

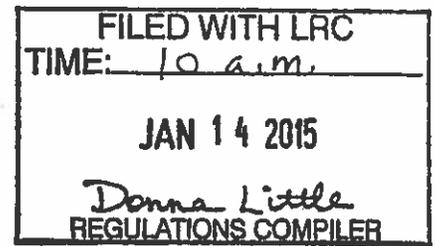
301 KAR 2:251

Hunting and trapping seasons and limits for furbearers

This administrative regulation establishes season bag limits, legal methods of take, and checking and recording requirements for furbearer hunting and trapping.

Significant Changes

This amendment eliminates an existing ten foot spacing requirement between traps set on dry land, amends the definition for "water sets," eliminates hunter orange clothing requirements for trappers, requires Convention on International Trade of Endangered Species of Flora and Fauna (CITES) tags to be attached to furbearers upon receipt from the department and requires that river otters and bobcats must be telechecked before leaving Kentucky. It also contains modifications to conform to administrative regulation style requirements.



1 TOURISM, ARTS AND HERITAGE CABINET
2 Kentucky Department of Fish and Wildlife Resources
3 (Amended After Comments)
4 301 KAR 2:251. Hunting and trapping seasons and limits for furbearers.
5 RELATES TO: KRS 150.170, 150.180, 150.370, 150.399, 150.415, 150.416, 150.990, 150.995
6 STATUTORY AUTHORITY: KRS 150.025(1), 150.175(7), (9), 150.360, 150.400, 150.410
7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department
8 to promulgate administrative regulations to establish open seasons for the taking of wildlife, to
9 regulate bag limits and methods of take, and to make these requirements apply to a limited area.
10 KRS 150.175(7), (9) authorizes the department to issue licenses, permits, and tags for hunting
11 and trapping. KRS 150.360 requires restrictions on the taking of wildlife and authorizes the
12 department to promulgate administrative regulations establishing the requirements for hunting
13 coyotes at night. KRS 150.400 authorizes the department to establish the types of traps that can
14 legally be used by trappers. KRS 150.410 authorizes the department to regulate trap tags, trap
15 visitation, and trap placement to protect domestic animals. [~~KRS 150.360 requires restrictions on~~
16 ~~the taking of wildlife and authorizes the department to promulgate administrative regulations~~
17 ~~establishing the requirements for hunting coyotes at night.~~] This administrative regulation
18 establishes seasons, bag limits, [and] legal methods of take. and checking and recording
19 requirements for hunting and trapping furbearers.
20 Section 1. Definitions. (1) "Body-gripping trap" means a commercially manufactured spring-
21 loaded trap designed to kill the animal upon capture.

- 1 (2) "Dry land set" means a trap that is ~~[not]~~ set so that no portion of the trap touches ~~[in, or~~
2 floating upon, ~~the~~~~[to submerge an animal in]~~ water of a stream, river, pond, lake, wetland, or
3 other water course~~[upon capture]~~.
- 4 (3) "Foothold trap" means a commercially manufactured spring-loaded trap with smooth,
5 metallic or rubber soft-catch jaws that close upon an animal's foot.
- 6 (4) "Furbearer" means mink, muskrat, beaver, raccoon, opossum, gray fox, red fox, least weasel,
7 long-tailed weasel, river otter, bobcat, coyote, or striped skunk.
- 8 (5) "Hunter" means a person legally taking~~[hunting]~~ furbearers~~[with gun, gun and dog, bow and~~
9 ~~arrow, dog, or]~~ by means other than trapping~~[falconry]~~.
- 10 (6) "Otter Zone 1" means the following counties: Anderson, Ballard, Bath, Boone, Bourbon,
11 Bracken, Breckinridge, Bullitt, Caldwell, Calloway, Campbell, Carlisle, Carroll, Christian,
12 Crittenden, Daviess, Fayette, Fleming, Franklin, Fulton, Gallatin, Grant, Graves, Grayson,
13 Hancock, Hardin, Harrison, Henderson, Henry, Hickman, Hopkins, Jefferson, Kenton, Larue,
14 Livingston, Lyon, Marshall, Mason, McCracken, McLean, Meade, Muhlenberg, Nelson,
15 Nicholas, Ohio, Oldham, Owen, Pendleton, Robertson, Rowan, Scott, Shelby, Spencer, Trigg,
16 Trimble, Union, Webster, and Woodford.
- 17 (7) "Otter Zone 2" means all Kentucky counties not included in subsection (6) of this section.
- 18 (8) "Snare" means a wire, cable, or string with a knot, loop, or a single piece closing device, the
19 deployment of which is or is not spring-assisted, but any spring-assisted device is not for the
20 purpose of applying tension to the closing device.
- 21 (9) "Squaller" means a hand-operated, mouth-operated, or electronic call capable of mimicking
22 the vocalizations of furbearers.
- 23 (10) "Trap" means a body-gripping trap, box trap, deadfall, foothold trap, snare, or wire cage trap

