

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

**Public Meeting:**     **Monday, April 5, 2021 at 9:00 a.m.**  
Oklahoma Department of Wildlife Conservation  
1801 N. Lincoln Blvd.  
Oklahoma City, OK 73105

Due to social distancing requirements, seating may be limited, but for additional public accessibility, in compliance with the Open Meeting Act, this meeting is also scheduled to be streamed live and recorded at [www.youtube.com/user/outdooroklahoma](http://www.youtube.com/user/outdooroklahoma)

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 – Chairman Bruce Mabrey
2. Roll Call – Rhonda Hurst
3. Invocation – Russ Horton
4. Pledge of Allegiance – Russ Horton
5. Introduction of Guests
  
6. Update from Lt. Governor Matt Pinnell.
  
7. Presentation of Awards – J.D. Strong, Director  
No tenure awards for April.
  
8. Consideration and vote to approve, amend, reject or take other action on minutes of the March 1, 2021 regular Commission meeting.
  
9. Director's Report – J.D. Strong
  - a. Federal and Congressional Update
    - Oklahoma Legislative Update – Corey Jager, Legislative Liaison
  - b. Calendar Items – discussion of upcoming department calendar items.
  - c. Agency Update – an update on current activity within each division of the agency.
  
10. Presentation of the February 28, 2020 Financial Statement and consideration and vote to approve, amend or reject miscellaneous donations – Amanda Storck, CFO and Chief of Administration.
  
11. Presentation on the new initiative to recognize the diversity of hunters, anglers and wildlife enthusiasts through the agency's communication channels and education programs. This effort was first initiated as part of the agency's Strategic Plan to demonstrate that all Oklahomans are welcome in the outdoors - Nels Rodefeld, Chief and Kelly Adams, Supervisor, Communication and Education Division.
  
12. Presentation on Wildlife Management Area planning and modernization - Bill Dinkines, Chief of Wildlife Division.

13. Discussion of the Appraisal and/or Purchase of Certain Real Property Located in Harmon and Haskell counties, which the Commission by Majority Vote May Decide to Discuss in Executive Session Pursuant to 25 O.S. 307(B)(3); with Any Action Thereon to Take Place Through Discussion, Consideration and Vote in Open Session - Bill Dinkines.
14. New Business – Discussion of any matter not known about or which could not have been reasonably foreseen 24 hours prior to the scheduled meeting.
15. Announce the date for the next regular Commission Meeting on Monday, May 3, 2021 at 9:00 a.m. in Oklahoma City, Oklahoma.
16. Adjourn

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

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

**Personnel Actions**  
**March 2021**

**New Hires**

Alexander C. Cooper – Wildlife Biologist, Research, OKC Zoo, 3/22/2021

**Promotions**

**Transfers**

Curtis Tackett – Fish Biologist, Porter Office to Wildlife Biologist Diversity:  
Threatened & Endangered, 3/1/2021

**Resignations/Terminations**

Cannon Harrison – Game Warden, McIntosh County, 3/5/2021

**Retirements**

## MINUTES

Of the Regular Meeting on March 1, 2021 of the

### OKLAHOMA WILDLIFE CONSERVATION COMMISSION

Held at the Oklahoma Department of Wildlife Conservation Building, Oklahoma City, Oklahoma, March 1, 2021. 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 February 22, 2021 at 2:30 p.m.

Due to social distancing requirements, seating may be limited, but for additional public accessibility, in compliance with the Open Meeting Act, this meeting is also scheduled to be streamed live and recorded at [www.youtube.com/user/outdooroklahoma](http://www.youtube.com/user/outdooroklahoma)

Chairman Bruce Mabrey called the Commission in session at 9:00 a.m.

Rhonda Hurst, Executive Assistant, called the roll.

MEMBERS PRESENT:      BRUCE R. MABREY, Chairman  
                                 LEIGH A. GADDIS, Secretary  
                                 BILL K. BREWSTER, Member  
                                 JAMES V. BARWICK, Member  
                                 D. CHAD DILLINGHAM, Member  
                                 JOHN P. ZELBST, Member  
                                 C. RICK HOLDER, Member

MEMBERS ABSENT:      ROBERT S. HUGHES II, Vice-Chairman

J.D. Strong, Director, introduced the following guests: Laura McIver, Quail Forever; Rick Grundman, Executive Director of OWCF; Peter Churchbourne, National Rifle Association.

