

## MINUTES

Of the Regular Meeting on January 3, 2023, of the

### OKLAHOMA WILDLIFE CONSERVATION COMMISSION

Held at the Oklahoma Department of Wildlife Conservation Building, Oklahoma City, Oklahoma, on January 3, 2023. Commission meeting dates are filed with the Secretary of State, Office of Administrative Rules before December 15, annually. The agenda is listed on the Department's website and was posted at the entrance of the Wildlife Department Building on December 21, 2022, at 1:10 p.m.

Chairwoman Leigh Gaddis called the Commission in session at 9:00 a.m.

Rhonda Hurst, Executive Assistant, called the roll.

MEMBERS PRESENT:      LEIGH A. GADDIS, Chairwoman  
                                 JAMES V. BARWICK, Vice-Chairman  
                                 C. RICK HOLDER, Secretary  
                                 JOHN P. ZELBST, Member  
                                 MARK H. MABREY, Member  
                                 D. CHAD DILLINGHAM, Member  
                                 JESS M. KANE, Member  
                                 TIM DIEHL, Member

J.D. Strong, Director, introduced the following guest: Laura McIver & James Dietch, Quail Forever; Suzie Brewster and Tim Faltyn.

Chairman Gaddis presented a Governor's Commendation to Suzie Brewster on behalf of Commissioner Bill Brewster. Mr. Brewster passed away on October 3, 2022 after a year-long battle with cancer. He was appointed to the Oklahoma Wildlife Conservation Commission by Governor Mary Fallin in 2015 and served until his death. Mrs. Suzie Brewster stated that serving on the Wildlife Commission meant a great deal to him. Commissioner Zelbst stated that Commissioner Brewster had been a treasured mentor and was a man of great compromise and conviction.

Bill Dinkines, Chief of Wildlife, introduced Laura McIver, Regional Representative for Quail Forever/Pheasants Forever who presented the Commission with a \$3,750 donation from the 89'ers Chapter of Quail Forever, to be used for purchase of a turbo-saw skid steer attachment for habitat improvement on Northwest Region Wildlife Management Areas. Ms. McIver indicated that the 89'ers Chapter alone had donated over \$101,000 that is eligible for 3-1 federal match. Motion was made by Mr. Barwick and seconded by Mr. Zelbst to accept the \$3,750 donation as presented. Motion carried with Commissioners Mabrey, Diehl, Barwick, Holder, Zelbst, Dillingham, Kane and Gaddis voting "Yes".

Motion was made by Mr. Dillingham and seconded by Mr. Barwick to approve the minutes from the November 7, 2022 Commission meeting. Motion carried with Commissioners Mabrey, Diehl, Barwick, Holder, Dillingham, Zelbst, Kane and Gaddis voting "Yes".

Director Strong gave a brief update and highlighted the Congressional report submitted by Brittnee Preston, the Department's part-time Federal and Congressional Liaison. This report was sent to all Commissioners and will be kept with the minutes of this meeting. Mr. Strong announced that the Recovering America's Wildlife Act of 2022 did not pass in Congress this year. This bill would have provided funding for the conservation or restoration of wildlife and

plant species of greater conservation need, including endangered or threatened species and would have allotted millions of dollars to Oklahoma. Mr. Strong gave a Director's Report on calendar items and agency updates. This report was given to the Commission and will be kept with the minutes of this meeting. In addition to the report, Director Strong introduced Catherine Appling-Pooler as the new Legislative Liaison for the Department. He also stated that Representative Ty Burns and Senator David Bullard have agreed to run the Department's License Bill request in 2023. Mr. Strong announced that the preliminary numbers show that Oklahoma had a record deer season with over 128,000 deer harvested and that 45% were antlerless.

Amanda Storck, CFO and Chief of Administration presented the Financial Statements for October 31 and November 30, 2022. Motion was made by Mr. Holder, seconded by Mr. Barwick to accept the financial statements as presented and approve miscellaneous contributions. Motion carried with Commissioners Mabrey, Diehl, Barwick, Holder, Zelbst, Dillingham, Kane and Gaddis voting "Yes".

Commissioner Holder presented a Resolution from several Tillman County entities requesting that the Hackberry Flat Center be named after William H. "Bill" Crawford. Mr. Crawford served on the Wildlife Commission from 1991 – 2001 and was instrumental in restoring the Hackberry Flat WMA as the largest wetland restoration project west of the Mississippi. Motion was made by Mr. Holder, seconded by Mr. Barwick to officially name the Hackberry Flat Center after William H. "Bill" Crawford. Director Strong requested that the Hackberry Flat Center name remain intact but that the actual building be named after Mr. Crawford like the process used for the ODWC building named after John Groendyke. Commissioner Holder amended the motion to read "officially name the building at Hackberry Flat WMA after William H. "Bill" Crawford". Motion carried with Commissioners Mabrey, Diehl, Barwick, Holder, Zelbst, Dillingham, Kane and Gaddis voting "Yes".

Chairman Gaddis announced the February 6, 2023 will be held in Oklahoma City.

The meeting adjourned at 9:43 a.m.

#### OKLAHOMA WILDLIFE CONSERVATION COMMISSION

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Leigh A. Gaddis, CHAIRWOMAN

ATTEST:

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C. Rick Holder, SECRETARY

**AGENDA**  
**Oklahoma Wildlife Conservation Commission**  
**Regular Meeting**

**Public Meeting:**     **Monday, February 6, 2023, at 9:00 a.m.**  
Oklahoma Department of Wildlife Conservation  
1801 N. Lincoln Blvd.  
Oklahoma City, OK 73105

The Commission may vote to approve, disapprove, or take other action on any of the following items. The Commission may vote to authorize public comment on any agenda item requesting a rule change.

1. Call to Order – Chairwoman Gaddis
2. Roll Call – Rhonda Hurst
3. Invocation – Nels Rodefeld
4. Pledge of Allegiance – Nels Rodefeld
5. Introduction of Guests
6. Presentation of Awards  
  
Clay Barnes, Wildlife Biologist – 20 years  
Russell Perry, Wildlife Biologist – 20 years
7. Presentation of the accomplishments and future plans for the Oklahoma Department of Wildlife Conservation's Shooting Sports Programs – Nels Rodefeld, Chief of Communication and Education Division and Colin Berg, Communication and Education Supervisor.
8. Update and overview of Oklahoma Deer Management Strategies – Bill Dinkines, Chief of Wildlife Division and Dallas Barber, Big Game Biologist.
9. Consideration and vote to approve, amend, reject, or take other action on minutes of the January 3, 2023, regular Commission meeting.
10. Director's Report – J.D. Strong
  - a. Federal and Congressional Update
    - Oklahoma Legislative Update – Catherine Appling-Pooler
  - b. Calendar Items – discussion of upcoming department calendar items.
  - c. Agency Update – an update on current activity within each division of the agency.
11. Presentation of the December 31, 2022, Financial Statements and consideration and vote to approve, amend, or reject miscellaneous donations – Amanda Storck, CFO and Chief of Administration.
12. Consideration and vote to approve, amend, reject, or take other action on a budget add-on resulting in a budget revision for FY23 – Amanda Storck.

13. Consideration and vote to approve, amend, reject or take other action Permanent Rules – Nels Rodefeld, Chief of Communication & Education Division.

**Title 800. Department of Wildlife Conservation**

**Chapter 1. Operations and Procedures**

**Subchapter 15. Hunter Education Rules**

800:1-15-2. Hunter education certification requirements [AMENDED]

800:1-15-3. Instructors [AMENDED]

These rule changes change the minimum course requirement from 8 hours to 6 hours and allows the hunter education coordinator to recertify lapsed hunter education instructors as opposed to forcing lapsed instructors to go through the recertification process.

14. Consideration and vote to approve, amend, reject or take other action Permanent Rules – Bill Dinkines.

**Title 800. Department of Wildlife Conservation**

**Chapter 25. Wildlife Rules**

**Subchapter 1. Hunter/Trapping on Oklahoma Tourism and Recreation Lands [AMENDED]**

800:25-1-8. Deer and Waterfowl Hunting on Keystone State Park [NEW]

**Subchapter 3. Hunting on Corps of Engineers Lands**

800:25-3-2. Areas open to archery equipment and shotguns with pellets only [AMENDED]

800:25-3-3. Areas open to archery equipment only [AMENDED]

**Subchapter 5. Migratory Bird Hunting Season**

**Part 11. Waterfowl Hunting Blinds**

800:25-5-48. Purpose [AMENDED]

800:25-5-49. Permits for seasonal or daily blinds [REVOKED]

800:25-5-50. Drawing process [REVOKED]

800:25-5-51. Blind Construction [AMENDED]

**Subchapter 7. General Hunting Seasons**

**Part 1. General Provisions**

800:25-7-3. General provisions [AMENDED]

**Part 5. Upland Game**

800:25-7-20. Squirrel (fox and gray) [AMENDED]

**Part 13. Deer**

800:25-7-53. Deer – gun [AMENDED]

800:25-7-54. Legal firearms and archery specifications [AMENDED]

**Part 19. Season on Areas Owned or Managed by the Oklahoma Department of Wildlife Conservation and the U.S. Fish and Wildlife Service**

800:25-7-124. McClellan-Kerr WRP [AMENDED]

**Subchapter 24. Import of Cervids**

800:25-24-3. Requirements [AMENDED]

**Subchapter 30. Wildlife Depredation on Agricultural Crops**

800:25-30-2. Procedures [AMENDED]

**Subchapter 37. Nuisance Wildlife Control Program**

**Part 3. Wildlife and feral Hog Nuisance and Depredation Rules**

800:25-37-12. General Provisions [AMENDED]

Subchapter 1 – These rules will open portions of Keystone State Park for deer and waterfowl controlled hunts.

Subchapter 3 – These rules will open certain Corps of Engineers lands at Ft Gibson Lake and Webbers Falls Lock and Dam 16 to hunting with archery equipment and shotguns with pellets, will restrict hunting to archery equipment and shotguns with pellets, for safety reasons, on certain Corps of Engineers Lands at Webbers Falls Lock and Dam 16, and will close hunting on certain Corps of Engineers lands at Eufaula Lake.

Subchapter 5 – These rules will restrict waterfowl hunting on Corps of Engineers lands to daily blinds only.

Subchapter 7 -These rules will require anyone hunting with an air powered arrow rifle to possess a valid air powered arrow rifle permit, will extend squirrel season through February 28, make it legal to hunt with an air powered arrow rifle during any open rifle season, establish criteria for legally transporting an arrow rifle in a motorized vehicle, define legal bullets for rifles and handguns, remove minimum barrel length for handguns, provide definition for an air powered arrow rifle legal for hunting, prohibit hunting with an air powered arrow rifle during archery and muzzleloader seasons, and open the WRP of McClellan-Kerr to additional hunting opportunity.

