

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

301 KAR 2:178. Deer hunting on Wildlife Management Areas, state parks, other public lands, and federally controlled areas.

RELATES TO: KRS 150.010, 150.170, 150.340, 150.370(1), 150.990

STATUTORY AUTHORITY: 148.029(5), 150.025(1), 150.390(1), 150.620

NECESSITY, FUNCTION, AND CONFORMITY: KRS 148.029(5) authorizes the Department of Parks, in cooperation with the Department of Fish and Wildlife Resources, to implement wildlife management plans on state parks. 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 to make these requirements apply to a limited area. KRS 150.390(1) prohibits the taking of deer in any manner contrary to any provisions of KRS Chapter 150 or KAR Title 301. 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 deer hunting seasons, application procedures, and other matters pertaining to deer hunting on Wildlife Management Areas, state parks, other public lands, and federally controlled areas that differ from statewide requirements.

Section 1. Definitions.

- (1) "Adult" means a person who is at least eighteen (18) years of age.
- (2) "Bait" means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, that may lure, entice, or attract wildlife.
- (3) "Centerfire" means a type of gun that detonates a cartridge by the firing pin striking a primer in the middle of the end of the cartridge casing.
- (4) "Ground blind" means a structure consisting of a frame and a top that is placed on the ground to completely enclose a hunter while hunting deer.
- (5) "In-line muzzleloader" means a gun:
 - (a) Capable of being loaded only from the discharging end of the barrel or cylinder; and
 - (b) That is equipped with an enclosed ignition system located directly behind the powder charge.
- (6) "Mentor hunt" means a quota youth hunt in which the adult who accompanies a youth may legally take a deer.
- (7) "Mobility-impaired" means an individual who meets the requirements of 301 KAR 3:026, Section 2(1).
- (8) "Modern gun" means an air gun, rifle, handgun, or shotgun that is loaded from the rear of the barrel.
- (9) "Modern gun season" means the sixteen (16) consecutive day period beginning the second Saturday in November during which a modern gun may be used to take deer pursuant to 301 KAR 2:172.
- (10) "Muzzleloader" means a rifle, shotgun, or handgun that is loaded from the discharging end of the barrel or discharging end of the cylinder.
- (11) "Quota hunt" means a hunt in which a participant is selected by a random drawing.
- (12) "Quota youth hunt" means a quota hunt in which a youth is the only person who can legally take a deer.
- (13) "Statewide requirements" mean the season dates, zone descriptions, and other requirements for deer hunting as established in 301 KAR 2:172.

- (14) "Wildlife management area" or "WMA" means a tract of land:
 - (a) Controlled by the department through ownership, lease, license, or cooperative agreement; and
 - (b) That has "Wildlife Management Area" or "WMA" as part of its official name.
- (15) "Youth" means a person under the age of sixteen (16) by the date of the hunt.
- (16) "Youth gun seasons" means the October youth gun season and the December free youth weekend, as established in 301 KAR 2:172.

Section 2. General WMA Requirements.

- (1) Unless established in this administrative regulation, statewide requirements shall apply.
- (2) Except as established in Section 6 of this administrative regulation, if a WMA is in two (2) or more deer hunting zones, as established in 301 KAR 2:172, then the WMA shall be regulated by the most liberal zone requirements of the zones in which it lies.
- (3) Deer hunting on WMAs listed in Section 6 of this administrative regulation shall be permitted only as established in this administrative regulation, except archery and crossbow hunting shall be allowed pursuant to the statewide requirements established in 301 KAR 2:172, unless otherwise noted.
- (4) If a WMA is:
 - (a) Listed in Section 6 of this administrative regulation, then gun hunting shall be prohibited, unless otherwise noted; and
 - (b) Not listed in Section 6 of this administrative regulation, then statewide deer hunting requirements shall apply.
- (5) An antlerless deer shall not count against a person's statewide or zone bag limit if harvested during:
 - (a) The Grayson Lake WMA open youth hunt; or
 - (b) Any WMA or state park either-sex quota hunt.
- (6) An open gun deer hunt, beginning on the Wednesday following the third Monday in January for ten (10) consecutive days, shall:
 - (a) Be limited to members of the United States Armed Forces and the National Guard and reserve component who:
 - 1. Are residents of Kentucky or nonresidents stationed in Kentucky; and
 - 2. Were deployed out-of-country during any portion of the most recent regular statewide deer season;
 - (b) Only be on a WMA designated as open for this special hunt; and
 - (c) Be pursuant to statewide requirements established in 301 KAR 2:172.
- (7) On all WMAs and Otter Creek Outdoor Recreation Area, a person:
 - (a) Attaching a tree stand or climbing a tree shall not use a:
 - 1. Nail;
 - 2. Spike;
 - 3. Screw-in device;
 - 4. Wire; or
 - 5. Tree climber;
 - (b) May use a portable stand or climbing device;
 - (c) Shall:
 - 1. Not place a portable stand in a tree more than two (2) weeks before opening day; and
 - 2. Remove a portable stand within one (1) week following the last day of each hunting period;
 - (d) Shall plainly mark the portable stand with the hunter's customer identification number~~[name and address]~~;
 - (e) Shall not use an existing permanent tree stand;