Director Strong introduced Lieutenant Governor Matt Pinnell who addressed the Commission via telephone to announce the new Cabinet System. Governor Stitt amended his Executive Order 2019-01 which outlines the various Cabinets and Cabinet Secretaries. This Order named the Oklahoma Department of Wildlife Conservation as a member of the Tourism, Wildlife, & Heritage Cabinet. Lieutenant Governor Matt Pinnell is the Cabinet Secretary and said he was thrilled to have the Wildlife Department in his cabinet. He would like to attend the April Commission meeting to discuss how we can partner to develop economic tools to promote hunting and fishing in Oklahoma. He is proud of the Oklahoma Fishing Trail partnership and said the Lieutenant Governor's Turkey Hunt is one of the best economic development events in the State.

Director Strong presented Kristen Gillman, Wildlife/Lands Mineral Coordinator/GIS Supervisor with 20 years of service to the Department.

Motion was made by Mr. Zelbst, seconded by Ms. Gaddis to approve the minutes from the February 1, 2021 regular Commission meeting. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey 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. Director 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. Director Strong announced that the Outdoor Oklahoma Adventures raffle was launched nine days ago and has already generated over \$27,000 in tickets sales. He also stated that the virtual Rack Madness was a big success increasing the Department's Instagram traffic by 120% and there were over 4,000 views of some of the demonstrations such as Assistant Director Wade Free's scoring video.

Corey Jager, Legislative Liaison, took the Commission through the slate of wildlife bills still active in the 2021 Legislative Session. She noted that these bills are available to view on the ODWC website under Legislative Tracker.

Amanda Storck, CFO and Chief of Administration, presented the Financial Statement for January 31, 2021. Motion was made by Ms. Gaddis, seconded by Mr. Dillingham to accept the statement as presented and approve miscellaneous contributions. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey voting "Yes."

Nels Rodefeld, Chief of Communication & Education introduced Lance Meek, Communication and Education Senior Specialist who gave an overview of the Oklahoma Hunter Education Program. He stated the Hunter Education course is and has always been free. Oklahoma was the first state to offer the Home Study Program and the second state in the nation to offer the Apprentice Designated License. In 2007, Oklahoma produced their very own Hunter Education Manual that focused on Oklahoma wildlife and rules and regulations and created an on-line course in 2011. Mr. Meek introduced Peter Churchbourne, Director of the Hunter's Leadership Forum of the National Rifle Association. Mr. Churchbourne explained that in 2018 the NRA created a Hunter Education Course and began a partnership with ODWC to use the NRA on-line Hunter Education course and materials. This free course has resulted in the collection of more than \$191,000 worth of Federal Aid match for Oklahoma. Mr. Rodefeld requested Commission approval on a resolution in recognition of the National Rifle Association for their development of an online hunter education course and the benefits it has brought to Oklahoma. Motion was made by Mr. Brewster, seconded by Mr. Barwick to approve the recognition resolution as presented. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey voting "Yes."

Bill Dinkines, Chief of Wildlife Division introduced Kristen Gillman, Lands/Mineral Coordinator/GIS Supervisor, who gave a presentation on ODWC's minerals program. ODWC owns 359,489.64 surface acres and 75,643.49 mineral acres. ODWC owns minerals in 23 counties. The minerals are managed through an interagency agreement with the Commission of the Land Office (CLO). CLO handles the bidding of minerals, leases and royalty payment collection for a 6% management fee.

Chairman Mabrey polled the Commission asking if each member had received the packet of rule information from the Department and if they had the opportunity to review and consider the public comments submitted in connection with the proposed rules listed on the agenda. All member present said "Yes" by roll call.

Micah Holmes, Assistant Chief of Communication & Education Division, requested Commission approval of the following proposed Title 800 Chapter 1 permanent rules.

