

Kentucky Department of Fish & Wildlife Resources



Quarterly Commission Meeting

May 25, 2023 | 8:30 AM (ET)

Live Video Teleconference

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

In person attendance: #1 Sportsman's Lane, Frankfort, KY 40601

AGENDA

Opening

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

Action Items

- Minutes from March 29, 2023 quarterly meeting
Attachment A-1
- Quarterly Financial Report
Attachment A-2
- Change Simpson Co. from Zone 3 to Zone 2 for Deer Hunting
 - Amend 301 KAR 2:172 – Deer hunting seasons, zones and requirements.
Attachment A-3
- Update and Clarify Prohibited Aquatic Species Regulation
 - Amend 301 KAR 1:122 – Importation, possession, and prohibited aquatic species.
 - Clarify that goldfish are legal species to use as bait
 - Provide clarification that there shall be an exception for legal release of aquatic species back into waters from which caught at the time of take
 - Restrict transportation and sale of live tilapia within Kentucky to food consumption purposes only, with some exceptions
 - Explicitly prohibit possession of live Asian carp species
 - Allow sport fishing anglers to possess, sell, and transport Asian carp under the same three conditions allowed for licensed commercial fisherman
Attachment A-4

- Clarify Propagation of Aquatic Organisms Permit Requirements
 - Amend 301 KAR 1:115 – Propagation of aquatic organisms.
 - Explicitly provide for the option of denying a propagation permit for aquatic organisms that are determined to be potentially damaging to native ecosystems

Attachment A-5
- Clarify Transportation of Fish Permit Requirements
 - Amend 301 KAR 1:125 – Transportation of fish.
 - Explicitly provide for the option of denying a transportation permit for aquatic organisms that are determined to be potentially damaging to native ecosystems

Attachment A-6
- Define “Gill Net” and “Trammel Net” in Regulations
 - Amend 301 KAR 1:146 – Commercial fishing gear.

Attachment A-7
- Establish Special Regulations for Walleye and Smallmouth Bass on Barren River and Add Special Regulations for Catfish at Yatesville Lake
 - Amend 301 KAR 1:201 – Taking of fish by traditional fishing methods.
 - Define new lower boundary for walleye and smallmouth bass existing special regulations on the Barren River due to the removal of Lock and Dam 1
 - Add aggregate limit on blue catfish/channel catfish

Attachment A-8
- Add Special Regulations for Hand-Grabbing of Catfish at Yatesville Lake
 - Amend 301 KAR 1:410 – Taking of fish by nontraditional fishing methods.
 - Add aggregate limit on catfish

Attachment A-9

Discussion Items

- Hunting on Conservation Camp Properties
 - Promulgate a regulation that will allow for special hunts on all 3 conservation camp properties.
 - Hunts for designated game species will be conducted as department-sponsored events for mentor/youth hunters only.

Attachment D-1
- Commercial Guide License and License, tag and permit fees
 - Amend 301 KAR 2:030 and 301 KAR 5:022
 - Create harvest reporting requirements
 - Modify the requirements and application for a commercial guide license
 - Increase the commercial guide license fees

Attachment D-2

Closed Session - Discussion Items

- Land Acquisition Project A
- Land Acquisition Project B

Action Items

- Land Acquisition Project A
- Land Acquisition Project B

Public Comments¹

Adjourn

Next Commission Meeting Date: June 16, 2023

Note: [Blue text](#) is used to bring attention to the main points of proposals or other key content in attachments.

¹Public comments regarding New Business Items or Discussion Items on the agenda may be submitted by email to FW.PublicAffairs@ky.gov. Comments received by 5:00PM (eastern) two days before a meeting will be distributed to all Commission members the day prior to the meeting and will be read by KDFWR staff during the Commission meeting for up to 3 minutes total per commenter, time permitting and at the discretion of the Commission chair. Emailed comments allow Commission members adequate time for consideration and correspondence if necessary, and they allow the Commission to conduct business more efficiently during meetings. 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 distributed to the Commission members 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, not pertaining to business items on the meeting agenda, or redundant with other comments. Questions will receive an email response. 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. In-person attendees of meetings may also request to speak up to 3 minutes total per commenter on New Business Item(s) or Discussion Item(s) on the agenda, but will be required to sign-in on the public comment request form on the table at the meeting room entrance by 9:00AM (eastern) on the day of the meeting, and provide name, county and state of residence, organization represented and position (if applicable), and applicable agenda items. Commenters who speak in person will not have their emailed comments read publicly at the meeting and are asked to avoid voicing comments that are redundant with others speaking prior to them during the allotted public comments time.