1 used to catch furbearers.

2 (11) "Water set" means a trap set ~~in, or floating upon,~~ ~~the~~ ~~[to submerge an animal in]~~ water of
3 a river, stream, pond, lake, wetland, or other water course so that a portion of the trap body is
4 underwater~~[upon capture]~~.

5 (12) "Youth" means a person who has not reached sixteen (16) years of age.

6 Section 2. License~~[Hunting]~~ Requirements. ~~[(1)]~~ Unless exempted by KRS 150.170, a person
7 shall carry proof of purchase of a:

8 (1) Valid hunting license while hunting furbearers; or

9 (2) Valid trapping license while trapping furbearers.

10 Section 3. Furbearer Hunting Seasons. Except as established in 301 KAR 2:049, a person shall
11 only take furbearers by hunting during the seasons established in subsections (1) through (5) of
12 this section:

13 (1) Bobcat, from one-half (1/2) hour before sunrise on the fourth Saturday in November through
14 the last day of February;

15 (2) Coyote, year-round;

16 (3) Raccoon and opossum, October 1 through the last day of February;

17 (4) All other furbearers except as established in subsection (5) of this section, from one-half (1/2)
18 hour before sunrise on the third day of modern gun deer season through the last day of February;

19 and

20 (5) Furbearers taken by falconry, September 1 through March 30.

21 Section 4. Furbearer Trapping Season. Except as established in 301 KAR 2:049, a person shall
22 only take furbearers by trapping from one-half (1/2) hour before sunrise on the third day of the
23 modern gun deer season through the last day of February.

1 Section 5. License-Exempt Youth Season. For seven (7) consecutive days beginning on the
2 Saturday after Christmas, a youth may hunt or trap furbearers without a license, but all other
3 statewide requirements shall apply.

4 Section 6. Legal Hunting Weapons. Except as established in Section 7(8) of this administrative
5 regulation~~[(2) Unless established in subsection (10) of this section]~~, a hunter shall only use the
6 weapons established in subsections (1)~~[paragraphs—(a)]~~ through (6)~~[(f)]~~ of this
7 section~~[subsection]~~ to hunt~~[take]~~ furbearers:

8 (1)~~[(a)]~~ Centerfire gun;

9 (2)~~[(b)]~~ Rimfire gun;

10 (3)~~[(c)]~~ Shotgun;

11 (4)~~[(d)]~~ Bow and arrow;

12 (5)~~[(e)]~~ Crossbow; or

13 (6)~~[(f)]~~ An air gun using pellets at least .22 caliber in size.

14 Section 7. Hunter Restrictions (1)~~[(3)]~~ Furbearers may be taken during daylight hours only,
15 except for the following, which may also be taken after daylight hours:

16 (a) Coyote;

17 (b) Opossum; or

18 (c) Raccoon.

19 (2)~~[(4)]~~ A person shall not take a raccoon or opossum during daylight hours during the modern
20 gun deer season, as established in 301 KAR 2:172.

21 (3)~~[(5)]~~ A person hunting~~[hunter]~~ in a boat shall not use a light in conjunction with taking a
22 raccoon or opossum.

