

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

**301 KAR 1:016. Use of lands and waters on lakes owned or controlled by the department.**

RELATES TO: KRS 150.090, 150.625, 150.640

STATUTORY AUTHORITY: KRS 150.025(1), 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 HB 6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department to promulgate administrative regulations reasonably necessary to implement or carry out the purposes of KRS Chapter 150. KRS 150.620 authorizes the department to promulgate administrative regulations governing the use of lands and waters it has acquired for wildlife management and public recreation. This administrative regulation governs all private structures on property owned or controlled by the department, the private use of public lake water, and permitted and prohibited activities on department-owned or controlled land surrounding department-owned waters.

~~Section 1. [Definitions.]~~

~~[(1)] ["Adjacent landowner" means the owner of real property that shares a common boundary with department property.]~~

~~[(2)] ["Boat dock" means a privately owned floating or fixed structure that is used by an adjacent landowner to moor a boat on department property.]~~

~~[(3)] ["Boat dock tag" means a metal tag provided by the department that has a unique combination of letters and numbers, and is permanently affixed to an approved boat dock so that it is visible from the lake.]~~

~~[(4)] ["Department property" means lands or waters controlled by the department through ownership, lease, license, easement, or cooperative agreement at the department-owned lakes listed in Section 2 of this administrative regulation.]~~

~~[(5)] ["Existing structure" means an exempted access or nonaccess structure built on department property prior to the effective date of this administrative regulation.]~~

~~[(6)] ["Normal pool" means a water level equal to the elevation of the lake's principal spillway.]~~

~~[(7)] ["Permanent dwelling" means a private residence on an adjacent landowner's land that is both fixed in location and of durable permanent construction, but does not include tents, motorized vehicles, trailers, camp trailers, or any type of interim construction or residence.]~~

~~[(8)] ["Rebuild" means to totally reconstruct.]~~

~~[(9)] ["Shoreline use permit" means a permit issued by the department that allows an adjacent landowner to construct a new access structure or to keep or rebuild an existing structure on department land.]~~

~~[Section 2.] Boat Docks, Boat Dock Applications, and Boat Dock Construction Approval.~~

(1) A boat dock may be constructed on department property by an adjacent landowner if the adjacent property:

- (a) Shares at least a fifty (50) foot boundary with the department property if the adjacent boundary lines were extended to the water's edge; and
- (b) Is located at one (1) of the following lakes:
  - 1. Beaver Lake;
  - 2. Boltz Lake;
  - 3. Bullock Pen Lake;
  - 4. Carpenter Lake;
  - 5. Corinth Lake;
  - 6. Elmer Davis Lake;
  - 7. Guist Creek Lake;
  - 8. Kincaid Lake;
  - 9. Kingfisher Lakes; or
  - 10. Lake Malone.
- (2) Prior to constructing a boat dock, an adjacent landowner shall submit a completed Boat Dock and Shoreline Use Application to the department, along with the applicable fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301KAR 5:022~~[accompanied by the permit]~~~~fee for the dock as established in 301 KAR 3:022~~, except that the fee shall be prorated for every year remaining in the ten (10) year permit period.
- (3) Boat dock construction shall not begin until:
  - (a) An on-site inspection by an authorized department employee has been completed; and
  - (b) The applicant has obtained written approval from the department to begin construction.
- (4) Boat dock construction approval shall be valid for one (1) year from the date of issuance.
- (5) A boat dock applicant shall:
  - (a) Report to the department when construction of a new boat dock is complete, an existing boat dock has been rebuilt, or an existing dock has been brought into compliance; and
  - (b) Allow inspection of the boat dock by an authorized department employee.
- (6) An adjacent landowner with an existing boat dock on Bullock Pen Lake shall be required to obtain a Boat Dock Permit~~[,]~~ but shall not be required to pay the permit fee until 2018.

Section 2. ~~[Section 3.]~~ Boat Dock Permits.