Kentucky Fish and Wildlife Commission Meeting
ACTION ITEM
DATE: May 25, 2023

Item: [March 29, 2023 Quarterly Commission Meeting Minutes](#)

Please refer to draft minutes document

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: May 25, 2023

Item: [Quarterly Financial Statements](#)

Please refer to draft financial statements document

**Department of Fish & Wildlife Resources
Income Statement - FY23/Q2**

REVENUE	50.00%				FY23 Year To Date TOTALS	FY23 BUDGET	Percent Earned / Expended
	October	November	December				
Restricted Fish and Game Fund							
Hunting and Fishing Licenses	\$ 2,602,104.50	\$ 7,595,116.08	\$ 856,727.50	\$ 16,372,583.78	\$ 39,000,000	41.98%	
Boat Registration Fees	\$ 42,596.79	\$ 14,438.93	\$ 11,124.18	\$ 625,957.50	\$ 7,000,000	8.94%	
Interest Income	\$ (18,376.17)	\$ 199,710.90	\$ 141,955.58	\$ 10,375.46	\$ 100,000	10.38%	
Camp Income	\$ -	\$ -	\$ -	\$ (89,017.75)	\$ 685,000	-13.00%	
General Sales	\$ 33,241.96	\$ 26,608.68	\$ 16,683.96	\$ 141,925.90	\$ 240,000	59.14%	
Otter Creek Outdoor Recreation Area	\$ 31,167.36	\$ 19,509.24	\$ 4,398.62	\$ 160,429.86	\$ 350,000	45.84%	
Proceeds from Asset Disposition	\$ -	\$ -	\$ -	\$ -	\$ 450,000	0.00%	
Fish and Game Fines & Forfeitures/ Restitution	\$ 7,926.80	\$ 15,741.60	\$ 6,827.00	\$ 59,323.09	\$ 250,000	23.73%	
Miscellaneous Receipts	\$ 72,014.78	\$ 212,628.89	\$ 193,097.71	\$ 623,506.14	\$ 1,900,000	32.82%	
Sub-Total Restricted Fish and Game Fund	\$ 2,770,676.02	\$ 8,083,754.32	\$ 1,230,814.55	\$ 17,905,083.98	\$ 49,975,000	35.83%	
Sub-Total FILO Stream Mitigation Fund (matches FILO Fund Used for Operating Costs Only)	\$ 128,324.19	\$ 129,002.75	\$ 143,063.66	\$ 847,834.51	\$ 1,837,800	46.13%	
Sub-Total Federal Fish and Wildlife Fund	\$ 1,076,266.79	\$ 879,931.48	\$ 2,050,793.09	\$ 6,640,396.62	\$ 25,000,000	26.56%	
TOTAL REVENUE	\$ 3,975,267.00	\$ 9,092,688.55	\$ 3,424,671.30	\$ 25,393,315.11	\$ 76,812,800	33.06%	
EXPENDITURES							
Commissioner's Office	\$ 140,741.95	\$ 159,557.07	\$ 123,158.36	\$ 848,457.42	\$ 7,272,900	11.67%	
Commission	\$ 406.00	\$ 1,098.46	\$ 2,121.70	\$ 11,499.76	\$ 21,200	54.24%	
Marketing Division	\$ 126,130.32	\$ 75,148.45	\$ 73,270.05	\$ 529,201.94	\$ 1,389,000	38.10%	
Administrative Services Division	\$ 295,583.67	\$ 343,949.51	\$ 192,897.06	\$ 2,268,548.30	\$ 4,392,300	51.65%	
Engineering Infrastructure and Technology Division	\$ 171,961.59	\$ 228,129.39	\$ 191,317.64	\$ 1,136,949.59	\$ 3,052,500	37.25%	
Wildlife Division	\$ 1,256,963.97	\$ 1,724,172.17	\$ 1,524,738.79	\$ 8,408,339.36	\$ 20,432,100	41.15%	
Fisheries Division	\$ 890,971.22	\$ 986,354.82	\$ 1,111,022.06	\$ 5,806,259.98	\$ 15,478,200	37.51%	
Information & Education	\$ 602,685.08	\$ 554,876.57	\$ 573,959.95	\$ 4,100,824.09	\$ 8,976,900	45.68%	
Law Enforcement	\$ 1,159,358.70	\$ 1,079,214.50	\$ 1,341,509.40	\$ 7,041,060.00	\$ 15,797,700	44.57%	
OPERATING EXPENDITURES	\$ 4,644,802.50	\$ 5,152,500.94	\$ 5,133,995.01	\$ 30,151,140.44	\$ 76,812,800	39.25%	
NET Gain/Loss Operating	\$ (669,535.50)	\$ 3,940,187.61	\$ (1,709,323.71)	\$ (4,757,825.33)	\$ -	-	