Subchapter 24 – These rules will define restrictions on transport of cervid carcass parts from any area designated as a Selective Surveillance Area, and authorize the Commission to establish, by resolution, CWD response measures.

Subchapter 30 – These rules add beehives to the list of agricultural crops subject to procedures for handling wildlife depredation complaints.

Subchapter 37 – These rules add bears to the list of big game animals for which complaints must comply with the provisions defined in Title 800:25-30.

15. Consideration and vote to approve, amend, reject or take other action Permanent Rules – Bill Dinkines and Nels Rodefald.

## **Title 800. Department of Wildlife Conservation**

### **Chapter 30. Department of Wildlife Lands Management**

#### **Subchapter 1. Use of Department Managed Lands**

800:30-1-16. Shooting ranges [AMENDED]

800:30-1-20. Restricted public use areas [AMENDED]

The proposal would allow for target shooting 30 minutes after official sunset.

The ODWC is in the process of constructing and renovating shooting ranges on ODWC owned and managed land, some of those ranges will contain an archery range. This establishes rules for those archery ranges.

These rules change the camping restrictions on Okmulgee WMA to allow angler camping during the period of October 1-February 15.

16. New Business – Discussion of any matter not known about, or which could not have been reasonably foreseen 24 hours prior to the scheduled meeting.
17. Announce the March 6, 2023, Commission meeting will be in Oklahoma City, Oklahoma.
18. Adjourn

**People with disabilities may request accommodations by calling 405-522-6279 at least three days before the meeting.**

**TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION  
CHAPTER 1. OPERATIONS AND PROCEDURES**

**SUBCHAPTER 15. HUNTER EDUCATION RULES**

**800:1-15-2. Hunter education certification requirements**

- (a) While attending a hunter education course, students are required to meet a set of requirements.
- (1) Students must have a minimum of ~~eight (8)~~six (6) hours of instruction per course, no more than 2 hours of which may be range instruction.
  - (2) Students must score at least 70% on all examinations.
  - (3) Students shall not exhibit disruptive classroom behavior or refuse to abide by hunter education curriculum.
  - (4) The student examination(s) shall be written, except an oral examination may be given to those who have difficulty reading, or are unable to complete the examination due to mental or physical reasons.
  - (5) All students, regardless of age, shall receive their hunter education certification upon completing the course and passing the examination.
  - (6) Replacement or duplicate certification cards shall be issued by the Department.
- (b) The course shall include, but is not limited to, the following topics: basic firearm safety and handling, firearms cleaning and storage, muzzle loading, bowhunting, wildlife management and conservation, hunter responsibility, survival and wilderness first aid, wildlife identification, laws and regulations.
- (c) Requirements for students failing to pass the examination.
- (1) Those students failing to pass the examination with a score of 70% or better or failing to demonstrate an attitude of responsibility toward hunting safety will be required to retake the entire hour course and examination at a later date.
  - (2) However, if the volunteer instructor and/or Oklahoma Game Warden determine that the failing student(s) didn't understand the questions on the examination, the volunteer instructor or the Game Warden may elect to go over missed questions with the student. If the student can correctly answer the question(s) they missed, the student may be issued their student card so long as the total score equals or exceeds 70%.
- (d) Students may participate in a Home Study or internet version of the class. If the student completes the required material at home, they are given ~~four (4)~~two (2) hours credit to apply toward the ~~eight hour~~ six hour minimum certification requirement. For Home Study classes students must complete the remaining of four (4) hours under direct supervision of a certified instructor, and students who score at least 70% on the exam and comply with the requirements of paragraph (a), will receive their student certification. The internet version will be available to students 10 years of age and older and will be available through the Department's Web site.
- (e) State residents who are exempt from hunter education as defined in Title 29, Section 4-112(A) are eligible for proficiency testing only.

**800:1-15-3. Instructors**

- (a) Game Wardens are the official Department Hunter Education representative in their assigned area. All Wildlife Department employees may serve as instructors and the Department may allow members of the general public to serve as volunteer instructors for the Hunter Education Certification courses at its discretion.
- (b) Game Wardens conduct the Hunter Education courses independently or they may request assistance from other Game Wardens, or a volunteer instructor certified by the Department.
- (c) Volunteer instructors may conduct Hunter Education courses without the assistance of a Game Warden so long as the county Game Warden or Warden Supervisor and the Program Coordinator are notified of the time and location of the course in advance. One Department certified instructor shall be present for the duration of all courses conducted by volunteer instructors.
- (d) Volunteer instructors must be at least 21 years of age, possess a Hunter Education Certificate approved by the Department, be interviewed by a Game Warden or other approved Department employee, and undergo a background investigation.
- (1) The background investigation and interview will be completed within sixty (60).
  - (2) After an interview and investigation is completed, the applicant will be notified of the Department's decision with thirty (30) days.
- (e) Volunteers shall serve at the discretion of the Department.
- (1) Review of complaints shall be handled by the coordinator.  
If the complaint warrants review of volunteer status, the accused volunteer will be given notice of the allegation

against him or her and an opportunity to be heard within a reasonable time.

(2) After investigation of a complaint, the coordinator will report findings to the Director. The Director will make the final decision regarding volunteer status.

(f) All volunteer instructors shall comply with the following requirements:

(1) Complete all Departmental report forms prior to conducting a Hunter Education course.

(2) Attend and complete the Orientation/Teaching Methods/Techniques Instructor Workshop or be recommended by a Game Warden or Department employee, who is an instructor, for certification prior to conducting a Hunter Education course.

(3) Report to the Program Coordinator of the Oklahoma Hunter Education Program and the Game Warden or Warden Supervisor in the county where the volunteer is teaching a course.

(4) Follow the procedures outlined in the Instructor's Procedures Manual while conducting a Hunter Education course.

(5) Within a two-year period, either complete additional training through the Department or outside courses approved by the Department or teach a minimum of one class per year or submit a letter of support from a Game Warden.

(A) Volunteers who fail to meet this requirement will be classified as inactive and will be ineligible to conduct Hunter Education courses.

(B) Volunteers may be reactivated by notifying the Program Coordinator.

**TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION  
CHAPTER 25. WILDLIFE RULES**

**SUBCHAPTER 1. HUNTER/TRAPPING ON OKLAHOMA TOURISM AND RECREATION  
LANDS**

**800:25-1-8. Deer and Waterfowl Hunting on Keystone State Park [NEW]**

The following hunting seasons apply to Keystone State Park:

- (1) Deer - Controlled hunts only
- (2) Waterfowl – Controlled hunts only.

**SUBCHAPTER 3. HUNTING ON CORPS OF ENGINEERS LANDS**

**800:25-3-2. Areas open to archery equipment and shotguns with pellets only**

The following Corps of Engineers areas are open to archery equipment and shotguns with pellets only:

- (1) Canton Lake: A 80-acre unit above Highway 58A in the Sandy Cove Area.
- (2) Keystone Lake:
  - (A) A 460-acre unit including land north and south of the Cowskin North Recreation Area.
  - (B) A 200-acre unit on the west side of the north end of the Highway 64 bridge.
  - (C) A 530-acre unit north of the New Mannford Ramp area.
  - (D) A 480-acre unit east of the Cimarron Park area.
  - (E) A 100-acre unit north and south of the Pawnee Cove Access Point.
  - (F) A 200-acre unit in the Old Mannford Ramp area.
  - (G) A 280-acre unit on the south side of the road ending at Washington Irving North.
  - (H) A 120-acre unit west and south of the Sinnett Cemetery and south of the old Keystone road.
  - (I) A 200-acre unit south of Highway 51 on Bakers Branch.
  - (J) A 135-acre area on the west side of Walnut Creek (old Walnut Creek #3).
- (3) Hugo Lake: Except, archery only during all deer seasons.
  - (A) A 2,373-acre unit in the Kiamichi Park Area. Open for hunting for all species that can be legally taken during legal open seasons by archery equipment and shotgun with pellets, except closed the first Tuesday through Sunday in October and the first Tuesday through Sunday in December.
  - (B) A 418-acre unit in the Salt Creek Area.
  - (C) A 478-acre unit in the Wilson Point Area.
  - (D) A 481-acre unit in the Virgil Point Area.
  - (E) A 280-acre unit in the Sawyer Bluff Area.
  - (F) A 60-acre unit in the Rattan Landing Area.
  - (G) A 500-acre unit in the embankment area above Hugo Dam.
  - (H) A 475-acre unit lying South of the physical creek of Salt Creek on Hugo Lake.
- (4) Tenkiller Ferry Lake: A 110-acre unit north of the asphalt road and east of Highway 10A.
- (5) Copan Lake: Except, archery equipment only during all deer seasons.
  - (A) A 650-acre unit below the dam.
  - (B) A 100-acre unit east and southeast of Copan Point Park.
  - (C) Three islands north of Washington Cove Park.
- (6) Fort Gibson Lake:
  - (A) A 300-acre unit on the north side of North Bay.
  - (B) A 800-acre unit on the south side of the Chouteau Creek, starting at Highway 69 and running east and south to Highway 33.
  - (C) A 320-acre unit across the lake from the Chouteau Bend Recreation Area.