23 (4)~~[(6)]~~ A person shall not use the following while chasing a raccoon or opossum from noon on

- 1 March 1 through September 30;
- 2 (a) A firearm;
- 3 (b) Slingshot;
- 4 (c) Tree climber; or
- 5 (d) Any device to kill, injure, or force a raccoon or opossum from a tree or den.
- 6 ~~(5)~~~~(7)~~ A person may use a squaller year-round.
- 7 ~~(6)~~~~(8)~~ There shall not be a closed season on:
- 8 (a) Chasing red and gray foxes during daylight hours for sport and not to kill; or
- 9 (b) Chasing raccoons or opossums for sport and not to kill.
- 10 ~~(7)~~~~(9)~~ A hunter may use a hand or mouth-operated call, electronic call, or any other attracting
- 11 device during a furbearer hunting season.
- 12 ~~(8)~~~~(10)~~ A person may take a coyote after daylight hours, with the following restrictions:
- 13 (a) A person shall not use artificial light or other means designed to make wildlife visible at night
- 14 from June 1 through January 31;
- 15 (b) Any artificial light or other means designed to make wildlife visible at night shall not be
- 16 connected to or cast from a mechanized vehicle;
- 17 (c) A person shall not use any weapon other than a shotgun; and
- 18 (d) A person shall not use a shell with a single projectile.
- 19 Section 8. Legal Traps~~[3. Trapping Methods and Requirements]~~. (1)~~[Unless exempted by KRS~~
- 20 ~~150.170, a person shall carry proof of purchase of a valid trapping license while trapping~~
- 21 ~~furbearers.~~~~(2)~~ A person who is trapping with a dry land set shall only use traps as established in
- 22 paragraphs (a) through (e) of this subsection~~[not]~~:
- 23 (a)~~[Set traps closer than ten (10) feet apart; or~~

1 ~~(b) Use any trap except for the following:~~
2 ~~1.] Deadfall;~~
3 ~~(b)[2.] Wire cage or box trap;~~
4 ~~(c)[3.] Foothold trap with a maximum inside jaw spread of six (6) inches measured perpendicular~~
5 ~~to the hinges;~~
6 ~~(d) A snare; or~~
7 ~~(e) Except as established in 301 KAR 2:049. a[4.] body-gripping trap with a maximum inside~~
8 ~~jaw spread of seven and one-half (7.5) inches measured parallel with the trigger:~~
9 ~~1. In the center of the trap; and~~
10 ~~2. In the unset position[; or~~
11 ~~5. A snare].~~
12 ~~(2)[(3)] There shall be no restrictions on the size or type of trap used as a water set.~~
13 Section 9. Trapper Restrictions. (1)[(4)] A trap shall not be set in a trail or path commonly used
14 by a human or a domestic animal.
15 ~~(2)[(5)] A trapper may use lights from a boat or a vehicle in conjunction with trapping~~
16 ~~furbearers.~~
17 Section 10. Hunter Orange. A person trapping furbearers shall be exempt from hunter orange
18 clothing requirements as established in 301 KAR 2:132, 2:172, and 2:300.
19 Section 11.[4.] Trap Tags. (1) Each trap shall have a metal tag attached to it that clearly
20 shows[one (1) of the following]:
21 (a) The name and address of the person setting, using, or maintaining the trap; or
22 (b) A wildlife identification number issued by the department and the 1-800-25ALERT
23 department hotline phone number.

- 1 (2) A person applying for a wildlife identification number shall apply by:
- 2 (a) Completing the Wildlife Identification Number for Trap Tags – Application available on the
3 department's Web site at [www.]fw.ky.gov; or
- 4 (b) Calling the department's information center at 1-800-858-1549.
- 5 (3) The following information shall be required for a person to apply for a wildlife identification
6 number:
- 7 (a) Name;
- 8 (b) Current home address;
- 9 (c) Social Security number;
- 10 (d) Current phone number;
- 11 (e) Date of birth; and
- 12 (f) Driver's license number, if available.
- 13 (4) A person shall:
- 14 (a) Not use a trap tag that has an inaccurate or outdated address;
- 15 (b) Not use a trap tag that has a wildlife identification number that corresponds to an inaccurate
16 or outdated address or phone number; and
- 17 (c) Contact the department to provide updated address and phone number.
- 18 (5) A wildlife identification number shall be valid for the life of the holder.
- 19 ~~[Section 5. Hunting Season Dates. Except as established in 301 KAR 2:049, a person shall not~~
20 ~~take the following wildlife except during the dates established in this section:~~
- 21 ~~(1) Bobcat: from one half hour before sunrise on the fourth Saturday in November through the~~
22 ~~last day of February;~~
- 23 ~~(2) Coyote: year round;~~

