

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 3:130. Public use of department-owned or managed properties that are not Wildlife Management Areas~~conservation camp properties~~.

RELATES TO: KRS 150.010, 150.025, 150.170, 150.175, 150.390, 28 C.F.R. 35, 36, 43 C.F.R. 17

STATUTORY AUTHORITY: KRS 150.025(1), 150.0241, 150.179(2), 150.620

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

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, to make administrative regulations apply to a limited area, and as otherwise necessary to carry out the purposes of KRS Chapter 150. KRS 150.179(2) authorizes the department to approve certain special events that provide education or appreciation of the recreational activity. KRS 150.0241 authorizes the department to impose and enforce special administrative regulations on lands managed for public hunting, fishing, and related recreational uses. 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 procedures to allow individuals meeting defined criteria for mentored events to boat, fish, hunt, shoot, or trap as part of a department-approved activity or program. This administrative regulation establishes prohibitions for certain actions inconsistent with the intended purpose of education~~conservation~~ camp, hatchery, and other department-owned or managed properties that are not Wildlife Management Areas~~properties~~ and establishes requirements for other uses of these areas.

Section 1. ~~Definitions.~~

~~[(1)] ["Adult" means a person who is at least eighteen (18) years of age.]~~

~~[(2)] ["Bait":]~~

~~[(a)] [Means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, that could lure, entice, or attract wildlife; and]~~

~~[(b)] [Does not mean the establishment and maintenance of plantings for wildlife, foods found scattered solely as the result of normal agricultural planting or harvesting practices, foods available to wildlife through normal agricultural practices of livestock feeding if the areas are occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices.]~~

~~[(3)] ["Conservation camp" means a tract of land:]~~

~~[(a)] [Controlled by the department through ownership, lease, license, or cooperative agreement; and]~~

~~[(b)] [That is utilized to host conservation camps.]~~

~~[(4)] ["Event" means a boating, fishing, hunting, shooting, or trapping activity, conducted by the department.]~~

~~{{(5)} ["Mentee" means an individual who is participating or going to participate in a mentored event to receive guidance and instruction from a mentor to learn the lawfully compliant methods and techniques for engaging in the activity being performed in the mentored event.]}~~

~~{{(6)} ["Mentor" means an adult who:]}~~

~~{{(a)} [Has previously participated in a particular activity;]}~~

~~{{(b)} [Is well versed in the techniques, equipment, and safety concerns related to the activity that is to occur at an event; and]}~~

~~{{(c)} [Passes a background check prior to accompanying a mentee during a mentored event.]}~~

~~{{(7)} ["Mentored event" means an event during a statewide season in which mentors accompany mentees.]}~~

~~{{(8)} ["Mobility-impaired" means an individual who meets the requirements of 301 KAR 3:026, Section 2(1).]}~~

~~{{(9)} ["Novice" means a person who has not:]}~~

~~{{(a)} [Held the applicable license for an event activity for more than two (2) license years in total;]}~~

~~{{(b)} [Held the applicable license for an event activity within the past three (3) years;]}~~

~~{{(c)} [Successfully harvested the targeted species for an event within the past three (3) years; or]}~~

~~{{(d)} [For shooting and boating activities, participated in the activity more than five (5) times within the past three (3) years.]}~~

~~{{(10)} ["Participant" means an individual who engages in boating, fishing, hunting, shooting, or trapping, as part of an event.]}~~

~~[Section 2.]~~ General Requirements on Education Camp and Hatchery Properties.

(1) Unless established in this administrative regulation, statewide requirements shall apply.

(2) A person shall only hunt or trap in the area assigned to them by department staff.

