

Kentucky Fish and Wildlife Commission Meeting
REQUEST FOR COMMISSION ACTION
June 6, 2014
Division: Wildlife

Regulation Number: 301 KAR 2:225

**Regular or Emergency: Emergency
and Regular**

Proposed Recommendation: 2014-2015 Early Migratory Bird Seasons

The Wildlife Division makes the following recommendations:

A. Early Migratory Bird Dates:

Mourning Dove: (proposed 20 additional days)	September 1 – October 26, 2014 (56 days) November 27 – December 7, 2014 (11 days) Dec. 20, 2014 - January 11, 2015 (23 days)
Canada goose:	September 1 – 15, 2014
American woodcock:	November 1 – December 15, 2014
Rails, Gallinules, and Moorhens:	September 1 – November 9, 2014
Common snipe:	September 17 – October 27, 2014 November 27 – February 1, 2015
Wood duck and teal:	September 17 – 22, 2014
Sandhill Crane:	December 13, 2014 – January 11, 2015

B. Early Migratory Bag Limits:

September Canada Goose Season:

The Wildlife Division recommends an increase in the bag limit for the September Canada goose season from 3 to 5, with a corresponding possession limit of 3 times the daily bag limit.

Justification: Kentucky's spring Canada goose estimates have slowly increased from an estimated 15,000 in 1995 to almost 40,000 in 2014. Since the population has now approached the state's objective level, the Wildlife Division recommends a 2-bird increase to the daily bag limit and a corresponding possession limit of 3 times the daily bag limit which represents the same limits permitted in adjacent states during the September season.

Teal/Wood Duck Season:

The Wildlife Division recommends increasing the bag limit for teal from 4 to 6.

Justification: At their March meeting, the Mississippi Flyway Council recommended the bag limit for teal in KY & TN be increased from 4 to 6. Last year, the US Fish and Wildlife Service increased the teal bag limit for states with September teal-only seasons. KY and TN were not included because we have combined teal/wood duck seasons, and the recommendation was for teal seasons only.

This year, the Flyway corrected the oversight by making a specific recommendation to the Service. The Service's Division of Migratory Bird Management supports the Flyway's assessment that this change will not significantly increase teal harvest within these states. The Service Regulations Committee will act on the recommendation at the June SRC meeting. It is important to note this recommendation does not change the wood duck bag limit. It would be an aggregate daily bag limit of teal/wood ducks in which the total bag could not include more than two wood ducks.

C. Mourning Dove Season Dates:

Sept. 1 – Oct 26 (56 days); Nov. 27 – Dec. 7 (11 days); Dec. 20 – Jan. 11 (23 days)

Justification: The recently adopted Eastern Management Unit Mourning Dove Harvest Strategy indicates the season in Eastern Management Unit states could be extended an additional 20 days under the moderate package without an impact on the population. The Mississippi and Atlantic Flyway Councils recommended this change for USFWS consideration at the June Service Regulations Committee to be implemented for the 2014-15 hunting season.

Effective Date: August 2014

Action Requested of Commission:	Action Taken by Commission:
<input checked="" type="checkbox"/> File the Regulation	<input type="checkbox"/> File the Regulation
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Motion made by: _____

Motion Seconded by: _____

Action: Approved Denied Referred back to Committee

Kentucky Fish and Wildlife Commission Meeting
REQUEST FOR COMMISSION ACTION
June 6, 2014
Division: Wildlife

Regulation Number: 301 KAR 2:140 & 2:144 Regular or Emergency: Regular

Proposed Recommendation: Wild Turkey Season Recommendations for 2015

The Wildlife Division made the following recommendations:

A) Shotgun Restrictions

The Wildlife Division has received multiple requests to examine the feasibility of allowing youth turkey hunters to use .410 shotguns during any open turkey season. The final recommendation from the May 2014 Wildlife Committee was for the Commission to consider the use of .410 shotguns for any hunter during any open turkey season.

Justification: Proponents for this change point out that allowing the use of this shotgun may increase recruitment and retention among youth turkey hunters. Currently, the Revised Youth Hunting Report compiled by the U.S. Sportsmen's Alliance, National Shooting Sports Foundation, and the National Wild Turkey Federation conclude that barriers must be lowered by state wildlife agencies to allow more youth participation.

