

Kentucky Department of Fish & Wildlife Resources



Commission Meeting

March 1, 2024 | 8:30 AM (ET)

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

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

AGENDA

Opening

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

Action Items

- Minutes from December 1, 2023 quarterly meeting and December 14, 2023 special called meeting
Attachment A-1
- Quarterly Financial Reports
Attachment A-2
- Modify nontraditional fishing regulations to clarify gig possession restrictions, specify possession limits for shovelnose sturgeon and sportfish, revise sport fishing trotline tagging requirements, and prohibit hand grabbing on smaller lakes owned or managed by the department.
 - Amend 301 KAR 1:410 – Taking of fish by nontraditional fishing methods.
 - Add dates when possession of a gig of any kind is illegal, to match dates established in 301 KAR 1:082 – Frog season; limits.
 - Set a shovelnose sturgeon possession limit of two (2) times the daily limit and a possession limit of two (2) times the daily limit for sportfish taken by trotline, jugline, or setline.
 - Require that sportfishing trotlines must be tagged on both ends with the

angler's fishing license customer identification number.

- Prohibit hand grabbing on lakes less than 500 acres owned or managed by the Department.

Attachment A-3

- Informational update and recommended next steps on CWD response in western Kentucky
 - Addition of 3 counties to the CWD surveillance zone
 - Participate in Mississippi State University deer scrape study
- Revised provisions for hunting and fishing on public lands:
 - 301 KAR 3:005 Public use of newly acquired or newly managed lands
 - Define terms including "managed lands"
 - Review provisions for fishing opportunities in ponds, lakes, or streams on or adjacent to department property.
 - Consider permanent closure of public land to hunting that was purchased for fishing access and does not lend itself to hunting safely
- Add 2 days to end of spring squirrel season for additional hunter opportunity
 - Amend 301 KAR 2:122 – Seasons, methods, and limits for small game
 - Extend season through the third Sunday in June
- Add Siberian Laika to the list of approved dog breeds/crossbreeds that can be used for bear hunting with dogs
 - Amend 301 KAR 2:300 – Black bear seasons and requirements
 - Bear dog hunters have requested addition of this breed
- Clean up regulation language on youth licensing
 - Amend 301 KAR 5:022 to add privileges for youths at no additional cost
 - Clarify that a youth turkey permit (1 turkey) may be used in spring or fall
 - Clarify that a youth deer permit mirrors the standard statewide deer permit
 - Better align resident Youth Sportsman's License with our other, more comprehensive "sportsman's" licenses to reduce confusion among parents/youths and help ensure Youth Sportsman's License holders turning 16 during a license year are hunting legally with applicable licenses/permits included
 - Add to Youth Sportsman's License the following license and permits:
 - Migratory Bird/Waterfowl Permit
 - Spring Turkey Permit and Fall Turkey Permit
 - Ballard WMA Waterfowl Hunt Permit (valid entire season for Youth Sportsman's holders turning 16)
 - Exempt youths 15 and younger from Ballard WMA Waterfowl Hunt Permit requirement
 - We will clearly communicate in the hunting/fishing guides and on the website the privileges that are included in applicable youth licenses and permits

- Increase fees for selected nonresident licenses and permits
 - Amend 301 KAR 5:022
 - Increase nonresident hunting license by \$10
 - Increase nonresident deer permit by \$50
 - Increase nonresident spring and fall turkey permits by \$25
- Personal Service Contract

Discussion Items

- Increase selected deer hunting opportunities in Zone 1 and 2 counties, and statewide for youths and mentored hunters for the 2025 season
 - Amend 301 KAR 2:172 – Deer hunting seasons, zones, and requirements
 - Expand early youth gun deer season to nine consecutive days beginning the second Saturday in October in all four deer hunting Zones
 - Expand early muzzleloader deer season to seven consecutive days beginning the third Monday in October in Zones 1 and 2 counties with antlerless harvest only during first five days of this season

Attachment D-1
- Recommendations for the 2025 Bear Hunting Season
 - Amend 301 KAR 2:300 – Black bear seasons and requirements
 - Establish a 14-day early archery and crossbow season in Clinton and Wayne Counties to begin on the third Saturday in September and coincide with the opening of deer crossbow season