- (D) A 480-acre unit on the west side of Mallard Bay.
  - (E) A 103 -acre unit in Section 13 of the Blue Bill Point housing addition.
  - (F) A 160-acre unit west of the town of Murphy.
  - (G) A 650-acre unit on Pryor Creek beginning on the east side of Highway 69 in Sections 29, 30 & 31.
  - (H) A 190-acre unit in the south ½ of Section 12, north of the Blue Bill Recreation Area.
  - (I) A 120-acre unit west of the town of Hulbert.
  - (J) A 515-acre unit on the south side of Mallard Bay.
  - (K) A 488-acre unit on the south side of Whitehorn Cove Concession.
- (7) Sardis:
- (A) A 950-acre unit in the Potato Hills Area.
  - (B) A 100-acre unit in the Sardis Cove Area.
- (8) Webbers Falls Lock and Dam 16:
- (A) A 37-acre unit on the peninsula north of the lock and dam.
  - (B) A 150-acre unit in the Hopewell Park Area.
  - (C) A 150-acre unit in the Brewer's Bend Area only open for hunting 1 December through 28 February.
  - (D) A 50-acre unit south of the Spaniard Creek Area.
  - (E) A 60-acre unit off Lock View access road and south of the project office.
  - (F) A 750-acre unit North of Three Forks Harbor to Grand River Bridge.
  - (G) A 265-acre unit from Grand River Bridge to Highway 16 Bridge near Okay.
- (9) Lake Texoma:
- (A) A 380-acre unit below Denison Dam.
  - (B) A 160-acre unit in the Willow Springs Area.
  - (C) A 100-acre unit in the Buncombe Creek West Area
  - (D) A 110-acre unit on the Limestone Creek Area.
  - (E) A 250-acre unit on the Treasure Island, North Island Group.
  - (F) A 512-acre unit in the McLaughlin Creek Southwest Area.
  - (G) A 1,100-acre unit in the Washita Point Area.
  - (H) A 300-acre unit south of the Butcher Pen Area.
  - (I) A 800-acre unit on either side of Highway 70 on the east side of the lake.
  - (J) A 650-acre unit in the Lakeside West and South Area.
  - (K) A 420-acre unit in the Lebanon Area.
  - (L) A 226-acre unit on the west side of Wilson Creek.
  - (M) A 130-acre unit in the Caney Creek Area.
  - (O) A 170-acre unit in the Oakview North Area.
  - (P) A 115-acre unit in the North Platter Flats Area.
  - (Q) A 95-acre unit in the Newberry Creek South Area.
- (10) Kaw Lake:
- (A) A 280-acre unit in the Traders Bend Area.
  - (B) A 320-acre unit in the Sarge Creek Cove Area.
  - (C) A 220-acre unit in the Burbank Landing Area.
  - (D) A 110-acre unit between Sandy Park Swim Beach and Osage Cove.
  - (E) A 100-acre unit in the Bear Creek Cove, open for hunting only from 15 September through 15 February.
  - (F) A 186-acre unit south of Camp McFadden and north of a housing addition.
- (11) Eufaula Lake:
- (A) Open for archery equipment 1 October through 28 February and open for shotguns with pellets from 1 November through 28 February.
    - (i) A 165 -acre unit in the Highway 31 Landing Area.

- (ii) A 128 -acre unit in Holiday Cove Recreation Area.
  - (iii) A 200-acre unit in Hickory Point Recreation Area.
  - (iv) A 90 -acre unit in the Gentry Creek Recreation Area.
- (B) Open for hunting for all species that can be legally taken during legal open seasons by archery equipment and shotguns with pellets.
  - (i) A 275-acre unit known as Duchess Creek Island.
  - (ii) A 47-acre unit in Juniper Park.
  - (iii) A 99-acre unit in the Coal Creek area.
  - (iv) A 69-acre unit southwest of the city of Crowder.
  - (v) A 116-acre unit east of the city of Crowder.
  - (vi) A 95-acre unit in the Rock Creek Heights area.
  - (vii) A 63-acre unit around Highway 9 Marina.
  - (viii) A 411-acre unit in the area of Highway 9A.
  - (ix) A 247-acre unit known as Bunny Creek.
  - (x) A 251-acre unit in Sandy Bass Bay.
  - (xi) A 32-acre unit in Dam Site area.
  - (xii) A 95-acre unit below Eufaula Dam, north of the river
  - ~~(xiii) A 443-acre unit in the Longtown Creek area known as Round Tree Landing.~~
- (C) Open for hunting for all species that can be legally taken during legal open seasons by archery equipment and shotguns with pellets, except for the 2<sup>nd</sup> Friday through Monday in December: A 395-acre unit in the Brooken Cove Recreational Area.
- (D) Open for hunting for all species that can be legally taken during legal open seasons by archery equipment and shotguns with pellets only, except closed the 3<sup>rd</sup> Friday of October through the 1<sup>st</sup> weekend of November: A 533-acre unit in the Gaines Creek Recreational Area.
- (12) Chouteau Lock and Dam 17: All lands beginning from the MK&T Railroad below Chouteau Lock and Dam 17 and continuing upstream to Newt Graham Lock and Dam 18, except that Pecan Park is open to hunting with archery equipment only and the Chouteau Lock and Dam 17 has a 600 yard "No Hunting" buffer area around both the lock and dam, and that Coal Creek Access Point and Afton Landing Park are closed to all hunting.
- (13) Hulah Lake:
  - (A) A 200-acre unit in the Turkey Creek Point Area.
  - (B) A 60-acre unit below Hulah Dam.
  - (C) A 375-acre unit in the Caney Bend Area.
- (14) Wister Lake: A 400-acre unit east of the uncontrolled spillway and Glendale Dike.
- (15) Oologah Lake:
  - (A) A 80-acre unit on the east side of Blue Creek Park.
  - (B) A 180 acre-unit on the south side of Spencer Creek Park.
  - (C) A 120-acre unit east of Double Creek Park.
- (16) Waurika Lake: All lands presently designated as open to public hunting, except fall turkey hunting is archery only.
- (17) Newt Graham Lock and Dam 18: All lands beginning from Newt Graham Lock and Dam 18 and continuing upstream to Interstate 44, except that the Newt Graham Lock and Dam 18 has a 600 yard 'No Hunting' buffer area around it, and that Bluegill Access Point, Highway 33 Access Point and Bluff Landing Public Use Area are closed to all hunting.
- (18) Pine Creek Lake: Except, archery only during all deer seasons.
  - (A) A 280-acre unit below Pine Creek Dam.
  - (B) A 225-acre unit within Little River Park open November 1 – January 15.
  - (C) A 190-acre unit within Pine Creek Cove open November 1 – January 15.
  - (D) A 530-acre unit upstream and downstream of the dike, SW of Pine Creek Cove.
  - (E) A 500-acre unit north of Little River Park and South of the old highway.

**800:25-3-3. Areas open to archery equipment only**

The following Corps of Engineers areas are open to archery equipment only:

- (1) Birch Lake: A 450-acre unit in the Birch cove, Outlet Park and Twin cove areas.
- (2) Kaw Lake:
  - (A) A 400-acre unit in the Washunga Bay Area.
  - (B) A 600-acre unit in the McFadden Cove Area and below the dam embankment access road.
  - (C) A 236-acre unit in the Osage Cove Area open from 1 December to 31 December.
  - (D) A 60-acre unit south of Kaw City and west of Pioneer Park.
- (3) Fort Gibson:
  - ~~(A)~~ ~~A 515-acre unit on the south side of Mallard Bay.~~
  - ~~(B)~~ A 360-acre unit on the north side of the mouth of North Bay.
  - ~~(C)~~ A 50-acre unit south of Jackson Bay Area.
  - ~~(D)~~ A 150-acre area on the northeast end of Ranger Creek.
  - ~~(E)~~ ~~A 488-acre unit on the south side of Whitehorn Cove Concession.~~
  - ~~(F)~~ A 100-acre unit in the Snug Harbor area.
  - ~~(G)~~ A 320-acre unit on the south side of North Bay.
  - ~~(H)~~ A 320-acre unit on the north side of Long Bay.
  - ~~(I)~~ A 70-acre area on the upper end of Pryor Creek adjacent to the east side of Highway 69.
  - ~~(J)~~ A 36-acre area in Section 6, T16N, R20E.
  - ~~(K)~~ A 77-acre area on the north shore of Ranger Creek.
  - ~~(L)~~ A 166-acre area west of Taylor Ferry South Park in Sections 20 & 21, T17N, R19E.
- (4) Copan Lake:
  - (A) A 50-acre unit north of Copan Point Park.
  - (B) A 50-acre unit north of the Post Oak area.
  - (C) A 5-acre unit west of Post Oak Park between the old and new Highway 10.
  - (D) A 340-acre unit north of the Washington Cove Park.
- (5) Heyburn Lake: A 120-acre unit on the south side of the Dam Site Area and west of the outlet channel.
- (6) Skiatook Lake:
  - (A) A 138-acre unit in the Osage Park Area.
  - (B) A 150-acre unit area below Skiatook Dam.
  - (C) A 120-acre unit in Hominy Landing.
- (7) Hulah Lake: A 40-acre unit south of the Hulah State Park office.
- (8) Pine Creek Lake:
  - (A) Open for hunting for all species that can be legally taken during legal open seasons by archery equipment, except for the 2<sup>nd</sup> Tuesday through Sunday in November; A 200-acre unit north of Highway 3 and south of the old highway.
  - (B) A 120-acre unit west of Little River Park.
- (9) Fort Supply:
  - (A) A 183-acre unit in the south portion of Fort Supply Park.
  - (B) A 46-acre unit in the Project Office Area.
- (10) Arcadia Conservation Education Area: (Open by ODWC sanctioned controlled hunt through the City of Edmond Game and Fish Commission only.)
  - (A) A 500-acre unit ½ mile North of Memorial Road on Midwest Boulevard
  - (B) 230-acre unit at Douglas and 150<sup>th</sup> street.
- (11) Keystone Lake: A 570-acre area south of the town of Prue (old Walnut Creek #1).
- (12) Lake Texoma:

- (A) A 610-acre unit in the Burns Run Area
  - (B) A 550-acre unit in the Alberta Creek Area.
  - (C) A 60-acre unit in the Colbert Boat Club Area.
  - (D) A 40-acre unit in the Oak Hills Area.
  - (E) A 100-acre unit in the Willafa Woods Area.
  - (F) A 50-acre unit in the Buncombe Creek South Area.
- (13) Hugo Lake:
- (A) A 13 acre unit located across from Wilson Point in Section 18, east of Highway 147.
  - (B) A 40 acre unit located north of County Road E2040 in Section 6 and east of Highway 147.