¹ Excludes \$9M FILO Third-Party Agreements paid as operating, which are included in the approved budget.
² Includes approved contingency budget held in Commissioner's Office for entire department.
³ Includes statewide charges paid centrally for workers' compensation, personnel board assessment, insurance premiums, payroll system charge, etc.

DEPARTMENT OF FISH AND WILDLIFE RESOURCES
 Operating Budget Review
 For the Month of December 2022 (FY23)

	December			Fiscal Year To Date		
	FY23	FY22	FY21	FY23	FY22	FY21
REVENUE						
Restricted Funds						
Hunting and Fishing Licenses	\$ 856,727.50	\$ 6,509,906.50	\$ 7,111,701.00	\$ 16,372,583.78	\$ 17,821,216.25	\$ 17,462,790.01
Boat Registration Fees	\$ 11,124.18	\$ 13,545.05	\$ 37,508.14	\$ 625,957.50	\$ 602,498.45	\$ 1,554,688.05
Interest Income	\$ 141,955.58	\$ (55,362.30)	\$ 15,690.20	\$ 10,375.46	\$ (127,780.09)	\$ 45,596.90
Camp Income	\$ -	\$ -	\$ -	\$ (89,017.75)	\$ (5,714.83)	\$ -
General Sales	\$ 16,683.96	\$ 24,382.16	\$ 42,763.09	\$ 141,925.90	\$ 152,109.47	\$ 129,547.17
Otter Creek Outdoor Recreation Area	\$ 4,398.62	\$ 1,222.34	\$ 14,237.32	\$ 160,429.86	\$ 160,749.36	\$ 99,977.37
Proceeds from Asset Disposition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 78,000.00
Fish and Game Fines & Forfeitures/ Restitution	\$ 6,827.00	\$ 18,671.57	\$ 6,125.77	\$ 59,323.09	\$ 71,142.00	\$ 57,173.58
Miscellaneous Receipts ¹	\$ 193,097.71	\$ 117,972.26	\$ 129,866.15	\$ 623,506.14	\$ 228,829.78	\$ 506,544.33
Sub-Total Restricted Fund	\$ 1,230,814.55	\$ 6,630,334.58	\$ 7,357,891.67	\$ 17,905,083.98	\$ 18,903,050.39	\$ 19,934,317.41
Sub-Total FILO (=Operating Costs of FILO Fund)	\$ 143,063.66	\$ 119,770.68	\$ 111,169.91	\$ 847,834.51	\$ 797,290.27	\$ 698,308.16
Sub-Total Federal Fish and Wildlife Fund	\$ 2,050,793.09	\$ 890,671.35	\$ 2,994,968.47	\$ 6,640,396.62	\$ 6,515,272.00	\$ 7,586,693.39
TOTAL REVENUE	\$ 3,424,671.30	\$ 7,640,776.61	\$ 10,464,030.05	\$ 25,393,315.11	\$ 26,215,612.66	\$ 28,219,318.96
EXPENDITURES						
Commissioner's Office	\$ 123,158.36	\$ 192,560.45	\$ 134,558.34	\$ 848,457.42	\$ 992,150.34	\$ 986,010.81
Commission	\$ 2,121.70	\$ 400.18	\$ 599.51	\$ 11,499.76	\$ 9,051.07	\$ 11,480.87
Marketing Division	\$ 73,270.05	\$ 121,515.46	\$ 74,891.54	\$ 529,201.94	\$ 508,328.95	\$ 402,327.87
Administrative Services Division	\$ 192,897.06	\$ 156,784.78	\$ 257,665.09	\$ 2,268,548.30	\$ 2,060,111.49	\$ 2,124,394.97
Engineering Infrastructure and Technology Division	\$ 191,317.64	\$ 230,689.42	\$ 198,515.66	\$ 1,136,949.59	\$ 1,461,349.85	\$ 1,311,051.24
Wildlife Division	\$ 1,524,738.79	\$ 1,558,441.70	\$ 1,314,530.84	\$ 8,408,339.36	\$ 8,445,115.36	\$ 7,791,900.89
Fisheries Division	\$ 1,111,022.06	\$ 861,522.34	\$ 1,190,549.77	\$ 5,806,259.98	\$ 5,844,425.98	\$ 5,753,173.32
Information & Education	\$ 573,959.95	\$ 532,463.48	\$ 479,923.84	\$ 4,100,824.09	\$ 4,059,322.56	\$ 3,294,744.78
Law Enforcement	\$ 1,341,509.40	\$ 1,110,316.37	\$ 962,003.68	\$ 7,041,060.00	\$ 7,102,854.32	\$ 6,412,627.79
OPERATING EXPENDITURES	\$ 5,133,995.01	\$ 4,764,694.18	\$ 4,613,238.27	\$ 30,151,140.44	\$ 30,482,709.92	\$ 28,087,712.54
NET Gain / Loss Operating	\$ (1,709,323.71)	\$ 2,876,082.43	\$ 5,850,791.78	\$ (4,757,825.33)	\$ (4,267,097.26)	\$ 131,606.42