Attachment D-2
- Prohibit use of aircraft (drones, helicopters, airplanes, etc.) for taking fish or wildlife and use of drones/UAS on WMAs/public hunting areas
 - Promulgate a new regulation to prohibit taking of fish/wildlife with aircraft
 - Comport with federal law prohibiting take with aircraft (16 US Code § 742)
 - Prohibit use in any aspect of take per wildlife definition in KRS 150.010
 - Exempt the department and its agents conducting research, communications, enforcement and other authorized management activities
 - Allow for authorized landowners/their agents engaged in lawful wildlife damage control activities, and commercial fishers for use in locating or removing invasive carp
- Require identification on cellular or wireless trail cameras on WMAs/public hunting areas
 - Amend 301 KAR 3:010 – Public Use of Wildlife Management Areas
 - Add requirement for all trail cameras used on WMAs/public hunting areas to be externally labeled with its owner's customer identification number
- Recommendations for the 2025 elk season

- Amend 301 KAR 2:132 - Elk hunting seasons, permits, zones and requirements
 - Open Paul VanBooven WMA and Fishtrap Lake WMA to elk hunting
 - Move opening day of cow firearm week 2 to the first Saturday in January to alleviate overlap with Christmas and Christmas Eve holidays
 - Prohibit cellular trail camera use during elk hunting seasons
 - Prohibit drone use for the hunting or scouting of elk
 - Clean up baiting regulations to prohibit hunting over a baited area within 30 days of bait being removed
 - Draw elk hunting units during the initial drawing
 - Amend loyalty redraw to fit this new drawing system
 - Landowner elk permits (provided in exchange for public hunting access) can only be used on property enrolled in the public access agreement
- Attachment D-3
- Modifications to the permitting criteria, holding criteria and area requirements for multiple permit holders and facilities types
 - Amend 301 KAR 2:041 – Shooting areas, dog training areas, commercial foxhound training enclosures, and bobwhite shoot-to-train season

New Business Items

- Prohibit the use of decoys on public dove fields before October 1st
 - Amend 301 KAR 2:225 Dove, wood duck, teal, and other migratory game bird hunting.
 - The use of decoys, both motorized and static, would be prohibited on dove fields managed by the Department during the month of September.
- Streamline, clarify and update public lands waterfowl hunting requirements
 - Amend 301 KAR 2:222 Waterfowl hunting requirements on public lands.
 - Add Harris-Dickerson, Clear Creek, and Blackford Oaks WMAs to the list of WMAs that have entry and exit requirements.
 - Assign public land waterfowl hunters in Ballard County to a single unit per day.
 - Allow flexibility in timing for managers administering in-person standby drawings in Ballard County.
 - Remove the automatic assignment of surrendered hunting units during quota hunts at Boatwright WMA.
 - Remove the requirement to use primitive weapons on Barren River WMA while hunting waterfowl.
 - Change the rest days for waterfowl hunting at Sloughs WMA from Tuesday and Wednesday to Monday and Tuesday.
 - Require daily check-in before waterfowl hunting at Sloughs WMA.
 - Remove the penalty for violating state or federal law during waterfowl quota hunts that excludes hunters from applying for or participating in department quota hunts in the subsequent year.

- Modify reciprocal agreements with Illinois and Indiana regarding fishing on the Ohio River
 - Amend 301 KAR 1:220 – Reciprocal agreements regarding fishing.
 - Propose to remove commercial fishing from the Ohio River reciprocal agreements with both the States of Illinois and Indiana.
 - Propose to clarify the Ohio River agreement with the State of Illinois by removing the language that states an angler must follow their state’s regulations if they are more restrictive.
 - Note: the department asks that this item be tabled to the next meeting pending further research with other states

- Commission Bylaws

Closed Session - Discussion Items

- Land Project A
- Land Project B

Action Items

- Land Project A
- Land Project B

Public Comments¹

Adjourn

Next Quarterly Commission Meeting Date: TBD

¹Public comments regarding New Business Items or Discussion Items on the agenda may be submitted by email to FW.PublicAffairs@ky.gov. Emailed comments received by 5pm (Eastern) two days preceding the meeting date will be distributed to all Commission members on the day prior to the meeting and 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 a response 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 in their email message 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/counter 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 official position (if applicable), and agenda items being addressed. 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 timeframe.