**Title 800. Department of Wildlife Conservation**

**Chapter 1. Operations and Procedures**

**Subchapter 3. Function, Organization, Powers and Duties**

800:1-3-3. Function, organization, power and duties [AMENDED]

**Subchapter 5. General Course and Method of Operation**

800:1-5-2. General course and method of operation [AMENDED]

**Subchapter 10. Citizen Complaints of Employee Actions**

800:1-10-2. Receipt of complaints [AMENDED]

800:1-10-3. Investigation of complaints [AMENDED]

800:1-10-5. Review of complaint disposition [AMENDED]

800:1-10-7. Duties of investigators and Division Chiefs in regard to complaints [AMENDED]

**Subchapter 11. Publications**

800:1-11-1. Charges for workshops, publications and other material [AMENDED]

**Subchapter 13. Hunting and Fishing License Dealers**

800:1-13-1. Purpose [AMENDED]

800:1-13-2. License dealer bonding requirements [REVOKED]

800:1-13-3. Dealer operating provisions [AMENDED]

800:1-13-4. Termination of license dealership [AMENDED]

800:1-13-5. Penalties [REVOKED]

800:1-13-6. Opportunity for hearing [AMENDED]

800:1-13-7. Hearing procedures [AMENDED]

800:1-13-8. Telephone license dealers [REVOKED]

**Subchapter 15. Hunter Education Rules**

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

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

800:1-15-4. Administrative requirements [AMENDED]

**Subchapter 19. Aquatic Education Rules**

800:1-19-1. Instructors [AMENDED]

800:1-19-2. Administrative requirements [AMENDED]

The purpose of the proposed rule amendments are to align with Governor Stitt's Executive Order 2020-03 as part of a thorough review of Title 800 to identify costly, ineffective, duplicative and outdated information and regulations. The proposed rule amendments serve to eliminate language that is already established in Title 29.

Additionally, it replaces outdated language. Removes items no longer available for purchase. Clarifies requirements for hunting and fishing license dealers. Expands opportunities for non-residents to participate in the hunter education program. Removes the outdated volunteer incentive program.

Mr. Barwick stated that the Legislative/Rules/Litigation Committee had met and reviewed all rules. Motion was made by Mr. Barwick, seconded by Ms. Gaddis to approve the rules as presented. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey voting "Yes".

Barry Bolton, Chief of Fisheries Division, requested Commission approval of the following proposed Title 800 Chapter 10 permanent rules.

**Title 800. Department of Wildlife Conservation**

**Chapter 10. Sport Fishing Rules**

**Subchapter 1. Harvest and Possession Limits**

800:10-1-3. Additional definitions [AMENDED]

800:10-1-4. Size limits on fish [AMENDED]

800:10-1-5. Bag limits on fish [REVOKED]

800:10-1-7. Possession limit [AMENDED]

**Subchapter 3. Methods of Taking**

800:10-3-5. Use of bow and arrow, grabhooks, gigs, spears, and spearguns, snagging, noodling and netting [AMENDED]

800:10-3-6. Use of trotlines, throwlines, limblines, juglines and yo-yo's

[AMENDED]

800:10-3-7. Penalties [REVOKED]

800:10-3-8. Harvest tagging and reporting [NEW]

800:10-3-9. Penalties [NEW]

**Subchapter 5. Area Restrictions and Special Fees**

800:10-5-2. Department fishing areas [AMENDED]

800:10-5-3. Designated trout areas [AMENDED]

800:10-5-5. Tailwaters [AMENDED]

800:10-5-6. Lakes, reservoirs, rivers and streams [AMENDED]

The purpose of the proposed rule amendments are to align with Governor Stitt's Executive Order 2020-03 as part of a thorough review of Title 800 to identify costly, ineffective, duplicative and outdated information and regulations. These revisions include housekeeping edits, combination of the size limit and bag limits sections, clarification of culling restrictions, clarification of release of fishes taken by bow and arrow, gig, spear, and speargun, new aggregate bag limit for Close To Home waters, new statewide aggregate trout bag limit, removal of Monday and Friday catch and release requirement for paddlefish, clarified restrictions on cleaning and disposal of fish or fish remains, statewide May closure and catch and release rules clarified for alligator gar, removal of restrictions on tiger muskie, changed labeling requirements for fishing equipment, modification of snagging restrictions on the Arkansas River, new section on harvest tagging and reporting of fish, and allow non-motorized boats on Doc Hollis Lake.

Mr. Bolton stated that we received comments both for and against the proposals. He did address the concern of lowering the trout limit from six to three and explained to the Commission the costs involved in purchasing trout which are not native to Oklahoma and that the limit of three is already in effect on the lower mountain fork. Due to public comment, two sections were revised. Language restricting release of fish taken with bow and arrow, gig, spear, or spear gun was removed, and the distance dead fish, fish remains or fish carcasses could be disposed of into waters of Oklahoma were revised from 25 yards to 100 yards. Mr. Dillingham voiced concern with the rule proposal to only allow the new Customer Identification number when tagging fish or labeling equipment. He suggested for a period of three years that anglers be allowed to use their Customer Identification and/or their name and address.

