

Kentucky Department of Fish & Wildlife Resources



Special Called Commission Meeting

Live Video Teleconference¹

Web link: [YouTube.com/FishandWildlifeKY](https://www.youtube.com/FishandWildlifeKY)

February 18, 2022

#1 Sportsman's Lane

Frankfort, KY

8:30 AM (EST)

AGENDA

Opening

- Call to Order and Welcome
- Invocation
- Pledge of Allegiance
- Chair's Remarks
- Commissioner's Remarks

Public Comments²

¹ A room for public viewing of the live-streamed video teleconference with chairs spaced for social distancing will be available beginning at 8:15am (EST) at the Salato Wildlife Education Center at 1 Sportsman's Lane, Frankfort, KY 40601. Masks are currently required in Executive Branch state buildings due to COVID-19.

² Public comments regarding agenda items may be submitted by email to FW.PublicAffairs@ky.gov until 5:00pm (eastern) the day preceding the meeting, and those comments will be read by KDFWR staff up to 3 minutes total per commenter, time permitting and at the discretion of the Commission chair. Commenters should include "Commission meeting" in their email subject line and include their first and last name(s), Kentucky county(s) of residence (or state of residence if a nonresident), and organizational affiliation and position if they are an officer or official representative for a particular organization. Note: A commenter's contact information is not required for emailed comments, but will be necessary if information is requested, and other than name and affiliation it will *not* be publicly disclosed if provided. Anonymous comments will be reviewed by the Commission but may not be read during the meeting. The Commission chair reserves the right to not read publicly any comments that are libelous, profane, derogatory of others, redundant, or not relevant to the meeting agenda. Questions will receive an email response.

Action Items

- Proposed Research Project: Partner in National Study on SARS-CoV-2
 - Enable Kentucky sampling for USDA Wildlife Services project investigating prevalence of the COVID virus in white-tailed deer
 - Cost is \$25,000, with 100% reimbursable through a federal grant.
Attachment A-1

- Proposed Research Project: Renew Alligator Gar Research Contract
 - Continue long-term study of Alligator Gar habitat use and movements in Kentucky waters with Murray State University fisheries researchers
 - Cost is \$20,000, with 65% reimbursable through a federal grant.
Attachment A-2

- Elk Permit Deferral – Add provision for Deployed U.S. Military Personnel
 - Amend [301 KAR 2:132](#) elk permit holders who are members of military branches, reserves, or National Guard status who are deployed or re-stationed outside Kentucky during their scheduled hunt dates
 - Recommended by several Commission members, stakeholders
 - Timing: The elk regulation will soon be amended for Loyalty Redraw and application window as voted for by the Commission in Dec. 2021, so this provision could be simultaneously incorporated
Attachment A-3

Closed Session

- Update on Open Records Litigation
- Discussion of Options

Action Item

- Vote on Next Step(s) in Litigation

Adjourn

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ACTION ITEM

DATE: February 18, 2022

Regulation Number: N/A

Regular or Emergency: N/A

Projected Effective Timeframe: Spring 2022

Action Item: Partner in national SARS-CoV-2 surveillance in white-tailed deer with USDA Wildlife Services

Introduction: The Wildlife Division proposes to enter into a Cooperative Agreement with United States Department of Agriculture Wildlife Services to determine is SARS-CoV-2 persistent and circulating in white-tailed deer populations. This is a collaborative effort amongst state, federal, and tribal patterns to sample white-tail deer populations. Surveillance data will be used to enhance our understanding of susceptibility, prevalence, transmission, and disease processes of SARS-CoV-2 in white-tailed deer populations to protect human and animal health. Data will be comparable across states, including several participating neighboring states and will be used to inform the development of future mitigation strategies and will allow for more targeted sampling in the future.

The funds for this project are 100% reimbursable from USDA with no match required. The funds designated for sampling and diagnostics costs associated with collecting nasal and blood samples from 500 to 1,000 wild white-tailed deer within state. Primary sampling would occur between March 2022 – February 2023 and efforts will be made to sample deer from both rural and urban areas. Sampling efforts would focus on monitoring for SARS-CoV-2 in hunter-harvested white-tailed deer and supplemented with opportunistic sampling of white-tailed deer during Wildlife Services’ and state wildlife damage management activities.

Goals are to determine:

- 1) SARS-CoV-2 persistence and prevalence in white-tailed deer populations, and
- 2) there is evidence of significant state and regional differences in circulation and prevalence among sampled populations

ESTIMATED BUDGET – SARS-CoV-2 Surveillance in White-Tailed Deer

<u>Task/Deliverable</u>	<u>Total Cost</u>	<u>Reimbursable</u>
Sample sizes by state (500 to 1,000)	\$23,000	100%
• Blood for SARS-CoV-2 antibody testing (Nobuto strips)		
• Nasal swabs for PCR supplies and shipping costs	\$2,000	100%
Total Cost	\$25,000	100%

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ACTION ITEM

DATE: February 18, 2022

Regulation Number: N/A

Regular or Emergency: N/A

Projected Effective Timeframe: Fiscal Year 2023

Action Item: Annual renewal of contract with Murray State Univ. for Alligator Gar study

Introduction: The Fisheries Division is seeking to continue a long-term study of Alligator Gar (*Atractosteus spatula*) in partnership with Murray State University. The purpose of this research to understand movement patterns, habitat use, spawning patterns, immigration and emigration of Alligator Gar in Kentucky waters and large-scale movements within the waters of the midwestern U.S. Tracking information to be reported shall include habitat use, timing of spawning runs, and large-scale movement patterns. The project shall use a combination of ultrasonic telemetry and satellite tracking to track movements in Kentucky waters. The fish shall be tracked both manually (i.e. from a boat-mounted hydrophone), passively via a network of stationary Vemco VR2W passive receivers throughout the waters of the Midwest U.S., and with GPS-enabled tags, to the extent possible because GPS-enabled tags must be externally mounted, and external tags have been shown to have limited retention in Alligator Gar. GPS-enabled are very advantageous for Alligator Gar due to the extremely large potential range of these fish. Dr Timothy Spier and Dr. Michael Flinn at Murray State University, who have experience conducting professional level research on fisheries populations, shall supervise the research. Cost of the contract is \$20,000, with 65% being reimbursable through the State Wildlife Grants (SWG) program.

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ACTION ITEM

DATE: February 18, 2022

Regulation Number: [301 KAR 2:132](#)

Regular or Emergency: Regular

Projected Effective Timeframe: Fall 2022

Action Item: Allow elk hunters serving in the U.S. military to defer use of elk permits if deployment makes their schedule hunt impracticable

Introduction: This proposal would add to 301 KAR 2:132 a provision for a resident elk hunter who is a member of the U.S. military and re-assigned or deployed to a location outside of Kentucky to defer use of his or her permit for one year if his/her assignment makes it impracticable for use of the permit during the current hunt year.

This provision has been suggested by members of the Commission, the Kentucky Elk Guides Association, and other sportspeople. The current provision for deferral is an elk permit holder experiencing the death of a spouse, child or legal guardian.

Note: This amendment is being proposed as a one-step business item, in which it could be voted for by the Commission in the same meeting it is first formally introduced. This is because the department will immediately be filing amendments to elk hunting regulations as voted for by the Commission in December 2021 (Loyalty Redraw and August 1 application period opening), it could include this recently proposed provision in the interest of our Armed Forces personnel, at the discretion of the Commission. We anticipate this being a non-controversial proposal.