

**Department of Agriculture, Division of Animal Health
Notice of Hearing on Proposed Administrative Regulations
Statewide**

A public hearing will be conducted at 10:00 a.m. on May 6, 2026, in the 1st floor meeting room 124 of the Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, to consider the adoption of the proposed regulations. The public hearing will be conducted in person and via video conferencing system. Members of the public who wish to attend the public hearing virtually must pre-register at <https://kansasag.zoom.us/j/84223133138?pwd=m8SGmMOZLmbcC70NGaMERW4VaHThae.1&jst=1>. After registering, a confirmation email will be sent containing information about joining the meeting.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments regarding the proposed regulations. All interested parties may submit written comments prior to the hearing by mail or email to Kansas Department of Agriculture, Attn: Ronda Hutton, 1320 Research Park Dr., Manhattan, Kansas 66502, or ronda.hutton@ks.gov. Comments may also be made via the Kansas Department of Agriculture's website at <https://www.agriculture.ks.gov/public-resources/public-comments>.

All interested parties will also be given a reasonable opportunity to orally present their views regarding the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. These regulations are proposed for adoption on a permanent basis.

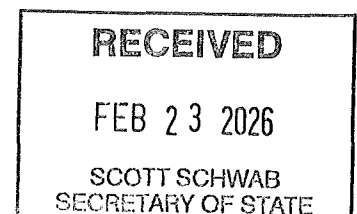
The Kansas Department of Agriculture (KDA) is proposing amended regulations for the domesticated cervid operations and Chronic Wasting Disease Herd Certification Program (CWD HCP) within Kansas. The CWD HCP is a voluntary program that operates under guidance of the federal CWD HCP and associated program standards. The program is designed to require a minimum set of standards a CWD-susceptible herd must comply with to establish its status as a CWD-free herd.

A summary of each proposed regulation and its economic impact follows:

K.A.R. 9-3-6 – This amended regulation provides an expanded list of definitions that are relevant to and used throughout the regulations.

K.A.R. 9-3-7 – This amended regulation outlines the fees necessary to obtain a domesticated cervid permit. An exception was added that clarifies that non-owner haulers are exempt from the requirement to have a domesticated cervid permit.

K.A.R. 9-3-8 – This amended regulation outlines the recordkeeping and submission requirements necessary to maintain a domesticated cervid permit. The regulation sets forth the



information that must be retained for each animal that is part of a domesticated cervid operation. This includes the requirements for a domesticated cervid movement notification to be filed with KDA for any intrastate movements.

K.A.R. 9-3-9 – This amended regulation governs the issuance of certificates of veterinary inspection for the importation of cervids into Kansas as well as the domestic cervid movement notification required for intrastate movements.

K.A.R. 9-3-11 – This amended regulation governs the tuberculosis (TB) requirements for a Kansas cervid herd. The requirement for a negative TB test prior to an intrastate movement is being rescinded.

K.A.R. 9-3-12 – This amended regulation provides the requirements for the confinement, handling and health management of a domesticated cervid operation. It was revised to clarify the fencing requirements for herds enrolled in the CWD HCP and recognize the use of chemical restraint as an acceptable herd management practice.

K.A.R. 9-3-15 – This amended regulation provides the requirements necessary for participation in the CWD HCP and outlines the expanded record submission and CWD testing requirements for a herd enrolled in the CWD HCP. Revisions within this regulation include the latitude via a state risk assessment to exchange alternative testing modalities for the post-mortem test that may have been missed or found to be not adequate.

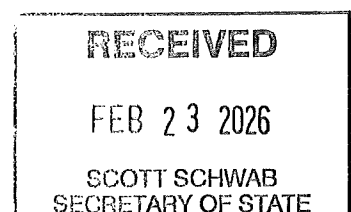
K.A.R. 9-3-16 – This amended regulation outlines the program levels of the CWD HCP and what is required of a herd to obtain CWD herd certification status. The language was changed to better align with the federal definitions and description within the federal CWD HCP rules and program standards. It describes the changes of a herd status that will occur as the result of a suspect or positive CWD test.

K.A.R. 9-3-17 – This amended regulation describes the requirements for a herd that is designated as a positive CWD herd. Revisions include outlining what is required of a CWD-positive herd plan and establishing the timeline for plan development and response protocols. It further outlines the protocol that will be used for carcass disposal of cervids from positive CWD premises.

The proposed regulations are not mandated by federal law as the CWD HCP is a voluntary program for cervid operations to establish a certification for their animals.

The regulation changes will:

- Enhance the ability to move cervids intrastate by removing the negative tuberculosis test requirement
- Enhance industry members' ability to understand the requirements necessary to be a CWD HCP certified herd



- Enhance interstate business opportunities by ensuring that the Kansas CWD HCP is aligned and compliant with the expectations of the federal CWD HCP rule and program standards
- Enhance business operations by providing clearer requirements for a cervid herd that has been designated as a CWD-positive herd, which will allow Kansas to maintain its CWD HCP compliant status and will allow other herds in Kansas to maintain business continuity

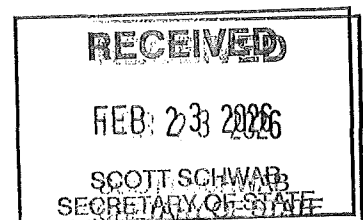
The proposed amendments also provide producers with the latitude to implement alternative ante-mortem testing regimens for missed or inadequate postmortem CWD samples. This could result in significant savings by allowing an operation to avoid sacrificing an animal that could be worth several thousand dollars to replace a missed sample. In contrast to the minimal additional cost of ante-mortem testing options, the benefits of the proposed amendments far outweigh the costs.