- (f) Shall not place, distribute, or hunt over bait; and
 - (g) Shall not hunt in a ground blind, if gun deer hunting is allowed, without first attaching a hat or vest made of solid, unbroken hunter orange material to the blind so that it is visible from all sides.
- (8) A person without a valid quota hunt confirmation number shall not enter a WMA during a quota hunt on that area except:
- (a) To travel through a WMA on an established road or to use an area designated open by a sign;
 - (b) To accompany a youth who is hunting in a youth or mentor quota hunt;
 - (c) That one (1) assistant, who shall not be required to have applied for the quota hunt, may accompany a hunter who was drawn to hunt, but shall check in and out as established in Section 5 of this administrative regulation; or
 - (d) To participate in small game hunting or the October shotgun segment of the fall turkey season during the archery and crossbow quota hunt on Big Rivers or Higginson-Henry WMA.
- (9) Except for waterfowl or dove hunting, or legal hunting at night, a person who is hunting any species, or a person who is accompanying a hunter, shall wear hunter orange clothing pursuant to 301 KAR 2:172 while:
- (a) On a WMA or state park if gun deer hunting is allowed;
 - (b) Hunting within the sixteen (16) county elk zone when a firearms elk season is open, pursuant to 301 KAR 2:132; or
 - (c) Hunting within the bear zone during a bear firearms season, pursuant to 301 KAR 2:300.

Section 3. General Quota Hunt Procedures.

- (1) A quota hunt applicant who is not selected and applies to hunt the following year shall be given one (1) preference point for each year the applicant was not selected.
- (2) If selected for a quota hunt, a person shall lose all accumulated preference points.
- (3) A random selection of hunters with preference points shall be made for each year's quota hunts before those without preference points are chosen.
- (4) A person shall forfeit all accumulated preference points if, in a given year, the person does not apply for or is ineligible to apply for:
 - (a) A deer quota hunt; and
 - (b) The no-hunt option.
- (5) A person who applies for the no-hunt option shall:
 - (a) Not be drawn for a quota hunt; and
 - (b) Be given one (1) preference point for each year the no-hunt option is selected.
- (6) If applying as a party:
 - (a) Each applicant's preference points shall be used to calculate an average point total for the party; and
 - (b) A party with a higher preference point average will be randomly selected before a party with a lower preference point average.
- (7) There shall be a maximum of ten (10) percent of nonresidents drawn in each quota hunt pool.
- (8) The commissioner shall extend the application deadline if technical difficulties with the automated application system prevent applications from being accepted for one (1) or more days during the application period.
- (9) A hunter may take up to two (2) deer on a quota hunt in Zones 2, 3, and 4, only one (1) of which may be an antlered deer, except as established in Section 6 of this administrative regulation.
- (10) If a hunter has purchased the appropriate permits, a hunter may take unlimited antlerless deer in:

- (a) The West Kentucky WMA gun hunt;
- (b) WMA quota hunts in Zone 1; and
- (c) State Park quota hunts in Zone 1, except as established in Section 8 of this administrative regulation.

~~[(11)] [One (1) person shall be drawn from the eligible quota hunt applicants who were not selected in the original drawing, and shall receive one (1) deer permit that carries with it all the privileges of the Special Commission Permit established in 301 KAR 3:100.]~~

Section 4. Quota Hunt Application Process. A person applying for a quota hunt shall:

- (1) Complete the quota hunt application process on the department's Web site at fw.ky.gov between September 1 and September 30;
- (2) Select:
 - (a) A first and second choice of hunts; or
 - (b) The no-hunt option;
- (3) Pay a nonrefundable three (3) dollar application fee for each applicant;
- (4) Not apply more than one (1) time; and
- (5) Not apply as a group of more than five (5) persons.

Section 5. Quota Hunt Participant Requirements. Except as otherwise established in this administrative regulation, a person selected to participate in a quota hunt shall:

- (1) Possess, unless exempted pursuant to KRS 150.170:
 - (a) A valid annual Kentucky hunting license; and
 - (b) A deer permit that authorizes the taking of deer with the equipment being used and in accordance with the zone restrictions where the hunt will occur;
- (2) Hunt on the assigned dates and in assigned areas selected by a random drawing of applicants if applicable;
- (3) Comply with hunting equipment restrictions specified by the type of hunt;
- (4) Check in at the designated check station prior to hunting:
 - (a) Either:
 - 1. On the day before the hunt, between noon and 8 p.m. local time; or
 - 2. On the day of the hunt, between 5:30 a.m. and 8 p.m. Eastern time; and
 - (b) With documentation of the participant's:
 - 1. Proof of identification or draw confirmation number; and
 - 2. Purchase of a current license or permit which allows or includes statewide deer hunting privileges;
- (5) Check out at the designated check station:
 - (a) If finished hunting;
 - (b) If the hunter's bag limit is reached; or
 - (c) By 8 p.m. Eastern time on the final day of the hunt;
- (6) Take a harvested deer to the designated check station by 8 p.m. Eastern time the day the deer was harvested;
- (7) Be declared ineligible to apply for the next year's drawing if the hunter or the hunter's assistant fails to check out properly;
- (8) Telecheck a harvested deer or check a harvested deer on the department's Web site at fw.ky.gov if there is not a designated check station at the quota hunt; and
- (9) Comply with all species quota hunt requirements or be ineligible to apply for any quota hunt or no-hunt option for these species the following year.

