

### **301 KAR 3:005. Public use of newly acquired or newly managed lands.**

RELATES TO: KRS 150.010, 150.170, 150.175, 150.390

STATUTORY AUTHORITY: KRS 150.025(1), 150.620

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department to promulgate administrative regulations to establish open seasons for the taking of wildlife, to regulate bag limits and methods of take, and to make administrative regulations apply to a limited area. KRS 150.620 authorizes the department to promulgate administrative regulations for the maintenance and operation of the lands it has acquired for public recreation. This administrative regulation establishes the requirements for the department to close seasons on newly acquired or managed properties or to establish requirements that are different from statewide season requirements or methods of take until the department can subsequently amend administrative regulations within the first year a property is acquired or managed.

Section 1. (1) Upon acquiring or managing new public land, the department may close the area to all hunting or trapping or for certain game species during the first year of ownership or management if an imminent risk is present regarding:

- (a) Human safety;
- (b) A negative impact to wildlife populations; or
- (c) Inadvertent trespassing on adjacent private land by hunters due to a lack of adequate boundary marking.

(2) If there is any deviation from statewide hunting or trapping seasons during the first year of ownership or management, as established in subsection (1) of this section, the department shall inform the public by:

- (a) Conspicuously posting the requirements on signage at major access points on the area; and
- (b) Posting the area requirements on the department's Web site at [fw.ky.gov](http://fw.ky.gov).

Section 2. (1) Upon acquiring or managing new public land, the department may establish during the first year of ownership or management on the area, weapons restrictions for deer hunting that differ from statewide requirements if an imminent risk is present regarding:

- (a) Human safety; or
- (b) A negative impact on the area's deer population.

(2) If there is any deviation from statewide requirements regarding methods of take as established in subsection (1) of this section, the department shall inform the public as established in Section 1(2) of this administrative regulation.

Section 3. A hunter or trapper shall comply with the area requirements on newly acquired or managed lands as established in Sections 1 and 2 of this administrative regulation.(42 Ky.R. 2521; eff. 6-3-2016).