1 ~~(3) Raccoon and Opossum: October 1 through the last day of February;~~

2 ~~(4) All other furbearers except as established in subsection (5) of this section: from one half hour~~
3 ~~before sunrise on the third day of the modern gun deer season through the last day of February;~~
4 ~~or~~

5 ~~(5) Furbearers taken by falconry: September 1 through March 30.~~

6 ~~Section 6. Trapping Season Dates. Except as established in 301 KAR 2:049, a person shall not~~
7 ~~take furbearers except from one half hour before sunrise on the third day of the modern gun deer~~
8 ~~season through the last day of February.~~

9 ~~Section 7. License Exempt Season for Youth. For seven (7) consecutive days beginning on the~~
10 ~~Saturday after Christmas, a youth may hunt or trap furbearers without a license, but all other~~
11 ~~statewide requirements shall apply.]~~

12 ~~Section 12.[8-] Bag Limits. (1) There shall not be a bag limit on furbearers except as established~~
13 ~~in subsections (2) through (6) of this section.~~

14 ~~(2)[(4)] A person shall not take more than five (5) bobcats per season, no more than three (3) of~~
15 ~~which shall be taken with a gun.~~

16 ~~(3)[(2)] A person shall not take more than ten (10) river otters per season in Otter Zone 1.~~

17 ~~(4)[(3)] A person shall not take more than six (6) river otters per season in Otter Zone 2.~~

18 ~~(5)[(4)] The total river otter bag limit per season shall be ten (10) per person, only six (6) of~~
19 ~~which can be taken from Otter Zone 2.~~

20 ~~(6)[(5)] A falconer hunting within the falconry season, but outside the dates specified in Section~~
21 ~~3(3)[5(3)] and (4) of this administrative regulation, shall not take more than two (2) of any~~
22 ~~furbearer per day.~~

23 ~~Section 13.[9-] Harvest Recording. (1) Immediately after harvesting[taking] a river otter or~~

1 bobcat, and prior to~~[before]~~ moving the carcass, a person shall record in writing the~~[following~~
2 ~~information]~~:

3 (a)~~[The]~~ Species;

4 (b)~~[The]~~ Date;

5 (c)~~[The]~~ County where taken; and

6 (d)~~[The]~~ Sex of the river otter or bobcat.

7 **(2) The information required by subsection (1)(a) through (d) of this section shall be**
8 **documented on:**

9 ~~(a)[1.][animal.](2) The information listed in subsection (1) of this section shall be recorded on~~
10 ~~one (1) of the following:~~

11 ~~(a)] The hunter's log section on the reverse side of a license or permit;~~

12 **(b)[2.1A](b) The hunter's log printed from the department's Web site at fw.ky.gov**~~[section in the~~
13 ~~current hunting and trapping guide];~~

14 **(c)[3.](c) A hunter's log available from any KDSS agent; or**

15 **(d)[4.](d) An index card or similar card.**

16 **(3)(2)(3) A person shall retain and possess the completed hunter's log while hunting or**
17 **trapping during the current season.**

18 Section ~~14.~~~~[10.]~~ Checking a River Otter or Bobcat. (1) A person who harvests~~[takes]~~ a river otter
19 or bobcat shall check each animal by:

20 (a) Completing~~[Check each animal by calling]~~ the telecheck process after calling 800-245-4263
21 or completing the check-in process on the department's Web site at fw.ky.gov:

22 1. Before midnight ~~[toll free number listed in the current hunting and trapping guide]~~ on the day
23 the river otter or bobcat is recovered~~[harvested]~~;

1 2. Prior to processing the carcass~~[(b) Provide the information requested by the automated check-~~
2 ~~in system]~~; and

3 3. Prior to transporting the raw fur, pelt, or unskinned carcass out of Kentucky; and
4 (b) Writing~~[(e) Write]~~ the check-in confirmation number~~[provided by the automated check-in~~
5 ~~system]~~ on the hunter's log as established in Section 13~~[9]~~ of this administrative regulation.

