

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 7:00 p.m., Thursday, June 27, 2013 at the Finnup Center for Conservation Education, Lee Richardson Zoo, 312 East Finnup Drive, Garden City, 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., June 27 at the location listed above. The meeting will recess at approximately 5:30 p.m. then resume at 7:00 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. June 28 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 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on 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@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

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

K.A.R. 110-12-1. This permanent regulation establishes definitions for the purposes of the agritourism regulations. The regulation is proposed for revocation as a result of ERO 36 and transferring authority from the Department of Commerce to the Department of Wildlife, Parks, and Tourism.

Economic Impact Summary: The proposed revocation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the

public.

K.A.R. 110-12-2. This permanent regulation establishes registration requirements for the purposes of the agritourism regulations. The regulation is proposed for revocation as a result of ERO 36 and transferring authority from the Department of Commerce to the Department of Wildlife, Parks, and Tourism.

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

K.A.R. 110-12-3. This permanent regulation establishes costs qualifying for tax credits for the purposes of the agritourism regulations. The regulation is proposed for revocation as a result of ERO 36 and transferring authority from the Department of Commerce to the Department of Wildlife, Parks, and Tourism.

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

K.A.R. 110-12-4. This permanent regulation establishes tax credits for the purposes of the agritourism regulations. The regulation is proposed for revocation as a result of ERO 36 and transferring authority from the Department of Commerce to the Department of Wildlife, Parks, and Tourism.

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

K.A.R. 110-12-5. This permanent regulation establishes requirements for new registrations for the purposes of the agritourism regulations. The regulation is proposed for revocation as a result of ERO 36 and transferring authority from the Department of Commerce to the Department of Wildlife, Parks, and Tourism.

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

K.A.R. 110-12-6. This permanent regulation establishes mandatory contractual provisions for the purposes of the agritourism regulations. The regulation is proposed for revocation as a result of ERO 36 and transferring authority from the Department of Commerce to the Department of Wildlife, Parks, and Tourism.

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

K.A.R. 115-40-1. This new permanent regulation establishes definitions for the purposes of the agritourism regulations. The regulation is proposed for transfer from the Department of Commerce to the Department of Wildlife, Parks, and Tourism as a result of ERO 36.

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

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K.A.R. 115-5-1. This permanent regulation sets legal equipment, taking methods, and general provisions for furbearers and coyotes. The proposed amendments would clarify that all types of foothold traps could be used in water sets, restrict the use of radios and vehicles during the regular firearms deer season, and remove trademarked language from the regulation.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public..

K.A.R. 115-5-2. This permanent regulation sets possession, disposal, and general provisions for furbearers and coyotes. The proposed amendments to the regulation would require tagging by the department of all bobcats, otters, and swift fox taken in Kansas, remove provisions related to tagging deadlines for otters and change requirements for biological data collection for otters.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public..

K.A.R. 115-6-1. This permanent regulation sets application, authority, possession of furs, records, and revocation for a fur dealer licensee. The proposed amendments would add otters to the list of furbearers that must be tagged when purchased by fur dealers and add provisions related to revocation of licenses.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-16-5. This permanent regulation sets operational requirements for wildlife control permits. The proposed amendments would allow the use of an individual's KDWPT number for marking trapping equipment and require nuisance otters to be tagged after take.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-25-11. This exempt regulation sets open season and bag limits for furbearers. This version of the regulation differs from previous versions in that it allows for incidental take of muskrats during the beaver trapping season when other seasons are closed and removes a statewide quota on otter harvest.

Economic Impact Summary: The proposed version of the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-8-1. This permanent regulation sets hunting, furharvesting, and discharge of firearms requirements on department lands and waters. The amendment is an update to the reference document, particularly related to the use of lead shot on specially marked dove fields during the dove season.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-8-2. This permanent regulation establishes certain requirements for blinds, tree stands, and decoys on public lands. The proposed amendments would remove references to tree stands as the word stand is more all encompassing.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-8-23. This permanent regulation establishes restrictions on the use of bait while hunting on department lands. The proposed amendments would better define baiting, particularly allowing manipulation of crops on KDWPT property for dove hunting.

Economic Impact Summary: The proposed amendments not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-25-9a. This exempt regulation establishes additional considerations for the 2013-2014 firearm, muzzleloader and archery deer seasons. The main items in the regulation set the deer seasons on Fort Riley in order to better accommodate the changing training mission at Fort Riley. The regulation would also require all persons hunting for big game and wild turkeys with a crossbow to obtain a free crossbow permit prior to hunting in order to obtain survey data for harvest, similar to last season.

Economic Impact Summary: The proposed version of the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or 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, or by calling (785) 296-2281.

Gerald Lauber, Chairman