The only additional cost that may affect businesses would be the choice to employ ante-mortem testing as opposed to the current practice of performing postmortem testing on a replacement animal. Based on a history of 14 missed or inadequate test results over the last 5 years, it is reasonable to expect an average of approximately 3 missed or inadequate test results per year. Each of those three missed tests would require five ante-mortem samples to be collected and analyzed, at a cost of \$28 per sample. A reasonable estimate of veterinarian fees would be \$50 per sample. (3 missed tests x 5 samples = 15 samples; 15 samples x \$78 per sample = \$1,170 per year)

KDA does not anticipate that the proposed regulations will present any implementation and compliance costs to state businesses, sectors, public utility ratepayers, individuals, or local governments. In addition, KDA does not anticipate any changes in aggregate state revenues and expenditures, any significant increase or decrease in revenues, or any imposed functions or responsibilities on cities, counties or school districts. Letters were mailed to the League of Kansas Municipalities, the Kansas Association of School Boards, and the Kansas Association of Counties. No responses were received from those entities.

KDA engaged in extensive outreach and discussions with the Kansas Cervid operations as well as the USDA APHIS Cervid Health team. These conversations and feedback aimed to address some of the regulatory burdens of the current program while maintaining the level of oversight necessary to minimize the risk of Kansas cervid producers' herds being exposed to CWD from another domestic herd. The proposed regulations were also provided to all livestock stakeholder groups and licensees for a 60-day informal comment period. All responses received were favorable and encouraged KDA to move the regulations forward.

The Kansas Cervid industry requested a review of the current Kansas regulations and the implementation of possible revisions. This resulted in meetings with a working group of Kansas



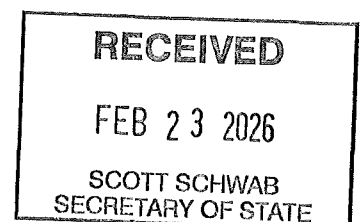
Cervid stakeholders and leadership multiple times over the last two years to discuss the current domestic cervid regulations and the proposed changes. All comments received were positive and supported moving forward.

Additionally, KDA consulted with the USDA APHIS Cervid Health team and included many of their recommendations to ensure that the Kansas CWD HCP remains compliant with the federal program. Likewise, KDA consulted with KDW&P to get concurrence and agreement with the changes.

Any individual with a disability may request accommodation to participate in the public hearing and may request the proposed regulations and their economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Ronda Hutton, via telephone at (785) 564-6715 or via fax at (785) 564-6777. Handicapped parking and entrance are located on the west side of the building at 1320 Research Park Dr., Manhattan, and is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statement may be obtained by contacting the Department via mail at Kansas Department of Agriculture, Attn: Ronda Hutton, 1320 Research Park Dr., Manhattan, KS 66502, via telephone at (785) 564-6715, or via the Department's website at agriculture.ks.gov.

Justin Smith
Animal Health Commissioner
Kansas Department of Agriculture



K.A.R. 9-3-6. Definitions. As used in ~~K.A.R. 9-3-6 through 9-3-17~~, Each of the following terms shall have the meaning specified in this regulation:

(a) “Adult domesticated cervid” means any domesticated cervid that is 12 months of age or older.

(b) “Affected herd” means any domesticated cervid herd in which tissues or fluids collected from a live animal or carcass of an animal tested positive for any infectious or contagious disease for which the herd may be quarantined, including chronic wasting disease (CWD), bovine tuberculosis (TB), or *Brucella abortus* (brucellosis), using an approved test conducted at an approved laboratory.

(c) “Animal” means a member of the family Cervidae, unless otherwise stated.

(d) “Ante-mortem CWD test” means a test to detect chronic wasting disease, performed by an accredited laboratory approved by the commissioner on samples collected from a live animal by a licensed accredited veterinarian.

(~~d~~) (e) “APHIS” means the animal and plant health inspection service of the United States department of agriculture.

(~~e~~) (f) “Approved laboratory” means any laboratory approved by APHIS to conduct brucellosis, TB, and CWD testing.

(~~f~~) (g) “Approved test” means any test for brucellosis, TB, or CWD conducted under protocols established by APHIS.

(~~g~~) (h) “Cervid” means any member of the family Cervidae and hybrids, including deer, elk, moose, caribou, reindeer, and related species.

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(i) “Chemical restraint” means medical restraint in which a drug is used to restrict the freedom or movement of an animal.

(h) (j) “Chronic wasting disease” and “CWD” mean a nonfebrile, transmissible spongiform encephalopathy that is insidious and degenerative and that affects the central nervous system of cervids.

(h) (k) “Commingling” means grouping animals in a manner in which physical contact among animals could occur, including maintaining animals in the same pasture or enclosure. Commingling shall apply to those animals that have less than 10 feet of physical separation and animals with indirect contact via shared equipment, pasture, or water sources. Animals are considered to have commingled if they meet the definition of a CWD-exposed animal. This term shall not include holding animals at a sale, during transportation, during artificial insemination, or in other situations in which only limited contact is involved.

(j) (l) “Commissioner” means Kansas animal health commissioner.

~~(k) “CWD clean herd” means a herd that has been a participating herd for at least 10 years in Kansas or in a state with a CWD monitoring program of equivalent status.~~

(h) (m) “CWD-exposed animal” means an animal that is part of a CWD-positive herd or that has been exposed to a CWD-positive animal or contaminated premises within the previous five years.

~~(m) (n) “CWD-exposed herd” means a herd in which a CWD-positive animal has resided within five years before that animal’s diagnosis as CWD-positive, as determined by an APHIS employee or representative of the commissioner.~~

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~~(n)~~ “CWD-infected herd” means any herd with a confirmed CWD-positive animal that has not completed a herd plan.

(o) “CWD-positive animal” means any cervid that tests positive on an approved test at an approved laboratory.

(p) “CWD-positive herd” means a herd in which a CWD-positive animal resided at the time the animal was diagnosed and which has not been released from quarantine.

~~(q)~~ (q) “CWD-source herd” means a herd that is identified through testing or epidemiological investigations to be the source of CWD-positive animals identified in other herds.

~~(r)~~ (r) “CWD-suspect animal” means any cervid that showed clinical signs of the disease before death, but whose results on an approved test are inconclusive or have not yet been reported for which an APHIS employee or Kansas department of agriculture representative has determined that unofficial CWD test results, laboratory evidence, or clinical signs suggest a diagnosis of CWD but for which official laboratory results have been inconclusive or not yet conducted.