## SUBCHAPTER 5. MIGRATORY BIRD HUNTING SEASON

### PART 11. WATERFOWL HUNTING BLINDS

#### 800:25-5-48. Purpose

~~Waterfowl blinds~~ Only daily blinds may be constructed on Corps of Engineers and Bureau of Reclamation Reservoirs. ~~are classified in two categories: Seasonal blinds which are constructed by a hunter permitted by the Department and at a Department approved designated location and used throughout the current hunting season.~~ Daily blinds – blinds constructed for use on any given day and removed at the end of the day's hunt. Daily blinds ~~would include boat blinds, layout blinds, panel blinds and/or any other blind constructed from natural material that is removed at the end of the day's hunt. This Part establishes the guidelines for blind construction.~~

#### 800:25-5-49. Permits for seasonal or daily blinds [REVOKED]

- ~~(a) Hunters wishing to construct seasonal blinds for waterfowl hunting in Oklahoma must first obtain a permit for construction of said blind from the Oklahoma Department of Wildlife Conservation.~~
- ~~(b) No permit is required for daily blinds.~~
- ~~(c) Seasonal or daily blinds may be constructed or used on the following reservoirs: Eufaula, Fort Gibson, W. D. Mayo (Lock and Dam 14) and Webbers Falls.~~
- ~~(d) Daily blinds only may be constructed or used on all other reservoirs open to waterfowl hunting unless specifically prohibited.~~
- ~~(e) Seasonal blind permits will be issued by a drawing for the following reservoirs: Eufaula, Fort Gibson, W D. Mayo (Lock and Dam 14) and Webbers Falls.~~
- ~~(f) To obtain a seasonal blind permit after the first day of issuance, the biologist or Game Warden for the area of interest should be contacted.~~

#### 800:25-5-50. Drawing process [REVOKED]

- ~~(a) Applicants for seasonal blind permits must be at least 18 years old on the day of the permit issuance and possess all valid hunting licenses, stamps, and permits as required for hunting waterfowl during the waterfowl season, unless exempt.~~
- ~~(b) Anyone wishing to obtain a seasonal blind permit must appear in person at the appropriate drawings.~~
- ~~(c) No person may obtain a seasonal blind permit for more than one reservoir.~~

#### 800:25-5-51. Blind construction

- ~~(a) Seasonal blinds must be constructed within 25 yards of the location designated by the hunter on the official map approved by the Department. No seasonal blinds shall be constructed within 250 yards of another seasonal blind and no daily blind shall be constructed or used within 250 yards of an occupied seasonal blind.~~
- ~~(b) Permit holders must have their permit number and their first and last name conspicuously displayed in the blind, this information must be clearly legible, throughout the waterfowl season.~~
- ~~(c) Seasonal blinds must be constructed as of two (2) weeks before opening day of waterfowl season, otherwise the blind location may be reissued to another licensed hunter on a first come, first serve basis.~~

~~(d) All seasonal blinds must be removed by March 15 of each year. Blinds remaining after this date may become the property of the Oklahoma Department of Wildlife Conservation.~~

~~(e) Seasonal blind permit holders will have priority use on said blind each day until 1/2 hour before official sunrise (legal shooting time). Permit holders claiming priority use before this time must be prepared to furnish identification to ensure priority use. After this time, unoccupied blinds will be available to other hunters.~~

~~(f) Blinds must not be locked.~~

~~(g) Failure to comply with regulations may result in forfeiture of privilege to obtain a permit for constructing seasonal blinds during the forthcoming year.~~

Only daily blinds may be constructed on Corps of Engineers and Bureau of Reclamation Reservoirs open to waterfowl hunting unless specifically prohibited.

## SUBCHAPTER 7. GENERAL HUNTING SEASONS

### PART 1. GENERAL PROVISIONS

#### **800:25-7-3. General provisions**

(a) Any person hunting any wildlife in open areas during the youth deer gun, bear muzzleloader, deer muzzleloader, deer gun, holiday antlerless deer gun (in open zones), elk gun (in open counties) or September antelope gun (in open areas) seasons with a shotgun and rifled slug, or any rifle or handgun larger than a .22 caliber long rifle, must possess a valid bear, deer, elk, or antelope license, unless otherwise exempt. Any person hunting feral hogs in open areas during the deer gun, deer primitive, elk, bear or antelope season with a shotgun and rifled slug, or any rifle or handgun larger than a .22 caliber rimfire, must possess a filled or unfilled deer, elk, bear, or antelope license appropriate for that season unless otherwise exempt.

(b) No person while in the field may possess or attempt to harvest any wildlife, except waterfowl and crane, with shotgun utilizing shot larger than #4 buckshot. Any person hunting any wildlife with an air powered arrow rifle during any open season when rifles are a legal means of take must possess a valid air powered arrow rifle permit.

(c) Any person participating in primitive firearms season, deer gun seasons, elk season, antelope season and bear gun season must conspicuously wear both a head covering and an outer garment above the waistline, both totaling 500 square inches or more of clothing, both consisting of daylight fluorescent orange color totaling not less than 400 square inches [Title 29 O.S., Section 5-205, Part A]. All other hunters, except those hunting waterfowl, dove, crow or crane, or while hunting furbearing animals at night must wear either a head covering or upper garment of fluorescent orange clothing during the deer primitive firearms season, deer gun seasons, elk season, antelope season and bear primitive firearms season, or bear gun season in zones where these seasons are open.

(d) For purposes of pheasant, turkey, deer, elk, bear and antelope regulations, 'final destination' shall be the hunter's residence or place of consumption.

(e) No person may possess any game bird, animal or other wildlife, or portions thereof that have been taken by another person unless such game bird, animal or other wildlife, contain information giving the taker's name, customer identification number, date taken and the number and kind of game bird, animal or wildlife. In addition, information on deer, elk, antelope, bear and turkey must include the confirmation number as proof that the animal's harvest has been properly reported. The person's name and address receiving said wildlife must also appear on the written information.

(f) No person shall concentrate, drive, molest, hunt, take, capture or kill; or attempt to take any wildlife by the aid of any fire or smoke whether man-made or natural.

(g) No person may hunt, chase, capture, shoot at, wound or kill any moose or Rocky Mountain bighorn sheep, except as otherwise provided by statute or Commission rule.

(h) Private landowner regulations regarding any items covered by these rules may be more restrictive, but not less restrictive than these rules.

(i) Dogs may be used in taking all game species in these rules except bear, deer, elk, antelope and turkey. Exceptions to this rule would be the use of a leashed dog to track downed game after notification to the game warden of location and having no means of take on person while tracking.

(j) Except as otherwise provided for by law or Commission rule, nothing shall prohibit the year-round pursuit of

game, which may be lawfully hunted with the use of hunting dogs, for dog training or sport only. However, unless otherwise provided, no person in pursuit of game with hunting dogs outside of the regular harvest season shall have in their possession the means to harvest such game.

(k) **Harvest tagging of game** – All persons taking a deer, elk, antelope, bear, or turkey must immediately secure their name, customer identification number, date and time of harvest to the carcass.

(l) **Harvest reporting of game** – All deer, elk, antelope, bear, or turkey taken must be reported by the hunter to the Department within 24 hours of leaving the hunt area. Instructions for reporting of harvest will be provided in the Oklahoma Fishing and Hunting Regulations and on the Department's website. Once reported, a carcass tag or online confirmation number will be issued. This tag or confirmation number must remain with the carcass to its final destination or through processing and/or storage at a commercial processing or storage facility. Evidence of sex must remain naturally attached to the carcass until the harvest has been properly reported.

## **PART 5. UPLAND GAME**

### **800:25-7-20. Squirrel (fox and gray)**

The following hunting dates, bag limits, hunting hours and legal means of taking apply to squirrel:

(1) **Dates and open areas.** The dates for the squirrel season shall be May 15 - ~~January 31~~ February 28 and the season is open statewide.

(2) **Bag limit.** The bag limit shall be 25 daily aggregate, 50 in possession after first day.

(3) **Hunting hours.** The hunting hours shall be one-half hour before sunrise to sunset.

(4) **Legal means of taking.** The legal means of taking squirrel shall be shotgun (conventional or muzzleloading), legal raptors, bow and arrow, hand-propelled missile, air-propelled missile, slingshot, handgun or rifle (conventional or muzzleloading), except as otherwise provided.

## **PART 13. DEER**

### **800:25-7-53. Deer - gun**

The following hunting dates, bag limits and legal means of taking apply to hunting deer with gun:

(1) **Dates.** The dates for the deer gun season shall be the Saturday prior to Thanksgiving and run for sixteen (16) consecutive days in management zones as designated by Commission resolution.

(2) **Bag limit.** Up to six (6) deer including no more than one (1) antlered deer. A separate license is required for each deer to be hunted or harvested. All deer taken are included in the combined season statewide bag limit. Individual Management Zone antlerless bag limits and antlerless days will be determined by resolution and published in the Hunting Guide. An unfilled deer gun antlered license may be used to harvest an antlerless deer in designated areas on the last day of the deer gun season.

(3) **Legal means of taking.** The legal means of taking deer with gun shall be as follows:

(A) Rifles (conventional or muzzleloading), handguns, shotguns or bow and arrows, see 800:25-7-54. All public lands within the state are open to rifles, handguns, shotguns or bows unless otherwise specified.

(B) Muzzleloading firearms that are legal for the primitive (muzzleloading) season shall also be legal in all areas open to rifles, except black powder firearms loaded from the breech are also legal. Metallic and/or optical sights may also be used on muzzleloading firearms during the deer gun season. Muzzleloading pistols (single shot or revolver) with characteristics that are described for rifles are permissible.

(C) Hunters choosing to hunt with primitive (muzzleloading) firearms must possess appropriate deer gun license and comply with fluorescent clothing and bag limit requirements as set for the Deer Gun Season.

(D) Laser sights are illegal.

(E) Air powered arrow rifles shall be legal during any open rifle season. No arrow rifle may be transported in a motorized vehicle unless projectile has been removed from the barrel assembly and arrow rifle has been decocked.

(4) **Zone Management Hunts**

(A) **Dates and open areas:** The Commission may, by resolution, establish an antlerless deer gun season at any time in designated management zones or on designated Wildlife Management Areas, as published in the

current Oklahoma Hunting Guide and Regulations, during any dates as established by the Commission.

(B) Bag Limit: Zone Management Hunt bag limits will be established by resolution. Antlerless deer taken during a Zone Management Hunt are considered bonus deer and do not count against the statewide deer bag limit. Unfilled deer gun licenses for the deer gun season or controlled hunts are not valid for Zone Management Hunts.

(C) Legal means of taking: Same as deer gun season.

(5) **The harvest of antlerless mule deer shall be prohibited during the deer gun seasons.**

#### **800:25-7-54. Legal firearms and archery specifications**

The following are the legal firearms specifications for rifles, muzzleloading firearms, shotguns, handguns and bows:

(1) **Rifles.** Centerfire rifles only and firing ammunition with a soft-nosed or hollow point bullet are legal if firing at least a 55-grain weight bullet. ~~Hollow point bullets are legal.~~ Fully automatic firearms are prohibited.

(2) **Muzzleloading firearms.** Muzzleloading rifles and shotguns that are legal for the muzzleloading season shall also be legal in all areas open to rifles, except black powder firearms loaded from the breech are also legal. Muzzleloading pistols (singleshot or revolver) with characteristics that are described for 40 caliber rifles are permissible as a secondary firearms, but may be used only for killing a downed animal.

(3) **Shotguns.** Any centerfire shotgun firing a single rifled slug.

(4) **Handguns.** Any centerfire handgun firing a single soft-nosed or hollow point bullet with at least a 55-grain weight. ~~Minimum barrel length is four inches.~~ Fully automatic firearms are prohibited.