Attachment A-1

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: March 1, 2024

Item: Minutes from the December 1, 2023 Quarterly Commission Meeting and December 14, 2023 Special Called Commission Meeting.

Please refer to draft minutes document

Kentucky Fish and Wildlife Commission Meeting

ACTION ITEM

DATE: March 1, 2024

Item: Quarterly Financial Statements

Please refer to draft financial statements document

Kentucky Fish and Wildlife Commission Meeting

DISCUSSION ITEM

DATE: March 1, 2024

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

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

The Fisheries Division proposes the following amendments to the regulation:

- Add the dates when possession of a gig of any kind is illegal, to match dates established in 301 KAR 1:082 – Frog season; limits.

There is currently wording in 301 KAR 1:082 – Frog season; limits that already makes it illegal to “possess a gig, of any type, while in a boat, or on or in a stream or lake, from November 1 through the last day of January the following year.” This wording is not in 301 KAR 1:410 under the gigging section. Unless an angler looks at the frog season regulation, they would not know of the gig possession restrictions. Adding this wording to 301 KAR 1:410 will clarify this restriction.

- Add a shovelnose possession limit of two (2) times the daily limit and add a possession limit of two (2) times the daily limit for sportfish taken by trotline, jugline, or setline.

Paddlefish and trophy catfish possession limits are already set in the “General Provisions” section of 301 KAR 1:410, along with their daily limits. A daily limit for shovelnose sturgeon is also set, but there is no possession limit listed for this species. Similarly, sportfish size limits and daily limits listed in 301 KAR 1:201 already must be observed by persons using a trotline, jugline, or setline. However, there is not currently a possession limit. A possession limit of 2 times the daily limit is needed in both cases to provide the necessary protection.

- Require that sportfishing trot lines must be tagged at both ends with the angler’s customer identification number.

Sport fishing trot lines are currently required to be tagged, but the regulation does not specify where. To make it easier for Law Enforcement to efficiently identify the owner of a sport fishing trotline and not have to examine the whole line to find the single tag, Fisheries recommends the customer identification number be placed at both ends of the line.

- Prohibit hand grabbing on lakes less than 500 acres owned or managed by the Department, except at Ballard, Peal, and Swan Lake Wildlife Management Area lakes in Ballard County.

301 KAR 1:410 already contains wording prohibiting the use of trotlines, jug lines, and setlines in lakes less than 500 acres that are owned or managed by the department. These smaller lakes are often not conducive to natural reproduction of catfish and often receive high use by shoreline fishing anglers, so they are not intended or conducive to these nontraditional fishing methods. This will prevent user conflicts, especially at designated FINS lakes. Fisheries also proposes exceptions for Ballard, Peal, and Swan Lake WMA lakes to match the regulations for trotlines jug lines, and setlines.

Kentucky Fish and Wildlife Commission Meeting

DISCUSSION ITEM

DATE: March 1, 2024

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

Expand early youth season from two days to nine days. The proposed amendment is designed to provide more firearms hunting opportunity for youths during the month of October. This expanded season would overlap with the proposed expanded muzzleloader season in hopes that more adults/mentors would accompany youths afield if they were allowed to use a type of firearm as well. The expanded season would require five additional “hunter orange” days to small game and archery hunters, but there is no conflict with other hunting seasons. This would be a statewide change impacting all four Deer Zones in Kentucky.

Expand early muzzleloader season from two days to seven days in Deer Zones 1 and 2. The proposed amendment would allow for additional hunting opportunity during muzzleloader season. The five additional hunting days (i.e., Monday to Friday) would apply to counties in Deer Zones 1 and 2 to help maintain populations at or decrease them to desirable levels. During this additional five-day period, only antlerless deer would be eligible for harvest with a muzzleloader in Deer Zones 1 and 2.

Kentucky Fish and Wildlife Commission Meeting

DISCUSSION ITEM

DATE: March 1, 2024

Item: Amend 301 KAR 2:300 - Black bear seasons and requirements

Introduction: This administrative regulation establishes seasons, dates, zones and requirements for bear hunting in Kentucky. Based on population growth rates and an increased level of agricultural damage in the summer of 2023, the Wildlife Division recommends expanding bear hunting opportunity in Clinton and Wayne Counties.