Department of Fish and Wildlife Resources Cash Fund Balances - December 2022 (FY23)

	Beginning Balance (12/1/2022)	Revenue	Expenditures	Transfers	Ending Balance 12/31/2022)
Agency Revenue Funds					
Restricted Fish & Game Fund (134R)	\$ 33,577,802.08	\$ 1,230,450.68	\$ (3,418,788.43)		\$ 31,389,464.33
Nongame Fish and Wildlife Fund (13NY)	\$ 47,067.86	\$ 301.87			\$ 47,369.73
Ky Heritage Land Conservation Mgmt Fund (13KR)	\$ 249,868.67				\$ 249,868.67
JC Williams WMA Management Funds (13QJ)	\$ 66,207.41	\$ 208.36			\$ 66,415.77
Fees in Lieu of ("FILO") Stream Mitigation Fund (134S)	\$ 138,438,204.10	\$ 1,801,283.22	\$ (143,063.66)	\$ (27,168,063.75)	\$ 112,928,359.91
Capital Fund					
Various Capital Funded Projects (FILO, Agency Maintenance, etc.)	\$ 73,941,134.32		\$ (1,683,318.25)	\$ 27,168,063.75	\$ 99,425,879.82
Federal Fund					
F&W Federal Fund	\$ 4,973,369.14	\$ 2,050,793.09	\$ (1,575,540.89)		\$ 5,448,621.34
Special Deposit Trust Fund					
FW-Commissioner's Office Fund	\$ 8,916.24				\$ 8,916.24
	\$ 251,302,569.82	\$ 5,083,037.22	\$ (6,820,711.23)	\$ -	\$ 249,564,895.81

Attachment A-3

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: May 25, 2023

Item: Amend 301 KAR 2:172 – Deer hunting seasons, zones, and requirements

Projected Effective Timeframe: Fall 2024

Introduction: [The Wildlife Division recommends re-zoning Simpson County from Zone 3 to Zone 2 for deer hunting.](#)

All counties surrounding Simpson County are Zone 2. This change will still allow hunters to harvest a maximum of 4 antlerless deer, but it will allow more of those deer to be taken via firearm or air gun. Designating Simpson County as Zone 2 will not be detrimental to the deer population but will provide more opportunity for hunters in that county.