(5) **Bows, arrows, and bolts.** A legal bow is defined as any bow of thirty (30) pounds or more draw weight, any recurve, longbow, or self-bow of forty (40) pounds or more draw weight or any crossbow having a draw weight of 100 pounds or more and being equipped with safety devices. Crossbow bolts must be a minimum of 14 inches in length. Legal arrows and bolts for deer shall be fitted with broadhead hunting type points not less than 7/8 inches wide, including mechanical broadheads meeting these dimensions when fully open. Devices that permit a bow to be held mechanically at full or partial draw are permitted. Laser sights are prohibited. Hand-held releases are permitted.

(6) **Arrow rifle.** A device that fires an arrow or bolt solely by the use of unignited compressed gas as the propellant. Legal arrow rifles will maintain a minimum of 2000psi and have a visible pressure gauge to prove proper pressure. Legal arrows and bolts shall be a minimum of 18 inches in length with fletching for stability and fitted with a broadhead hunting type point not less than 7/8 inches wide, including mechanical broadheads meeting these dimensions when fully open. Arrow rifles are only to be used during open rifle seasons and are not permitted during archery or muzzleloader seasons.

### **PART 19. SEASONS ON AREAS OWNED OR MANAGED BY THE OKLAHOMA DEPARTMENT OF WILDLIFE CONSERVATION AND THE U.S. FISH AND WILDLIFE SERVICE**

#### **800:25-7-124. McClellan-Kerr WRP**

The following hunting and trapping seasons apply to the McClellan-Kerr WRP: The discharge of firearms for purposes other than hunting is prohibited.

(1) Quail: Same as statewide season dates, except closed ~~October 15-January 31~~ during the first nine days of deer gun season.

(2) Pheasant: Closed season.

(3) Prairie chicken: Closed season.

(4) Turkey -Fall:

(A) Archery: Same as statewide season dates, ~~except closed October 15-January 31~~ 1 tom limit.

(B) Gun: ~~Closed season.~~ Same as statewide season dates, 1 tom limit.

(5) Turkey - Spring: Same as statewide season dates.

- (6) Squirrel: Same as statewide season dates, except closed ~~October 15-January 31~~during the first nine days of deer gun season.
- (7) Rabbit: Same as statewide season dates, except closed ~~October 15-January 31~~during first nine days of deer gun season.
- (8) Crow: Same as statewide season dates,~~except closed October 15-January 31.~~
- (9) Dove: Same as statewide season dates,~~except closed October 15-January 31.~~
- (10) Rail and gallinule: Same as statewide season dates,~~except closed October 15-January 31.~~
- (11) Common snipe: Same as statewide season dates, except closed ~~October 15-January 31~~during first nine days of deer gun season.
- (12) Woodcock: Same as statewide season dates, except closed ~~October 15-January 31~~during first nine days of deer gun season.
- (13) Deer - archery: Same as statewide season dates,~~except closed October 15-January 31.~~
- (14) Deer - primitive firearms: ~~Closed season.~~Same as statewide season dates.
- (15) Deer - gun: ~~Closed season.~~Same as statewide season dates.
- (16) Trapping: Same as statewide season dates,~~except closed October 15-January 31.~~
- (17) Pursuit with hounds: Same as statewide season dates, except closed ~~October 15-January 31~~during first nine days of deer gun season.
- (18) Predator/furbearer calling: Same as statewide season dates, except closed ~~October 15-January 31~~during first nine days of deer gun season.
- (19) Waterfowl: Same as statewide season dates,~~except closed October 15-January 31.~~

## SUBCHAPTER 24. IMPORT OF CERVIDS

### 800:25-24-3. Requirements

- (a) The following relate to the importation of live cervids into Commercial Hunting areas.
  - (1) The import of cervidae for the purpose of deposition in a Commercial Hunting area that are originating in any county or Canadian province where Chronic Wasting Disease exists in free-ranging native herds shall be prohibited, except the State Veterinarian may allow an import from a Canadian province with Chronic Wasting Disease after notification to the Oklahoma Department of Wildlife Conservation and based on a review of the following factors:
    - (A) distance of the farmed cervidae facility from the Chronic Wasting Disease area,
    - (B) existence of double fencing between the farmed cervidae facility and free-ranging native herds,
    - (C) farmed cervidae facility biosecurity measures,
    - (D) participation of the farmed cervidae facility in any Canadian Chronic Wasting Disease herd certification programs, and
    - (E) any other relevant factors.
  - (2) All other cervidae imports into Commercial Hunting areas shall only be from a source herd that is in a Chronic Wasting Disease surveillance and certification program for a minimum of five (5) years monitored and the program meets the standards of cervidae importation into Oklahoma;
  - (3) import of cervidae into Commercial Hunting areas shall be accompanied by a Certificate of Veterinary Inspection and an approved Cervidae Import Permit; and
  - (4) import of cervidae into a Commercial Hunting area shall follow all other disease testing required by the Oklahoma Statutes or rules promulgated by the Department of Agriculture, Food, and Forestry.
- (b) The following restrictions apply to the statewide importation of cervid carcasses or carcass parts.
  - (1) No person shall import, transport, or possess any cervid carcass or part of a cervid carcass from outside the boundaries of Oklahoma. The following items are the only exceptions:
    - (A) Antlers or antlers attached to clean skull plate or cleaned skulls (all tissue removed);
    - (B) Animal quarters containing no spinal materials or meat with all parts of the spinal column removed;



- (C) Cleaned teeth;
- (D) Finished taxidermy products;
- (E) Hides or tanned products.

(c) Upon detection and confirmation of Chronic Wasting Disease (CWD) in a free-ranging cervid(s) inside of Oklahoma or within 5 miles of the state's border, the following restrictions apply to the movement of a cervid carcass and cervid carcass parts from within the boundaries of any area designated a Selective Surveillance Area (SSA) as defined in the ODWC and Oklahoma Department of Agriculture, Food, and Forestry jointly approved 2019 Chronic Wasting Disease Response Strategy ("CWD Strategy") or the most current CWD Strategy update.

(1) No person shall transport any cervid carcass or part of a cervid carcass from within an active SSA to outside of an active SSA. The following items are the only exceptions:

- (A) Antlers detached from the skull plate and antlers attached to clean skull plate or cleaned skulls (all tissue removed);
- (B) Animal quarters containing no spinal materials or meat with all parts of the spinal column removed;
- (C) Cleaned teeth;
- (D) Finished taxidermy products;
- (E) Hides or tanned products.

(2) The Commission may, by resolution, establish additional CWD response measures at any time with such measures to be published in the current Oklahoma Fishing & Hunting Regulations and/or posted on the Department's website. Response measures may include but are not limited to altering cervid season dates and bag limits, establishing voluntary or mandatory physical cervid checking locations, voluntary or mandatory submission of samples by hunters, and restrictions on feeding or baiting.

## **SUBCHAPTER 30. WILDLIFE DEPREDATION ON AGRICULTURAL CROPS**

### **800:25-30-2. Procedures**

The following are the procedures for handling wildlife depredation complaints on agricultural crops including beehives, fruits, nuts or berries.

- (1) All complaints of damage to agricultural crops involving game species will be referred to Wildlife Division in the state headquarters office.
- (2) Immediately following receipt of a complaint, the appropriate field level employee will be contacted to investigate the damage. A copy of the completed complaint form will be sent to the regional supervisor.
- (3) All requests for assistance in controlling non-game and other wildlife species designated in the current Memorandum of Understanding between the Oklahoma Department of Wildlife Conservation and U.S. Department of Agriculture, Animal Damage Control Division (ADC) will continue to be referred to ADC.
- (4) In accordance with Federal regulations 50 CFR 21.43 Depredation order for blackbirds, cowbirds, grackles, crows and magpies, a Federal permit shall not be required to control yellow-headed, red-winged, and Brewer's blackbirds, all cowbirds, all grackles, American, fish, and northwestern crows, and all magpies, when found committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance. Provided:
  - (A) That none of the birds killed pursuant to this section, nor their plumage, shall be sold or offered for sale, but may be possessed, transported, and otherwise disposed of or utilized.
  - (B) That any person exercising any of the privileges granted by this section shall permit at all reasonable times, any Federal or State game or deputy game agent, warden, protector, or other game law enforcement officer free and unrestricted access over the premises on which such operations have been or are being conducted; and shall furnish promptly to such officer whatever information he may require, concerning said operations.

(C) That nothing in this section shall be construed to authorize the killing of such birds contrary to any State laws or regulations; and that none of the privileges granted under this section shall be expected unless the person possesses whatever permit as may be required for such activities by the State concerned.

## **SUBCHAPTER 37. NUISANCE WILDLIFE CONTROL PROGRAM**

### **PART 3. WILDLIFE AND FERAL HOG NUISANCE AND DEPREDAATION RULES**

#### **800:25-37-12. General Provisions**

In addition to the statutory provisions of Title 29 OS 4-135, the following general provisions shall apply to the issuance of a Nuisance and Depredation Permit:

(1) The Department of Wildlife Conservation (Department) shall create a complaint/permit form, which must be completed and signed by the landowner/lessee and an authorizing Department employee before a permit can be issued.

(2) If the complaint form is approved, the Department shall issue a nuisance/depredation permit. A copy of the permit must be kept on the person of the permittee and all individuals authorized in writing to help the permittee while conducting nuisance wildlife control. The permit will detail:

(A) date of complaint received and effective dates of control activities;

(B) location;

(C) method of control;

(D) landowner/lessee information and signature;

(E) name and address of designated agent(s);

(F) the signature of authorizing Oklahoma Department of Wildlife Conservation employee.

(3) Each permit holder shall:

(A) be in possession of a valid Hunting License or proof of exemption, and a valid Fishing & Hunting Legacy permit or proof of exemption and/or a valid Trapping License or proof of exemption. Landowners and/or lessees controlling nuisance wildlife on land owned or leased by them shall be exempt from the Hunting License, Trapping License and the Fishing & Hunting Legacy permit.

(B) be at least 16 years of age for wildlife control at night with firearms.

(C) any person who's hunting or trapping license privileges are revoked and is not legally able to purchase a hunting or trapping license, shall not be allowed to possess, or operate under the authority of a depredation permit.

(4) Big game (deer, antelope, bear, elk) complaints must comply with the provisions of 800:25, Subchapter 30.

**TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION  
CHAPTER 30. DEPARTMENT OF WILDLIFE LANDS MANAGEMENT**

**SUBCHAPTER 1. USE OF DEPARTMENT MANAGED LANDS**

**800:30-1-16.        Shooting ranges**

(a) On all Department owned or managed lands, the discharge of firearms for purposes other than while hunting is restricted to the specific target or shooting ranges provided for public use.