Mr. Barwick stated that the Legislative/Rules/Litigation Committee had met and reviewed all rules. Motion was made by Mr. Barwick, seconded by Ms. Gaddis to approve the rules as presented including the revisions presented by Mr. Bolton for the removal of language restricting release of fish taken with bow and arrow, gig, spear, or spear gun, and the distance dead fish, fish remains or fish carcasses could be disposed of into waters of Oklahoma revised from 25 yards to 100 yards and also to allow anglers to adapt to the new Customer Identification number by revising language to allow the use of name and address or Customer Identification number for a period of three years. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey voting "Yes".

Barry Bolton, Chief of Fisheries Division, requested Commission approval of the following proposed Title 800 Chapter 15 permanent rules.

**Title 800. Department of Wildlife Conservation**

**Chapter 15. Commercial Harvest Rules; Aquatic Species**

**Subchapter 1. Commercial Fishing**

800:15-1-1. Purpose [AMENDED]

- 800:15-1-2. License requirements [AMENDED]
- 800:15-1-3. General; operating provisions [REVOKED]
- 800:15-1-4. Open and closed areas [REVOKED]
- 800:15-1-5. Special rules; paddlefish [AMENDED]
- Subchapter 3. Commercial Minnow Seining [AMENDED]**
- 800:15-3-1. Purpose [AMENDED]
- 800:15-3-2. License and fee requirements [AMENDED]
- 800:15-3-3. General; operating provisions [AMENDED]
- 800:15-3-4. Closed areas [REVOKED]
- 800:15-3-5. Special restrictions [REVOKED]
- Subchapter 5. Commercial Shad Harvest**
- 800:15-5-1. Purpose [AMENDED]
- 800:15-5-2. Licenses and fee requirements [REVOKED]
- 800:15-5-3. General; operating provisions [AMENDED]
- 800:15-5-4. Areas open [REVOKED]
- Subchapter 7. Commercial Mussel Harvest**
- 800:15-7-1. Purpose [AMENDED]
- 800:15-7-2. License and fee requirements [REVOKED]
- 800:15-7-3. General; operating provisions [AMENDED]
- 800:15-7-4. Mussel sanctuaries [REVOKED]
- 800:15-7-5. Species restrictions [REVOKED]
- Subchapter 9. Commercial Turtle Harvest**
- 800:15-9-3. General; operating provisions [AMENDED]

The purpose of the proposed rule amendments are to align with Governor Stitt's Executive Order 2020-03 as part of a thorough review of Title 800 to identify costly, ineffective, duplicative and outdated information and regulations. These revisions include housekeeping edits, equipment labeling requirements, and closure of waters of this state to commercial fishing, commercial minnow seining, commercial shad harvest, and commercial mussel harvest.

Mr. Barwick stated that the Legislative/Rules/Litigation Committee had met and reviewed all rules. Motion was made by Mr. Barwick, seconded by Mr. Dillingham to approve the rules as presented. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey voting "Yes".

Bill Dinkines, Chief of Wildlife Division, requested Commission approval of the following proposed Title 800 Chapter 25 permanent rules.

**Title 800. Department of Wildlife Conservation**

**Chapter 25. Wildlife Rules**

**Subchapter 1. Hunting/Trapping on Oklahoma Tourism and Recreation Lands**

800:25-1-5. Trapping on Lake Thunderbird State Park [REVOKED]

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

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 23. Waterfowl Hunting on Sooner Lake**

800:25-5-94. Hunting area, dates and hunting hours/days [AMENDED]

800:25-5-95. Species which may be hunted [AMENDED]



**Part 25. Hunting at Tishomingo Wildlife Management Unit**

800:25-5-105. Dates for waterfowl hunting [REVOKED]

800:25-5-206. General provisions [REVOKED]

**Subchapter 7. General Hunting Seasons**

**Part 1. General Provisions**

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

**Part 5. Upland Game**

800:25-7-15. Wild turkey – Fall; dates, limits and open areas [AMENDED]

800:25-7-17. Wild turkey – Spring; dates, limits and open areas [AMENDED]

800:25-7-17.1. Wild Turkey – Spring Youth Season [AMENDED]

800:25-7-19. Wild turkey – general provisions [AMENDED]