The trend in the deer population model estimates for the area, and density estimates for Simpson County specifically, support this change. Moreover, staff biologists and conservation officers, and hunters and landowners in the county have expressed support for this change.

Specifically, we recommend amending Section 6 (Zones) of the regulation as follows:

(2) Zone 2 shall consist of Adair, Allen, Barren, Bath, Bourbon, Boyd, Boyle, Breckinridge, Butler, Carter, Casey, Clark, Daviess, Edmonson, Fayette, Fleming, Grayson, Greenup, Hancock, Jessamine, Lawrence, Lewis, Lincoln, Logan, Madison, Marion, Meade, Metcalf, Monroe, Montgomery, Nicholas, Ohio, **Simpson**, Taylor, and Warren Counties.

(3) Zone 3 shall consist of Cumberland, Elliott, Estill, Garrard, Johnson, Laurel, Morgan, Powell, Pulaski, Rowan, ~~Simpson~~, Wayne, and Wolfe Counties.

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: May 25, 2023

Item: Update Importation, possession, and prohibited aquatic species.

Regulation Number: 301 KAR 1:122

Regular or Emergency: Regular

Projected Effective Timeframe: Fall-Winter 2023

Introduction:

This administrative regulation establishes the species of aquatic life that are prohibited in the Commonwealth. The current regulation language specifies the prohibition of various activities with regard to these invasive species. Some simple clarifications and “clean up” language in keeping with the intent of the regulation are needed.

The Fisheries Division recommends adding the following provisions to the regulation:

- Clarify that goldfish may be used as bait.

There is currently ambiguity in the regulation as to whether goldfish are a legal species for use as bait in Kentucky waters. They are a non-native species but not injurious to native ecosystems and are widely found in Kentucky waters. As such, Fisheries has already sanctioned the propagation and sale of this species as bait and they have become a popular baitfish used by anglers.

- Individuals of any aquatic species may be released at the time of catch back into the water body from which they are caught.

The regulation currently reads that Asian carp and various other types of invasive aquatic species may not be “released” in Kentucky. The regulation intended to prohibit people from intentionally introducing detrimental species not already established in Kentucky waters in general or a specific water body in particular, but not necessarily to make it illegal to release a species from the water where it was taken. As it stands, the regulation unintentionally makes it unlawful for recreational anglers to release prohibited species back into the water body where they are caught, even if they don’t recognize them.

- Restrict transportation and sale of live tilapia within Kentucky to:
 - another properly licensed propagator;
 - a properly licensed live fish and bait dealer; or

- a person, corporation, or other business entity that is selling fish for food in establishments licensed for resale by another state agency or for sale as wholesale food products.

The Fisheries Division already allows for the propagation of non-native tilapia species for food consumption; however this exception is currently not in regulation. To ensure tilapia do not become established in Kentucky waters, we propose to allow tilapia propagation and transportation within Kentucky *for food consumption only* and therefore not sold live except in specific cases.

The Fisheries Division also recommends amending Section 4 pertaining to Asian carp:

- Explicitly prohibit possession of live Asian carp species.

This section already prohibits a person from buying, selling, importing, transporting, or releasing live Asian carp species (notwithstanding the exception for licensed commercial fisherman). We recommend adding “possess” to prohibited activities.

- Allow sport fishing anglers to possess, transport, and sell Asian carp under the same three conditions allowed for licensed commercial fisherman:
 - must not be transported in water;
 - must be moribund (meaning dead or dying); and
 - must be transported to a fish processing facility.

Because we have made the allowance in 301 KAR 1:152, Section 8 for the non-commercial harvest of Asian carp, we also need to make this allowance.

Attachment A-5

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: May 25, 2023

Item: Amend 301 KAR 1:115 Propagation of aquatic organisms.

Projected Effective Timeframe: 2024

Introduction:

This administrative regulation establishes the requirements for obtaining a propagation permit for aquatic organisms and establishes the requirements for propagation permit holders. KRS 150.280 prescribes that the department shall by administrative regulation identify species that are potentially damaging to native ecosystems and shall prohibit the transporting or holding of these species.

The Fisheries Division proposes adding the following procedures change:

- Provide that the Department may deny a propagation permit for aquatic organisms that we determine are potentially damaging to native ecosystems.