- (1) Shooting ranges are open year-round, unless specified otherwise in the Oklahoma Fishing and Hunting Guide or signs at the range.
- (2) Shooting hours are official sunrise to thirty minutes after official sunset, daily.
- (3) Any person using the shooting range under the age of 16 must be immediately supervised by an adult (18 years old or older).
- (4) All firearms shooting single projectiles or any pellets larger than conventional BB (.180" dia.) must be shot at approved berms and target areas only. Air-borne clay targets may be shot using pellets no larger than conventional BB (.180" dia.).
- (5) All rifle, pistol, shotgun, and muzzleloader targets will consist of paper or clay targets only.
- (6) All paper targets must be removed before leaving the shooting area.
- (7) Centerfire rifles and pistols .50 caliber and larger are prohibited.
- (8) Fully automatic firearms are prohibited.
- (9) Fireworks, explosive devices, exploding targets, tracer and incendiary rounds are prohibited.
- (10) Eye and ear protection shall be worn while shooting.
- (11) Shooters, and accompanying adult, must possess a valid Oklahoma hunting license, or combination hunting/fishing license unless exempt.
- (12) Do not shoot while another shooter is down range.

(b) For Department shooting ranges that include an archery area, the following shall apply:

- (1) Archery range is open year-round, unless specified otherwise in the Oklahoma Fishing and Hunting Guide or signs at the range.
- (2) Shooting hours are official sunrise to thirty minutes after official sunset, daily.
- (3) Any person using the archery range under the age of 16 must be immediately supervised by an adult (18 years or older.)
- (4) Archers using the elevated platform must wear a safety harness meeting the standards of the Treestand Manufacturers Association and be attached to the platform at all times.
- (5) Archers may only shoot at stationary targets.
- (6) Archers must draw and release arrows from the tower or directly below the tower ONLY.
- (7) All nocked arrows must point down range at all times.
- (8) The archery tower is limited to 4 shooters at a time, no spectators are allowed on the archery tower.
- (9) Do not shoot while another archer is down range.
- (10) Broadheads may only be used in designated lanes.
- (11) Shooters and accompanying adults must possess a valid Oklahoma hunting license or combination hunting/fishing license unless exempt.
- (12) Archery targets designed specifically for archery are allowed on the archery range. Archery targets must be removed after use.
- (13) No firearms allowed on the archery range.

(~~b~~c) Exemptions to (a) or (b) of this Section may only be granted by the Director of the Oklahoma Department of Wildlife Conservation upon prior submission of a written application setting forth the location, date, nature and purpose of such activity.

**800:30-1-20. Restricted public use areas**

- (a) The following Wildlife Management Areas are closed to all non-hunting activities except hunter camping (areas where camping is allowed) during the period October 1 – February 15: Beaver River, Beaver River – McFarland Unit, and Canton, ~~and Okmulgee~~. The following Wildlife Management Areas are closed to all non-hunting activities except for hunter and/or angler camping (areas where camping is allowed) and fishing during the period of October 1 – February 15: Arbuckle Springs, Fort Supply, Lexington (Lake Dahlgren), and Okmulgee.
- (b) The following Wildlife Management Areas are closed to all non-hunting activities except hunter camping (on areas where camping is allowed) during the period October 1 - January 31 and spring turkey season: Atoka, Cherokee, Cookson, Cross Timbers, James Collins, McGee Creek, Osage, Pushmataha, Sans Bois and Spavinaw.
- (c) Lake Dahlgren shall be closed to all other activities during Lexington Wildlife Management Area designated controlled hunt dates.
- (d) The following Conservation Education Areas are closed to all non-hunting and non-fishing activities during the period of October 1 - January 15 unless authorized by ODWC; camping and fires of any kind are not permitted unless authorized by ODWC: Arcadia Conservation Education Area.
- (e) The following Wildlife Management Areas are closed to the possession of a dog(s) from 1 hour before official sunrise to 1 hour after official sunset during the deer firearms, primitive, and youth seasons, except under the provision of the Americans with Disabilities Act: Honobia Creek WMA, Pine Creek WMA, and Three Rivers WMA.
- (f) Areas identified as safety zones will have restricted access and use as designated by the signs posted.

# February 2023 DIRECTOR'S REPORT



OKLAHOMA  
DEPARTMENT OF  
**WILDLIFE  
CONSERVATION**

## **CALENDAR ITEMS:**

Jan 5-8	WAFWA Mid-Winter Meeting
Feb 6	Opening of State Legislative Session
Feb 14-15	OKNASP West Regional Competition, Cox Building State Fairgrounds, OKC
Feb 22-23	OKNASP East Regional Competition, Tulsa Expo Sagenet Center
Feb 24	Rack Madness
Mar 6	next Commission Meeting
Mar 9	GIS Day at the Capitol
Apr 26	Legislative Fish Fry at the Capitol

## **AGENCY UPDATE**

### **ADMINISTRATION**

#### Accounting

- # of Claims Audited and Paid - 364
- Total Dollar Amount of Claims Paid - \$2,341,841.82
- Purchase Card Program:
- Total # Agency Cardholders - 191
- Total # Agency Approvers (no cards) - 15
- Total Agency Monthly Standard Spending Limits - \$361,500
- Total Agency Spending Limits w/ Approved Increase Requests - \$403,000
- # of PCard Spending Limit Increase Requests Approved - 24
- # of P/Card Transactions Processed - 639
- # of ODWC In-depth Audited Transactions - 80
- OMES documentation requests for PCard transactions - 6
- Total Dollar Amount of P/Card Purchases - \$191,315.95
- PCard Program Refresher Training - 4
- New Approver Training at OMES - 0
- New Cardholder Training at OMES - 3
- # of Purchase Orders/CO issued - 116
- Risk Management:
- OMES Surveys or Premiums Completed - 0
- New Cases Reported - 5

#### Federal Aid

- Federal Reimbursement Request: \$3,332,992.14
- Audit Repayment: \$152,994.58 (\$464,063.66 cumulative)
- New Grants or Amendments Submitted: 7
- Grant Reports Submitted: 26
- Fisheries and Wildlife division Pcard charges sorted into 274 unique combinations of Fund / Division / Grant number / Project number / Product Code / Area / Object Code for claim jacket preparation

- Subaward Invoices Processed: 13 invoices totaling \$81,243.66
- Grants Specialist Key Meetings / Milestones: November Program Income: \$41,467.00; November In-Kind contributions: \$38,380.00; 6 cooperative agreements fully executed totaling \$705,565.60; 7 Purchase Orders adding \$120,479.74 and releasing \$58,271.65; Lawton Risk Assessment for Boating Access Project; PeopleSoft Project discussion.
- Federal Aid Coordinator Key Meetings / Milestones: Two Admin supervisors meetings; Next Level brainstorming meeting (NE); 50 CFR 80 Update team meeting (reviewing initial comments on draft); Hackberry Flat planning meeting with DU; ARPA - Gondola Lake meeting w/OWRB & City of Lawton; RAWA Readiness planning; Meet & greet with OSU Co-Op Unit leader; Planning meetings for Oklahoma Aquarium update grant; Planning meeting for CVR with Colorado; Planning meeting w/OMES & contractor for PeopleSoft migration; Meeting w/C&E and new Shooting Range Coordinator; Working with Wildlife on WMA grants
- Other FA Section Activities: Working toward Cap Expenditure policy w/Accounting; Two FA staff received new laptops; Working with Accounting toward Buy America policy for infrastructure solicitations; Onboarding of new Grants Assistant.

#### Human Resources

- # Open Full-time Positions – 35
- Positions Interviewed – 8
- Candidates interviewed - 41
- Positions Announced – 10
- Candidates Screened - 248
- Temporary Employees Processed (Interns & Aids), - 4

See included personnel report that shows personnel actions for the month

#### Other misc:

- 1 – MINRC Meeting
- 6 – Workday training for Performance Reviews
- Continue to answer Workday questions
- 1 - Next level supervisor meeting (Vicky)
- Wildlife Resource Professional Workshop
- Interviews and testing for Game Warden positions

#### IT

January saw a slight uptick in tickets - 97. Many of these are caused by us being in full swing on new laptop deployments. We cannot install their printers until they get back to their office which generates a new ticket for each person. IT is a little over halfway through deploying the 145 laptops.

#### Upcoming and Ongoing Projects:

- Worked with Corey's AV to get new gear priced for the Eagles Nest audio upgrades.

- Trained with OMES on their process for imaging their laptops so we can do this for ourselves while adhering to state standards.
- We are developing a new inventory function to help management move equipment easier when employees move around. This will include the ability to take a picture of the equipment.
- Continued to deploy new laptops daily.
- HR requested that we make changes that would alter the way our job posting site will function.

#### License Section

- Processed over 650 orders, including 560 licenses/permits and 550 hard cards (mail and walk-in orders) - \$150,882 in revenue.
- Shipped 400 in-house merchandise items (patches, books, etc), totaling almost \$5,000 in revenue.
- Processed \$58,000 in miscellaneous revenue, such lease payments, fines restitution, etc.
- Reviewed 1210 online applications for various licenses and permits.

#### Property-Radio Division

- Submitted Vehicle Acquisition Request to OMES for 4 new heavy-duty trucks, for Fish Division (2) and Wildlife Division (2).
- Received seven new heavy-duty trucks ordered back in fall of 2021. Began prep work to deploy them out to the field.
- Distributed five new 2022 F150 trucks to Law Enforcement in the field, while also working to rebrand numerous law, fish and wildlife trucks out the field at headquarters.
- Scheduled and coordinated trips to the Northeast, Southeast, Northwest and Southwest regions to rebrand fish and wildlife trucks in the field. Nearly 60 trucks were updated on these trips.
- Compiled 2023 Annual Inventory for division administrative assistants for distribute to staff.
- Coordinated with contractors to continue repairs to headquarters entrance where a pipe burst on Christmas Eve. Also worked with aquarium contractor Under The Sea to replace bad motor on one of the aquarium tanks.

### FISHERIES DIVISION

<b>Statewide Fish Stockings</b>			
<b>Species</b>	<b>#Fish</b>	<b>Size</b>	<b># Locations</b>
Rainbow trout, USFWS	16,128	11" range	2
Rainbow trout, commercial	7,450	9"+	7
Rainbow trout, commercial	653	14-25"	7
<b>TOTAL</b>	<b>24,231</b>		9

#### Meetings

- Staff attended species specific committee meetings around the state.

- Staff attended virtual Major League Fishing (MLF) Fisheries Management Summit.