- (1) The department shall issue a Boat Dock Permit and Boat Dock Tag to an adjacent landowner:
  - (a) Who has satisfied the boat dock application requirements in Section 1~~[2]~~ of this administrative regulation;
  - (b) Who has a boat dock that has passed a final inspection by an authorized department employee;
  - (c) Whose permit has not been revoked pursuant to Section 7~~[8]~~ of this administrative regulation; and
  - (d) Who remains compliant with all the provisions of this administrative regulation.
- (2) The Boat Dock Tag issued with the boat dock permit shall be affixed to the front edge of the dock facing the lake.
- (3) A Boat Dock Permit shall:
  - (a) Be valid for a ten (10) year period, with the current permit period expiring December 31, 2017, and the next permit period beginning January 1, 2018;
  - (b) Be renewed within ninety (90) days of the termination date by:

1. Paying the applicable fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022~~[fee as established in 301 KAR 3:022]~~; and
2. Submitting an affidavit that no unauthorized addition or modification has been made to the boat dock;
- (c) Be transferable at no additional cost, if ownership changes, for the remainder of the ten (10) year period;
- (d) Not be renewed by the department if the boat dock is out of compliance, except as established in Section 3~~[4]~~ or Section 6~~[7]~~ of this administrative regulation; and
- (e) Prohibit the permittee from renting, leasing, or licensing the dock to another person for any purpose.
- (4) An adjacent landowner who owns multiple contiguous properties adjacent to department property shall:
  - (a) Not be issued more Boat Dock Permits than the number of completed permanent dwellings on those properties; or
  - (b) Qualify for one (1) Boat Dock Permit if there is no completed permanent dwelling on any of the contiguous properties.
- (5) An adjacent landowner shall only be eligible for one (1) Boat Dock Permit per adjacent property.

**Section 3. ~~[Section 4.]~~ Boat Dock Specifications and Requirements.**

- (1) A boat dock constructed or rebuilt after the effective date of this administrative regulation shall not exceed:
  - (a) Eight (8) by sixteen (16) feet in dimension; and
  - (b) A surface area of more than 128 square feet.
- (2) The longest dimension of the boat dock shall be positioned perpendicular to the shore.
- (3) A boat dock shall not have more than one (1) walkway connecting the boat dock to the shore that shall:
  - (a) Be positioned perpendicular to the shore;
  - (b) Be anchored to department property by:
    1. A concrete pad no larger than ten (10) square feet; or
    2. Two (2) metal posts on each side of the walkway.
  - (c) Not be wider than four (4) feet;
  - (d) Be the shorter of:
    1. A length sufficient to reach a water depth of two (2) feet when the lake is at normal pool; or
    2. Twenty (20) feet in length.
  - (e) Not be used for boat mooring.
- (4) The flotation for a boat dock shall be made from materials manufactured for marine use.
- (5) All wooden material on a boat dock shall be kiln-dried lumber that has been commercially pressure-treated with a wood preservative and shall not be painted.
- (6) A boat dock shall moor no more than:
  - (a) Two (2) boats; or
  - (b) One (1) boat and up to two (2) personal watercraft on Lake Malone and Guist Creek Lake only.
- (7) A personal watercraft mooring system that is attached to an approved boat dock at Lake Malone and Guist Creek Lake shall:
  - (a) Be a commercially manufactured floating system;
  - (b) Not exceed:
    1. Six (6) feet in width and fifteen (15) feet in length if mooring a single personal watercraft; or

2. Twelve (12) feet in width and fifteen (15) feet in length if mooring two (2) personal watercraft; and
- (c) Be attached to one (1) side of the boat dock, but not the front.
- (8) An additional johnboat, canoe, or personal watercraft may be stored on top of a boat dock, except a personal watercraft shall only be stored on top if a commercially manufactured self-loading ramp is used.
- (9) The following items shall be prohibited on boat docks:
  - (a) An enclosed structure;
  - (b) An unenclosed structure; and
  - (c) Any other items, structures, or deviations not identified in a previously obtained waiver, pursuant to Section ~~6~~~~7~~ of this administrative regulation.
- (10) A boat dock that was constructed prior to the effective date of this administrative regulation shall be exempt from the requirements established in subsections ~~(1)~~~~4~~ through ~~(6)~~~~6~~ of this section for the life of the boat dock.
- (11) A boat dock owner who rebuilds an existing dock, including those exempted by subsection ~~(10)~~~~10~~ of this section, shall reapply and meet all the requirements established in this section, except as established in Section ~~6~~~~7~~ of this administrative regulation.
- (12) A boat dock permit holder who applies to rebuild an existing, legally permitted boat dock during the ten (10) year permit period shall be exempt from paying the permit fee until permit renewal.
- (13) A private community boat dock or a private multi-slip boat facility shall not be allowed except as approved by the Finance and Administration Cabinet prior to January 1, 2010.

