

Kansas Register

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Photo by Todd Caywood

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

Effective 7-1-24 through 7-7-24

Term	Rate
1-89 days	5.33%
3 months	5.35%
6 months	5.28%
12 months	5.04%
18 months	4.86%
2 years	4.69%

Joel Oliver
Executive Director
Chief Investment Officer
Pooled Money Investment Board

Doc. No. 052263

State of Kansas

Secretary of State

Notice of Code Mortgage Rate for July 2024

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of July 1-31, 2024, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab
Secretary of State

Doc. No. 052266

State of Kansas

Secretary of State

Notice of Judgment Interest Rate

Pursuant to the provisions of K.S.A. 16-204, the rate of interest on judgments rendered by courts of the state of Kansas pursuant to the code of civil procedure is 9.5 percent during the period of July 1, 2024, through June 30, 2025.

Scott Schwab
Secretary of State

Doc. No. 052267

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner

of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU's vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU's educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 052106

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University's campus designated as the "Innovation Campus," for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good

(continued)

fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@wichita.edu or Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 052107

State of Kansas

Department of Transportation

Notice of Call for Projects

The Kansas Department of Transportation (KDOT) is announcing a call for projects to be submitted to the state's Rail Service Improvement Program. An estimated \$10 million in funding is available to award projects that enhance safety, promote economic efficiency, and sustainability to the state's rail network.

This Call for Projects opens July 1, 2024. The submission deadline will be 12:00 p.m. (Central Time) August 30, 2024. Awards are expected to be announced in the spring of 2025. Applicants are required to provide a 30% match of total project cost. There are no minimum or maximum project award amounts. A link to the application can be found on KDOT's website at <https://www.ksdot.gov/bureaus/burRail/rail/default.asp>.

Qualified entities include any surface transportation board certified Class II or Class III railroad, as defined in 49 C.F.R. § 1201.1-1(a), a port authority established in accordance with Kansas laws, any entity meeting the rules and regulations established by K.S.A. 75-5050, or any owner or lessee industry track, as defined in 49 C.F.R. § 218.93, located on or adjacent to a Class II or Class III railroad in the state of Kansas.

For more information on program details and guidelines, contact Michael Espinoza, Freight and Rail Program Manager at 785-296-3228 or Michael.Espinoza@ks.gov.

Calvin Reed
Secretary
Department of Transportation

Doc. No. 052246

State of Kansas

Department of Administration Office of Facilities and Property Management

Notice of Commencement of Negotiations for Construction Manager At-Risk Services

Notice is hereby given for the seeking of interest and qualifications for Construction Management At-Risk (CMAR) services for the Wichita State University (WSU) Henrion Hall HVAC Replacement Phases III and IV in Wichita, Kansas. The total construction budget is \$3,250,000.

Over the past three years, WSU has invested just under \$2 million in two separate projects to improve the health and safety of Henrion Hall by improving ventilation and dust collection in the ceramics, sculpture, and foundry areas in the building. This project includes the scope of work required to provide central heating, air conditioning, and ventilation to the remainder of the building (approximately 29,000 square feet) to address the additional deferred maintenance HVAC items. Following the recent Phases 1 and 2 work in the building, a study was conducted 2023 to outline the scope of work needed for this project. The recommendations have been separated into two phases to allow the overall scope to be separated out into two smaller phases if needed based on available funding and to maintain partial occupancy of the building during construction. Phase 3 would be contained to the west portion of the building and include addition of a chilled water plant, paving modifications to the south drive to accommodate a fire lane, heating water boiler plant, HVAC system to serving the west gym, and electrical infrastructure upgrades to support the proposed Phase 3 and Phase 4 HVAC equipment. Phase 4 would encompass the remainder of the non-central air-conditioned spaces including airside HVAC upgrades, dust collectors and make up air units at east end of building, electrical scope to support the HVAC upgrades, and the removal and replacement of ceilings required to support the HVAC and electrical work.

The construction manager at-risk will provide for each phase cost estimating, scheduling, constructability reviews, and value engineering studies; procure equipment, prequalify subcontractors, and take bids; review bids with the design team and owner to determine bids to accept; prepare cost estimate(s) for the un-bid portion(s); provide a guaranteed maximum price and a bond; and manage construction and track all costs for the design team and owner's review.