~~(s)~~ (s) “CWD-suspect herd” means a herd for which unofficial CWD test results, laboratory evidence, or clinical signs suggest a diagnosis of CWD, as determined by an APHIS employee or state representative, but for which confirmatory laboratory results have been inconclusive or not yet reported.

~~(t)~~ (t) “Depopulate” means to remove, from a premises, animals that are determined to be infected or exposed to a specific disease by means of euthanizing the animals or by moving the animals to an approved slaughter facility for slaughter.

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(~~t~~) (u) “Domesticated cervid” means “domesticated deer,” as defined in K.S.A. 47-2101 and amendments thereto.

(~~u~~) (v) “Domesticated cervid permit” means the permit required by K.S.A. 47-2101, and amendments thereto, to sell, possess, or raise any cervid.

(~~w~~) (w) “Domesticated cervid movement notification” (DCMN) means a form that is provided by the Kansas department of agriculture, division of animal health and signed by the shipper. The DCMN shall be completed for all movements of live cervids, carcasses, and/or parts of a carcass that are being transported off the premises. The DCMN shall be completed with the name and either the residential or business address and domestic cervid permit number of both the shipper and the destination, species or breed of cervid, age, sex, all identifiers, including all official identification numbers, and the reason for movement.

(~~v~~) (x) “Herd” means a group of animals maintained on the same premises or two or more groups of animals maintained in a manner that results in commingling.

(~~w~~) (y) “Herd inventory” means an accounting that lists each adult domesticated cervid by its sex, age, breed or species, official identification and any other identification and that is confirmed by an accredited veterinarian or by a representative of the commissioner.

(~~x~~) (z) “Herd plan” means a signed written agreement between the herd owner, the commissioner, and the APHIS administrator, that lays out the steps to be taken to control the spread of a disease agent from a positive herd, to control the risk of disease spread in a CWD-exposed or suspect herd, or to prevent disease introduction into a herd, detailing any animal identification requirements, examination requirements, reporting requirements, testing requirements, traceability requirements, and allowable movements into and out of an affected

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herd. The herd plan may also include requirements on fencing, decontamination, and cleanup of premises, as well as defining opportunities for business and operation continuity.

(y) (aa) “Herd status” means the number of years during which a herd owner’s participating herd has been in an approved CWD monitoring program, indicating the probability that the herd is not affected by the disease. Herd status is determined by the length of time the herd has been monitored for CWD and by the herd owner’s full compliance with the program.

(bb) “Missed test” means an animal that is not correctly tested for CWD due to no sample being collected, an inappropriate sample being collected, poor sample quality, or a test that is not possible due to a test eligible animal being lost, dying, or being slaughtered, and not successfully tested for CWD.

(z) (cc) “Official identification” means the identification required by K.S.A. 47-2101, and amendments thereto, which for any animal in a participating herd shall be in the form of a unique means of identification approved by APHIS and the commissioner. Acceptable forms of official identification shall include electronic implants, which are also known as microchips, ~~radio frequency identification (RFID) tags~~ electronic identification devices, tamper-resistant tags, and national uniform eartagging system tags but shall exclude ear tattoos and flank tattoos.

(aa) (dd) “Participating herd” means any herd enrolled in the CWD ~~monitoring~~ herd certification program.

(bb) (ee) “Premises” means the grounds and buildings occupied by a herd and equipment used in the husbandry of the herd.

(ee) (ff) “Program” means the CWD monitoring program or the APHIS CWD herd certification program, whichever is applicable.

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(dd) (gg) "TB" means bovine tuberculosis.

(hh) "Trace-back herd" means a herd in which a CWD-positive animal formerly resided within five years prior to the diagnosis of CWD.

(ii) "Trace-forward herd" means a herd that has received exposed animals from a CWD-positive herd within five years prior to the diagnosis of CWD in the positive herd or from the identified date of entry of CWD into the positive herd. (Authorized by and implementing K.S.A. 2013 Supp. 47-607d, K.S.A. 47-610, and K.S.A. 2025 Supp. 47-2101; effective Sept. 19, 2014; amended P-_____.)

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K.A.R. 9-3-7. Fees. (a) Each applicant for an annual domesticated cervid permit issued pursuant to K.S.A. 47-2101 et seq., and amendments thereto, shall pay one of the following application fees:

- (1) For 1-19 domesticated cervids, \$75.00;
- (2) for 20-49 domesticated cervids, \$125.00; or
- (3) for 50 or more domesticated cervids, \$175.00.

(b) Only those individuals with a current domesticated cervid permit may possess live domesticated cervids. A permit is not required of non-owner haulers transporting cervids for immediate slaughter, so long as the originating owner has a valid permit.

(c) Each applicant shall submit the application for a domesticated cervid permit at least 30 days before taking possession of any domesticated cervid. (Authorized by and implementing K.S.A. 2013 2025 Supp. 47-2101; effective Sept. 19, 2014; amended P-_____.)

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K.A.R. 9-3-8. Records. Each holder of a domesticated cervid permit shall submit as part of their annual cervid permit application, the species of cervids on the premises and the total number for each one of the species.

Each holder of a domesticated cervid permit shall maintain records for each domesticated cervid purchased, acquired, held, transported, sold, or disposed of in any other manner. Each cervid, regardless of age, that enters a herd or leaves a herd alive for any purpose ~~other than for direct movement to slaughter~~ shall have official identification before change of ownership or prior to movement from the premises. The records shall be held for at least five years after the animal dies or leaves the premises and shall include the following information:

(a)(1) The name and either the residential or business address of the person from whom each domesticated cervid was acquired; and

(2) the geographic location from which each domesticated cervid was acquired, if this location is different from the residential or business address in paragraph (a)(1);

(b) the date each domesticated cervid was acquired or, if born on the premises, the year of birth of the domesticated cervid;

(c) a description of each domesticated cervid, including the following characteristics:

(1) The species or breed;

(2) the age;

(3) all official identification numbers;

(4) the sex; and

(5) any other significant identification for that animal, including any ~~of the following types of identification:~~ additional identification numbers associated with the animal.