6 (2) A person who intends to sell the raw fur of a river otter or bobcat to a licensed fur processor,
7 fur buyer, or taxidermist or wishing to export a river otter or bobcat pelt outside the United States
8 shall:

9 (a) Contact the department and request a Convention on International Trade of Endangered
10 Species of Flora and Fauna (CITES) tag by providing:

- 11 1. A valid check-in confirmation number as established in subsection (1) of this section; and
- 12 2. A street address where the tag is to be mailed; or

13 (b) Complete~~[Access the department's Web site at www.fw.ky.gov and complete and submit]~~ the
14 CITES tag request form on~~[to]~~ the department's Web site at fw.ky.gov~~[department]~~.

15 (3) A person who is transferring~~[intends to transfer to another person]~~ a river otter or bobcat that
16 does not have an attached CITES tag shall attach to the carcass a handmade tag that contains
17 the~~[following]~~:

- 18 (a)~~[The]~~ Confirmation number;
- 19 (b)~~[The]~~ Hunter or trapper's name; and
- 20 (c)~~[The]~~ Hunter or trapper's phone number.

21 (4) A person shall not knowingly provide false information when~~[while]~~:

- 22 (a) Completing the hunter's log;
- 23 (b) Checking a river otter or bobcat;~~[or]~~

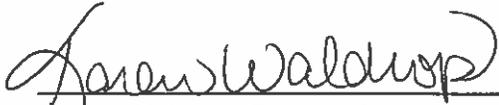
- 1 (c) Completing a CITES tag request form: or
- 2 (d) Creating a handmade carcass tag.
- 3 (5) A CITES tag shall be attached to the raw fur, pelt, or unskinned carcass upon receipt of the
- 4 tag from the department per the instructions provided by the department and remain
- 5 attached~~[with the pelt]~~ until it is processed or exported outside the United States.
- 6 (6) Possession of an unused CITES tag~~[that is]~~ issued by the department shall be prohibited.
- 7 Section 15~~[11]~~ Transporting and Processing a River Otter or Bobcat. (1) A person shall not sell
- 8 the raw fur of a river otter or bobcat except to a licensed:
- 9 (a) Fur buyer;
- 10 (b) Fur processor; or
- 11 (c) Taxidermist.
- 12 (2) A taxidermist, fur buyer, or fur processor shall:
- 13 (a) Not accept a river otter or bobcat carcass or any part thereof~~[of a river otter or bobcat]~~
- 14 without a proper carcass tag or CITES tag established in Section 14~~[10]~~ of this administrative
- 15 regulation; and
- 16 (b) Retain~~[Keep]~~ the~~[following]~~ information established in subparagraph 1. through 4. of this
- 17 paragraph from a hunter or trapper:
- 18 1. Name;
- 19 2. Address;
- 20 3. Confirmation number or CITES tag number; and
- 21 4. Date received for each river otter or bobcat.
- 22 Section 16~~[12]~~ Incorporation by Reference. (1) The following material is incorporated by
- 23 reference:

1 (a) "Wildlife Identification Number for Trap Tags – Application", April 2014 edition; and

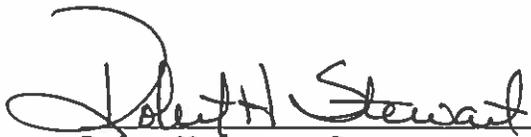
2 (b) "CITES Tag Request" form, 2014 edition~~[, is incorporated by reference]~~.