An architectural/engineering program is available at <https://admin.ks.gov/offices/ofpm/dcc/arch-eng-programs>. Questions about the proposed scope of services should be submitted to Emily Patterson at emily.patterson@wichita.edu or telephone at 316-978-5829.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051, 052, 053 and 054, inclusive, and information regarding similar projects. Forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction-compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC

Form 050 for each firm and consultant should be provided at the end of each SOQ (statement of qualification) submittal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Submittals of SOQ forms should be less than 5Mb and follow the current State Building Advisory Commission guidelines for Phase I of the Construction Management at Risk process, which can be found in Part B – Chapter 7 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>.

Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions about the proposal submissions, please contact Randy Riveland at randy.riveland@ks.gov or 785-296-0749. Proposals shall be emailed to professional.qualifications@ks.gov to the attention of the State Building Advisory Commission by 2:00 p.m. July 19, 2024.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Administration

Doc. No. 052269

State of Kansas
Department of Administration
Office of Facilities and Property Management

**Notice of Commencement of Negotiations
for Construction Manager At-Risk Services**

Notice is hereby given for the seeking of interest and qualifications for Construction Management At-Risk (CMAR) services for the Kansas Bureau of Investigation (KBI) Crime Center and Lab in Pittsburg, Kansas. The total construction budget is \$33,000,000.

The goal of this project is to develop, construct, and equip a regional crime center and forensic science laboratory in Pittsburg, Kansas on the campus of Pittsburg State University for the KBI, to assist Kansas law enforcement with investigative and laboratory operations, law enforcement training, and criminal justice education.

The construction manager at-risk will provide for each phase cost estimating, scheduling, constructability reviews, and value engineering studies; procure equipment, prequalify subcontractors, and take bids; review bids with the design team and owner to determine bids to accept; prep cost estimate(s) for the un-bid portion(s); provide a guaranteed maximum price and a bond; and manage construction and track all costs for the design team and owner’s review.

An architectural/engineering program is available at <https://admin.ks.gov/offices/ofpm/dcc/arch-eng->

[programs](https://admin.ks.gov/offices/ofpm/dcc/arch-eng-). Questions about the proposed scope of services should be submitted to Jeff Stokes at jeff.stokes@kbi.ks.gov or telephone at 785-738-8298.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051, 052, 053 and 054, inclusive, and information regarding similar projects. Forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each SOQ (statement of qualification) submittal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Submittals of SOQ forms should be less than 5Mb and follow the current State Building Advisory Commission guidelines for Phase I of the Construction Management at Risk process, which can be found in Part B – Chapter 7 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>.

Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions about the proposal submissions, please contact Randy Riveland at randy.riveland@ks.gov or 785-296-0749. Proposals shall be emailed to professional.qualifications@ks.gov to the attention of the State Building Advisory Commission by 2:00 p.m. July 19, 2024.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Administration

Doc. No. 052271

State of Kansas
Department of Administration
Office of Facilities and Property Management

**Notice of Requested Architectural
and Engineering Services**

Notice is hereby given of the commencement of the selection process for architectural and engineering services for Kansas State University’s Fairchild Hall Renovation project. The project construction budget is no more than \$15,000,000.

An architectural/engineering program is available at <http://admin.ks.gov/offices/ofpm/dcc/arch-eng-programs>. For more information contact Lisa Johnson at lisajohnson@ksu.edu, or 785-532-0379.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Quali-
(continued)

fications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B – Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals should be sent to professional.qualifications@ks.gov. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions about the proposal submissions, please contact Randy Riveland at randy.riveland@ks.gov or call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of the State Building Advisory Commission by 2:00 p.m. July 19, 2024.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, then the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Administration

Doc. No. 052270

State of Kansas
Board of Regents Universities

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids, or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact info: phone: 620-341-5137, email: purchaseorders@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Cir., Emporia, KS 66801.

Fort Hays State University – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact info: phone: 785- 628-4251, email: purchasing@fhsu.edu.

fhsu.edu. Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

Kansas State University – Bid postings: <https://bidportal.ksu.edu>. Effective August 1, 2023, all bids, quotes, or proposals must be submitted via the Kansas State University Bid Portal at <https://bidportal.ksu.edu>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact information, phone: 785-532- 6214, email: kspurch@k-state.edu.

Pittsburg State University – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4167, email: swburke@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu/>. The University of Kansas exclusively uses the online eBid tool and will no longer accept paper responses unless otherwise specified in a solicitation. Additional contact information, email: purchasing@ku.edu. Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Road Room 20, Lawrence, KS 66045.