(3) While upon an education~~[a conservation]~~ camp or hatchery property, a person shall not:

(a) Enter a portion of ~~[a conservation camp]~~ property designated by signage as closed to public access;

(b) Camp, except in a designated area at an education camp;

(c) Place or distribute bait or otherwise participate in baiting wildlife~~[on a conservation]~~[camp property];

(d) Hunt over bait;~~[or]~~

(e) Possess or be under the influence of alcohol or "illicit substances", as defined by KRS 351.010(1)(l), at any time;~~[while on conservation camp property.]~~

(f) Use a mechanized vehicle, except:

1. On a maintained road open to public use; or

2. In a designated parking area;

(g) Ride a horse, except as permitted at an education camp;

(h) Damage a tree or shrub;

(i) Dump trash or litter;

(j) Set fires, except for campfires associated with an education camp activity;

(k) Cut or damage a fence or gate;

(l) Deface or destroy a sign;

(m) Dump the contents of a holding tank, portable toilet, or other container holding human waste;

(n) Collect or remove plants, unless part of an education camp activity;

(o) Place or cause to be placed an injurious substance on land or water;

- (p) Engage in an activity which is commercial in nature and intent without department approval;
 - (q) Hunt or fish in a hatchery production pond unless participating in a department-sanctioned event; or
 - (r) Hold a group event on hatchery property without first obtaining written authorization from the department.
- (4) Only individuals who possess valid hunter education certification may participate in a hunting or trapping event.
- (5) To participate in an event as a mentee, an individual shall be under eighteen (18) years of age or a novice in the activity.

Section 2. ~~[Section 3.]~~ Mentored Events on Education Camp and Hatchery Properties.

- (1) Unless license exempt, as established in KRS 150.170, the mentee shall abide by any license requirements and daily harvest and possession limits.
- (2) A mentor shall:
- (a) Accompany a mentee;
 - (b) Remain in a position at all times to take immediate control of a mentee's bow, crossbow, firearm, fishing gear, or any equipment used to legally hunt, trap, or fish; ~~and~~
 - (c) Not be required to possess a valid fishing or hunting license or related permits for the mentor to:
 - 1. Track and dispatch a wounded animal;
 - 2. Retrieve an animal; or
 - 3. Render other assistance in accordance with KRS Chapter 150 and 301 KAR Chapters 2 and 3.
- (3) A mentee shall:
- (a) Accompany a mentor;
 - (b) Remain in a position at all times so that the mentor may take immediate control of the mentee's bow, crossbow, firearm, fishing gear, or any equipment used to legally hunt, trap, or fish; and
 - (c) Possess all required licenses and permits.

Section 3. ~~[Section 4.]~~ Mobility-impaired Individuals.

- (1) Individuals who are participating in an event, possess a Mobility-impaired Access Permit as established in 301 KAR 3:026, and carry the permit on their person during the event, may, if otherwise qualified to do so at the event:
- (a) Discharge a firearm or other legal hunting device from a motor vehicle if the vehicle is motionless and has its engine turned off. The motor vehicle shall be used as a place to wait or watch for game and shall not be used to chase, pursue, or drive game; and
 - (b) Operate electric wheelchairs, ATV's, and other passenger vehicles on or off gated, ungated, or open-gated roads otherwise closed to vehicular traffic, but the individual shall do so only on designated portions of camp or hatchery property.
- (2) ATV users shall adhere to manufacturer recommendations while utilizing ATVs on camp property.

Section 4. ~~[Section 5.]~~ General Requirements on Federally Owned Areas.

- (1) Unless established in this administrative regulation, statewide requirements shall apply.
- (2) A person shall:
- (a) Not hunt except on assigned dates and in assigned areas; and
 - (b) Comply with all requirements established by the agency controlling the area.

Section 5. Department-owned or managed land that is not a Wildlife Management Area, Education Camp, or hatchery shall be closed to all hunting, fishing, or trapping unless:

- (1) A formal agreement for access to hunt, fish or trap has been entered into with the landowner and the department;
- (2) Prescribed to be open for fishing, hunting or trapping opportunities in any Chapter 150 regulation; or
- (3) The public is informed by conspicuously posting the allowances on signage at major access points on the area and posting the area requirements on the department's Web site at fw.ky.gov.