B) Use of Turkey Calls Before the Spring Season

The Wildlife and Law Enforcement Divisions initiated discussions about eliminating regulatory language that prohibits pre-season calling for wild turkeys on private lands.

Justification: Per 301 KAR 2:140, a person shall not mimic the sound of a wild turkey from March 1 until the opening of the spring season in an area where turkeys are expected to occur. This restriction exists to prevent the establishment of call-shy birds on public lands and minimize potential for illegal take before an open season.

C) Daily Bag Limit for Wild Turkeys in the Fall

The Wildlife and Law Enforcement Divisions recommend a regulatory cleanup item to clarify that one (1) bird may be taken per day in the fall.

Justification: Historically, the daily bag limit for wild turkeys has been one (1) bird in the spring and fall seasons in Kentucky. In 301 KAR 2:144 "Fall Wild Turkey Hunting", however, the regulatory language does not adequately address the issue of a daily bag limit. The Wildlife and Law Enforcement Divisions propose an amendment to clarify that only one (1) wild turkey may be taken per day during fall turkey seasons.

D) Season Bag Limit for Wild Turkeys in the Fall

The Wildlife and Law Enforcement Divisions recommend allowing archery and crossbow hunters to take all four (4) wild turkeys during any open fall season for turkeys.

Justification: Current regulatory language specifies a four (4) bird season limit in the fall whereby hunters may take two (2) turkeys during the archery and crossbow seasons and two (2) turkeys during the firearm season. As stated, archery and crossbow hunters may take four (4) birds, but two of those must be taken during the firearm season. There is no biological justification for this restriction, and allowing archery and crossbow hunters to take four (4) birds outside of the fall firearm seasons would not have a measureable impact on harvest levels while offering more opportunity in the process.

E) Fall Turkey Hunting and Baiting for Deer

The Wildlife and Law Enforcement Divisions recommend prohibiting a person to legally hunt wild turkeys in the fall if the hunter is less than 200 yards from feeders or bait.

Justification: With current regulatory language, it is difficult for hunters and Law Enforcement Officers to determine what is the zone of influence of a baited area. Currently, turkey hunting can be limited or even prohibited on some smaller properties due to the presence of active deer feeders. This issue is especially prevalent for the first fall shotgun season that occurs approximately 2 weeks prior to the modern gun season for deer, when corn is abundant across the landscape. Inclusion of a distance restriction from feeders or bait also will strengthen enforcement efforts, as it largely eliminates the gray area associated with the "zone of influence" argument.

Effective Date: February or March 2015

Action Requested of Commission:	Action Taken by Commission:
<input checked="" type="checkbox"/> File the Regulation	<input type="checkbox"/> File the Regulation
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Motion made by: _____

Motion Seconded by: _____

Action: Approved Denied Referred back to Committee

Kentucky Fish and Wildlife Commission Meeting
REQUEST FOR COMMISSION ACTION
June 6, 2014
Division: Wildlife

Regulation Number: 301 KAR 2:049 & 2:251 Regular or Emergency: Regular

Proposed Recommendation: Furbearer Trapping Season Recommendations for 2015

The Wildlife Division makes the following recommendations:

A) Spacing Requirement for Traps Set on Land

The Wildlife Division recommends eliminating the existing 10-foot spacing requirement between traps set on dry land.

Justification: The Wildlife Division has received a request from the United Trappers of Kentucky (UTK) to amend the current regulation that prohibits land sets from being placed within ten (10) feet from one another. UTK and the Fur Takers of Kentucky feel this restriction is prohibitive and limits success in areas with abundant trapping opportunities, such as beaver dams and along fence rows. Nuisance Wildlife Control Operators have also expressed that this 10-foot spacing requirement is overly restrictive and impedes trapping success when using cage traps.

B) Hunter Orange Requirements for Trappers

The Wildlife and Law Enforcement Divisions initiated discussions about whether fur trappers should be required to wear hunter orange during an open modern firearm season.