University of Kansas Medical Center – Electronic bid postings: <https://www.kumc.edu/finance/supply-chain/bid-opportunities.html>. Additional contact information, phone: 913-588-1117, email: hunkemoore@kumc.edu. The University of Kansas Medical Center accepts only electronic bids.

Wichita State University – Bid postings: https://www.wichita.edu/services/purchasing/Bid_Documents/Bid_Documents.php. Additional contact information, phone: 316-978-3080, fax: 316-978-3738, email: purchasing.office@wichita.edu. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Chris Robinson
Director
Purchasing and Contract Services
Kansas State University

Doc. No. 051386

State of Kansas
Department of Administration
Office of Procurement and Contracts

Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfspdsc/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

06/26/2024	EVT0009778	Actuarial Consulting; State Employee Health Benefit Plan – KDOA
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08/06/2024	EVT0009790	Art Quality Assurance and Coaching Feed Back Services – KJCC
08/13/2024	EVT0009789	Gaming Laboratory Testing Services – Kansas Racing and Gaming Commission
08/14/2024	EVT0009788	DEI Allyship Support Network – DCF

Upcoming Bid Events

07/02/2024	EVT0009777	Native Grass and Forbes Feed – KDWP
07/02/2024	EVT0009783	Beet Juice De-Icer – Anti-Icer – KDOT
07/02/2024	EVT0009792	Miscellaneous Building Materials – KDOA

The above referenced bid documents can be downloaded at the following website:

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

07/25/2024	A-014809	Salina Facilities Maintenance Building – Kansas State University
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Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Todd Herman
Director

Office of Procurement and Contracts
Department of Administration

Doc. No. 052268

State of Kansas

Department of Health and Environment

Notice of Water Quality Certification

The Kansas Department of Health and Environment (KDHE) has drafted a water quality certification per Section 401 of the Clean Water Act (CWA) requested by the United States Army Corps of Engineers (USACE) for Section 401 Water Quality Certification of the Reissuance of GP 43 (Maintenance of Man-Made Lakes and Ponds). The specific activities covered by GP-43 (detailed in the permit document) are as follows:

1. Removal of lakebed/pond sediment in conjunction with mechanical dredging, hydraulic dredging, and excavation activities.
2. Use of standard construction equipment to remove accumulated sediment.
3. Dredged/excavated material may be used in the construction of jetties/breakwaters, shoreline stabilization structures, fish and wildlife habitat improvement structures, and other similar activities.
4. Construction of jetties, breakwaters, hard points,

bank stabilization or similar features designed to attenuate wave action not associated with sediment removal.

The USACE has estimated approximately eight of these regional general permits would be issued each year.

The draft conditional 401 certification and additional information containing the link to the USACE Public Notice will be posted on the KDHE website at <https://www.kdhe.ks.gov/1095/Section-401-Water-Quality-Certification> on or before July 3, 2024. Persons wishing to comment on the referenced draft document must submit their comments in writing by email to the Kansas Department of Health and Environment at KDHE.NPS@ks.gov by September 3, 2023, if they wish to have their comments considered in the formulation of final determinations for 401 regarding this public notice.

For more information, contact Scott Satterthwaite, Watershed Management Section, Bureau of Environmental Field Services, KDHE at Scott.Satterthwaite@ks.gov or KDHE.NPS@ks.gov.

Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052265

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Las acciones propuestas se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas

(continued)

de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-24-179/184

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Niehues Farms Dennis Niehues 1785 96th Rd. Goff, KS 66428	SE/4 of Section 35 T03S, R13E Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S036

The proposed action is to reissue an existing state permit for an existing facility for 2,400 head (960 animal units) of swine more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Dunbar Farms, Inc. Ronald Dunbar 3420 Douglas Rd. Richmond, KS 66080	E/2 of Section 33 T18S, R20E Franklin County	Marais des Cygnes River Basin

Kansas Permit No. A-MCFR-B005

The proposed action is to reissue an existing state permit with reapproved planned modifications. These modifications include constructing a 0.55-acre open lot and establishing a grass buffer. This facility will have a maximum capacity of 99 head (49.5 animal units) of cattle weighing 700 pounds or less. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Dwight Yarrow 1435 9th Rd. Clay Center, KS 67432	SW/4 of Section 20 T09S, R03E Clay County	Lower Republican River Basin