## **Activities**

- Moved metal shop equipment into new shop building and continued setting up work area, painting storage building, removed brush from pond levies, and performed general hatchery maintenance.
- Staff completed construction on boat barn rebuild and subsequent clean up. Local wildlife division personnel assisted as well as fisheries division personnel from Byron Hatchery, NWR and SER.
- Crews around the state are performing yearly routine maintenance on boats, trailers, and equipment.
- Setup research pond with trail cameras for River Otter depredation study and installed stings and flagging on grow-out ponds to detour cormorant feeding.
- Assisted several landowners with farm pond renovations/management issues.
- Staff participated in screening for hiring on call engineer for construction project for the agency.
- Hatchery Supervisor set up and conducted interviews to fill the Assistant Manager and Hatchery Technician at the Durant Hatchery.
- Staff completed habitat/brush pile enhancement at Jean Neustadt, Ardmore City, and Scott King Lakes. At Lake Vincent, 10 habitat sites were refurbished with approximately 75 cedar trees.
- Staff completed 4 angler creel surveys at McGee Creek Lake, six trout angler creel surveys at Perry CCC Lake, and reviewed trail cameras at trout ponds that recorded anglers to understand pressure.
- Paddlefish gillnetting and tagging on Grand, Oologah and Kaw Lakes was conducted with the help of many agency staff members. Catch rates were comparable to past years with the exception of Kaw which was excellent (two days with over 400 fish).
- Continued making repairs to the PRC, primarily related to water damaged walls.
- Invoicing and shipping caviar.
- Work on the new shop at Canton continues. This septic system was installed, and bids were received for heaters.
- Maintenance to the Lake Elmer dam was performed. Activities identified in the recent dam inspection were addressed which included tree removal, a leak repair of the primary spillway, and rock placement.
- Assisted with trout fishing clinic at Route 66 Park. (70 participants)
- Reviewed and made comments on 5-year fish management plan for OKCP&R and funding needs document for OKCP&R.
- Prepared crappie angler tips section at Arcadia Lake for 2023 Angler Guide
- Assisted with reading crappie otolith reading for samples from Liberty Lake.
- Revisions were made on the manuscript titled "Effects of environmental factors on sucker catch rate, size structure, species composition, and precision from boat electrofishing," for the Journal of Fish and Wildlife Management and on the manuscript titled "Surfacing response thresholds of Blue Catfish exposed to low-frequency electrofishing" that was submitted to the North American Journal of Fisheries Management.
- Worked with USFWS with identifying potential locations for barrier removal and contacting landowners as part of the National Fish Passage Program.



- Lower Illinois River management, which includes conference calls with USACE discussing water quality and on-site visit with USACE discussing gravel-permit with private landowner.
- Assisted wildlife diversity division with development of RAWA preparation document.
- Analyze data and prepare reports for various projects such as annual Catfish and Black Bass sampling, SGCN identification manuscript, and Smallmouth Bass growth study.
- The Ike Foundation donated \$1000 worth of additional rainbow trout that were stocked into Veterans Park Pond in Jenks, OK, to promote angling opportunities in urban areas so future anglers have a place to enjoy.
- NE Region Biologists completed Performance Review training on Workday and multiple TRACS webinar trainings with USFWS.

## **C&E DIVISION**

- The communication section worked to promote antlerless harvest and the holiday antlerless season. Of special note is a partnership with OnX who sent a push notification to 72,000 Oklahomans about the holiday antlerless season. This effort was coordinated by Michael Bergin, and we are excited to continue working with OnX on future efforts.
- Betsey York continued working on the 2022 Game Harvest Survey. She also compiled the summary of the 2023 public comments. Betsey helped wildlife division create an evaluation survey for the Trapping Workshops held in January. She also continued analysis of the Farm Pond Technical Assistance survey.
- Jena Donnell worked with Don Brown to plan the first-ever magazine issue dedicated to wildlife diversity. Just as the March/April issue is dedicated to fishing and the Sept./Oct. Issue is dedicated to big game hunting, the May/June issue will showcase Oklahoma's nongame species and the wildlife diversity program.
- The winter of Your Side of the Fence was produced with the help of Jena Donnell and the Private Lands section.
- Amanda Thomas, Colin Berg and Lance Meek visited every WMA gun range (both completed and planned) in an effort to improve communication and efficiency for future projects.
- The communication section worked with Becky Rouser to begin promotion for the 2023 Rack Madness event to be held on Feb. 24 at headquarters. To date 93 individuals have registered for the event.
- Smokey Solis has been working to develop WMA and Department Lake signs that reflect the new branding. Templates will be available for biologists to download and send to OCI for printing.
- Whitney Jenkins organized a booth and booth staffing for the RV and boat show. As the vendor show coordinator, Whitney is responsible for identifying which shows ODWC will participate in, developing an engaging booth for that show, training employees to sell licenses and merchandise at the shows, and assigning shifts.
- Kelly Boyer and the education section worked to prepare for the upcoming Archery in the Schools shoots to be held in Tulsa and Oklahoma City.

- Marketing, Accounting, Federal Aid and the video team worked together to monetize the Department's YouTube channel. Because some videos were produced as part of a federal grant, reporting on those video's revenue is required. This is a cumbersome process, and it has been decided to turn off monetization on those specific videos.

## **WILDLIFE DIVISION**

- Pronghorn aerial surveys are planned for the last week of January- 1st week of February.
- Cedar cutting contracts are being let for Canton, Ft Supply & Sandhills WMA's.
- On January 1, 2023 several new research projects were started.
  - New Wildlife Restoration federal aid research projects partnering with universities include: Factors Influencing Detection and Occurrence of Plains Spotted Skunks in Oklahoma (Oklahoma State University), Ozark Glade Biodiversity Inventory and Mapping Project (Oklahoma State University), and Effects of Extreme Weather and Hunting on Northern Bobwhite Populations (Oklahoma State University).
  - New State Wildlife Grants federal aid research projects partnering with universities include: Estimating Crawfish Frog Abundance and Habitat Suitability Using Ecological and Bioacoustic Techniques (Oklahoma State University), Genetic Identification and Estimation of Population Demographics for Oklahoma Buffalofish (Oklahoma State University), Status of Bumble Bees in Oklahoma: Distribution and Habitat Associations (Oklahoma State University), and Alligator Snapping Turtle Distribution Survey (Missouri State University).
- January 1 was also the start date of an in-house SWG project led by Research Biologist Alex Cooper titled Statewide land snail survey for data-driven reevaluation of Oklahoma's SGCN list
- Other research projects ongoing including turkey trapping in southeast and southwest and pronghorn captures in the panhandle.
- GIS Day at the Capital is March 9 from 9 a.m.- 3 p.m.
- The Oklahoma Chapter of the Wildlife Society Annual meeting and Conference will be Feb. 16 at Arcadia Education Center
- Dormant Season Prescribed Burning is ramping up. Burn plans are being finalized and submitted, and pre-burn notifications are given as required. A number of burns have already been conducted on Central Region WMA's. Hopefully, weather and weather patterns will preclude widespread county burn bans and we can conduct a high percentage of the burns planned for this dormant season.
- Ag lease inspections have been conducted, and notifications being sent to lessees as needed.
- 22 miles of firebreaks were maintained
- 356 tons of gravel were placed on WMA roads and 12 miles of road were bladed
- Staff are preparing grazing leases, (checking water tanks, windmills, solar wells, fence conditions, etc.). Replaced 5 miles of fences on Grazing Lease Areas. Grazing bids continue to be let for new/renewal grazing leases, and some of the early bids indicate that grazing lease prices may be up substantially from previous years.
- Shooting ranges continue to get lots of use and are being maintained as needed.
- Annual Inventory inspections are underway.

- Staff are busy completing closeout PMP's and learning the Workday Performance Management for 2023 and forward.
- Mid-winter waterfowl surveys were flown in January (Paxton Smith in the air 7 days in an 8-day period conducting surveys statewide). Waterfowl surveys completed as required on WMA's.
- Staff are ramping up for Deer Herd Health Evaluation activities.
- Staff pumped 200 acres of Wetland Development Units and continue to work on WDU equipment and infrastructure. This year saw a larger than usual number of difficulties and this, combined with the extended dry weather, resulted in a larger than normal number of units remaining dry.
- Installed reflector signs and opened the new road at Sans Bois WMA
- Assigned staff participated in Relevancy committee activities
- Many staff will participate in upcoming OKNASP competitions
- Preparation of equipment and material continued for annual Trapping Workshops. The workshop at Ft. Gibson WMA was held January 21-22 and the workshop at Packsaddle WMA is scheduled for February 11-12. These workshops have proven very popular, and all available slots are filled very quickly.
- Attended meeting with NRCS in Stillwater on Coal Creek WDU
- Conducted presentation to SOSU conservation class
- Preparations are underway for the building naming and dedication at the Hackberry Flat Center
- Winter turkey surveys are ongoing
- Deer harvest figures are being analyzed and final numbers will be coming soon

#### **LAW ENFORCEMENT DIVISION**

- Law had its first special investigators' training at Arcadia office on Jan. 17<sup>th</sup>-19<sup>th</sup>. These wardens will be the first person to call when someone in a District needs some help with a search warrant, preservation warrant or to assist Investigator Long on cases inside their respective districts. Those attending were:  
Dylan King  
Zach Paulk  
Kody Moore  
Austin Jackson  
Riley Willman  
Jared Cramer  
Cody Youngblood  
Justin Cornett  
Daniel Perkins  
Orlando Martinez  
Mike Baker  
Andrew Potter  
Eric Barnes  
John Stauffer  
Trey Hale  
Matthew Penwright
- We conducted 21 new Game Warden interviews last month and will be putting out job offers shortly for the open Game Warden positions. We are up to 12 openings now, spread across the state.

- District 1 completed the mandatory Laser Training in January. That is the new school shooting response training that Gov. Stitt mandated for LE last year. All the Districts are in the process of completing the training by the end of the year.
- We will have lots of wardens at the OKNASP shoots later this month in Oklahoma City and Tulsa.
- Capt. Loftis will be putting on the all new FTO school Feb. 13<sup>th</sup> & 14<sup>th</sup>. This is mandatory training for all supervisors, captains and FTO officers on the new process and forms that will be used for the next FTO period.



J. KEVIN STITT, GOVERNOR

J. D. STRONG, DIRECTOR

Wildlife Conservation Commission

Leigh Gaddis

Chairman

James V. Barwick

Vice Chairman

Rick Holder

Secretary

Tim Diehl

D. Chad Dillingham

Jess Kane

Mark H. Mabrey

John P. Zelbst

## MEMORANDUM

**DATE:** January 25, 2023

**TO:** OK Department of Wildlife Commission and Staff

**FROM:** Brittnee Preston

**RE:** Report on January Federal and Congressional Issues for February Commission Meeting

### **Congress:**

#### Congress convenes:

On January 3<sup>rd</sup>, the 118th Congress convened. Oklahoma's Senators Lankford and Mullin were sworn into office, with Mullin filling Sen. Inhofe's unexpired term.