Section 6. Wildlife Management Area Requirements.

- (1) Dr. Norman and Martha Adair WMA.
- (2) Ballard WMA.
 - (a) On the main tract, the quota hunt shall be for two (2) consecutive days beginning on the first Saturday in November.

- (b) On the main tract, the archery, crossbow, and October youth gun seasons shall be open pursuant to statewide requirements through October 14, except that the two (2) mile driving loop marked by signs shall be closed to all hunting.
- (c) The archery, crossbow, modern gun, youth gun, and muzzleloader seasons shall be open pursuant to statewide requirements only on the 400-acre tract south of Sallie Crice Road.
- (d) A quota hunt participant shall be given one (1) preference point for each ~~antlerless~~~~female~~ deer checked in, up to a maximum of four (4) points.
- (3) Barren River WMA. The area shall be open pursuant to statewide requirements except that on the Peninsula Unit, including Narrows, Goose, and Grass Islands, a person shall not hunt deer with a modern gun.
- (4) Beaver Creek WMA.
- (a) The quota hunt shall be for two (2) consecutive days beginning the first Saturday in November.
- (b) The limit shall be one (1) antlered deer during the quota hunt.
- (c) The youth gun seasons shall be open pursuant to statewide requirements.
- (5) Big Rivers WMA.
- (a) The youth gun seasons shall be open pursuant to statewide requirements.
- (b) There shall be a quota hunt for two (2) consecutive days beginning the first Saturday in November.
- (c) The archery and crossbow quota hunt shall begin the Monday following the third Saturday in October and continue through November 30, except that it shall be closed during the two (2) day quota hunt as established in paragraph (b) of this subsection.
- (d) A person shall:
1. Obtain a vehicle tag from the department prior to participating in the quota hunt as established in paragraph (c) of this subsection; and
 2. Display the vehicle tag in the windshield of the vehicle while hunting.
- (6) Boatwright WMA. The area shall be open pursuant to statewide requirements, except that on the Swan Lake Unit the:
- (a) Archery, October youth gun, and crossbow seasons shall only be open through October 14; and
- (b) December free youth weekend shall be closed.
- (7) Cedar Creek Lake WMA.
- (8) Clay WMA.
- (a) On the main tract, muzzleloader and youth gun seasons shall be open pursuant to statewide requirements, except archery hunting shall be prohibited during the quota fox hunting field trials as established in 301 KAR 2:049.
- (b) The remainder of the WMA shall be open pursuant to statewide requirements for the archery, crossbow, muzzleloader, and youth gun seasons, except during the quota deer hunt.
- (c) The quota hunt shall be for two (2) consecutive days beginning the first Saturday in November.
- (d) A quota hunt participant shall be given one (1) preference point for each ~~antlerless~~~~female~~ deer checked-in, up to a maximum of four (4) points.
- (e) Hunters drawn for the quota hunt may harvest up to four (4) deer, only one (1) of which may be antlered.
- (9) Dewey Lake WMA.
- (a) The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
- (b) Guns shall be prohibited for deer hunting on the:
1. Western side of the lake, north of the Terry Boat Ramp; and

2. Eastern side of the lake, north of the ridge that begins across the lake from the Terry Boat Ramp, and extends eastward to the WMA boundary.
 - (c) There shall be a quota hunt for two (2) consecutive days beginning the first Saturday in November.
 - (d) There shall be a one (1) deer limit during the quota hunt.
- (10) Dix River WMA. The youth gun and muzzleloader seasons shall be open pursuant to statewide requirements.
- (11) Fishtrap Lake WMA.
- (a) The quota hunt shall be for two (2) consecutive days beginning on the Saturday before Thanksgiving.
 - (b) The limit for the quota hunt shall be one (1) deer.
 - (c) The youth gun and December muzzleloader seasons shall be open pursuant to statewide requirements.
- (12) Grayson Lake WMA.
- (a) An open youth hunt shall:
 1. Be the first Saturday in November for two (2) consecutive days; and
 2. Have a two (2) deer bag limit, only one (1) of which may be an antlered deer.
 - (b) A person who has not checked in shall not enter the Grayson Lake WMA during the open youth hunt, except to:
 1. Travel through the WMA on an established public road; or
 2. Use an area designated as open by signs.
 - (c) The property of Camp Webb shall be open for a mobility-impaired deer hunting event during the first weekend of October.
 - (d) The crossbow season shall be from the first Saturday in September through the third Monday in January, except that the archery and crossbow seasons shall be closed during the November open youth hunt.
 - (e) The youth gun seasons shall be open pursuant to statewide requirements.
 - (f) The December muzzleloader season shall be open pursuant to statewide requirements.
- (13) Green River Lake WMA and Dennis-Gray WMA.
- (a) The youth gun seasons shall be open pursuant to statewide requirements.
 - (b) The quota hunt shall be for two (2) consecutive days beginning the first Saturday in November.
 - (c) Fifteen (15) openings shall be reserved in the quota hunt for mobility-impaired persons.
 - (d) The Green River Lake and Dennis-Gray WMAs shall be considered to be located in the Eastern Time Zone.
- (14) Griffith Woods WMA. The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
- (15) Higginson-Henry WMA.
- (a) The youth gun seasons shall be open pursuant to statewide requirements.
 - (b) There shall be a quota hunt for two (2) consecutive days beginning the first Saturday in November.
 - (c) There shall be an archery and crossbow quota hunt beginning the Monday following the third Saturday in October continuing through November 30, except that it shall be closed during the two (2) day quota hunt as established in paragraph (b) of this subsection.
 - (d) A person shall:
 1. Obtain a vehicle tag from the department prior to participating in the quota hunt as established in paragraph (c) of this subsection; and
 2. Display the vehicle tag in the windshield of the vehicle while hunting.

