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August 1, 2019

Mr. Rustin Jackson
Office of the Arkansas Secretary of State
Rules & Regulation Filing
500 Woodlane Drive, Room 26
Little Rock, AR 72201

RE: Arkansas Game and Fish Commission Regulations Adopted on July 25, 2019

Dear Mr. Jackson:

Enclosed please find for filing a hard copy of the Furbearer Regulations adopted by the Arkansas Game and Fish Commission on July 25, 2019. The Commission respectfully requests that the Furbearer Regulations become effective ten (10) days after filing.

Should you have any questions or comments concerning this filing, please do not hesitate to contact me at (501) 223-6327 at your convenience

Sincerely,

James F. Goodhart
General Counsel

JFG/as
Enclosures
cc: register@sos.arkansas.gov

A detailed black and white line drawing of the Illinois State Capitol building. The building is a grand neoclassical structure with a prominent central dome topped by a statue. The facade is characterized by a series of tall, fluted columns supporting a pedimented roof. Two smaller domes are visible on the wings of the building. In front of the capitol, there is a large, open plaza with a central circular area, possibly a fountain or a landscaped garden. The drawing is executed in a clean, architectural style with fine lines and cross-hatching for shading.

Use only for **FINAL** and **EMERGENCY RULES**

www.sos.arkansas.gov



Effective Date _____ Code Number _____

Revised 7/2015 to reflect new legislation passed in the 2015 Regular Session (Act 1258). This act changed the effective date from 30 days to 10 days after filing the rule.

05.21 -- Wasting Edible Or Marketable Portions Of Wildlife Prohibited

Approved Regulation

It is unlawful to allow the edible portions (Code 01.00-C) of any big game, small game (except furbearers), game fish, game bird, or frog normally consumed as food to go to waste. It also is unlawful to discard any portion of furbearers or other wildlife that has a legal marketable or commercial value.

EXCEPTIONS:

- A. Bobcats, coyotes, crows, opossum, raccoons and skunks.
- B. Legally taken squirrel pelts, rabbit pelts, turkey bones, deer antlers, elk antlers, deer hides, elk hides and feathers not protected by federal regulation (50 CFR 20.1).
- C. Nuisance wildlife (Codes 05.10, 05.28 and Addendum G1.01).
- D. All rough fish (Code 01.00-C).

PENALTY: Class 2

A1.05 -- Furbearer Season And Limits

Approved Regulation

- A. **Gray Fox, Mink and Red Fox Hunting:** Sunrise on the first day of September to sunset on the last day of February (day hunting only).
LIMIT: Daily limit 2 per species, possession unlimited.
- B. **Raccoon, Opossum and Striped Skunk Hunting:** January 1 through December 31 (day or night hunting; dogs are required to hunt at night).
LIMIT: Daily limit unlimited, possession unlimited.
- C. **Bobcat Hunting:** Sunrise on the first day of September to sunset on the last day of February (dogs allowed to hunt bobcat during the day; dogs required to hunt bobcat at night) and during turkey season (day hunting only; no dogs allowed)
LIMIT: Daily limit 2, possession unlimited.
EXCEPTIONS:
1. Dogs are not allowed in deer zones where a firearms deer season is in progress that prohibits the use of dogs.
 2. During youth turkey hunts, only youth may take bobcats.
- D. **Coyote Hunting:** January 1 through December 31. Dogs are allowed to hunt coyote during the day, except during turkey season no dogs are allowed. Coyote may not be hunted at night.
LIMIT: Daily limit unlimited, possession unlimited.
EXCEPTIONS:
1. Dogs are not allowed in deer zones where a firearms deer season is in progress that prohibits the use of dogs.
 2. During youth turkey hunts, only youth may take coyotes.
- E. **River Otter Hunting:** Sunrise on the second Saturday in November through sunset on the last day of February (day hunting only).
LIMIT: Daily limit 2, possession unlimited.
- F. **Muskrat, Nutria and Beaver Hunting:** Sunrise on the first day of September through sunset on the last day of March (day hunting only).
LIMIT: Daily limit unlimited, possession unlimited.
- G. **Badger, Spotted Skunk (Civet Cat) and Weasel Hunting:** Closed.
- H. **Furbearer Trapping (Other than Beaver, Coyote, Muskrat and Nutria):** Sunrise on the second Saturday in November through sunset on the last day of February.
LIMIT: Daily limit unlimited, possession unlimited.
- I. **Beaver, Muskrat and Nutria Trapping:** Sunrise on the second Saturday in November through sunset on the last day of March.