Wayne and Clinton County early archery season:

Due to the possibility of continued crop damage, the Wildlife Division proposes the establishment of a September archery/crossbow season to better manage bear numbers in these agriculturally important counties. Positive population growth in the Big South Fork bear population indicates the ability to increase harvest without detrimental impacts to the population. We propose a 14-day archery/crossbow season beginning the 3rd Saturday in September (opens with crossbow deer season).

- Establish a 14-day early archery and crossbow season in Clinton and Wayne Counties to begin on the third Saturday in September and coincide with the opening of deer crossbow season.

These amendments seek to provide increased opportunity for bear hunters and alleviate crop damage issues in the portions of the region with large-scale row crop operations.

Kentucky Fish and Wildlife Commission Meeting

DISCUSSION ITEM

DATE: March 1, 2024

Item: Amend 301 KAR 2:132 - Elk hunting seasons, permits, zones and requirements

Introduction: This administrative regulation establishes seasons, dates, zones and requirements for elk hunting in Kentucky. These amendments seek to provide increased opportunity for elk hunters and alleviate many of the issues found in the current elk hunting system. Based on feedback derived from the mandatory post-season hunter survey, the Elk Program recommends several modifications to the draw system, season structure and other ancillary portions of the elk hunting regulation as described below:

- [Open Paul VanBooven WMA and Fishtrap Lake WMA to elk hunting](#)
- [Move cow gun week 2 to the first Saturday in January to alleviate overlap with Christmas and Christmas Eve holidays](#)
- [Prohibit cellular trail camera use during elk hunting season](#)
- [Prohibit drone use for the hunting or scouting of elk](#)
- [Clean up baiting regulations to prohibit hunting over a baited area within 30 days of the bait being removed](#)
- [Draw elk hunting units during the initial draw](#)
- [Amend loyalty redraw to fit this new draw system](#)
- [Landowner elk permits can only be used on property enrolled in the landowner access agreement](#)

[Open Paul VanBooven WMA and Fishtrap Lake WMA to elk hunting:](#)

These WMAs are listed as elk viewing areas and closed to elk hunting. EHU 4 and 7 are severely limited in their amount of available public land. Paul VanBooven WMA would be open for archery/crossbow elk hunting only. Habitat work on Paul VanBooven WMA has not produced a reliable viewing opportunity for the public and the viewing area on Fishtrap Lake WMA is no longer accessible. We propose to continue habitat work on these WMAs but allow hunters to pursue elk.

[Move cow gun week 2 to the first Saturday in January to alleviate overlap with Christmas and Christmas Eve holidays:](#)

In 2021, this season opened on Christmas day and was a major point of frustration with our cow hunters. We need to make this change now to avoid a calendar shift back to a Christmas day opener for this cow season.

[Prohibit cellular trail camera use during elk hunting season:](#)

Cellular trail cameras present an unfair advantage when hunting elk, especially bull elk during the rut. We propose to prohibit their use during any elk season, but allow them to be used for scouting purposes prior to any elk season.

Prohibit drone use for the hunting or scouting of elk:

We propose prohibiting drone use for elk hunting or scouting.

Clean up baiting regulations to prohibit hunting over a baited area within 30 days of the bait being removed:

Currently, hunters must remove bait immediately prior to the hunt. We propose regulations that mirror the fall turkey reg in terms of the 30 day bait removal window.

Draw elk hunting units during the initial draw:

The unit draw has been a major point of contention over the last four elk seasons. Nearly two months of time in the summer are lost between the elk permit draw and the elk hunting unit draw. Hunters will still have the usual “pick 3” (4 for youth), and for each permit type, hunters will pick a unit or select the “any unit” option. The complexity of this new system would necessitate online application only according to our IT division. A regulated area draw would take place as normal after the loyalty redraw.

Amend the loyalty redraw to fit this new draw system:

The new loyalty redraw system would be amended to fit this new draw system. With these changes, redrawn tags would also include a unit.

Landowner elk permits can only be used on property enrolled in the landowner access agreement:

As currently written, landowner elk permits may be used on the property enrolled in the access agreement or on neighboring property with permission and as long as that property is owned by a different landowner. This has led to hunter congregation in areas with ample public land and especially in EHU 3. This amendment will better distribute hunting pressure on these public land areas.