort Scott Gun Park Lake;

(E) Garnett Crystal Lake;

(F) Glen Elder Reservoir Outlet;

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(G) Glen Elder State Park Pond;  
(H) Kanopolis Seep Stream;  
(I) KDOT East Lake, located in Wichita;  
(J) Lake Henry, located in Clinton State Park;  
(K) Pratt Centennial Pond;  
(L) the following Sedgwick County Park waters;  
(i) Vic's Lake; and  
(ii) Slough Creek;  
(K) Scott State Park Pond;  
(M) Topeka Auburndale Park;  
(N) Walnut River Area, located in El Dorado State Park;  
(O) Webster Stilling Basin; and  
(P) Willow Lake, located in Tuttle Creek State Park; and  
(2) 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):

- (1) Atchison City Lake No. 1;
- (2) Belleville City Lake (Rocky Pond);
- (3) Cameron Springs, located on Fort Riley;
- (4) Cedar Bluff Stilling Basin;

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

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(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*/2***	--
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	--

\* 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.

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\*\*\* The two-trout-per-day creel limit shall be applicable to individuals under 16 years of age not in possession of a valid trout permit.

\*\*\*\* 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 July 1, 2018, 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.

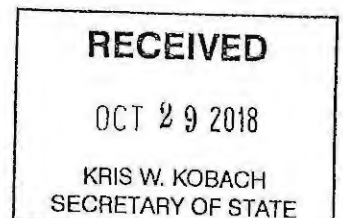
This regulation shall be effective on and after January 1, 2019. (Authorized by and implementing K.S.A. 2018 Supp. 32-807.)

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Proposed

**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-25-5

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

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

This proposed exempt regulation establishes hunting unit boundaries, bag limit and season dates for the 2019 fall wild turkey seasons. The proposed changes would close the fall season for units 1, 3, 5 and 6 to take into account several years of poor reproduction.

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

The federal government does not manage wild turkeys. Missouri, Oklahoma, Colorado and Nebraska all have fall turkey seasons and manage by units.

**III. Agency analysis specifically addressing following:**

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

The regulation proposal may restrict business activity and growth because the fall hunting season would be closed in the majority of the state.

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

The economic effect could be that some businesses would not be able to cater to fall turkey hunters.

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

Guide businesses.

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

The alternative would be to continue to have a season that potentially reduces the population by allowing the take of hens.

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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;

The allowed harvest of fall turkeys in certain units has been reduced from 4 birds to 1 bird. The only other reduction possible is to close the season in certain units.

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

\$ There are no implementation or compliance costs expected to be incurred by business or local governments.

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

\$There are no implementation or compliance costs expected to be incurred by business or local governments

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

YES ☒ NO ☐

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

The total number of fall turkey permits and game tags sold was 6,262 in 2017. This generated approximately \$157,000 for the agency, all of which accrued to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable turkey hunter (6,232) goes 11 days afield per year and spends approximately \$1616 per year, generating approximately \$10,000,000 for the Kansas economy, based on economic studies provided by the USFWS. It is estimated that fall turkey sales will be reduced by 5,000 permits, resulting in a total reduction to the agency of approximately \$137,500 and \$8,000,000 to the economy of the state over the previous season.

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

YES ☒ NO ☐

The agency held prior commission meetings on August 2, in Medicine Lodge, KS at which 11 people signed the attendance roster and on June 21 in Wichita, KS at which 7 people signed the attendance roster. The agency will also hold a meeting on November 15, in Russell, KS. At each of these meetings, public

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115-25-5<sup>th</sup>

comment was or will be taken on the regulation, in addition to the official public comment period provided by statute and at the public hearing tentatively to be set in December.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

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Proposed

**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT  
Agency

Christopher J Tymeson  
Agency Contact

785-296-1032  
Contact Phone Number

K.A.R. 115-25-6  
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

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

This proposed exempt regulation establishes hunting unit boundaries, bag limit and season dates for the 2020 spring wild turkey seasons. The proposed changes would adjust the opening days for youth, archery and generals seasons.

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

The federal government does not manage wild turkeys. Missouri, Oklahoma, Colorado and Nebraska all have spring turkey seasons and manage by units.

**III. Agency analysis specifically addressing following:**

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

The regulation proposal would not likely restrict business activities and growth.

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

The economic effect could be that some businesses may be able to cater to general spring turkey hunters earlier.

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

Guide businesses.

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

The alternatives would be to keep the season opening dates the same, open different times for youth and archery, or have no

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archery season. None of the proposals would likely reduce or increase the overall number of hunters by any substantial measure.

- 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;**

Again, the proposal and potential alternatives would likely have no substantial measure on the economic impact on businesses because hunting seasons for spring turkey already exist.

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

\$There are no implementation or compliance costs expected to be incurred by business or local governments.

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

\$There are no implementation or compliance costs expected to be incurred by business or local governments.

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

YES ☒ NO ☐

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

The total number of spring turkey permits and game tags sold was 60,545 in 2018. This generates approximately \$1,742,500 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable turkey hunter (32,000) goes 11 days afield per year and spends approximately \$1616 per year, generating \$51,712,000 for the Kansas economy, based on economic studies provided by the USFWS.

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

YES ☒ NO ☐

The agency held prior commission meetings on August 2, in Medicine Lodge, KS at which 11 people signed the attendance roster and on June 21, in Wichita, KS at which 7 people signed the attendance roster. The agency will also hold a meeting on November 15, in Russell, KS. At each of these meetings, public comment was or will be taken on the regulation, in addition to

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the official public comment period provided by statute and at the public hearing tentatively to be set in December.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

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

Not applicable.

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**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT  
Agency

Christopher J Tymeson  
Agency Contact

785-296-1032  
Contact Phone Number

K.A.R. 115-25-14  
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

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

This proposed exempt regulation establishes fishing seasons. The proposed version would add two new trout stocking locations and several new mentor fishing pond locations.

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

This is not a federal mandate. Missouri, Oklahoma, Colorado and Nebraska all have fishing opportunities managed by dates, times, species and locations.

**III. Agency analysis specifically addressing following:**

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

The regulation proposal would not likely restrict business activities and growth.

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

The version of the proposed regulation already allows various types of fishing by species and location. The proposed changes would not have any significant compliance costs.

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

Guide businesses, state park.

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

Fishing is funded by user fees. License buyers pay the way for public fishing opportunities within Kansas.

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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;

Again, the proposal and potential alternatives would likely have no substantial measure on the economic impact on businesses because fishing seasons already exist.

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

\$ There are no implementation or compliance costs expected to be incurred by business or local governments.

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

\$ There are no implementation or compliance costs expected to be incurred by business or local governments.

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

YES ☒ NO ☐

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

The total number of active fishing licenses was approximately 314,000 in 2018. This generates approximately \$6,794,800 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable angler (314,000) goes 8 days afield per year and spends approximately \$933 per year, generating \$292,962,000 for the Kansas economy, based on economic studies provided by the USFWS.

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

YES ☒ NO ☐

The agency held prior commission meetings on August 2, in Medicine Lodge, KS at which 11 people signed the attendance roster and on June 21, in Wichita, KS at which 7 people signed the attendance roster. The agency will also hold a meeting on November 15, in Russell, KS. At each of these meetings, public comment was or will be taken on the regulation, in addition to the official public comment period provided by statute and at the public hearing tentatively to be set in December.

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- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

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