- (16) J.C. Williams WMA. The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
- (17) Kentucky River WMA.
- (a) The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
 - (b) There shall be a quota hunt for two (2) consecutive days beginning on the first Saturday in November.
- (18) Kleber WMA.
- (a) The quota hunts shall be for:
 1. Two (2) consecutive days beginning the first Saturday in November; and
 2. Two (2) consecutive days beginning the first Saturday in December.
 - (b) The youth gun and December muzzleloader seasons shall be open pursuant to statewide requirements.
- (19) Knobs State Forest WMA. The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
- (20) Lake Barkley WMA shall be open pursuant to statewide requirements except:
- (a) The North Refuge shall be closed from November 1 to February 15; and
 - (b) Duck Island shall be closed from October 15 to March 15, except that it shall be open for the October muzzleloader season, pursuant to statewide requirements.
- (21) Livingston County WMA. The youth gun, muzzleloader, and modern gun seasons shall be open pursuant to statewide requirements, except a person shall not hunt deer with a modern gun during the modern gun deer season.
- (22) Curtis Gates Lloyd WMA. The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
- (23) Mill Creek WMA.
- (a) The youth gun seasons shall be open pursuant to statewide requirements.
 - (b) The modern gun season shall be open pursuant to statewide requirements for two (2) consecutive days beginning the second Saturday in November.
- (24) Miller-Welch Central Kentucky WMA. The archery and crossbow seasons shall be open pursuant to statewide requirements:
- (a) On Monday through Thursday, from the first Saturday in September through December 17, except during scheduled field trials as posted on the area bulletin board; and
 - (b) December 18 through the third Monday in January.
- (25) Mud Camp Creek WMA. The youth gun and muzzleloader seasons shall be open pursuant to statewide requirements.
- (26) Mullins WMA. The youth gun and December muzzleloader seasons shall be open pursuant to statewide requirements.
- (27) Ohio River Islands WMA, Stewart Island Unit.
- (a) The muzzleloader season shall be for two (2) consecutive days beginning the third Saturday in October.
 - (b) The archery season shall be from the first Saturday in September through October 14.
 - (c) The crossbow season shall be from October 1 through October 14.
 - (d) The October youth gun season shall be open pursuant to statewide requirements.
 - (e) The remainder of the WMA shall be open pursuant to statewide requirements.
- (28) Paintsville Lake WMA.
- (a) The quota hunt shall be for two (2) consecutive days beginning the first Saturday in November.
 - (b) The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
 - (c) A person shall not use a gun for deer hunting on:

1. The area extending eastward from the drainage of Glade Branch, along the north edge of the lake, to the No Hunting Area surrounding Rocky Knob Recreation Area and enclosing all property from the WMA boundary downslope to the lake edge; and

2. The islands to the south and that portion of the area extending eastward along the south edge of the lake from the drainage of Shoal Branch to the No Hunting Area surrounding the dam and ranger station, and extending downslope to the edge of the lake.

(29) Peabody WMA.

(a) The youth gun and muzzleloader seasons shall be open pursuant to statewide requirements.

(b) The modern gun season shall be open pursuant to statewide requirements for ten (10) consecutive days beginning the second Saturday in November.

(30) Pennyrile State Forest-Tradewater WMA. The quota hunt shall be for two (2) consecutive days beginning the first Saturday in November.

(31) Ping-Sinking Valley WMA. The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.

(32) Pioneer Weapons WMA. Statewide requirements shall apply except that a person:

(a) Shall not use a modern gun;

(b) Shall not use an in-line muzzleloader;

(c) Shall not use a scope;

(d) May use a crossbow during the entire archery season; and

(e) Shall use only open or iron sights on any weapon.

(33) Redbird WMA.

(a) The youth gun seasons shall be open pursuant to statewide requirements.

(b) The modern gun season shall be open pursuant to statewide requirements for two (2) consecutive days beginning the second Saturday in November.

(34) Dr. James R. Rich WMA.

(a) There shall be a quota hunt for two (2) consecutive days beginning on the first Saturday in:

1. November; and

2. December; and

(b) The youth gun and December muzzleloader seasons shall be open pursuant to statewide requirements.

(35) Robinson Forest WMA.

(a) A person shall not hunt deer on the main block of Robinson Forest.

(b) The remainder of the WMA shall be open pursuant to statewide requirements.