**Section 4. ~~Section 5.~~ Access Structures and Shoreline Use Permits.**

- (1) A shoreline use permit shall only be issued for the following lakes:
  - (a) Beaver Lake;
  - (b) Carpenter Lake;
  - (c) Corinth Lake;
  - (d) Elmer Davis Lake;
  - (e) Guist Creek Lake;
  - (f) Kincaid Lake; and
  - (g) Lake Malone.
- (2) Shoreline Use Permits shall be valid for a fifteen (15) year period beginning January 1, 2010.
- (3) An adjacent landowner with an existing structure shall apply for a Shoreline Use Permit within ninety (90) days following the effective date of this administrative regulation.
- (4) Prior to constructing a new access structure, rebuilding an existing access structure, or permitting an existing structure, an adjacent landowner shall submit to the department:
  - (a) A completed Boat Dock and Shoreline Use Permit Application~~Shoreline Use Permit Application~~; and
  - (b) The applicable fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022~~appropriate permit fee if applicable, as established in 301 KAR 3:022~~, except that the fee shall be prorated to the nearest five (5) year interval that remains in the fifteen (15) year permit period.
- (5) An adjacent landowner shall not begin construction of a new access structure or begin rebuilding an existing access structure until:
  - (a) An authorized department employee conducts an on-site visit and determines the type of access structure necessary for safe passage to the lake; and
  - (b) The adjacent landowner receives written approval from the department.

(6) Access structure construction approval shall be valid for one (1) year from the date of approval.

(7) A Shoreline Use Permit shall not be issued unless all shoreline structures have passed final inspection by an authorized department employee.

(8) A new access structure shall only include the following:

(a) A ground level pathway that shall:

1. Only have pretreated lumber or railroad ties as edging;
2. Not consist of asphalt, concrete, or any other permanent surface;
3. Only consist of crushed stone, wood chips, or other removable material as fill between the edging, except that local natural stones or rocks may be used as steps;
4. Not exceed five (5) feet in width including the edging; and
5. Follow the natural contour of the land if possible.

(b) A raised ground level pathway that shall:

1. Not exceed eight (8) inches in height;
2. Not exceed forty (40) steps, with each step not exceeding five (5) feet in width and eight (8) feet in length;
3. Only consist of pretreated, unpainted lumber; and
4. Follow the natural contour of the land if possible.

(c) A raised staircase that shall:

1. Not exceed four (4) feet in width;
2. Not have more than one (1) landing that does not exceed four (4) feet in width and four (4) feet in length;
3. Not have more than twenty (20) steps if a landing is not used;
4. Not have more than thirty (30) steps if a landing is used;
5. Only consist of pretreated, unpainted lumber; and
6. Conform to prevailing building code standards for stairs for the county of record or, if those standards do not exist, comply with Section 1009 of the Kentucky Building Code Standards for stairs, as established by 815 KAR 7:120; or

(d) A foot bridge that shall:

1. Not exceed four (4) feet in width and twelve (12) feet in length;
2. Not use a tree as an anchoring device; and
3. Only consist of pretreated, unpainted lumber.

(9) An adjacent landowner who has an existing access structure that was constructed prior to the effective date of this administrative regulation, shall be exempt from the requirements of subsection (8) of this section for the life of the structure, if the landowner applies for and maintains a valid Shoreline Use Permit.

(10) An adjacent landowner who rebuilds an existing access structure, including those grandfathered in subsection (9) of this section, shall be exempt from the requirements established in subsection ~~(8)~~<sup>(8)</sup> of this section provided the landowner maintains a valid Shoreline Use Permit.

(11) An existing access structure:

- (a) May be adequately maintained to extend the life of the structure;
- (b) May be rebuilt with less than or equal to the same number of steps in the original structure;
- (c) May be rebuilt with necessary landings not to exceed 4 ft. x 8 ft. in dimension; and
- (d) Shall conform to prevailing building code standards for the county of record or, if those standards do not exist, comply with Section 1009 of the Kentucky Building Code Standards for stairs, as established in 815 KAR 7:120.