By providing this clarification in regulation, it will also give permit applicants wishing to appeal a decision the recourse of an administrative hearing.

Attachment A-6

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: May 25, 2023

Item: Amend 301 KAR 1:125 Transportation of fish.

Projected Effective Timeframe: 2024

Introduction:

This administrative regulation provides for control of the transportation of fish, fish eggs, live bait, and other aquatic organisms into, through, and within the state to protect the resident fish populations. KRS 150.280 mandates that the department shall by administrative regulation identify species that are potentially damaging to native ecosystems and shall prohibit the transporting or holding of these species.

With that in mind the Fisheries Division proposes a clarification in the regulation, as follows:

- Provide that the Department may deny a transportation permit for the transportation of aquatic organisms that we determine are potentially damaging to native ecosystems.

By providing this clarifying wording in regulation it will also give those wishing to appeal our decision recourse to an administrative hearing.

Attachment A-7

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: May 25, 2023

Regulation(s) Number: Amend 301 KAR 1:146 Commercial fishing gear.

Projected Effective Timeframe: 2024

Introduction:

This administrative regulation establishes the legal methods that may be used by commercial fishermen to harvest rough fish.

It has been determined that creating legal definitions for “gill net” and “trammel net” would be beneficial for the Law Enforcement Division during prosecution of commercial fishing violations. Therefore, the Fisheries Division proposes definitions based on wording derived from a standardized sampling manual published by the American Fisheries Society.

Promulgate in regulation legal definitions as follows:

- “Gill net” means a passive capture device in which fishes are captured by becoming wedged, gilled, or entangled in a single panel of webbing fished vertically.
- “Trammel net” means a passive capture device in which fishes are captured by becoming wedged, gilled, or entangled in two or three panels of webbing fished vertically.

Attachment A-8

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: March 25, 2023

Item: Amend 301 KAR 1:201 Taking of fish by traditional fishing methods.

Projected Effective Timeframe: Spring 2024

Introduction:

This administrative regulation establishes fish size limits, daily creel limits, and possession limits for fishing.

The U. S. Army Corps of Engineers deauthorized Barren River Lock and Dam 1 and the U. S. Fish and Wildlife Service demolished and removed the structure last year. This was formerly the boundary for two special regulations. Therefore, we need to establish a new physical boundary.

The Fisheries Division proposes a clarification in the regulation, as follows:

- Provide that the new lower boundary on the Barren River for walleye and smallmouth bass special regulations shall be the mouth of the Barren River.

The special regulation for walleye is an 18-26 inch protective slot limit and 2-fish daily creel limit. The special regulation for smallmouth bass is a 15-inch minimum size limit. This change in the lower boundary will add protection with these special regulations to 15 more miles of Barren River mainstem and since the special regulation also includes all tributaries, it notably also includes Gasper River.

The Fisheries Division has also added Yatesville Lake to the blue catfish stocking program. Reservoirs enrolled in this program typically have restrictive size and daily creel limits. The Fisheries Division proposes the following special regulation for blue catfish and channel catfish at Yatesville Lake:

- Blue catfish and channel catfish will have a 15-fish daily creel limit in aggregate and only 1 fish may be longer than 25 inches

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: May 25, 2023

Item: Amend 301 KAR 1:410 Taking of fish by nontraditional fishing methods.

Projected Effective Timeframe: Spring 2024

Introduction:

This administrative regulation establishes the procedures for taking sport and rough fish by nontraditional fishing methods.

Because the Fisheries Division is proposing to protect blue catfish and channel catfish at Yatesville Lake with special regulations for fishing with *traditional* fishing methods, we are proposing corresponding regulations for nontraditional methods.

The Fisheries Division proposes the following special provisions for hand-grabbing in Yatesville Lake:

- Catfish will have a 5-fish daily creel limit in aggregate, and only 1 blue catfish or channel catfish may be longer than 25 inches

Kentucky Fish and Wildlife Commission Meeting

DISCUSSION ITEM

DATE: May 25, 2023

Item: Provide for Special Hunts on Conservation Camp Properties

Projected Effective Timeframe: 2024

Introduction: [The Information and Education Division proposes promulgation of a new regulation to allow for special mentored hunts on all 3 conservation camp properties.](#)

We are increasing the number of Department-sponsored mentor/youth hunts facilitated by Information and Education Division staff, as well as seeking to optimize use of camp properties outside the summer conservation camp timeframe.