Justification: It is KDFWR legal counsel's opinion that current regulations and statutes require fur trappers to wear hunter orange during any open modern firearm season within an area that is open for bear, deer, or elk hunting. The Commission will discuss whether fur trappers should be exempt from existing hunter orange requirements.

C) Trap Restrictions on KDFWR Owned or Operated Lands

The Wildlife Division recommends restricting body-gripping traps set on lands owned or managed by the KDFWR; only 110-type body-gripping traps would be allowed for land sets.

Justification: The Wildlife Division must address real or potential conflicts between user groups on WMAs and other public lands. In an effort to minimize the potential for conflict, the Wildlife and Law Enforcement Divisions propose a proactive restriction on the use of body-gripping trap sets on dry land on these public lands so as to prevent the capture of non-target domestic animals in these kill traps. This proposed restriction would still allow the use of body-gripping traps as water sets.

D) Registration for Trapping on WMAs

The Wildlife Division recommends establishing a standard means of registration for trappers on WMAs.

Justification: The Wildlife Division is committed to maximizing hunting-related opportunities on WMAs while striving to alleviate potential user conflicts. Hunters use dogs for a variety of pursuits on WMAs that are concurrently utilized by trappers. The Wildlife Division would like to recommend the implementation of a standard registration form that will enable WMA managers to document trapping activities to prevent user conflicts with dog-related activities. The Wildlife Division currently has a WMA Use Permit Application to document field and retriever trials, as well as shoot-to-retrieve field trials.

E) Definition of a Water Set

The Wildlife Division recommends amending the regulatory definition of "water sets" for fur trapping.

Justification: Per 301 KAR 2:251, "water sets mean a trap set to submerge an animal in water upon capture." However, body-gripping traps are often not fully submerged when used in water. A common practice by beaver and mink trappers, for instance, is to leave a portion of body-gripping traps out of the water. In an effort to make the regulatory definition of water sets more inclusive of common water trapping methods, the Wildlife and Law Enforcement Divisions recommend amending the definition for clarification and enforceability reasons.

F) Checking Requirements for Bobcats and River Otters

The Wildlife Division would like the following recommendations concerning the checking process for river otters and bobcats:

- 1) CITES tags must be immediately attached to a bobcat or river otter carcass upon receipt of the tag; and
- 2) Bobcats and river otters must be telechecked prior to leaving Kentucky.

Justification: Currently, 301 KAR 2:251 does not specify these requirements. However, the Wildlife and Law Enforcement Divisions recommend these changes to prevent the Kentucky bobcats and river otters from being sold at auction with CITES tags from other states.

Effective Date: March or April 2015

Action Requested of Commission: <input checked="" type="checkbox"/> File the Regulation <input type="checkbox"/> Other: _____	Action Taken by Commission: <input type="checkbox"/> File the Regulation <input type="checkbox"/> Other: _____
Motion made by: _____	
Motion Seconded by: _____	
Action: Approved Denied Referred back to Committee	

**Kentucky Fish and Wildlife Commission Meeting
REQUEST FOR COMMISSION ACTION
June 6, 2014
Division: Wildlife**

Regulation Number: 301 KAR 2:178

Regular or Emergency: Regular

Proposed Recommendation: Sinking Valley WMA

Justification: This newly acquired WMA consists of 804 acres located in eastern Pulaski County. It is in the Buck Creek watershed and drains a portion of the county that empties at Short Creek, a local landmark and scenic destination. The property and general area are unique because of karst features. There are multiple caves on the property and all of the area known as Sinking Valley has limited stream surface flow.

The area is currently under contract for boundary marking and KDFWR staff will be working this summer to develop signage and parking. We anticipate having the area prepared for opening this fall.

The Wildlife Division recommends the WMA be open under statewide regulations for all hunting and trapping except for deer. For deer, the area is recommended as open for archery and crossbow only, with the exception of youth weekends when firearm hunting should be allowed according to statewide regulations.

Effective Date: Fall 2014

Action Requested of Commission:

File the Regulation

Other: _____

Action Taken by Commission:

File the Regulation

Other: _____

Motion made by: _____

Motion Seconded by: _____

Action: Approved Denied Referred back to Committee