**Part 12. Antelope**

800:25-7-48. Dates, open areas, bag limits and hunting hours and regulations [AMENDED]

**Part 13. Deer**

800:25-7-50. General provisions for deer [AMENDED]

800:25-7-55. Deer-Youth Gun Season [AMENDED]

**Part 14. Elk**

800:25-7-57. Dates, open areas, bag limit and hunting hours [AMENDED]

**Part 15. Furbearers**

800:25-7-61. Bag limits [AMENDED]

800:25-7-64. General provisions for furbearers [AMENDED]

**Part 16. Black Bear**

800:25-7-67. Dates, open areas, bag limits, hunting hours, legal means of take, quotas, prohibited activities [AMENDED]

**Part 19. Season on areas owned or managed by the Oklahoma Department of Wildlife Conservation and the U.S. Fish and Wildlife Service**

800:25-7-84. Black Kettle WMA [AMENDED]

800:25-7-85. Blue River Hunt Area [AMENDED]

800:25-7-88. Canton WMA [AMENDED]

800:25-7-89. Canton WRP [AMENDED]

800:25-7-92.1. Cimarron Bluff Wildlife Management Area [AMENDED]

800:25-7-92.2. Cimarron Hills Wildlife Management Area [AMENDED]

800:25-7-95. Ellis County WMA [AMENDED]

800:25-7-98. Fort Cobb WMA [AMENDED]

800:25-7-100. Fort Gibson WRP [AMENDED]

800:25-7-102.1. Gist WMA [AMENDED]

800:25-7-105.5. Hackberry Flat WMA [AMENDED]

800:25-7-106. Heyburn WMA [AMENDED]

800:25-7-115. Kaw WMA [AMENDED]

800:25-7-116. Keystone WMA [AMENDED]

800:25-7-117. Lexington WMA [AMENDED]

800:25-7-121. Major County WMA [AMENDED]

800:25-7-126. Mountain Park WMA [AMENDED]

800:25-7-128. Okmulgee PHA [AMENDED]

800:25-7-134. Packsaddle WMA [AMENDED]

800:25-7-136. Pushmataha WMA [AMENDED]

800:25-7-139.1. Sandhills WMA [NEW]

800:25-7-140. Sand Sanders WMA [AMENDED]

800:25-7-143. Skiatook WMA [AMENDED]

800:25-7-151. Tishomingo WMU/Cooperative Unit [AMENDED]

800:25-7-154. Waurika WMA [AMENDED]

**Part 25. Oklahoma land Access Program**

800:25-7-180. General provisions for OLAP walk-in areas [AMENDED]

800:25-7-151. OLAP walk-in hunting areas, seasons, and equipment restrictions [AMENDED]

800:25-7-182. OLAP wildlife-viewing areas, seasons and equipment restrictions [AMENDED]

**Subchapter 9. Controlled Hunts**

**Part 1. Guidelines**

800:25-9-7. Schedule of hunts [AMENDED]

**Part 3. Antelope**

800:25-9-12. General Antelope Regulation [AMENDED]

**Subchapter 13. Commercial Hunt Areas**

800:25-13-6. Facility requirements [AMENDED]

**Subchapter 21. Oklahoma Waterfowl Stamp Design Competition**

800:25-21-1. Purpose [REVOKED]

800:25-21-2. Contest rules for Oklahoma Waterfowl Stamp Design Competition [REVOKED]

800:25-21-3. Oklahoma Waterfowl Stamp Design Competition [NEW]

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

800:25-30-5. DCAP (Damage Control Assistance Permits) [AMENDED]

**Subchapter 37. Nuisance Wildlife Control Operators Program**

800:25-37-5. Procedures and guidelines [AMENDED]

**Subchapter 40. Oklahoma Land Access Program**

800:25-40-3. Qualifications and enrollment procedures [AMENDED]

The purpose of the proposed rule amendments are:

Subchapter 1 – This rule will remove outdated regulations that are no longer in effect.

Subchapter 3 – These rules will open additional portions Corps of Engineers lands at Ft. Supply and Eufaula Reservoirs to hunting opportunity.

Subchapter 5 – These rules will update language to reflect the correct name of the regulations book, and revoke rules for the Tishomingo WMA that are out of date, no longer effective, or have been moved Subchapter 7.