3 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at
4 the Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky
5 40601, Monday through Friday, 8 a.m. to 4:30 p.m. Eastern time.

Approved by the Fish and Wildlife Commission



Kayen Waldrop, Deputy Commissioner, for
Gregory K. Johnson, Commissioner
Department of Fish and Wildlife Resources



Robert H. Stewart, Secretary
Tourism, Arts and Heritage Cabinet

1/9/15
Date

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Rose Mack

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation establishes season bag limits, legal methods of take, and checking and recording requirements for furbearer hunting and trapping.

(b) The necessity of this administrative regulation: This regulation is necessary to provide adequate furbearer hunting and trapping opportunities and to properly manage furbearer populations in Kentucky.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 150.025(1) authorizes the department to promulgate administrative regulations to establish open seasons for the taking of wildlife, regulate bag limits and methods of take, and to make these requirements apply to a limited area. KRS. 150.175(7)(9) authorizes the department to issue licenses, permits, and tags for hunting and trapping. KRS 150.360 requires restrictions on the taking of wildlife and authorizes the department to promulgate administrative regulations establishing the requirements for hunting coyotes at night. KRS 150.400 authorizes the department to promulgate administrative regulations to establish the types of traps that can legally be used by trappers. KRS 150.410 authorizes the department to regulate traps tags, trap visitation, and trap placement to protect domestic animals.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will assist in administering the above statutes by defining the seasons, bag limits, and methods used to trap and hunt furbearers in Kentucky.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment eliminates an existing ten (10) foot spacing requirement between traps set on dry land, amends the definition for "water sets," eliminates hunter orange clothing requirements for trappers, requires CITES tags to be attached to furbearers upon receipt from the department and requires that river otters and bobcats must be telechecked before leaving Kentucky. It also contains modifications to conform to administrative regulation style requirements.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to manage hunter and trapper opportunity without negatively impacting the furbearer resource.

(c) How the amendment conforms to the content of the authorizing statutes: See (1)(c) above.

(d) How the amendment will assist in the effective administration of the statutes: See (1)(d) above.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All those who hunt or trap furbearers may be affected by this regulatory amendment. The Department sold 3,390 trapping licenses during the 2013-14 license year. Those individuals who hunt furbearers would also be affected, but that number is unknown.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: A person trapping on private land may now set traps on dry land without a minimum spacing requirement between traps. Trappers setting traps as "water sets" will need to comply with the definition of a "water set". A person trapping furbearers will no longer be required to wear hunter orange when trapping during a modern firearm season for bear, deer, or elk. Trappers and hunters must comply with new checking requirements for river otters and bobcats.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There will be no direct cost to hunters and trappers as a result of this amendment to the administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): New trap restrictions will increase trapping efficiency and success. Elimination of the hunter orange clothing requirement for fur trappers will make trap lines less visible to the public and therefore lessen potential for theft of traps. New checking requirements for river otters and bobcats will assist in keeping fur trappers in compliance with federal restrictions that govern the sale of fur. Trappers will also benefit from the new definition of "water set", which is more inclusive of common water trapping methods.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There will be no administrative cost to the department to implement this administrative regulation.

(b) On a continuing basis: There will be no cost to the department on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The source of funding is the State Game and Fish Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: It will not be necessary to increase any other fees or to increase funding to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees were established directly or indirectly.

(9) TIERING: Is tiering applied? No. Tiering was not applied because all furbearer hunters and trappers in Kentucky must abide by the same seasons, methods of take, bag limits, harvest recording procedures, and checking requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department's Wildlife Division and Law Enforcement Division will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 150.025(1), 150.175, 150.360, 150.400, and 150.410.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No additional revenue is expected to be generated by this administrative regulation during the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No additional revenue is expected to be generated by this administrative regulation during subsequent years.

(c) How much will it cost to administer this program for the first year? Administrative costs for the first year are expected to remain the same.

(d) How much will it cost to administer this program for subsequent years? Administrative costs for subsequent years are expected to remain the same.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None.

Expenditures (+/-): None.