(36) Rockcastle River WMA.

(a) The youth gun seasons shall be open pursuant to statewide requirements.

(b) The modern gun season shall be open pursuant to statewide requirements for two (2) consecutive days beginning the second Saturday in November.

(37) Sloughs WMA.

(a) On the Sauerheber Unit, the archery, crossbow, muzzleloader, and youth gun seasons shall be open pursuant to statewide requirements through October 31.

(b) The remainder of the WMA shall be open pursuant to statewide requirements.

(38) South Shore WMA.

(a) The youth gun, October muzzleloader, and modern gun seasons shall be open pursuant to statewide requirements through November 14, except that the use of centerfire rifles and handguns shall be prohibited.

(b) The archery and crossbow seasons shall be open pursuant to statewide requirements, except that the area shall be closed November 15 through January 15.

- (c) The December free youth weekend and December muzzleloader season shall be closed.
- (39) T.N. Sullivan WMA. The youth gun and December muzzleloader seasons shall be open pursuant to statewide requirements.
- (40) R.F. Tarter WMA. The youth gun and muzzleloader seasons shall be open pursuant to statewide requirements.
- (41) Taylorsville Lake WMA.
- (a) There shall be a quota hunt for two (2) consecutive days beginning the first Saturday in:
1. November; and
 2. December.
- (b) Seven (7) openings shall be reserved in each quota hunt for mobility-impaired persons.
- (c) A quota hunt participant shall be given one (1) preference point for each ~~antlerless~~~~female~~ deer checked in, up to a maximum of four (4) points.
- (d) The youth gun and December muzzleloader seasons shall be open pursuant to statewide requirements.
- (42) Twin Eagle WMA. The youth gun and December muzzleloader seasons shall be open pursuant to statewide requirements.
- (43) Paul Van Booven WMA.
- (44) Veteran's Memorial WMA.
- (a) The December muzzleloader and youth gun seasons shall be open pursuant to statewide requirements.
- (b) There shall be a quota hunt for two (2) consecutive days beginning the first Saturday in ~~November.~~~~;~~
- ~~[1.] [November; and]~~
- ~~[2.] [December for antlerless deer.]~~
- ~~[(c)] [A participant in the December antlerless only quota hunt shall be given one (1) preference point for each female deer checked in, up to a maximum of four (4) points.]~~
- (45) West Kentucky WMA.
- (a) All tracts shall be open pursuant to statewide requirements for the archery and crossbow seasons, except that the statewide archery and crossbow seasons shall be closed during department administered quota or mentor deer hunts~~[, mentor, and gun deer hunts].~~
- (b) Tracts 1-6 shall be open to shotgun and muzzleloader hunters participating in the quota hunt~~[and open gun deer hunts].~~
- (c) Tract 7 and "A" tracts shall not be open for department administered quota or mentor deer~~[or gun deer]~~ hunts, except as established in paragraph (d) of this subsection.
- (d) The "A" tracts shall be open to shotgun hunters participating in the mentor hunt.
- (e) The quota hunt shall be for four (4) consecutive days beginning the Saturday prior to Thanksgiving.
- (f) There shall be a mentor hunt for four (4) consecutive days beginning the Saturday prior to Thanksgiving in which:
1. There shall be no more than two (2) youths per adult;
 2. There shall be no more than one (1) adult per youth; and
 3. The adult may take a deer.
- (g) ~~[The gun hunt shall:]~~
- ~~[1.] [Be for three (3) consecutive days beginning the Saturday preceding the third Monday in January;]~~
- ~~[2.] [Require a hunter to check in at a designated check station from 4 p.m. to 8 p.m. Central time on the day before the hunt or between 4:30 a.m. and 7 p.m. Central~~

~~time on hunt days;~~

~~[3.] [Require a hunter to check out at the designated check station:]~~

~~[a.] [When finished hunting; or]~~

~~[b.] [By 7 p.m. Central time on the final day of the hunt;]~~

~~[4.] [Have an unlimited bag limit, only one (1) of which may be an antlered deer; and]~~

~~[5.] [Require every person to check in during the gun hunt, except for:]~~

~~[a.] [A person traveling on an established public road; or]~~

~~[b.] [A person in an area designated as open by signs.]~~

~~[(h)]~~ Gun hunters shall not use centerfire rifles or handguns.

~~[(i)]~~ All persons shall check in daily at the designated check-in locations before entering the "A" tracts.

~~[(j)]~~ A participant in the quota hunt, mentor hunt, or open gun hunt shall:

1. Sign in for the hunting tract of his or her choice at check-in prior to each day's hunt; and

2. Not hunt outside of that tract, except after noon.

(46) Yatesville WMA.

(a) The youth gun and muzzleloader seasons shall be open pursuant to statewide requirements.

(b) The modern gun season shall be open pursuant to statewide requirements for ten (10) consecutive days beginning the second Saturday in November.

(47) Yellowbank WMA. The December muzzleloader and youth gun deer seasons shall be open pursuant to statewide requirements.

Section 7. State Park Deer Seasons.

(1) A state park may allow archery and crossbow hunting from the first Saturday in September through the third Monday in January for antlered or antlerless deer.