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~~(A) An ear tag;~~

~~(B) an ear tattoo;~~

~~(C) an ear notch; or~~

~~(D) any brands, scars, or other permanent markings that help identify the animal;~~

(d) for cervids destined for Kansas facilities:

(1) The name, domesticated cervid permit number, and either the residential or business address of the person to whom any domesticated cervid is sold, given, or bartered or to whom the domesticated cervid is otherwise delivered;

(2) the geographic location to which the domesticated cervid is delivered, if this location is different from the residential or business address in paragraph (d)(1); and

(3) the date ~~and method of disposition~~ each domesticated cervid was moved; and

(e) if the domesticated cervid dies, is euthanized, or is slaughtered, the following additional information:

(1) The date of the death of the animal;

(2) the cause of death of the animal; and

(3) the method of disposition of the animal.

(f) For intrastate purposes, copies of DCMN submitted to the Kansas department of agriculture shall suffice to meet the information required in subsection (a), (b), (c), (d), and (e).

(Authorized by and implementing K.S.A. 2013 2025 Supp. 47-2101; effective Sept. 19, 2014; amended P-_____.)

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K.A.R. 9-3-9. Certificate of veterinary inspection; importation and intrastate movement requirements and permits. (a) Each cervid imported into Kansas shall be identified with official identification and shall be accompanied by a certificate of veterinary inspection.

(b) Each individual importing a cervid into Kansas shall obtain an import permit from the Kansas department of agriculture, division of animal health before the cervid enters Kansas. The cervid shall not be allowed entry into Kansas without this permit.

(c) Each ~~animal~~ cervid imported into Kansas of the genera *Odocoileus*, *Cervus*, and *Alces*, including whitetail deer, mule deer, black-tailed deer and associated subspecies, North American elk (wapiti), red deer, sika deer, moose, and any hybrids of these species, and the genera *Rangifer*, including reindeer and caribou, regardless of age, imported into Kansas but not moving directly to a licensed slaughter establishment within Kansas shall originate and move directly from a herd with ~~at least five years of herd status~~ CWD herd certified status in the APHIS CWD herd certification program or an equivalent program administered by the office of the state veterinarian in the state of origin.

Muntjacs, Père David's deer, fallow deer, and axis deer shall be exempt from the monitoring requirements for CWD in K.A.R. 9-3-15 and 9-3-16. Other cervid species may be exempted by the commissioner if the species are determined by APHIS to be nonsusceptible to CWD.

(d) All cervids originating from an area identified by APHIS as a designated surveillance area shall be prohibited entry into Kansas.

(e) Each domesticated cervid, except nursing young under four months of age and accompanied by their dam, that is entering Kansas, is not from a herd accredited by APHIS to be

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TB-free, and is not moving directly to a licensed slaughter establishment in Kansas shall be required to test negative for TB, using an approved test administered twice at least 90 days apart. The first test shall be administered no more than 180 days before entry into Kansas, and the second test shall be administered no more than 90 days before entry.

(f) Any imported cervid may be quarantined for a retest for TB by order of the commissioner.

(g) Each domesticated cervid, alive or dead, transported within the state of Kansas shall be accompanied by a completed ~~transportation~~ domesticated cervid movement notice (DCMN) ~~signed by the shipper on a form provided by the Kansas department of agriculture, division of animal health. One copy of the notice shall be mailed to the commissioner, one copy shall accompany the shipment, and one copy shall be retained by the shipper. Both the shipper~~ originating owner and receiver of live cervids, shall possess a current domesticated cervid permit. The permit requirement does not apply to the shipper in cases where the movement is intended for immediate slaughter. (Authorized by K.S.A. 2019-Supp. 47-607, K.S.A. 47-607d, and K.S.A. 2025 Supp. 47-2101; implementing K.S.A. 2019-Supp. 47-607, K.S.A. 47-607a, and K.S.A. 2025 Supp. 47-2101; effective Sept. 19, 2014; amended March 10, 2017; amended Nov. 13, 2020, P-_____.)

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K.A.R. 9-3-11. Tuberculosis. (a) The following portions of the document titled “bovine tuberculosis eradication: uniform methods and rules, effective January 22, 1999,” published by APHIS, are hereby adopted by reference:

(1) Part I, except the definitions of “affected herd,” “approved laboratory,” “herd,” and “individual herd plan”;

(2) part II, except II.A and II.K.3;

(3) part IV;

(4) part VI; and

(5) appendix 1.

(b) All testing and sample collection for the testing of TB in cervids shall be conducted by a licensed and accredited veterinarian in the state of origin who has been certified by APHIS to conduct TB testing in cervids.

~~(c) Each adult domesticated cervid that is changing ownership within Kansas, is not intended for immediate slaughter, and has not originated and moved directly from a herd accredited by APHIS to be TB-free shall be required to test negative for TB by an approved test conducted within 90 days before change of ownership.~~

~~(d)~~ (c) The owner of each herd infected with TB shall take one of the following steps:

(1) Quarantine and depopulate the herd; or

(2) quarantine the herd until a herd plan to eradicate TB from the infected herd has been completed.

(e) (d) Any imported cervid may be quarantined for a test for TB by order of the commissioner. The test shall be at the owner’s expense. (Authorized by K.S.A. 2013 Supp. 47-

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607d and 47-610; implementing K.S.A. 2013 ~~Supp.~~ 47-607, 47-610, 47-631, and 47-634;

effective Sept. 19, 2014; amended P-_____.)