Kansas Permit No. A-LRCY-B002

The proposed action is to reissue an existing state permit for an existing facility for 300 head (150 animal units) of cattle 700 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Dale Schmitt 100 Circle Dr. Beloit, KS 67420	W/2 of Section 09 T06S, R08W Mitchell County	Solomon River Basin

Kansas Permit No. A-SOMC-B011

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Evans Cattle, Inc. – East Yard Terri Evans 722 CR 52 Gove, KS 67736	SW/4 of Section 34 T14S, R28W Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-B031

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Schulze Farms, LLC 7191 Road W6 Norton, KS 67654	NW/4 of Section 11 T02S, R24W Norton County	Upper Republican River Basin

Kansas Permit No. A-URNT-B012

The proposed action is to reissue an existing state permit for an existing facility for 400 head (200 animal units) of cattle weighing 700 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Public Notice No. KS-AG-R-24-011

Per Kansas Statutes Annotated 65-171d, the following registration has been received for a proposed facility.

Name and Address of Registrant	Legal Description	County
Teasley Cattle Company Adrian Teasley PO Box 172 Assaria, KS 67416	NE/4 of Section 34 T15S, R03W	Saline

Public Notice No. KS-Q-24-119/124

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Arcadia, City of PO Box 8 Arcadia, KS 66711	Cox Creek via Unnamed Tributary	Treated Domestic

Permit No. M-MC03-0001

Federal Permit No. KK0080683

Legal Description: SW¼, NE¼, NE¼, Section 12, Township 28S, Range 25E, Crawford County, Kansas

Location: [37.62601](#), [-94.62023](#)

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a two-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential areas. The facility receives domestic wastewater from residential and commercial areas. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia. The permit contains monitoring for pH, and E. coli.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Ogden, City of PO Box C Ogden, KS 66517	Kansas River via Dry Branch Creek	Treated Domestic

Permit No. M-KS51-PP02

Federal Permit No. KS0099635

Legal Description: S½, SE¼, Section 12, Township 11S, Range 6E, Riley County, Kansas

Location: [39.10328](#), [-96.71260](#)

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a two-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and E. coli. The permit contains monitoring for pH, Ammonia, Total Phosphorus, and Chloride.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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Wildwood Education Center 7095 W. 399th St. LaCygne, KS 66040	Lake LaCygne	Treated Domestic
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Permit No. C-MC18-0001
Federal Permit No. KS0093513

Legal Description: NE¼, SW¼, NE¼, Section 17, Township 19S, Range 25E, Miami County, Kansas

Location: 38.3996, -94.6653

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from a summer camp. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia. The permit contains monitoring for pH, E. coli, and Total Phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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Miami County Sewer Dist. #2 201 S. Pearl, Suite 201 Paola, KS 66071-1794	Bull Creek via Tenmile Creek via Unnamed Tributary	Treated Domestic
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Permit No. M-MC63-0001
Federal Permit No. KS0095290

Legal Description: NE¼, NE¼, SW¼, Section 23, Township 15S, Range 24E, Miami County, Kansas

Location: 38.73053, -94.71466

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of a Septic Tank Effluent Pumping (STEP) sewage collection system, septic tank-recirculating sand filter, and chlorination/dichlorination of effluent. The facility receives domestic wastewater from residential areas. The facility is in the process of being abandoned with all flow being sent to Spring Hill for treatment. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, E. coli, and Total Residual Chlorine. This facility is under a consent order to address nutrient exceedances.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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APAC – Kansas, Inc. – Shears Division PO Box 1605 Hutchinson, KS 67504	Neosho River via Eagle Creek via Fourmile Creek via Unnamed Tributary	Process Wastewater
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Permit No. I-NE33-PO01
Federal Permit No. KS0086657

Legal Description: NE¼ of Section 3 and West ½ of Section 2, Township 21S, Range 13E, Lyon County, Kansas

Location: 38.25234, -95.96022

The proposed action consists of reissuing the above referenced NPDES permit. No significant changes were made to the permit during this permit cycle. This is a limestone quarrying and crushing operation with some washing. However, all wash water is recycled via settling ponds and these ponds do not discharge. Outfalls 001A1, 002A1, 003A1 and 004A1 consist of stormwater runoff only. This permit contains generic language to protect water quality.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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City of Iola Water Treatment Plant City of Iola Iola, KS 66749	Neosho River via Coon Creek via Unnamed Tributary	Process Wastewater
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Permit No. I-NE37-PO04
Federal Permit No. KS0096687