(12) A Shoreline Use Permit shall:

- (a) Be renewed every fifteen (15) years within ninety (90) days of the termination date by:

1. Paying the applicable fee as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022~~[fee established in 301 KAR 3:022]~~; and
  2. Submitting an affidavit that an unauthorized addition or modification has not been made to a permitted structure.
- (b) Be transferable at no additional cost, if ownership changes, for the remainder of the fifteen (15) year period; and
- (c) Not be renewed if the access structure is out of compliance, except if the access structure was built prior to the effective date of this administrative regulation.
- (d) Be extended, by written request to the department, for an additional twelve (12) months if the property is transferred or the landowner dies during year fifteen (15) of the permit period.
- (13) An existing noncompliant access structure, pursuant to Section ~~7~~~~[8]~~ of this administrative regulation, shall be removed at the owner's expense.
- (14) Nonaccess structures, such as gazebos or storage buildings, excluding existing permanent dwellings, shall be:
- (a) Itemized in the adjacent landowner's Shoreline Use Permit; and
  - (b) Allowed to be kept and maintained by an adjacent landowner for the life of the structure provided the landowner maintains a valid Shoreline Use Permit.
- (15) The applicable Shoreline Use Permit fee, as referenced at <https://fw.ky.gov/Licenses/Pages/Fees.aspx> and established in 301 KAR 5:022~~[established in 301 KAR 3:022]~~, shall be based on the types of access structures established in subsection (8) of this section, and consist of the following three (3) tiers:
- (a) A Tier I permitted structure shall include:
    1. All compliant access structures pursuant to subsection (8) of this section;
    2. An existing access structure with fifteen (15) or less steps that is not compliant, pursuant to subsection (8) of this section;
    3. An existing footbridge; or
    4. A new footbridge that is compliant, pursuant to subsection ~~(8)~~~~[8]~~ of this section.
  - (b) A Tier II permitted structure shall include:
    1. An existing access structure having thirty (30) or less concrete steps; or
    2. An existing access structure that does not comply with the requirements established in subsection (8) of this section, and having sixteen (16) to thirty (30) steps.
  - (c) A Tier III permitted structure shall include:
    1. An existing access structure, including a concrete access structure, that does not comply with the requirements established in subsection ~~(8)~~~~[8]~~ of this section, and having more than thirty (30) steps;
    2. A new access structure that does not comply with the requirements established in subsection (8) of this section, and requires a waiver pursuant to the requirements of Section ~~6~~~~[7]~~ of this administrative regulation.
    3. An existing staircase that has one (1) or more landings that exceed ~~four~~~~[a]~~ four (4) feet in width or four (4) feet in length; or
    4. An existing nonaccess structure, such as a storage shed or gazebo.
- (16) If an adjacent landowner applies for a Shoreline Use Permit for multiple structures that cover more than one (1) tier, a single permit will be issued at the highest tier level for which the applicant qualifies.
- (17) A concrete access structure shall not be rebuilt.

#### Section 5. ~~[Section 6.]~~ Other Activities on Department Property.

- (1) A person shall not be permitted to take water from the lakes listed in Section ~~1~~~~[2]~~ of this administrative regulation, except for:

- (a) Residential use by adjacent landowners;
- (b) Temporary use in a time of emergency drought; or
- (c) An adjacent landowner who has been given the right to do so by deed.
- (2) A person, without obtaining written permission from the department, shall not:
  - (a) Place or build any unpermitted object or structure;
  - (b) Plant any vegetation;
  - (c) Place or use any mechanical equipment;
  - (d) Take water from any lake listed in Section 1[2] of this administrative regulation;
  - (e) Cut, clear, burn, damage, or kill trees or shrubs greater than two (2) inches in diameter measured at ground level; or
  - (f) Moor a boat to the shoreline for more than forty-eight (48) hours.

Section 6. [Section 7.] Waivers.

- (1) An adjacent landowner shall obtain a waiver from the department for any deviation to the specifications established in this administrative regulation by:
  - (a) Submitting a written request to the department; and
  - (b) Providing a detailed plan to the department of any planned deviation.
- (2) A person shall not begin construction on a project that includes a planned deviation until the department has approved a waiver.
- (3) The department, in deciding whether to grant a waiver for a new access structure, shall consider if:
  - (a) The deviation is in substantial compliance with the requirements established in this administrative regulation;
  - (b) The deviation poses a potential safety hazard;
  - (c) Topographical or other physical features of the land necessitate a deviation;
  - (d) The waiver request exceeds the staircase landing dimension or step limit by more than twenty (20) percent; and
  - (e) A new staircase will conform to prevailing building code standards for the county of record or, if those standards do not exist, complies with Section 1009 of the Kentucky Building Code Standards for stairs, as established in 815 KAR 7:120.
- (4) The department, in deciding whether to grant a waiver for a boat dock, shall consider if:
  - (a) The deviation is in substantial compliance with the requirements established in this administrative regulation;
  - (b) The deviation poses a potential safety hazard; and
  - (c) Topographical or other physical features of the land necessitate a deviation.
- (5) An adjacent landowner, either individually or as a director or high managerial agent of a business organization, who violates any provision of this administrative regulation shall be denied a waiver for a new or rebuilt structure for a period of two (2) years from the date of the citation, with the waiver denial applying to:
  - (a) The individual; and
  - (b) Any business for which the person is a director or high managerial agent.