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K.A.R. 9-3-12. Confinement, handling, and health. (a) Perimeter fencing. Each owner shall confine domesticated cervids with perimeter fencing, which shall meet the following requirements:

(1) Provide a barrier that prevents the escape of the domesticated cervids confined within and prevents the entry of wild cervids from outside the fenced area;

(2) be structurally sound;

(3) be in good repair; and

(4) be of sufficient height to prevent escape, but not less than eight feet for elk, red deer, whitetail deer, moose, and mule deer and all herds enrolled in the CWD HCP and not less than six feet for all other types of domesticated cervid. Any perimeter fencing constructed before January 23, 1998 that does not meet the height requirements in this paragraph may be utilized subject to written approval of the commissioner. All new fencing constructed on these premises shall meet the requirements of this paragraph.

(b) Facilities.

(1) Each owner shall provide handling facilities, which, when used in conjunction with herd management practices and chemical restraint, shall be adequate to allow each domesticated cervid to be physically handled without ~~undue harm to~~ compromising the safety of the domesticated cervid or the handler.

(2) Each access lane and catch pen shall be constructed of materials and shall be of a design adequate to safely contain domesticated cervids for any inspection, identification, testing, quarantine, or other action required by the commissioner.

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(c) Herd management. The owner shall provide each domesticated cervid with free access to the following:

- (1) Clean water;
- (2) adequate feed;
- (3) ~~appropriate~~ adequate shelter, natural or otherwise, to meet the needs of the animal;

and

- (4) protection from predators.

(d) Health. Each owner or handler of domesticated cervids shall meet the requirements of all federal and state regulations for contagious and communicable diseases. (Authorized by and implementing K.S.A. ~~2013~~ 2025 Supp. 47-2101; effective Sept. 19, 2014; amended P-
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K.A.R. 9-3-15. Participation in the chronic wasting disease ~~monitoring~~ herd certification program. (a) Each participating herd shall be maintained or held only on premises for which a current domesticated cervid permit has been issued by the commissioner. If a herd owner wishes to maintain separate herds, the herd owner shall maintain separate herd inventories, records, working facilities, water sources, equipment, and land use. There shall be a buffer zone of at least 30 feet between the perimeter fencing around each separate herd, and no commingling may occur. Movement between herds shall be recorded as if the herds were separately owned.

(b) Each application for enrollment of a herd in the ~~chronic wasting disease~~ CWD herd certification program shall be submitted on a form provided by the commissioner and shall include the following:

(1) Documentation that a current domesticated cervid permit has been issued to the owner of the premises on which the herd is held or maintained;

(2) a copy of an initial herd inventory, including:

(A) (i) Documentation of at least one form of official identification for each animal and one form of other visible identification, ~~including ear tags, brands, and any other means that are unique to that animal in the herd;~~ and

(ii) all cervids in the herd must be identified with both forms of identification by the time they are 12 months of age.

(B) (i) the name and either the residential or business address of the person from whom each domesticated cervid was acquired; and

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(ii) the geographic location from which each domesticated cervid was acquired if this location is different from the residential or business address in K.A.R. 9-3-15(b)(2)(B)(i).

(C) the date each domesticated cervid was acquired or, if born on the premises, the year of birth of the domesticated cervid;

(D) a description of each domesticated cervid, including the following characteristics:

(i) The species or breed;

(ii) the age;

(iii) all official identification numbers;

(iv) the sex; and

(v) any other identification for that animal, including an ear tag, an ear tattoo, an ear notch, or any brands, scars or other permanent markings that help identify the animal.

(E) the name, domestic cervid permit number, and either the residential or business address of the person to whom any domesticated cervid is sold, given, or bartered or to whom the domesticated cervid is otherwise delivered;

(F) the geographic location to which the domesticated cervid is delivered, if this location is different from the residential or business address in K.A.R. 9-3-15(b)(2)(E); and

(G) the date of the movement; and

(H) if the domesticated cervid dies, is euthanized, or is slaughtered, the following additional information:

(i) The date of the death of the animal;

(ii) the cause of death of the animal;

(iii) the method of disposition of the animal; and

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(iv) a copy of CWD test results within seven days of receiving them from the laboratory.

(I) for intrastate purposes, copies of DCMN that were submitted to the Kansas department of agriculture may suffice to meet the information required in K.A.R. 9-3-15(b)(2)(A-G).

~~(3)~~ (J) adequate herd records and documentation of the history of the herd since it originated or over at least the previous 60 months, whichever is less, including the following:

~~(A)~~ (i) For each animal added to the herd, any available records documenting the herd status of the herd from which the animal was transferred; and

~~(B)~~ (ii) records establishing that no animal has displayed any clinical signs of CWD and that the herd has not had any CWD-positive animals.

(c) The date of the initial application into the CWD ~~monitoring~~ herd certification program shall be the anniversary date. On initial application, a herd inventory, ~~including all official identification and any other identification as listed in K.A.R. 9-3-15 (b)(2),~~ shall be completed and submitted by the owner and confirmed by means of visual inspection by ~~an accredited veterinarian or a representative of the commissioner.~~

(d) An application accompanied by a herd inventory as listed in K.A.R. 9-3-15 (b)(2), including all official identification and any other identification, shall be ~~completed~~ submitted annually and confirmed at annual inspection by an accredited veterinarian or by a representative of the commissioner. Each herd inventory shall be accurate, complete and reconciled with past inventories and shall be filed at least 11 months and no more than 13 months after the last anniversary date of the participating herd's enrollment in the CWD-herd certification program. A ~~visual physical~~ inspection of the identification listed on the herd inventory shall be conducted

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and confirmed by an accredited veterinarian or by a representative of the commissioner at least once every three years.

(e) An approved test for CWD shall be administered to the carcass of each animal that is 12 months of age or older at the time the animal dies or is slaughtered, unless an exception is granted by the commissioner. Test samples shall be submitted within seven days of death. The herd owner or representative shall forward the final testing reports to the Kansas department of agriculture division of animal health within seven days of receipt by the owner.

(f) In the event of a missed test, a CWD risk assessment shall be done on the remaining herd and the commissioner shall determine how the herd's CWD herd certification program status will be affected. Risk assessments should take into consideration:

(1) CWD status level of the herd;

(2) amount of surveillance testing that has been conducted;

(3) length of time the herd has met surveillance requirements; and

(4) number of tests that have been missed.