Legal Description: SW¼ of Section 27, Township 24S, Range 18E, Allen County, Kansas

Location: 37.922955, -95.422194

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. This is a potable water treatment plant designed to treat 4.0 MGD of raw water from the Neosho River. Water is treated with alum and polymer in the Desander Clarifier, proceeds to the Ozone Basin, is then followed by lime addition in one of two clarifiers (one is backup), and then goes to the filters. Carbon dioxide is added to pipe between the clarifier and the filters. Water goes from the filters to the Transfer Well, where chlorine, ammonia sulfate, and fluoride are added. This permit contains limits for Total Residual Chlorine, Total Suspended Solids, and pH.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before August 3, 2024, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-24-179/184, KS-AG-R-24-011, KS-Q-24-119/124) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Jada Martin at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios por *(continued)*

escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, KS 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Jamie Packard, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-4148 or email at Jamie.Packard@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052264

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 7.—FISH AND FROGS

115-7-3. Fish; taking and use of baitfish or minnows.

(a) Baitfish may be taken for noncommercial purposes by any of the following means:

(1) A seine not longer than 15 feet and four feet deep with mesh not larger than 1/4 inch;

(2) a fish trap with mesh not larger than 1/4 inch and a throat not larger than one inch in diameter;

(3) a dip or cast net with mesh not larger than one inch; or

(4) a fishing line.

(b) Each fish trap shall be tagged with the operator's name and address when the fish trap is in use.

(c) Baitfish taken, except gizzard shad, silver carp, and bighead carp, shall not exceed 12 inches in total length. Silver carp and bighead carp shall not be transported from the water alive.

(d) The possession limit shall be 500 baitfish.

(e) For the species specified in this subsection, the department's applicable creel and possession limits shall apply.

Live baitfish, crayfish, leeches, amphibians, and mussels, except for bluegill and green sunfish from non-designated aquatic invasive waters and baitfish, crayfish, leeches, amphibians, and mussels from designated aquatic invasive waters, may be caught and used as live bait only within the common drainage where caught. However, live baitfish, crayfish, leeches, amphibians, and mussels shall not be transported and used above any upstream dam or barrier that prohibits the normal passage of fish. Bluegill and green sunfish collected from non-designated aquatic invasive waters may be possessed or used as live bait anywhere in the state. Live baitfish, crayfish, leeches, amphibians, and mussels collected from designated aquatic invasive waters shall be possessed or used as live bait only while on that water

and shall not be transported from the water alive.

(f) No person shall import live baitfish that does not meet the requirements of K.A.R. 115-17-2 and K.A.R. 115-17-2a. (Authorized by and implementing K.S.A. 2023 Supp. 32-807; effective Sept. 10, 1990; amended Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013; amended Jan. 1, 2015; amended Jan. 1, 2019; amended Dec. 20, 2019; amended Jan. 1, 2021; amended July 19, 2024.)

115-7-9. Weigh-in black bass fishing tournaments.

(a) Each individual or organization conducting a weigh-in black bass fishing tournament shall ensure that all of the following minimum requirements are met when conducting weigh-in procedures:

(1) One individual shall provide work crew support for each 10 registered anglers.

(2) One weigh-in tank filled with an electrolyte chemical-water solution and fitted with recirculation and aeration accessories shall be maintained for each 25 registered anglers.

(3) If the water temperature at the tournament location is 75 degrees Fahrenheit or cooler, the water contained in the weigh-in tank shall be maintained at the same temperature as that of the tournament location water.

(4) If the water temperature at the tournament is warmer than 75 degrees Fahrenheit, the water in the weigh-in tank shall be maintained at a temperature that is between five and 10 degrees Fahrenheit cooler than the tournament location water but shall not exceed 85 degrees Fahrenheit at any time.

(5) Not more than four anglers shall be in the weigh-in line at any one time.

(6) Each weigh-in bag containing water from the well of the vessel shall be reinforced, reusable, and capable of holding up to 15 pounds of live fish and two gallons of water.

(7) The weigh-in site shall meet the following requirements:

(A) Be located near the vessel mooring site and the release site, vehicle, or vessel; and

(B) be located at all times under a portable awning, in an event tent, or in the shade.

(8) Only fish that meet the special length limit for the specific body of water where the weigh-in tournament is being conducted shall be weighed within the period beginning June 16 and ending August 31.