Conservation camp properties are publicly owned, thus we propose to formally specify the hunting opportunities to be provided by specifying them as public land in regulation. The I&E division intends to provide special youth and adult mentor hunts, when feasible and under the following stipulations:

- Create a regulation for special hunts on all 3 conservation camp properties.
- Hunts are to be conducted as Department-sponsored events for mentor/youth hunters only.
- Hunts would be conducted during statewide seasons, and license requirements and bag limits for waterfowl, small game, spring and fall turkey and migratory birds would apply.
- Deer hunts would follow statewide bag limits and license requirements, but hunters would be permitted to use any legal hunting equipment as with other special mentored deer hunts already provided for in regulation, from the first Saturday in September through the third Monday in January.

Kentucky Fish and Wildlife Commission Meeting

DISCUSSION ITEM

DATE: May 25, 2023

Item: Amend 301 KAR 2:030 Commercial guide license & 301 KAR 5:022 License, tag, and permit fees to

Projected Effective Timeframe: 2024

Introduction:

Update requirements for commercial guides

The Commissioner's Office and Fisheries, Law Enforcement, and Wildlife divisions recommend modifications to the commercial guide regulation to require reporting for both hunting and fishing guides, update the requirements to obtain a commercial guide license, and update the commercial guide license application. Additionally, we recommend an increase in the commercial guide fees.

Wildlife and Fisheries Division staff do not currently receive information related to the number of fish and/or wildlife that are harvested by anglers or hunters with the aid of a commercial guide. Many of the species that commercial guides target with their clients do not have a reporting requirement when harvested, thus the impact on the resource is unknown. Other commercial activities, such as commercial fishing, are required to report harvest to the department. By requiring the reporting of this data, biologists and managers will have a better understanding of the demands on these public resources and gain more consistent effort and harvest data on locations with commercial guiding activity. Additionally, obtaining more data about where commercial guiding is occurring will aid the Law Enforcement Division with proper enforcement and compliance activities.

We recommend amending 301 KAR 2:030 as follows:

- Update the application to require applicants to provide:
 - Secretary of state business Identification Number
 - Indicate what primary game (both fish and wildlife) species they plan to target/pursue
 - Require the applicants indicate the amount of land they currently have leased at the time of application if the applicant is applying to be a hunting commercial guide

- For commercial guides who indicate they are a fishing guide:
 - Require a monthly report be submitted online that provides the following information for each guided trip:
 - Guide name and license number
 - Date fished/bowfished
 - Waterbody fished/bowfished
 - Fish species targeted

- Number of anglers/bowfishers guided per trip
 - Hours fished/bowfished per trip
 - Fish species caught/shot and numbers per trip in the following categories:
 - Sublegal releases*
 - Legal released*
 - Harvested
 (* can be approximate)
 - Failure to submit a monthly report will result in a courtesy reminder letter the first month, a warning letter for failure to submit the second month then after 3 months of failure to submit the reports the commercial guiding license will be suspended for the remainder of the license year.
- For commercial guides who indicate they are a hunting guide:
 - Require an annual report at the end of the license year that is submitted online that provides the following information:
 - Guide name and license number
 - Wildlife species targeted during the hunting season
 - Total number of guided clients
 - Broken down by the number of resident and non-resident hunters
 - Number of animals harvested
 - Broken down by species and sex (if known) of the animal
 - Number of big game animals shot, but not recovered
 - Broken down by species and sex (if known) of the animal
 - Name of county(s) where guiding occurred
 - Name(s) of any public land area(s) where guiding was done
 - Whether or not guiding was done for any pen-raised animals or at facilities that are permitted as a shooting facility
 - Failure to submit the end of the license year report will result in the lack of issuance of the license the following year until a report is submitted
- For commercial guides who indicate they commercially guide for hunting and fishing the reports outline above will be required as proposed

We also recommend amending 301 KAR 5:022 as follows:

- Resident commercial guide fee from \$150 to \$500
- Non-resident commercial guide fee from \$400 to \$2,000