The House of Representatives' first action at the beginning of any new Congress is to elect a Speaker. The Republican Leader, Kevin McCarthy sought the Speakership and succeeded in his election on the 15<sup>th</sup> vote that the lower chamber took over the course of several days. This is a historic occurrence, with the last multiple-vote Speaker election occurring in the 1920s, which only required nine votes, making McCarthy's path to Speaker the longest multiple-vote speaker election since before the civil war.

McCarthy had 19 dissenting votes through the 11th election attempt, of which was Oklahoma's newest member, Congressman Brecheen. At the 12th vote, McCarthy had conceded several committee memberships, amended House rules and set in motion a path for a single member check on the speakership which allows members to remove him if they so choose. These concessions allowed him to successfully flip 14 of the 19 holdouts. At the 14<sup>th</sup> vote, McCarthy fell one vote short setting off a scramble on the floor to persuade that member to flip his vote. McCarthy was able to secure the speakership shortly after on the 15<sup>th</sup> ballot.

Following the days of voting on the speaker, the House could move forward with business. Oklahoma's elected House members were sworn in including Oklahoma's newest Congressman, Josh Brecheen who filled now-Senator Mullin's vacated seat.

### Oklahoma wins:

Two of Oklahoma's more senior House members received chairmanships for the 118<sup>th</sup> Congress!

Congressman Cole was named Chairman of the House Rules Committee. The Rules Committee yields a lot of power as the manager of the House's floor activity. This Committee decides what bills receive floor time and how they are amended.

We manage and protect fish and wildlife, along with their habitats, while also growing our community of hunters and anglers, partnering with those who love the outdoors, and fostering stewardship with those who care for the land.

Congressman Lucas was named the Chairman of the House Science, Space and Technology Committee. This Committee has jurisdiction over research and development of many agencies and industries, oversight of NASA, NOAA and the National Weather Service

#### Debt Ceiling:

- > The debt limit was reached on January 19th. The U.S. Treasury implemented extraordinary measures to address the payments on the \$31.4 trillion debt.
- > Congress seems to be at an impasse on negotiations to raise the debt ceiling.

#### Recovering America's Wildlife Act –

- > The push for Recovering America's Wildlife Act in the 117<sup>th</sup> Congress ended without passage. It made significant progress last year and hopefully can build off that momentum in the 118<sup>th</sup> Congress.
- > The bill sponsors for reintroduction are expected to be the same as last Congress, Rep. Dingell in the House and Senators Heinrich and Blunt in the Senate.
- > It is not clear yet on when to expect the bills to be reintroduced, but the coalition's hope is this spring.

#### FY24 Appropriations –

- > The FY 2024 appropriations season is ramping up with anticipation of the President's budget to be released close to the February deadline.
- > We can expect to see agency hearings begin shortly after Congress receives the President's budget and topline numbers announced around the March timeframe.
- > Following that, bill drafts will start to trickle out and, hopefully, move through the process toward the end of spring or the beginning of summer.

#### Lesser Prairie Chicken –

- > On January 12<sup>th</sup>, several members of Congress from states effected by the Lesser Prairie Chicken listing sent a letter to the Secretary of the Interior, Deb Haaland requesting a delay of the final rule's effective date. The letter (see attached) requested to extend the effective date until April 2023. The USFWS announced (see below) that listing's effective date would be delayed until March 27, 2023.

#### Agencies:

- > U.S. Fish and Wildlife Services (USFWS)
  - o USFWS [announced](#) Cooperative Endangered Species Conservation Fund: Recovery Land Acquisition Grants. The deadline to submit applications is March 2, 2023.
  - o USFWS [announced](#) Cooperative Endangered Species Conservation Fund: HCP Land Acquisition. The deadline to submit applications is March 2, 2023.
  - o USFWS [announced](#) Cooperative Endangered Species Conservation Fund: Conservation Planning Assistance. The deadline to submit applications is March 2, 2023.
  - o USFWS [announced](#) the final rule for the LPC listing will have a delayed effective date of March 27, 2023.

#### Coming up...

- > The debt ceiling needs to be addressed
- > The FARM bill expires this year.
- > The President's budget is due at the beginning of February.
- > FY 24 Appropriations season will kick off soon.

We manage and protect fish and wildlife, along with their habitats, while also growing our community of hunters and anglers, partnering with those who love the outdoors, and fostering stewardship with those who care for the land.

# Congress of the United States

Washington, DC 20515

January 12, 2023

The Honorable Deb Haaland  
Secretary  
Department of the Interior  
1849 C Street NW  
Washington, DC 20240

**Re: Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status with Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Status for the Southern Distinct Population Segment; Docket No. FWS-R2-ES-2021-0015**

Dear Secretary Haaland,

We write today with serious concerns regarding the final rule to list the lesser prairie-chicken (LPC) under the Endangered Species Act (ESA) by the United States Fish and Wildlife Service (Service) and request that you delay the effective date of the final rule to April 1, 2023. This will provide industry stakeholders time to adjust their operations and finalize voluntary efforts to conserve the bird.

First and foremost, we believe the Service should promote voluntary conservation work that has proven successful at conserving the bird and not list the LPC whatsoever. Given the decades-long history of private lands conservation in coordination with the Service and state partners, we believe listing the LPC undermines private property rights and will discourage critical conservation efforts on private lands. Let us be clear, while we strongly urge the Service to revoke the listing, at minimum it is necessary to delay the effective date for involved parties to effectively comply with the rule. An extension of the effective date will give industry stakeholders more time to participate in or expand voluntary conservation prior to the primary nesting season of the LPC and give ranchers time to comply with the new 4(d) rule for grazing activities or establish Candidate Conservation Agreement with Assurances (CCAA).

A major issue with the final rule, making a delay necessary, is the 4(d) rule regarding grazing practices. Instead of granting incidental take protections for routine grazing practices on existing grasslands, as it did for routine agricultural practices on existing cultivated lands, the Service chose a path to dramatically increase control over private property. Requiring a third-party verified grazing plan on millions of acres of private property is nothing short of an egregious federal takeover of private property, effectively making private property in LPC range no different than federal lands. Even the Service acknowledges that “[g]razing has long been an ecological driving force throughout the ecosystems of the Great Plains” and that it is in fact

needed to maintain the LPC, yet this rule presumes that the Service could conduct grazing activities better than local ranchers who have been doing it for decades.

Delaying the effective date provides the Service proper time to approve qualified parties to develop prescribed grazing plans. According to the final rule, prior to the effective date of the rule the Service will post a list of Service-approved parties to develop site-specific grazing plans. Individuals or entities must also request to be on the list of Service-approved parties to develop site-specific grazing plans. Finally, those Requests for approval to develop site-specific grazing management plans must be written and submitted to the Service's Lesser Prairie-Chicken Coordinator and must include a statement of qualifications and a commitment to develop site-specific management plans. This is an impractical timeline for people to submit their applications to the Service's Lesser Prairie-Chicken Coordinator for approval. Not only this, but the Service expects ranchers to be in compliance with the rule and have grazing management plans established by the time the rule is effective. There is certainly not enough time for interested parties to submit applications to the Service for approval and for the Service to approve the submission, and then for millions of acres of grazing land to establish site-specific grazing plans.

Delaying the effective date will also help establish more conservation through CCAAs. Unfortunately, CCAA enrollment cuts off on the effective date, however, the Service has indicated enrollment does not need to be completed by the effective date, but the process needs to have been started. Delaying the effective date will provide industry stakeholders, including ranchers in the Southern Distinct Population who cannot use the 4(d) rule, time to start the CCAA process already established and successfully used by the Service.

Finally, because the final rule was not published until late November and the Service waited until mid-December to report the rule to Congress under the Congressional Review Act, Congress won't get a chance to potentially act to strike the rule until after it becomes effective. In fact, the joint resolution of disapproval cannot even be introduced in the new Congress until after the rule becomes effective. Delaying the effective date of the rule to April 1 will give Congress time to act on the rule before it becomes effective.

There is no question that this listing will hurt our nation's agricultural economy, hinder our oil and gas independence, increase utility costs, and prevent the development of renewable energy. If the goal of the rule is to conserve the habitat of the LPC, the Service should delay the effective date. The current plan to allow the final rule to become effective in less than 60 days after its publication severely limits the choices of those who can actually promote and protect the bird. We strongly urge you to delay the effective date to April 1, 2023.

Sincerely,

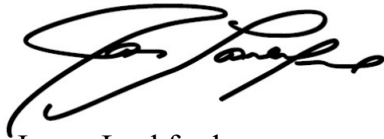


Roger Marshall, M.D.  
United States Senator



Tracey Mann  
Member of Congress





James Lankford  
United States Senator



Jerry Moran  
United States Senator



Markwayne Mullin  
United States Senator



Ronny L. Jackson  
Member of Congress



Ron Estes  
Member of Congress



Jake LaTurner  
Member of Congress



August Pfluger  
Member of Congress



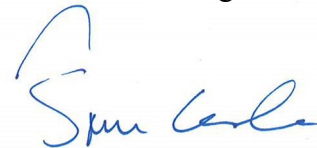
Stephanie Bice  
Member of Congress



Dan Newhouse  
Member of Congress



Frank D. Lucas  
Member of Congress



Tom Cole  
Member of Congress

**OKLAHOMA DEPARTMENT OF WILDLIFE CONSERVATION**  
**J.D. Strong, Director**

**Personnel Actions**  
**January 2023**

**New Hires**

Nathan Copeland – Fisheries Boating Access Coordinator, Jenks, 1/3/23

Kristin Ryan – License Assistant, Central Office, 1/3/23

Morgan Winstead – Fisheries Technician ANS, Porter Office, 1/3/23

Devin Jordan – Hatchery Technician, Durant State Fish Hatchery, 1/19/23

**Promotions**

Sean Robertson – Accounting Assistant to Accountant, HQ, 1/1/23

Luke Taylor – Fisheries Biologist NW Region to Assistant Hatchery Manager, Durant, 1/1/23

**Transfers**

Dylan King – Warden, Oklahoma County to Warden, Canadian County, 1/1/23

Joe Nabonne – Wildlife Biologist, Lexington WMA to Biologist, Sandy Sanders WMA, 1/1/23

Gabrielle Robinson – Accounting Assistant to Fisheries Administrative Assistant, Central Office, 1/1/23

Annie Ensey – Grants Assistant to Accounting Assistant, 1/12/23

**Resignations/Terminations**

Clayton Porter – Fisheries Biologist, SW Region, 1/13/23

**Retirements**