(2) A state park may allow up to sixteen (16) days of modern gun hunting and up to eleven (11) days of muzzleloader hunting from the first Saturday in September through the third Monday in January for antlered or antlerless deer.

(3) A state park shall be open to deer hunting as established in this subsection and Section 8 of this administrative regulation.

(a) Greenbo Lake State Resort Park. Archery and crossbow deer hunting shall be allowed beginning on the:

1. First Friday of November for three (3) consecutive days;

2. Second Friday of November for three (3) consecutive days; and

3. Deer hunting shall be allowed beginning on the first Tuesday of January for two (2) consecutive days.

(b) Green River Lake State Park.

1. Archery and crossbow deer hunting shall be allowed beginning on the second Thursday of December for four (4) consecutive days.

2. Archery and crossbow deer hunting shall be allowed beginning on the third Thursday of December for four (4) consecutive days.

(c) Dale Hollow Lake State Resort Park.

1. Archery and crossbow deer hunting shall be allowed beginning on the first Monday of November for five (5) consecutive days.

2. Youth deer hunting shall be allowed beginning on the second Saturday of December for two (2) consecutive days.

3. Deer hunting shall be allowed beginning on the first Saturday of January for two (2) consecutive days.

(d) Kenlake State Resort Park.

1. Archery and crossbow deer hunting shall be allowed beginning on the second Thursday of November for four (4) consecutive days.
 2. Archery and crossbow deer hunting shall be allowed beginning on the first Saturday in January for two (2) consecutive days.
- (e) Kincaid Lake State Park.
1. Deer hunting shall be allowed beginning on the first Thursday of December for four (4) consecutive days.
 2. Deer hunting shall be allowed beginning on the second Thursday of December for four (4) consecutive days.
- (f) Yatesville Lake State Park. Muzzleloader, archery, and crossbow deer hunting shall be allowed pursuant to statewide requirements on the Monday following the second Saturday of December for three (3) consecutive days.
- (g) Jenny Wiley State Resort Park.
1. Deer hunting shall be allowed beginning on the first Saturday of January for two (2) consecutive days.
 2. The bag limit shall be two (2) deer, only one (1) of which may be antlered.
 3. The hunt shall be open to the first fifteen (15) mobility-impaired persons who check in at the park on the day before the hunt.
 4. A person who participates in the hunt shall comply with the requirements established in 301 KAR 3:026.

Section 8. State Park Deer Hunt Requirements.

- (1) A person shall not hunt on a state park unless:
 - (a) Selected by a random drawing as established in Section 3 of this administrative regulation;
 - (b) The person is a member of a successful applicant's quota hunt party;
 - (c) The person is participating in a deer hunt established in Section 7 of this administrative regulation; or
 - (d) The person successfully registers on a first-come, first-served basis as part of a process administered by the Department of Parks, at an area established in subparagraphs 1. through 6. of this paragraph:
 1. Blue Licks Battlefield State Resort Park;
 2. Carter Caves State Resort Park;
 3. John James Audubon State Park;
 4. Lake Barkley State Resort Park;
 5. My Old Kentucky Home State Park; and
 6. Taylorsville Lake State Park.
- (2) A person participating in a state park quota hunt, except for the quota hunts at Green River Lake State Park and the Yatesville Lake State Park open deer hunt, shall:
 - (a) Check in and check out as required in Section 5 of this administrative regulation;
 - (b) Furnish at check-in a driver's license or other form of government-issued identification;
 - (c) Check in:
 1. Between noon and 8 p.m. Eastern time the day before the hunt at the state park campground if hunting in the Yatesville Lake State Park open deer hunt; or
 2. At the park the day before the hunt if hunting in the Jenny Wiley State Resort Park deer hunt; and
 - (d) Not be eligible to apply for a quota hunt the following year if the person does not check out as required in Section 5 of this administrative regulation.
- (3) A person participating in a state park deer hunt shall:
 - (a) Comply with the requirements established in 301 KAR 2:172; and

- (b) Check a harvested deer by completing the telecheck or online check-in process as established in 301 KAR 2:172.
- (4) A person participating in a state park deer hunt shall not:
- (a) Take more than one (1) antlered deer;
 - (b) Hunt over bait;
 - (c) Use:
 - 1. A tree stand except a portable stand;
 - 2. Climbing devices that nail or screw to the tree; or
 - 3. Climbing spikes;
 - (d) Leave a deer stand unattended for more than twenty-four (24) hours;
 - (e) Discharge a gun within 100 yards of a maintained road or building; or
 - (f) Hunt:
 - 1. In an area posted as closed by signs;
 - 2. Outside park boundaries; or
 - 3. From a ground blind, if gun deer hunting is allowed, unless first attaching a hat or vest made of solid, unbroken hunter orange material to the blind so that it is visible from all sides.
- (5) A person participating in a state park deer hunt, other than the open hunts at Jenny Wiley State Resort Park and Yatesville Lake State Park and any department-administered state park quota hunt, may take up to two (2) bonus deer per hunt that shall not count toward the statewide limit if the person:
- (a) Takes no more than one (1) bonus antlered deer per license year; and
 - (b) Obtains the valid bonus deer tag from the state park hunt administrators.
- (6) A person participating in a state park deer hunt or in possession of harvested wildlife on state park property shall comply with all posted state park rules and regulations concerning the possession, storage, or disposal of harvested wildlife.

