

## **Nongame and Endangered Species Act; Senate Sub. for HB 2156**

**Senate Sub. for HB 2156** makes several changes to the Nongame and Endangered Species Act, which are detailed below.

### ***Special Permit Exceptions***

In continuing law, a special permit is required for any person subject to the jurisdiction of Kansas to act in a manner contrary to any rules and regulations adopted by the Secretary of Wildlife, Parks and Tourism (Secretary) which pertain to endangered or threatened species of wildlife included in the Kansas Threatened and Endangered Species List.

The bill creates three exceptions to this requirement:

- Normal farming and ranching practices, including government cost-shared agriculture land treatment measures, unless a permit is required by another state or federal agency or the practices involve an intentional taking of a threatened or endangered species, as defined in law;
- Development of residential and commercial property on privately owned property financed with private, non-public funds, unless a permit is required by another state or federal agency or the development involves an intentional taking of a threatened or endangered species, as defined in law; and
- Activities for which a person has obtained a scientific, educational, or exhibition permit.

The bill also declares that for purposes of this section, a permit required by another state or federal agency shall not include a certification or registration.

### ***Recovery Plans***

The bill requires on and after July 1, 2016, for all new species listed as endangered or threatened by the Secretary, recovery plans for the species be completed within four years of the species being listed. If the recovery plan is not completed within four years, no permit will be required for activities that would otherwise require a permit until the recovery plan is complete. This provision of the bill will not apply to any endangered or threatened species listed under the federal Endangered Species Act of 1973.

The Secretary is required to submit an annual report on all species listed as endangered or threatened, as of June 30, 2016, to the Senate Committee on Natural Resources and the House Committee on Agriculture and Natural Resources. This report shall include:

- The status of any species with a completed recovery plan;

- The status of species with a recovery plan currently in process, but not yet complete; and
- Future goals for completing recovery plans for any listed species that does not yet have a recovery plan.

In addition, the Secretary is required to publish and maintain each developed and implemented recovery plan on the Kansas Department of Wildlife, Parks and Tourism website.