Subchapter 7 – These rules will exempt dove hunters from having to wear blaze orange during the restricted times of the year; clear up confusing language about when / where blaze orange clothing is required by rewording to eliminate potential confusion with Wildlife Management Areas; add rules to simplify and update harvest tagging and reporting requirements; update language to reflect the electronic license system by replacing address and license number labeling requirements to customer ID number; eliminate outdated references to check stations; strike unnecessary restrictions on shot size for shooting feral hogs; remove specific listing of counties, season dates and bag limits for wild turkeys to allow these to be set by commission resolution; remove obsolete language about check stations and carcass tags; allow youth deer antlerless gun licenses to be used during the Holiday Antlerless Deer Gun Season; strike “spotted skunk” from bag limits since taking of spotted skunks is prohibited; change the obsolete term “Ranger” to “Warden”; open rail and gallinule season Black Kettle WMA; extend deer gun season to 16 days on Blue River PFHA;

open hunting for a number of species during deer muzzleloader season and after the first nine days of deer gun season, on Cimarron Hills and Cimarron Bluff WMA's; open a rail and gallinule season on Ellis County WMA; change spring and fall turkey bag limits to one tom, and close spring turkey hunting hours at 7:00 pm daily on several WMA's; remove the nontoxic shot requirement for crow hunting, open deer muzzleloading firearms season, and close pursuit with hounds and predator calling during the first nine days of deer gun season on Ft. Cobb WMA; open predator / furbearer season on Ft Gibson WRP the same as statewide dates except closed October 15-January 31; open common snipe, gallinule, rail, and spring turkey (one tom limit, hunting closes at 7:00 pm daily) seasons the same as statewide dates, and allow trapping (water sets, live box traps, and enclosed trigger traps only) on Gist WMA; open deer gun season (muzzleloading firearms only) for the first nine days, open squirrel season same as statewide dates (except closed first nine days of deer gun season), and close rabbit, crow, dove, common snipe, woodcock, pursuit with hounds, and predator / furbearer calling during the first nine days of deer gun season on Hackberry Flat WMA; open trapping to same as statewide dates on several WMA's; open all of muzzleloading firearms season on Lexington WMA for antlerless harvest; remove firearm restrictions on Mountain Park WMA; Allow harvest of antlerless deer during muzzleloading firearms season on Okmulgee PHA; establish hunting seasons on Sandhills WMA; Open rail, gallinule, woodcock (except closed first nine days of deer gun season), common snipe (except closed first nine days of deer gun season), and muzzleloading firearms season (except closed to antlerless mule deer harvest) same as statewide season dates on Sandy Sanders WMA; remove bag limit restrictions during deer gun and muzzleloading firearms seasons on Skiatook WMA; require hunters to sign in and out at designated locations and close waterfowl hunting at 1:00 pm daily on Tishomingo WMU/Cooperative Unit; remove firearms restrictions and open deer muzzleloading firearms season same as statewide dates on Waurika WMA; and correct typos, update language, expand access dates and hunting opportunity, introduce new property types and standardize species regulations for OLAP properties.

Subchapter 9 – These proposed changes will delete outdated reference to a schedule of hunts brochure, and move antelope tagging and reporting requirements to Subchapter 7.

Subchapter 13– This proposed change will change the fencing requirements for Commercial Upland Hunting facilities.

Subchapter 21 – These proposed changes will revoke the Oklahoma Waterfowl Stamp Design Competition section and create new language to move the rules for the competition to procedure manual and website.

Subchapter 30 – These proposed changes add archery as a legal method of take to fill DCAP permits, and replace obsolete wording “Game Division” with “Wildlife Division”.

Subchapter 37 – These proposed changes modify trap restrictions, and trapping location restrictions for Nuisance Wildlife Control Operators.

Subchapter 40 – These proposed changes clarify and define the criteria for determining landowner eligibility for enrolling properties in the Oklahoma Land Access Program.

Mr. Dillingham expressed his concern for the public comments received regarding access and ability to hunt on Wildlife Management Areas (WMA). Mr. Dinkines agreed that we are

sensitive to these comments on accessibility and stated that these issues are being address through the strategic plan process and the WMA management plans.

Mr. Barwick stated that the Legislative/Rules/Litigation Committee had met and reviewed all rules. Motion was made by Mr. Barwick, seconded by Mr. Zelbst to approve the rules as presented. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey voting “Yes”.

Bill Dinkines, Chief of Wildlife Division, requested Commission approval of the following proposed Title 800 Chapter 30 permanent rules.