(b) Each individual or organization conducting the tournament shall ensure that all of the following minimum requirements are met when conducting the release procedures:

(1) The direct release of fish into the tournament location water after the weigh-in shall not be permitted.

(2) If the tournament is conducted with release tubes, vehicles, or vessels, the holding tanks shall contain a one-half percent noniodized salt solution.

(3) If the tournament is conducted without release tubes, vehicles, or vessels, the fish shall be dipped, for a period ranging from 10 seconds to 15 seconds before release, in a three percent noniodized salt solution having the same temperature as that of the water in the weigh-in tank.

(4) The release site shall meet the following conditions:

(A) Be located in water reaching at least three feet in depth with good circulation and a hard bottom; and

(B) be located away from vessel traffic and public-use vessel ramps.

(c) Each tournament participant shall meet the following requirements:

(1) Ensure that each well in the participant's vessel used in the tournament is properly working and contains an electrolyte chemical-water solution; and

(2) ensure that the participant's vessel used in the tournament is cleaned before and after the tournament in compliance with department guidelines regarding the prevention of aquatic invasive species.

(d) The provisions of paragraph (a)(7)(A) may be waived by the secretary within the period beginning September 1 and extending through June 15 if the proximity proposed to the release site does not pose an inordinate risk to the wildlife resource and all other requirements of this regulation are met. (Authorized by K.S.A. 2023 Supp. 32-807; implementing K.S.A. 2023 Supp. 32-807 and K.S.A. 32-1002; effective Jan. 1, 2008; amended April 11, 2008; amended Nov. 19, 2010; amended May 20, 2011; amended July 19, 2024.)

115-7-10. Fishing; special provisions. (a) A person who takes any fish from a body of water shall not tag, mark, brand, clip any fin of, mutilate, or otherwise disfigure any fish in a manner that would prevent species identification, examination of fins, recovery of tags, or determination of sex, age, or length of the fish before releasing the fish back into the body of water, unless a permit authorizing this activity has been issued to that person by the department.

(b) No person may possess any live fish upon departure from any designated aquatic invasive species body of water, except during a department-permitted fishing tournament. During a department-permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic invasive species waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic invasive species waters shall be those specified in the department's "Kansas aquatic invasive species designated waters," dated June 2, 2023, which is hereby adopted by reference.

(c) No person may fish or collect bait within, from, or over a fish passage, fish ladder, fish steps, or fishway. "Fish passage, fish ladder, fish steps, or fishway" shall mean a structure that facilitates the natural migration of fish upstream on, through, or around, an artificial barrier or dam. (Authorized by and implementing K.S.A. 2023 Supp. 32-807; effective Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013; amended Nov. 15, 2013; amended Nov. 14, 2014; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Dec. 25, 2020; amended Sept. 15, 2023; amended July 19, 2024.)

Article 17.— WILDLIFE, COMMERCIAL USES AUTHORIZED

115-17-3. Commercial fish bait permit; requirement, application, and general provisions.

(a) A commercial fish bait permit shall be required for

the harvest, sale, or purchase for resale of fish bait, except that a commercial fish bait permit shall not be required for the sale of nonliving, commercially packaged fish bait, the harvest or sale of annelids or insects, or the purchase of annelids or insects for resale.

(b) Any person may apply to the secretary for a commercial fish bait permit. The application shall be submitted on forms provided by the department and completed in full by the applicant. The application must also be accompanied by proof that the applicant has successfully completed the department's online aquatic invasive species certification course. Each incomplete application shall be returned to the applicant.

(c) Each commercial fish bait permit shall be valid for only those wildlife species specified in the permit.

(d) Each commercial fish bait permit shall authorize the permittee to perform any of the following:

(1) Sell fish bait to any person for use as fish bait;

(2) purchase fish bait for resale as fish bait, if the purchase is made from a person who meets at least one of the following requirements:

(A) Possesses a valid commercial fish bait permit;

(B) is a commercial fish grower, as defined by K.S.A. 32-974 and amendments thereto; or

(C) is authorized by another state to export and sell fish bait; or

(3) import fish bait for sale as fish bait.

(e) Each permittee harvesting or purchasing fish bait shall maintain records of the following information and, if requested by the secretary, shall provide a report to the department containing the following information:

(1) The permittee's name;

(2) the permit number;

(3) the number, location, and species of wildlife harvested;

(4) the number and species of wildlife sold;

(5) for each permittee purchasing fish bait, the name, address, and phone number of each individual distributor or producer from whom the permittee purchased; and

(6) for each permittee purchasing fish bait, the delivery date of each purchase.