Section 9. Other Public Lands.

- (1) On Daniel Boone National Forest, Jefferson National Forest, and Land Between the Lakes, a person shall not use bait.
- (2) The areas established in paragraphs (a) through (g) of this subsection may schedule a gun, crossbow, or archery deer hunting season between September 1 and January 31:
- (a) Big South Fork National River and Recreation Area;
 - (b) Clark's River National Wildlife Refuge;
 - (c) Daniel Boone National Forest;
 - (d) Jefferson National Forest;
 - (e) Land Between the Lakes National Recreation Area;
 - (f) Ohio River Islands National Wildlife Refuge; and
 - (g) Reelfoot National Wildlife Refuge.
- (3) An area listed in subsection (2) of this section may issue a bonus permit for antlered or antlerless deer, which shall:
- (a) Not count against a hunter's statewide bag limit; and
 - (b) Only be issued for a hunt that is open to the general public.
- (4) At Land Between the Lakes, a person:
- (a) Shall not take more than:
 - 1. Two (2) deer during archery hunts; and
 - 2. One (1) deer during quota hunts;
 - (b) Who is a quota deer hunter shall:
 - 1. Apply in advance at Land Between the Lakes; and
 - 2. Only hunt from one-half (1/2) hour before sunrise until one-half (1/2) hour after sunset; and
 - (c) Who harvests a deer shall:

1. Check in the carcass pursuant to U.S. Forest Service requirements; and
 2. Affix a game check card pursuant to U.S. Forest Service requirements.
- (5) At Reelfoot National Wildlife Refuge:
- (a) On the Long Point Unit, a valid hunting license and deer permit from either Kentucky or Tennessee shall be required for deer hunting.
 - (b) Zone 1 bag limits shall apply during the open archery season and quota youth hunt;
 - (c) A person shall not take more than two (2) deer by gun during the quota hunt, only one (1) of which shall be antlered;
 - (d) A quota gun hunt participant shall:
 1. Tag deer as instructed by the Refuge; and
 2. Comply with the Refuge check-in requirements; and
 - (e) A person who is archery hunting or in a quota youth hunt shall:
 1. Only take deer using the appropriate statewide or additional deer permit; and
 2. Check harvested deer through the department's telephone or online check-in systems.
- (6) At Otter Creek Outdoor Recreation Area:
- (a) The archery and crossbow seasons shall be open pursuant to statewide requirements; and
 - (b) There shall be a quota hunt for two (2) consecutive days beginning the second Saturday in December.
- (7) At Twin Knobs Campground, the area shall be closed to all statewide seasons, except that there shall be a quota hunt on the second Saturday in December during odd-numbered years for mobility-impaired persons.
- (8) At Zilpo Campground, the area shall be closed to all statewide seasons, except that there shall be a quota hunt on the second Saturday in December during even-numbered years for mobility-impaired persons.

Section 10. Special Areas under Federal Control.

- (1) The areas established in paragraphs (a) through (e) of this subsection may schedule a gun, archery, or crossbow deer hunting season between September 1 and January 31:
 - (a) Bluegrass Army Depot;
 - (b) Fort Campbell;
 - (c) Fort Knox;
 - (d) Hidden Valley Training Center; and
 - (e) Wendell Ford Regional Training Center.
- (2) An area listed in subsection (1) of this section may issue a bonus permit for antlered or antlerless deer, which shall:
 - (a) Not count against a hunter's statewide bag limit; and
 - (b) Only be issued for a hunt that is open to the general public.
- (3) Except on the Hidden Valley Training area, on the areas listed in subsection (1) of this section, a deer hunter shall:
 - (a) Obtain a permit from the area before hunting;
 - (b) Only hunt on assigned dates;
 - (c) Remain in assigned areas;
 - (d) Tag deer with tags issued on the area, unless otherwise established in this section;
 - (e) Keep the area tag attached to the deer until the carcass is processed; and
 - (f) Check deer at a designated check station before leaving the area.
- (4) At Bluegrass Army Depot, a person shall not take an antlered deer whose outside antler spread is less than fifteen (15) inches.
- (5) At Fort Knox, a person shall:
 - (a) Not take an antlered deer whose outside antler spread is less than twelve (12) inches;

(b) Not use bait; and

(c) Record harvested deer on a Fort Knox harvest log and check harvested deer pursuant to area requirements and as established in 301 KAR 2:172.

(6) At Hidden Valley Training Area, a person shall not use a gun to hunt deer.