Section 6. Newly managed or acquired lands

- (1) Upon acquiring new public land, the department shall:
 - (a) Assess, within the first three (3) years of ownership or management, if opening the area to all hunting, all fishing, all trapping, take of certain species, or use of certain equipment would likely result in:
 1. Inadvertent trespassing on adjacent private land by hunters, anglers, or trappers;
 2. The activity having a negative impact to wildlife populations.
 3. Substantial risk of harm to members of the public engaged in the activity due to hazards that exist on the area;
 4. Substantial risk of harm to adjacent or nearby residential dwellings or commercial development; or
 5. Substantial risk of harm to members of the public entering the property due to construction activities; and
 - (b) Determine, within the first three (3) years of ownership or management, if the area is unsuitable for hunting, fishing, or trapping due to:
 1. The public benefit being greater if the department established the area for use as office space, equipment storage, parking, habitat preservation, a shooting range, boat ramp access, or exclusively for educational purposes;
 2. Ongoing management, habitat improvement, or research by the department which would conflict with the activity; or
 3. Species found within the area are deemed unsafe or unsuitable for consumption based upon suspected or confirmed environmental hazards or disease.
- (2) The department shall utilize the assessments and determinations required in this section, along with fiscal considerations, staffing requirements, public need, and anticipated public usage when determining if a newly acquired area shall be established as Wildlife Management Area, Education Camp, or hatchery or otherwise opened for public hunting, fishing, or trapping.

*APPROVED by the Fish and Wildlife Commission
RICH STORM, Commissioner*

APPROVED BY AGENCY: September 11, 2026

FILED WITH LRC: September 14, 2026 at 12:30 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 24, 2026, at 12:30 p.m., at KDFWR Administration Building, 1 Sportsman's Lane, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2026.

Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jenny Gilbert, Legislative Liaison, Kentucky Department of Fish and Wildlife Resources, 1 Sportsman's Lane, (502) 564-3400, fax: (502) 564-0506, email: fw.publicaffairs@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Jenny Gilbert, **Phone:** 502-564-3400, **Email:** fw.publicaffairs@ky.gov

Subject Headings:Fish and Wildlife, Conservation, Fishing, Hunting

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes procedures to allow individuals meeting defined criteria for mentored events to boat, fish, hunt, shoot, or trap as part of a department-approved activity or program. KRS 150.0241 authorizes the department to impose and enforce special administrative regulations on lands managed for public hunting, fishing, and related recreational uses. This administrative regulation prohibits certain actions inconsistent with the intended purpose of conservation camp properties, establishes requirements for other uses, and stipulates the guidelines for participation in events.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to establish guidelines under which the department may operate special mentored events and regulate activity on property owned or managed by the department that is not a wildlife management area (WMA).

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 150.025(e) authorizes the department to regulate or restrict the places where taking is permitted. KRS 150.025(g) authorizes the department to make administrative regulations apply to a limited area or to the entire state. KRS 150.0241 authorizes the department to impose and enforce special administrative regulations on lands managed for public hunting, fishing, and related recreational uses.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation establishes when, how and duration of restrictions to normal hunting, fishing and trapping activities on property owned or managed by the department that is not a wildlife management area (WMA) or on lands to address public safety concerns.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment will combine and simplify regulatory language dealing with department land that is not a WMA, add provisions for property set aside for other uses and adds provisions for closure of land by signage.

(b) The necessity of the amendment to this administrative regulation:

This amendment is necessary to allow the property utilization of land owned or managed by the department that is not a WMA and to consolidate redundant language in other regulations.

(c) How the amendment conforms to the content of the authorizing statutes:

See 1 (c) above.

(d) How the amendment will assist in the effective administration of the statutes:

See 1(d) above.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Any individual, business, organization or government entity utilizing KDFWR owned or managed lands.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

No action is necessary except to follow the restrictions applicable to each property.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

There will be no cost.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Benefits for users will include higher quality public lands, hazard avoidance and better infrastructure.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There is no added cost to implement this amendment.

(b) On a continuing basis:

There will be no additional cost on a continuing basis.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The Fish and Game Fund.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

There will be no increase in fees or funding.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

N/A

(10) TIERING: Is tiering applied?

Tiering is not applied.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

150.025(1), 150.0241, 150.179(2), 150.620

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

N/A

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky Department of Fish and Wildlife Resources

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

There will be no fiscal impact to local entities with this amendment.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

N/A

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

There will be no fiscal impact.

(b) Methodology and resources used to reach this conclusion:

This regulation amendment deals with function and policy for existing public land use and will not have a fiscal impact on the department or the public.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

N/A

(b) The methodology and resources used to reach this conclusion:

N/A.