Section 7. [Section 8.] Noncompliance, Permit Revocation, and Appeals.

- (1) The department shall revoke each Boat Dock Permit and Shoreline Use Permit issued to a person if that permit holder:
  - (a) Without department approval rebuilds an existing:
    - 1. Boat dock;
    - 2. Access structure; or
    - 3. Nonaccess structure.
  - (b) Constructs or places a new nonaccess structure on department property;
  - (c) Fails to:

1. Maintain the boat dock, boat dock walkway, access structure, or nonaccess structure in a structurally sound condition; or
  2. Renew the Boat Dock or Shoreline Use Permit within ninety (90) days of expiration.
- (2) An adjacent landowner who has a noncompliant boat dock, boat dock walkway, access structure, or nonaccess structure shall be notified in writing by the department that the landowner has sixty (60) days to come into compliance, to remove the boat dock, walkway, or structure, or to make an appeal as established in subsection (6)[6] of this section.
- (3) If the requirements of subsection (2) of this section are not met within sixty (60) days, the department shall have the authority to remove the noncompliant structure at the owner's expense and the structure shall become the property of the department.
- (4) If an adjacent landowner, either individually or as a director or high managerial agent of a business organization, violates any provision of this administrative regulation for a second time, the department shall revoke for a period of three (3) years from the date of the second citation all Boat Dock Permits and Shoreline Use Permits issued to:
- (a) The adjacent landowner;
  - (b) Any business organization for whom the individual adjacent landowner is a director or high managerial agent; and
  - (c) Any director or high managerial agent of the adjacent landowner who is a business organization.
- (5) The following shall apply for any adjacent landowner whose permit is revoked pursuant to subsection (4) of this section:
- (a) All structures shall be removed at the owner's expense within thirty (30) days of revocation if an appeal is not filed.
  - (b) If the structures are not removed by the owner within thirty (30) days and no appeal is filed, the department shall have the authority to remove the structure at the owner's expense; and
  - (c) All structures removed pursuant to paragraph (b) of this subsection shall become the property of the department.
- (6) An adjacent landowner whose waiver request is denied or whose permit is denied or revoked may appeal the decision in accordance with the provisions of KRS Chapter 13B.
- (a) The department shall appoint a hearing officer and conduct the hearing in accordance with the provisions of KRS Chapter 13B;
  - (b) The hearing officer shall make a recommendation to the Department of Fish and Wildlife Resources' Commission;
  - (c) The commission shall make a decision by majority vote; and
  - (d) An appeal of the Commission's decision shall be in accordance with the provisions of KRS Chapter 13B; and
  - (e) At the conclusion of all appeals or at the expiration of any appeal period for which an appeal has not been made:
    1. The owner shall remove any unauthorized structure within ten (10) days, at the owner's expense;
    2. An unauthorized structure that has not been removed by the owner within ten (10) days shall be removed by the department at the owner's expense; and
    3. Each structure removed pursuant to subparagraph (2) of this paragraph shall become the property of the department.

Section 8. [Section 9.] Incorporation by Reference.

- (1) "Boat Dock and Shoreline Use Permit Application", 2025 Edition, is incorporated by reference. [The following material is incorporated by reference:]  
~~[(a)] ["Boat Dock Permit Application, 2010"; and]~~



~~[(b)] ["Shoreline Use Permit Application, 3/2010".]~~

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Fisheries Division, Kentucky Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. or online at <https://fw.ky.gov/Licenses/Documents/Boat-Dock-Shoreline-Use-App.pdf>.

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

APPROVED BY AGENCY: June 26, 2025

FILED WITH LRC: June 26, 2025 at 3:50 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 30, 2025, at 8:00 a.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 September 30, 2025. 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, phone (502) 564-3400, fax (502) 564-0506, email [fwpubliccomments@ky.gov](mailto: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 governs private boat docks on department-owned property, the use of lake water for domestic purposes and permitted and prohibited activities on department-owned and controlled land surrounding department-owned waters.