(21 Ky.R. 2571; eff. 5-10-1995; Am. 1877; eff. 6-6-1996; 23 Ky.R. 3873; eff. 7-9-1997; 24 Ky.R. 2744; eff. 8-17-1998; 25 Ky.R. 2655; 26 Ky.R. 44; eff. 7-14-1999; 27 Ky.R. 206; 748; eff. 8-24-2000; 3336; 28 Ky.R. 360; eff. 8-15-2001; 2646; eff. 8-12-2002; 29 Ky.R. 2523; 2874; eff. 6-16-2003; 30 Ky.R. 985; 2562; eff. 1-5-2004; 31 Ky.R. 345; eff. 8-26-2004; 832; eff. 1-4-2005; 1711; 32 Ky.R. 58; eff. 7-13-2005; 32 Ky.R. 2101; 33 Ky.R. 96; eff. 7-12-2006; 3447; eff. 8-6-2007; 34 Ky.R. 2442; 35 Ky.R. 28, eff. 7-9-2008; 2354; 2673; eff. 7-6-2009; 36 Ky.R. 2084-A; 2316; eff. 6-3-2010; 37 Ky.R. 2065; 2568; eff. 6-3-11; 38 Ky.R. 1478; 1727; eff. 5-4-2012; 39 Ky.R. 1769; eff. 5-3-2013; 40 Ky.R. 1881; 2291; eff. 5-2-2014; 41 Ky.R. 91; eff. 9-4-2014; 1873; 2092; eff. 6-5-2015; 42 Ky.R. 2452; eff. 5-6-2016; 43 Ky.R. 1661, 2128; eff. 7-6-2017; 44 Ky.R. 2091, 2318; eff. 6-1-2018; 45 Ky.R. 2765, 3060; eff. 5-31-2019; 50 Ky.R. 1768; eff. 6-6-2024; 50 Ky.R. 1799; eff. 6-6-2024.)

RICH STORM, Commissioner

APPROVED BY AGENCY: January 11, 2024

FILED WITH LRC: January 12, 2024 at 11:00 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on March 28, 2024, at 10:30 a.m. at KDFWR Administration Building, 1 Sportsman 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 March 31, 2024. 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 Lane, phone (502) 564-3400, fax (502) 564-0506, email fwpubliccomments@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Jenny Gilbert

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the manner in which white-tailed deer may be taken in Kentucky on public land.

(b) The necessity of this administrative regulation:

Deer are a public resource entrusted to the state for management. As such, there must be regulations in place to control the method and manner in which deer may be taken.

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

Conforms to KRS 150.010, 150.170, 150.340, 150.370, and 150.990 as these statutes allow the department to establish bag limits, season structure, penalties, etc. for the taking of wild deer.

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

This regulation establishes the manner in which deer may be taken on public lands in Kentucky and therefore assists in the effective administration of the abovementioned statutes.

(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 removes two additive hunts where the deer densities are below objective, changes the preference point option from female to antlerless deer, and establishes new requirements when utilizing portable stands on public properties.

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

This amendment will allow for the deer population to increase on two of Kentucky's WMAs that are currently below objective. By changing the preference point option from any female to any antlerless deer, the department is mirroring language used in other regulations (e.g., 301 KAR 2:172) when establishing bag limits. Lastly, the new requirements on portable stands will allow law enforcement officers to better patrol public properties.

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

Conforms to KRS 150.010, 150.170, 150.340, 150.370, and 150.990 as these statutes allow the department to establish bag limits, season structure, penalties, etc. for the taking of wild deer.

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

The amendment will allow the department to better manage white-tailed deer take on public lands in Kentucky.

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

Removing the open gun hunt on West Kentucky WMA and the antlerless only hunt on Veteran's Memorial WMA does reduce opportunity for hunters that have historically utilized these hunts. Changing the preference point option from female to

antlerless allows for accrual of preference points when antlerless males or females are harvested instead of just female deer.

(4) Provide an analysis of how the entities identified in question (3) 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 (3) will have to take to comply with this administrative regulation or amendment:

No action required by aforementioned individuals.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

No cost associated with the amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The deer population should increase on the West Kentucky and Veteranâ€™s Memorial WMAs once these additive hunts are removed.

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

(a) Initially:

No cost initially.

(b) On a continuing basis:

No cost on a continuing basis; the WMAs affected by this amendment are already required to host staffed quota hunts in one form or another. Reducing two hunts will reduce costs associated with administering them.

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

Fish and Game funds.

(7) 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:

No additional funding required.

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

No additional fees will be established by this amendment.

(9) TIERING: Is tiering applied?

No tiering is applied; all hunters have equal access to Kentuckyâ€™s public properties and all have the ability to apply for quota hunts.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

No perceived impacts to the aforementioned groups.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 150.010, 150.170, 150.340, 150.370, and 150.990.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

No funding generated.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

No funding generated.

(c) How much will it cost to administer this program for the first year?

No cost.

(d) How much will it cost to administer this program for subsequent years?

No cost

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-): KDFWR will save money historically needed to administer the quota hunts the agency is removing from West Kentucky and Veteranâ€™s Memorial WMAs.

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

KDFWR will save the money it historically cost to administer quota hunts on West Kentucky and Veteranâ€™s Memorial WMAs. Cost savings unknown, but staff time is largest cost saving associated with the amendment.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

Cost savings unknown, but staff time is largest cost saving associated with the amendment.

(c) How much will it cost the regulated entities for the first year?

No cost.

(d) How much will it cost the regulated entities for subsequent years?

No cost.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):The department will save money on the staff time it historically took to administer the hunts on West Kentucky and Veteranâ€™s Memorial WMAs.

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]. No significant economic impact intended.