**Title 800. Department of Wildlife Conservation**

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

**Subchapter 1. Use of Department managed Lands**

800:30-1-2. Use restrictions [AMENDED]

800:30-1-4. Camping [AMENDED]

800:30-1-5. Vehicles [AMENDED]

800:30-1-7. Livestock and feral hogs [AMENDED]

800:30-1-18. Nonambulatory and motor vehicle permittee’s [AMENDED]

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

The purpose of the proposed rule amendments is to update outdated language an references to obsolete booklets; clarify language closing entry to WMA safety zones with any means of take; establish camping rules for Sandhills WMA; establish rules for fires in designated camping areas; clarify the prohibition of ATV’s/UTV’s on WMA roads that are not county roads; close feral hog hunting on Hackberry Flat, Kaw, Sandy Sanders and Waurika WMA’s; remove the current 700cc or smaller restriction for UTV’s used on WMA’s by those with non-ambulatory permits; allow hunter and angler camping on Ellis County WMA, and remove Sandy Sanders WMA from restricted public use areas.

Mr. Barwick stated that the Legislative/Rules/Litigation Committee had met and reviewed all rules. Motion was made by Mr. Barwick, seconded by Mr. Dillingham to approve the rules as presented. Motion carried with Commissioners Brewster, Barwick, Gaddis, Zelbst, Dillingham, Holder and Mabrey voting “Yes”.

Chairman Mabrey thanked the Legislative/Rules/Litigation Committee as well as the ODWC staff for their work and diligence throughout the proposed rule process.

Chairman Mabrey announced the next Commission meeting is scheduled on Monday, April 5, 2021 in Oklahoma City, Oklahoma.

The meeting adjourned at 10:42 a.m.

OKLAHOMA WILDLIFE CONSERVATION COMMISSION

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Bruce R. Mabrey, CHAIRMAN

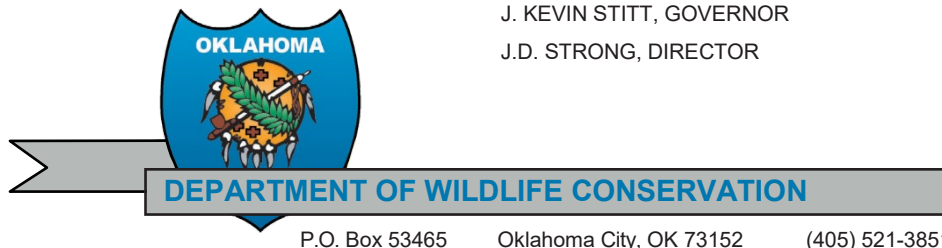
ATTEST:

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Leigh A. Gaddis, SECRETARY

WILDLIFE CONSERVATION COMMISSION

Bruce Mabrey CHAIRMAN	Bill Brewster MEMBER
Robert S. Hughes II VICE CHAIRMAN	D. Chad Dillingham MEMBER
Leigh Gaddis SECRETARY	Rick Holder MEMBER
James V. Barwick MEMBER	John P. Zelbst MEMBER



J. KEVIN STITT, GOVERNOR

J.D. STRONG, DIRECTOR

P.O. Box 53465 Oklahoma City, OK 73152 (405) 521-3851

## MEMORANDUM

**DATE:** March 24, 2021

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

**FROM:** Brittnee Preston

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

### State of Play:

#### President –

- > President Biden signed the American Rescue Plan (H.R. 1319) into law. This COVID Relief aid package includes: stimulus checks, increased aid for schools, hospitals and vaccinations to name a few. A more detailed list of wildlife related provisions is below.
- > Since passage, President Biden has been working on promoting his recently passed COVID Relief plan. He commenced his ‘Help is Here tour’ where he discussed the portions of the bill that will help communities along his stops. During the first few days of the tour, he was focused on the completion of 100 million coronavirus vaccine shots in people’s arms and the disbursement of 100 million checks that were part of the relief package.