**(b) The necessity of this administrative regulation:**

This administrative regulation is needed to control the use of water and development activities that can be conducted on land that surrounds department-owned waters.

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

KRS 150.025(1) authorizes the department to promulgate administrative regulations reasonably necessary to implement or carry out the purposes of KRS Chapter 150. KRS 150.620 authorizes the department to promulgate administrative regulations governing the use of lands and waters it has acquired for wildlife management and public recreation.

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

This administrative regulation will carry out the purposes of KRS 150.620 by authorizing the department to promulgate administrative regulations governing the use of lands and waters it has acquired for wildlife management and public recreation.

**(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 any reference to fees and replaces them with a reference to the fee regulation, 301 KAR 5:022, and similarly updates any applicable material incorporated by reference. In addition, this amendment combines two separate applications into a single application and removes the Definitions section from the regulation.

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

This amendment is necessary to allow future fee changes to be promulgated in 301 KAR 5:022 without the need for promulgating matching amendments to this regulation. In addition, combining the two existing permit applications into a single application will simplify the application process for the required permits. Finally, the Definitions section is being removed due to creation of a new definitions regulation (301 KAR 1:001) for Chapter 1.

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

KRS 150.025(1) grants authority for the department to promulgate regulations necessary to carry out the purposes of KRS Chapter 150. KRS 150.175 sets out licenses and tags to be sold by the department. KRS 150.195 requires the department to establish administrative regulations to provide for the control, design, issuance, distribution, and other matters related to licenses and permits issued by the department.

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

This amendment will consolidate any associated fees into a single fee regulation, 301 KAR 5:022.

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

All individuals who wish to obtain the associated permits.

**(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 will be required to comply with the amendments, however, the individuals would need to look to 301 KAR 5:022 for the regulation which establishes the cost of the associated permits.

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

There will be no cost to comply with the amendments to this regulation.

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

Compliance with these amendments will allow individuals to obtain the associated permits.

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

**(a) Initially:**

There will be no cost to implement these regulatory amendments initially.

**(b) On a continuing basis:**

There will be no continuing costs to implement these amendments.

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

The Fish and Game Fund

**(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:**

There will be no increase in fees or funding necessary to implement these changes.

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

This administrative regulation does not establish any fees or directly or indirectly increase any fees. Any associated fees are addressed in 301 KAR 5:022.

**(9) TIERING: Is tiering applied?**

Tiering is not applied as all individuals will need to look to 301 KAR 5:022 for the regulation which establishes the cost of the associated permits.

## **FISCAL IMPACT STATEMENT**

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

KRS 150.025(1) authorizes the department to promulgate administrative regulations reasonably necessary to implement or carry out the purposes of KRS Chapter 150. KRS 150.620 authorizes the department to promulgate administrative regulations governing the use of lands and waters it has acquired for wildlife management and public recreation.

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

This amendment is not expressly authorized by an act of the General Assembly but is promulgated pursuant to KRS 150.025 and 150.195.

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

The promulgating agency is the Kentucky Department of Fish and Wildlife Resources. No other state agencies are affected.

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

**1. Expenditures:**

**For the first year:**These amendments will not result in any additional expenditures for the department.

**For subsequent years:**These amendments will not result in any additional expenditures for the department.

**2. Revenues:**

**For the first year:**These amendments will not result in any change in revenues for the department.

**For subsequent years:**These amendments will not result in any change in revenues for the department.

**3. Cost Savings:**

**For the first year:**These amendments will not result in any cost savings for the department.

**For subsequent years:**These amendments will not result in any cost savings for the department.

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

No local entities should be affected by these amendments.

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

**1. Expenditures:**

**For the first year:**NA

**For subsequent years:**NA

**2. Revenues:**

**For the first year:NA**

**For subsequent years:NA**

**3. Cost Savings:**

**For the first year:NA**

**For subsequent years:NA**

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

No other entities should be affected by these amendments.

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

**1. Expenditures:**

**For the first year:NA**

**For subsequent years:NA**

**2. Revenues:**

**For the first year:NA**

**For subsequent years:NA**

**3. Cost Savings:**

**For the first year:NA**

**For subsequent years:NA**

**(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:**

This amendment will not have any significant fiscal impact.

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

This amendment does not increase any fees or otherwise create a financial burden to state or local government agencies or to regulated entities.

**(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(13):**

This amendment will not have a major economic impact.

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

This amendment does not increase any fees or otherwise create a financial burden to state or local government agencies or to regulated entities.