(f) Each permittee shall make records required under the permit available for inspection by any law enforcement officer or department employee upon demand.

(g) Each permittee shall make the fish and the distribution or retail holding tanks that are subject to sample testing pursuant to K.A.R. 115-17-2a available for inspection by any law enforcement officer or department employee upon demand.

(h) Each permittee shall respond to any survey regarding activities conducted under the permit if requested by the secretary.

(i) In addition to other penalties prescribed by law, a commercial fish bait permit or application may be denied or revoked by the secretary if either of the following conditions is met:

(1) The application is incomplete or contains false information.

(2) The permittee fails to meet permit requirements or violates permit conditions.

(continued)

(j) Each commercial fish bait permit shall expire three years after the date the permit is issued.

(k) A permittee may possess and sell legally acquired wildlife for fish bait for not more than 30 days following expiration of the permit. (Authorized by and implementing K.S.A. 2023 Supp. 32-807 and K.S.A. 32-941; effective

Jan. 1, 1991; amended Jan. 1, 2012; amended Jan. 1, 2018; amended Oct. 14, 2022; amended July 19, 2024.)

Christopher Kennedy
Secretary
Department of Wildlife and Parks

Doc. No. 052272

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at https://www.sos.ks.gov/publications/pubs_kar.aspx.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-16-21	Amended	V. 43, Issue 26

AGENCY 40: INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-36	Amended	V. 43, Issue 26
40-2-31	New	V. 43, Issue 26
40-4-29a	Revoked	V. 43, Issue 26
40-8-7	New	V. 43, Issue 26

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-32-35	Amended	V. 43, Issue 25

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from De-

ember 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*. A list of regulations filed from 2022 through 2023 can be found in the Vol. 42, No. 52, December 28, 2023 *Kansas Register*.

Reg. No.	Action	Register
111-4-3771	New	V. 43, Issue 5
111-4-3772	New	V. 43, Issue 11
111-4-3773	New	V. 43, Issue 12
111-4-3774	New	V. 43, Issue 14
111-9-233	New	V. 43, Issue 5
111-9-234	New	V. 43, Issue 12
111-18-5	Amended	V. 43, Issue 12
111-19-169	New	V. 43, Issue 5
111-19-170	New	V. 43, Issue 12
111-19-171	New	V. 43, Issue 12
111-19-172	New	V. 43, Issue 12
111-19-173	New	V. 43, Issue 12
111-19-174	New	V. 43, Issue 14
111-19-175	New	V. 43, Issue 14
111-19-176	New	V. 43, Issue 14
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111-20-6	New	V. 43, Issue 5
111-20-7	New	V. 43, Issue 5
111-20-8	New	V. 43, Issue 5
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111-20-23	New	V. 43, Issue 5

111-21-1	New	V. 43, Issue 11
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111-21-3	New	V. 43, Issue 11
111-21-4	New	V. 43, Issue 11
111-21-5	New	V. 43, Issue 11
111-21-6	New	V. 43, Issue 11
111-21-7	New	V. 43, Issue 11
111-21-8	New	V. 43, Issue 11
111-21-9	New	V. 43, Issue 11
111-21-10	New	V. 43, Issue 11
111-501-113	Amended	V. 43, Issue 11
111-501-155	Amended	V. 43, Issue 11

AGENCY 112 RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-201-1	New (T)	V. 42, Issue 44
112-201-2	New (T)	V. 42, Issue 44
112-201-3	New (T)	V. 42, Issue 44
112-201-4	New (T)	V. 42, Issue 44
112-201-5	New (T)	V. 42, Issue 44
112-201-6	New (T)	V. 42, Issue 44
112-201-7	New (T)	V. 42, Issue 44
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112-203-7	New (T)	V. 42, Issue 44
112-203-8	New (T)	V. 42, Issue 44
112-204-1	New (T)	V. 42, Issue 44
112-204-2	New (T)	V. 42, Issue 44
112-204-3	New (T)	V. 42, Issue 44
112-204-4	New (T)	V. 42, Issue 44
112-204-5	New (T)	V. 42, Issue 44
112-204-6	New (T)	V. 42, Issue 44
112-204-7	New (T)	V. 42, Issue 44

Kansas Register
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