#### Congress –

- > COVID-19 Stimulus –
  - Immediately after wrapping up the impeachment trial, Congress began work on President Biden’s stimulus package, the American Rescue Plan Act (ARPA). It started off with the House passing the \$1.9 trillion package quickly, but the measure was stalled in the Senate.
  - The Senate Parliamentarian ruled that the proposed minimum wage increase included in the bill did not meet the budget reconciliation requirements. The Senate then amended the bill to remove the \$15 per hour minimum wage hike. The Senate voted 50-50 to proceed to the coronavirus relief legislation, with Vice President Kamala Harris breaking the tie to invoke cloture and advance the bill passed debate. The Senate proceeded on to the bill through a weekend vote-a-rama and ultimately passed bill on a 50-49 vote.
  - The House accepted the Senate’s amendments soon after and the President signed it into law on March 11<sup>th</sup>.
  - Here is a synopsis of the wildlife and conservation provisions in the bill:
    - \$20,000,000 shall be for wildlife inspections, interdictions, investigations, and related activities, and for efforts to address wildlife trafficking;
    - \$30,000,000 shall be for the care of captive species listed under the Endangered Species Act of 1973, for the care of rescued and confiscated wildlife, and for the care of Federal trust species in facilities experiencing lost revenues due to COVID-19; and
    - \$45,000,000 shall be for research and extension activities to strengthen early detection, rapid response, and science-based management to address wildlife disease outbreaks before they become pandemics and strengthen capacity for wildlife health monitoring to enhance early detection of diseases that have capacity to jump the species barrier and pose a risk in the United States, including the development of a national wildlife disease database.

- Lacey Act Provisions.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$10,000,000, to remain available until expended, to carry out the provisions of section 42(a) of title 18, United States Code, and the Lacey Act Amendments of 1981 (16 U.S.C. 3371-3378) to identify and designate wildlife species, or larger taxonomic groups of species, as injurious under such provisions if they transmit a pathogen that could potentially pose a risk to human health and develop regulations to develop a process to make emergency listings for injurious species
- > General Congressional Actions:
  - House:
    - H.R. 803 - Protecting America's Wilderness and Public Lands Act pass the House by a vote of 227-200. This bill designates approximately 1.5 million acres of wilderness and incorporates more than 1,000 river miles into the National Wild and Scenic Rivers System.
    - The House voted 227-203 to pass [H.R. 8](#), which is a gun control measure to expand background checks for private gun sales. The Senate has put this on the agenda and plan to vote on it soon.
    - House Republicans lifted their decade-old ban on earmarks Wednesday during a closed-door vote, freeing their members up to request "congressionally directed spending" under the new process Democrats announced last month.
  - Senate:
    - The Senate Energy and Natural Resources Committee voted 11-9 to advance Rep. Deb Haaland to a floor vote to become secretary of the Interior Department.
    - The Senate voted 66-34 this week to confirm President Joe Biden's nominee for EPA administrator, Michael Regan.
    - Rep. Deb Haaland was confirmed by the Senate to become the first Native American Cabinet member in U.S. history. She will lead the Interior Department.
  - Oklahoma Delegation:
    - A few of the Oklahoma delegation members have their appropriations forms for request items ready. I am not travelling to DC this spring as I cannot get into the building to have meetings and some offices are still not back in the office. However, I have begun having phone calls with each office to present our FY22 appropriations requests and legislative priorities. Thankfully we have a wonderful delegation and our requests have been met favorably. I will continue to have these meetings throughout the remainder of March. Appropriations movement is expected to see beginning movement around mid-April.

#### Agencies –

- > U.S. Fish and Wildlife Services (USFWS)
  - The USFWS is [proposing](#) to establish the 2021-22 hunting regulations for certain migratory game birds, and make a minor change to the special procedures for issuance of annual hunting regulations.
  - The USFWS [announced](#) a grant opportunity under the Competitive State Wildlife Grant (C-SWG) Program. The deadline for this grant is May 21, 2021.
- > Department of the Interior (DOI)
  - The DOI and BLM [announced](#) a grant opportunity under the Department of the Interior - Bureau of Land Management New Mexico/Oklahoma/Kansas/Texas (NM) Wildlife Resource Management. Deadline to apply is April 20, 2021. This award falls under the Good Neighbor Authority.
  - The DOI and BLM also [announced](#) a grant opportunity under the Department of the Interior – Bureau of Land Management New Mexico/Oklahoma/Kansas/Texas (NM) Invasive and Noxious Management. Deadline to apply is April 20, 2021.

- DOI and BLM announced two additional funding opportunities under the [Wildlife Resource Management program](#) and the [Fisheries and Aquatic Resource Management program](#). Applications are due by May 7, 2021.

### **Coming up...**

- FY 22 budget from the President
- FY 22 appropriations process to begin potentially by mid-April