(g) Based on the results of the risk assessment, the commissioner may:

(1) Order ante-mortem CWD test results to replace a missed test result, provided that:

(A) Ante-mortem CWD tests will be performed upon agreement with the herd owner;

(B) ante-mortem CWD tests will be performed at the expense of the herd owner; and

(C) ante-mortem CWD testing shall consist of testing up to five head of like and representative animals for each test that was missed.

(2) order euthanasia of a representative herd mate to replace a missed test; or

(3) provide exceptions for isolated incidents or mass mortality events.

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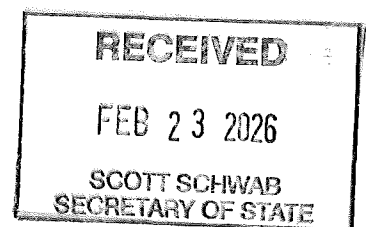
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(h) The first occurrence of a missed test within a herd resulting from collection of inappropriate tissues or lack of one of the required sample locations that was collected by a licensed veterinarian, state or federal agency representative shall not result in assessment of penalties or reduction of herd status.

(i) For the purposes of a state risk assessment, upon agreement with the herd owner, the commissioner may request an ante-mortem CWD test of CWD-exposed animals, CWD-exposed herds, or CWD-positive herds. This may be accomplished either by owner pay or as appropriated funds are available.

~~(d)~~ (j) Failure to comply with this regulation shall result in a reduction or loss of herd status. (Authorized by and implementing K.S.A. ~~2013 Supp.~~ 47-610 and K.S.A. 2025 Supp. 47-2101; effective Sept. 19, 2014; amended P-_____.)

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K.A.R. 9-3-16. CWD herd certification program levels. (a) Each participating herd shall be assigned herd status based on ~~the following~~:

(1) ~~The number of years that the participating herd has been under surveillance with no evidence of CWD; and~~

(2) the herd owner's compliance with K.A.R. 9-3-15. Herd status shall be reassigned based on the herd status of each herd from which the participating herd has received any animal.

(b) When a herd is first enrolled in the CWD herd certification program, the herd will be placed in first year status. Except that, if the herd is composed solely of animals obtained from herds already enrolled in the CWD herd certification program, the newly enrolled herd will have the same status as the lowest status of any herd that provided animals for the new herd. If the herd continues to meet the requirements of the CWD herd certification program, the herd status will increase by one year on the anniversary of the enrollment date.

~~(b)(1) Each of the following shall start at the entry level of year one:~~

~~(A) Each herd that has not received any animal from a herd with previous herd status;~~

~~(B) each herd that has received any animal of unknown herd status; and~~

~~(C) each herd that is not currently a participating herd.~~

(2) (c) Application for renewal and advancement within the CWD ~~monitoring~~ herd certification program shall be yearly as described in K.A.R. 9-3-15. Each herd meeting the requirements of K.A.R. 9-3-15 shall advance one year in herd status for every year during which these requirements are met. One year from the date a herd is placed in fifth-year status, the herd status will be changed to certified. A herd shall remain in certified status as long as it is enrolled in the CWD herd certification program, provided the herd's status is not lost, suspended, or

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~~reduced as a result of non-compliance with K.A.R. 9-3-15. Each participating herd with at least 10 years with no evidence of CWD shall be considered a CWD-clean herd. To maintain herd status as a CWD-clean herd, a herd shall receive animals only from other CWD-clean herds.~~

~~(e) Any owner of a herd in which all animals received have been moved directly from herds of a designated herd status within Kansas, or from a state with a CWD monitoring program equivalent to the Kansas program, may apply for the same level of herd status. However, the participating herd shall be assigned the herd status of the herd with the lowest herd status from which the participating herd has obtained any animal.~~

(d) Each herd that receives any animals from a herd of lesser herd status shall drop to the lowest level of herd status of the animals received. If a participating herd receives any animals of unknown or no herd status, then the herd status of the participating herd shall be reduced to year one first-year status.

(e) If a herd is designated a CWD-positive herd or a CWD-exposed herd, the herd will immediately lose its CWD herd certification program status and may only reenroll after entering into a herd plan.

(f) If a herd is designated a CWD-suspect herd, a trace-back herd, or a trace-forward herd, the herd will immediately be placed in suspended status pending an epidemiologic investigation by APHIS or a state animal health agency. If the epidemiologic investigation determines that the herd was not commingled with a CWD-positive animal, the herd will be reinstated to its former CWD herd certification program status. The time spent in suspended status shall count toward the herd's promotion to the next herd status level. (Authorized by and

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implementing K.S.A. 2013 Supp. 47-610 and K.S.A. 2025 Supp. 47-2101; effective Sept. 19,

2014; amended P-_____.)

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K.A.R. 9-3-17. ~~CWD-infected~~ CWD-positive herds. Each CWD-infected positive herd shall be subject to the following requirements:

(a) A herd quarantine shall be issued by the commissioner immediately after receiving a report from an approved laboratory of a positive test for CWD in an animal from a herd;

(b) A herd plan shall be ~~developed~~ initiated by the owner and a representative of the commissioner ~~and the owner~~ within 21 days of the date the herd quarantine is issued. ~~This~~ Once developed, the herd plan shall be approved by the owner, the state APHIS representative, and the commissioner ~~and shall detail how animal movement into and from the CWD-infected herd may occur.~~

(1) A herd plan shall:

(A) Specify the means of identification of each animal in the herd;

(B) require regular inspection of the herd by a veterinarian for clinical signs of disease;

(C) require reporting to the Kansas animal health commissioner or APHIS officials of any clinical signs of a central nervous system disease or chronic wasting condition in the herd;

(D) require record keeping of all animal movements into and from the herd, all deaths and cause of death;

(E) require CWD testing of all mortalities six months of age or older;

(F) detail how animal movement into and from the herd may occur; and

(G) have a duration of no more than 60 months from the last contact with any CWD-positive, CWD-exposed, or CWD-suspect animal.