Other Explanation:

Summary of Material Incorporated by Reference

- (1) The “CITES Tag Request”, 2014 edition, is a one page, single-sided electronic form that a person completes on the department’s Web site in order to receive a Convention on International Trade of Endangered Species of Flora and Fauna (CITES) tag from the department.

STATEMENT OF CONSIDERATION
Relating to 301 KAR 2:251
(Amended After Comments)

I. The public hearing on 301 KAR 2:251, scheduled for December 22, 2014, in the Commission Room at the Kentucky Department of Fish and Wildlife Resources was cancelled; however, written comments were received during the public comment period and department representatives met with and discussed possible amendments with members of the Kentucky Houndsmen Association and the Kentucky Fur Takers.

II. The following people submitted written comments:

<u>Name and Title</u>	<u>Agency/Organization/Entity/Other</u>
Allen Collins	
Chet Hayes	
Scott McCauley	
Dan & Linda Saunders	
Micah Seavers	
Donnie Shafer	
James Sharp	
Robert Smith	

III. The following people from the promulgating administrative body responded to the written comments:

<u>Name and Title</u>
Mark Cramer, Wildlife Program Coordinator
Steven Dobey, Wildlife Program Coordinator

IV. Summary of Comments and Responses

(1) Subject Matter: Regulation Amendments

Commenters: Allen Collins, Chet Hayes, Scott McCauley, Dan and Linda Saunders, Micah Seavers, Donnie Shafer, James Sharp, and Robert Smith

(a) Comment: The commenters are in support of the regulation changes.

(b) Response: The department acknowledges the support of the above individuals.

(2) Subject Matter: Bobcat Bag Limit

Commenter: Allen Collins

(a) Comment: The bobcat bag limit should be raised.

(b) Response: The bobcat bag limit was not addressed by the Fish and Wildlife Commission in order to make amendments to this regulation. The commenter is welcome to petition the department and the commission for possible future amendments concerning bobcats.

(3) Subject Matter: Trap Checking Requirement

Commenter: Scott McCauley

(a) Comment: Extend the trap checking requirement for water sets from once every 24 hours to once every 48 hours.

(b) Response: The trap checking requirement is required by statute and cannot be amended by regulation unless the statute is amended.

(4) Subject Matter: Trappers Wearing Hunter Orange

Commenter: James Sharp

(a) Comment: The commenter does not support the amendment that removes the hunter orange requirement for trappers in the field.

(b) Response: The department was petitioned by trappers to remove this requirement because they did not like to draw other people's attention to their traplines, which are sometimes stolen or vandalized. It is important to point out that each trapper can decide on their own whether or not to wear hunter orange.

V. Summary of Statement of Consideration and Action
Taken by Promulgating Administrative Body

The public hearing on this administrative regulation was cancelled; however, written comments were received during the public comment period and department representatives met with and discussed possible amendments with members of the Kentucky Houndsmen Association and the Kentucky Fur Takers. The Kentucky Department of Fish and Wildlife Resources responded to the written comments above and will be amending 301 KAR 2:251 based on meetings and conversations with the above constituent groups and communications with LRC staff regarding administrative regulation drafting requirements.

The amendments are as follows:

Page 2

Section 1(2)

Lines 1 and 2

After "trap that is", insert the following:

set so that no portion of the trap touches

Delete the following:

not set in, or floating upon,

Page 3
Section 1(11)
Line 1

After "a trap set", insert the following:
in the water of a river,

Delete the following:
in, or floating upon, the water of a

Page 3
Section 1(11)
Line 2

After "or other water course", insert the following:
so that a portion of the trap body is underwater

Page 9
Section 13(1)(d)
Line 5

After "otter or bobcat", insert the following:

²
(2) The information required by subsection (1)(a) through (d)
of this section shall be documented

Page 9
Section 13(1)(d)1. through 4.
Lines 6, 10, 12, and 13

Renumber subparagraphs 1. through 4. as paragraphs (a) through (d), respectively.

Page 9
Sections 13(1)(d)4. and 13(2)
Lines 13 and 14

After "or similar card.", insert "(3)".
Delete "(2)".