

**Proposed Adding the State of Texas to the list of States Subject to a Cervid
Carcass Importation Restriction Addendum Approval**

Committee: Regulations

Date: August 16, 2012

Explanation:

Recently the Texas Parks and Wildlife Department (TPWD) discovered that two mule deer tested positive for Chronic Wasting Disease (CWD) in El Paso and Hudspeth Counties. To increase protection of Arkansas' cervid resource, last month the AGFC Deer Team recommended the entire state of Texas be placed on the Carcass Importation Restriction regulation. Any carcass originating from Texas that is a member of the Cervidae family (deer, elk, moose, red deer, etc.) may not enter the state of Arkansas unless certain disease prevention measures are taken; such as skulls or skull plates are clean and meat has been deboned. An AGFC carcass importation requirement currently exists for 18 other states or Canadian provinces. This action will increase Arkansas' prevention of CWD entering our state and jeopardizing our native cervid resources.

Prepared by: Cory Gray

S1.01 LIST OF CWD POSITIVE AREAS

08-12 The following states and Canadian provinces are designated CWD positive: Alberta, Colorado, Illinois, Kansas, Maryland, Michigan*, Minnesota, Missouri, Nebraska, New Mexico, New York, South Dakota, Utah, Virginia, West Virginia, Wisconsin, Wyoming, Saskatchewan, **Texas** and any other state or province where a positive case of CWD has been confirmed by the U.S. Department of Agriculture or Canadian Food Inspection Agency.

*States and provinces where CWD has been found only in captive cervids.

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY
(Attach additional pages if needed)

DEPARTMENT: Arkansas Game and Fish Commission

BUREAU: Wildlife Management

PERSON COMPLETING THIS STATEMENT: David Goad

TELEPHONE #: 501-223-6362 **FAX #:** 501-223-6452 **EMAIL:** cdgoad@agfc.state.ar.us

SHORT TITLE OF THIS RULE: Proposed adding the state of Texas to AGFC's list of states subject to a cervid carcass importation restriction Approval.

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: No: X
2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: X If "Yes", please explain:
3. If the purpose of this rule is to implement a **federal** rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue	\$	General Revenue	\$
Federal Funds	\$	Federal Funds	\$
Cash Funds	\$	Cash Funds	\$
Special Revenue	\$	Special Revenue	\$
Other (Identify)	\$	Other (Identify)	\$
Total	\$	Total	\$

4. What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

Current Fiscal Year: NA

Next Fiscal Year: \$

Party Subject to Rule: Hunters bringing harvested cervids (deer, elk, moose, etc.) from Texas into Arkansas.

Effect on Party Subject to Rule: Hunters must take certain disease prevention measures such as deboning meat, and importing skulls or skull plates that have been cleaned.

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

Current Fiscal Year: \$N/A

Next Fiscal Year: \$ N/A

Financial Benefit to Agency: N/A

6. Do alternative means exist for accomplishing the objectives of the rules that might be less burdensome to small business? Yes: No: X

Why were such alternatives not proposed: N/A

7. Compare this rule with federal and state counterparts: N/A

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER NO: _____	SUBJECT: Regulation Amendment to Add Texas
DATE PASSED: August 16, 2012	to List of CWD Positive Areas Under
	Cervid Importation Restriction
PAGE 1 of 2 PAGES	LOCATION: Statewide

WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached regulation amendment in advance of the 2012-2013 Deer Hunting seasons for the purpose of preventing deer, elk, and other cervids that may be infected with Chronic Wasting Disease (CWD) from being imported into Arkansas. This action is necessary due to the recent report of positive testing for CWD in certain deer in Texas and to implement measures restricting cervid importation to help prevent the spread of CWD into Arkansas where it could jeopardize our native cervid resources; **and**

WHEREAS, the proposed amended regulation has been communicated through a variety of media avenues to sportsmen and the general public throughout the state for review and comment for at least the past 30 days; **and**

WHEREAS, after carefully considering the recommendations of Commission staff and the Regulations Committee, as well as comments received from the public, the Commission has determined that the attached regulation promotes sound wildlife conservation and management and is consistent with Amendment 35 of the Arkansas Constitution, and that this regulation should now be approved for application statewide.

NOW, THEREFORE, BE IT ORDERED this 16th day of August, that the Arkansas Game and Fish Commission hereby approves and adopts the attached regulation, which shall become effective immediately upon public filing or as soon thereafter as possible.

BE IT FURTHER ORDERED that the Commission staff is authorized to proceed with legally certifying and filing the attached regulation with the Secretary of State, State Library, and Bureau of Legislative Research and incorporating it into the Commission Code Book and Addendum.

<u>STAFF APPROVAL</u> Submitted by: _____ David Goad Division: <u>Wildlife Management</u>	<u>COMMISSION APPROVAL</u> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">_____ Ron Pierce Chairman</td> <td style="width: 50%;">_____ Fred Brown Commissioner</td> </tr> <tr> <td>_____ Rick Watkins Vice Chairman</td> <td>_____ Steve Cook Commissioner</td> </tr> </table>	_____ Ron Pierce Chairman	_____ Fred Brown Commissioner	_____ Rick Watkins Vice Chairman	_____ Steve Cook Commissioner
_____ Ron Pierce Chairman	_____ Fred Brown Commissioner				
_____ Rick Watkins Vice Chairman	_____ Steve Cook Commissioner				

Approved:

Director

Ron Duncan
Commissioner

Ford Overton
Commissioner

Approved:

Legal

Emon Mahony
Commissioner

Approved:

Fiscal