(2) A herd plan may include but not limited to:

(A) Requirements for complete or partial depopulation of the herd;

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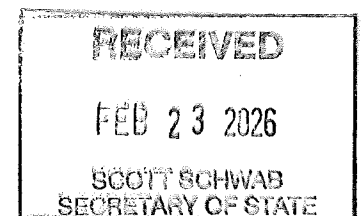
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(B) specific requirements for a duration of time during which a premises may not contain CWD-susceptible species after CWD-positive, CWD-exposed, or CWD-suspect animals are removed from the premises;

(C) requirements for premises cleaning and disinfection; and

(D) requirements for fencing.

(3) A herd plan may be reviewed and changes to it suggested at any time by any signatory party in response to changes to the herd situation or premises or improvements in understanding of the nature of CWD epidemiology or techniques to prevent its spread. The revised herd plan shall become effective after it is reviewed and approved by the commissioner, the assigned USDA representative, and the herd owner.

(c) The herd owner may request identity testing of the CWD-positive sample at the expense of the herd owner;

(d) The herd owner may request testing of the CWD-positive sample to determine the CWD strain at the expense of the owner;

(e) If state indemnity funds are not available or prioritized, the commissioner may consider alternatives, including use of ante-mortem testing;

(f) Each domesticated cervid permittee shall notify the commissioner of the death of any animal in a CWD-infected positive herd. The notice shall be given to the commissioner within 24 hours of the discovery of the animal's death. An approved test shall be administered by a designee of the commissioner to the carcass of each animal in the CWD-infected positive herd that dies;

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(d) (g) If an animal in a CWD-~~infected~~ positive herd shows symptomatic or clinical signs of CWD, the domesticated cervid permittee shall notify the commissioner. The animal shall be euthanized and administered an approved test by a designee of the commissioner;

(e) (h) The carcass ~~carcasses of from~~ each CWD-positive animal or CWD suspect herd shall be disposed of only by a method and at a site approved by the commissioner. In the event a complete herd depopulation is implemented, the carcasses shall be disposed of only by a method and at a site approved by the commissioner and, if required by Kansas department of health and environment rules and regulations, the secretary of the Kansas department of health and environment or the secretary's designee; and

(f) (i) The quarantine on the CWD-~~infected~~ positive herd shall be removed after five consecutive years in which there are no animals in the CWD-~~infected~~ positive herd with any clinical signs of CWD and no positive results on an approved test and the requirements of the herd plan have been met. The owner of a CWD-~~infected~~ positive herd may apply to reenroll the herd in the CWD herd certification program with a year-five herd status. (Authorized by K.S.A. 2013-Supp. 47- 610 and K.S.A. 2025 Supp. 47-2101; implementing K.S.A. 2013-Supp. 47-610, K.S.A. 47-614, K.S.A. 2013-Supp. 47-622 and K.S.A. 2025 Supp. 47-2101; effective Sept. 19, 2014; amended P-_____.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Dept of Agriculture
Agency

Ronda Hutton
Agency Contact

785-564-6715
Contact Phone Number

K.A.R. 9-3-6 through K.A.R. 9-3-9, K.A.R. 9-3-11 through 9-3-12, K.A.R. 9-3-15 through K.A.R. 9-3-17

☒ 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 or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?

☐ Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-422, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for 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. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

The Kansas Department of Agriculture is proposing a package of revised regulations for the domesticated cervid operations and Chronic Wasting Disease Herd Certification Program (CWD HCP) within Kansas. The CWD HCP is a voluntary program that operates under guidance of the federal CWD HCP program and associated program standards. The program is designed to require a minimum set of standards a CWD susceptible herd must comply with to establish its status as a CWD free herd. Having a KS program that is in-line with the federal program provides consistency among other state's programs and facilitates the ability to move and trade cervids across states while maintaining a level of assurance they are moving CWD free animals.

The regulations provide the following:

K.A.R. 9-3-6 – This regulation provides an expanded list of definitions that are relevant to and used throughout the regulations

K.A.R. 9-3-7 – This revised regulation outlines the fees necessary to obtain a domesticated cervid permit. An exception was added that clarifies that non-owner haulers are exempt from the requirement to have a domesticated cervid permit.

K.A.R. 9-3-8 – This revised regulation outlines the record keeping and submission requirements necessary to maintain a domesticated cervid permit. The regulation sets forth the information that must be retained for each animal that is part of a domesticated cervid operation. This includes the requirements for a domesticated cervid movement notification to be filed with KDA for any intrastate movements

K.A.R. 9-3-9 – This revised regulation governs the issuance of certificates of veterinary inspection for the importation of cervids into Kansas as well as the domestic cervid movement notification required for intrastate movements.

K.A.R. 9-3-11 – This revised regulation governs the tuberculosis (TB) requirements for a Kansas cervid herd. The requirement for a negative TB test prior to an intrastate movement is being rescinded.

K.A.R. 9-3-12 – This revised regulation provides the requirements for the confinement, handling and health management of a domesticated cervid operation. It was revised to clarify the fencing requirements for herds enrolled in the CWD HCP and recognize the use of chemical restraint as an acceptable herd management practice

K.A.R. 9-3-15 – This revised regulation provides the requirements necessary for participation in the CWD HCP. It provides clarification of the records that are required to be retained and submitted

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for compliance in the CWD HCP. The regulation outlines the expanded record submission and CWD testing requirements for a herd enrolled in the CWD-HCP. Revisions within this regulation include the latitude via a state risk assessment to exchange alternative testing modalities for the post-mortem test that may have been missed or found to be not adequate.

K.A.R. 9-3-16 – This revised regulation outlines the program levels of the CWD-HCP and what is required of a herd to obtain CWD herd certification status. The language was changed to better align with the federal definitions and description within the federal CWD-HCP rules and program standards. It describes the changes of a herd status that will occur as the result of a suspect or positive CWD test.

K.A.R. 9-3-17 – This revised regulation describes the requirements for a herd that is designated as a positive CWD herd. Revisions include outlining what is required of a CWD positive herd plan and establishing the timeline for plan development and response protocols. It further outlines the protocol that will be used for carcass disposal of cervids from a positive CWD premises.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

The proposed regulations are not mandated by federal law as the CWD HCP is a voluntary program for cervid operations to establish a certification for their animals. Sections of the proposed changes and updates to the current rules are required to maintain our compliance and consistency with the federal rules that support the federal CWD HCP. Compliance and consistency are required if a herd wants to be recognized with a CWD status to facilitate interstate movement. The proposed regulations only exceed the requirements of applicable federal law insofar as they prescribe requirements for intrastate movements, which fall outside the jurisdiction of federal law.

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;

The regulation changes will:

- Enhance the ability to move cervids intra-state by removing the negative tuberculosis test requirement
- Enhance industry members' ability to understand the requirements necessary to be a CWD HCP certified herd
- Enhance interstate business opportunities by ensuring that the KS CWD HCP is aligned and compliant with the expectations of the federal CWD HCP rule and program standards.

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- Enhance business operations by providing clearer requirements for a cervid herd that has been designated as a CWD positive herd, which will allow Kansas to maintain its CWD-HCP compliant status and facilitate other herds in Kansas the ability to maintain business continuity.

- 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 will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

Because the proposed regulations impose requirements on Kansas domesticated cervid operations, KDA does not anticipate that the proposed regulations will present any implementation and compliance costs to any of the state's businesses, sectors, public utility ratepayers, individuals, or local governments, unless they participate in the cervid industry. Those individuals or businesses that choose to participate may incur minimal additional implementation and compliance costs as quantified below in Section F.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
The proposed regulations will directly affect Kansas domestic cervid operations.

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

The proposed amendments' removal of the tuberculosis testing requirement for intrastate movements will result in cost savings for cervid operations across the state as well as increased ability to move animals within Kansas.

The proposed amendments also provide producers with the latitude to implement alternative ante-mortem testing regimens for missed or inadequate post-mortem CWD samples. This could result in significant savings by allowing an operation to avoid sacrificing an animal that could be worth several thousand dollars to replace a missed sample. In contrast to the minimal additional cost of antemortem testing options, the benefits of the proposed amendments far outweigh the costs.

- 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;

KDA engaged in extensive outreach and discussions with the KS Cervid operations as well as the USDA APHIS Cervid Health team. These conversations and feedback aimed to address some of the regulatory burdens of the current program while maintaining the level of oversight necessary to minimize the risk of KS cervid producers' herds being exposed to CWD from another domestic herd.

The feedback and recommendations from the outreach efforts were taken very seriously and implemented in the current draft as applicable.

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The proposed regulations were provided to all livestock stakeholder groups and licensees for a 60-day informal comment period. All responses received were favorable and encouraged KDA to move the package forward.

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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 individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$1170
Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$1170
(sum of above amounts)

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

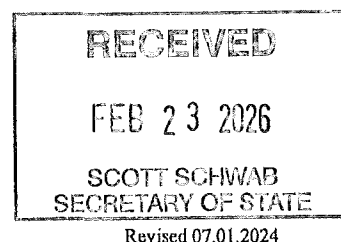
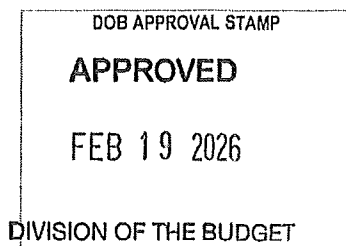
The only additional costs to affected businesses would be a result of the choice to employ antemortem testing as opposed to the current practice of performing postmortem testing on a replacement animal. Based on a history of 14 missed or inadequate test results over the last 5 years, it is reasonable to expect an average of approximately 3 missed or inadequate test results per year. Each of those three missed tests would require five antemortem samples to be collected and analyzed, at a cost of \$28 per sample. A reasonable estimate of veterinarian fees would be \$50 per sample. (3 missed tests X 5 samples = 15 samples; 15 samples X \$78 per sample = \$1170 per year)

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, 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

If applicable, click here to enter public hearing information.

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.

KDA does not anticipate any changes in aggregate state revenues and expenditures as a result of implementation of the proposed regulation updates.



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.

There should be no foreseeable economic impact of these proposed regulation updates for small employers and the general public. It is difficult to estimate the immediate or long-range economic impacts for individuals engaged in the business of raising cervids because the choice of whether to engage in certain practices is solely up to the individual operations. If operations take advantage of increased movement and marketing opportunities provided by the redaction of TB testing requirements, they can expect to see savings. The opportunity of replacing missed tests with antemortem options does impose some potential costs, as quantified above, but being able to maintain compliance with the CWD HCP program provides opportunities for trade and marketing cervids to other operations.

- 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.

KDA does not anticipate that the proposed regulation will significantly increase or decrease revenues of cities, counties or school districts, or impose functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability. Letters were sent to the League of Kansas Municipalities, the Kansas Association of School Boards, and the Kansas Association of Counties inquiring as to whether those entities believed the proposed regulation would impose increased costs or responsibilities on their members. No responses were received from those entities.

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

The Kansas Cervid industry requested a review of the current Kansas regulations and the implementation of possible revisions. This resulted in us meeting with a working group of KS Cervid stakeholders and leadership multiple times over the last two years to discuss the current domestic cervid regulations and the proposed changes.

KDA presented multiple drafts of these regulation changes to the KS Cervid industry on multiple occasions at state meetings and conferences and provided the drafts to all Cervid licensees for an informal 60 day comment period. All comments received were positive and supported moving forward.

Additionally, KDA consulted with the USDA APHIS Cervid Health team and included many of their recommendations to ensure that the KS CWD HCP program remains

APPROVED
DO NOT APPROVAL STAMP

FEB 19 2026

DIVISION OF THE BUDGET

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FEB 23 2026

SCOTT SCHWAB
SECRETARY OF STATE

Revised 07.01.2024

compliant with the federal program. Likewise, KDA consulted with KDW&P to get concurrence and agreement with the changes.

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 individuals or entities 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 individuals who will bear the costs.
- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).
- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