LIMIT: Daily limit unlimited, possession unlimited.

J. **Coyote Trapping:** Sunrise on the first day of August through sunset on the last day of March.

LIMIT: Daily limit unlimited, possession unlimited

EXCEPTIONS:

A. In compliance with Codes 05.01, 05.10, 05.28, 09.14.

B. In compliance with Addendum C1.09.

C1.09 -- Furbearer Season And Limits On WMAs

Approved Regulation

- A. **Gray Fox, Mink and Red Fox Hunting:** Sunrise on the first day of September to sunset on the last day of February (day hunting only).
- **LIMIT:** Daily limit 2 per species, possession unlimited.
- B. **Opossum and Striped Skunk Hunting:** Sunrise on the first day of September to sunset on the last day of February (day or night hunting; dogs are required for hunting at night).
- **LIMIT:** Daily limit unlimited, possession unlimited.
- C. **Bobcat Hunting:** Sunrise on the first day of September to sunset on the last day of February (dogs required to hunt bobcat at night) and during turkey season (day hunting only; no dogs allowed).
- **EXCEPTIONS:**
 1. Closed during turkey and squirrel seasons on WMAs where a turkey or squirrel season is closed.
 2. During youth turkey hunts, only youths may take bobcat.
 3. Hope Upland and Rick Evans Grandview Prairie WMAs are closed to bobcat hunting except on Tuesdays, Thursdays, and Saturdays during daylight hours only.
 - **LIMIT:** Daily limit 2, possession unlimited.
- D. **Coyote Hunting:** Sunrise on the first day of July through sunset on the last day of February (dogs not allowed to hunt coyote) and during turkey season (day hunting only; no dogs allowed).
- **EXCEPTIONS:**
 1. Closed during turkey and squirrel seasons on WMAs where a turkey or squirrel season is closed.
 2. During youth turkey hunts, only youths may take coyote.
 3. Hope Upland and Rick Evans Grandview Prairie WMA are closed to coyote hunting except on Tuesdays, Thursdays, and Saturdays during daylight hours only.
 - **LIMIT:** Daily limit unlimited, possession unlimited.
- E. **River Otter Hunting:** Sunrise on the second Saturday in November through sunset on the last day of February (day hunting only).
- **LIMIT:** Daily limit 2, possession unlimited.
- F. **Raccoon Hunting:** Sunset first day of July through the last day of August (night hunting only; dogs are required); first day of September through the last day of

February (day or night hunting; dogs are required for hunting at night); first day of March through the last day of March (night hunting only; dogs are required).

- **LIMIT:** Daily limit unlimited, possession unlimited.

G. **Muskrat, Nutria, and Beaver Hunting:** Sunrise on the first day of September through sunset on the last day of February.

- **LIMIT:** Daily limit unlimited, possession unlimited.

H. **Badger, Spotted Skunk (Civet Cat), and Weasel Hunting:** Closed.

I. **Furbearer Trapping (Other than Beaver, Coyote, Muskrat, and Nutria):** Sunrise on the second Saturday in November through sunset on the last day of February.

- **LIMIT:** Daily limit unlimited, possession unlimited.

J. **Beaver, Muskrat, and Nutria Trapping:** Sunrise on the second Saturday in November through the last day of March.

- **LIMIT:** Daily limit unlimited, possession unlimited.

K. **Coyote Trapping:** Sunrise on the first day of August through sunset on the last day of March.

- **LIMIT:** Daily limit unlimited, possession unlimited.

EXCEPTIONS:

A. Only enclosed, pull-activated dog-proof traps may be utilized on Camp Robinson SUA.

B. Cedar Creek and Electric Island WMAs are closed to all furbearer hunting and trapping.

C. J. Perry Mikles Blue Mountain SUA is closed to all trapping. Chase for pleasure or training purposes is permitted year-round. Closed during field trials.

D. Furbearer hunting and trapping allowed under the conditions, seasons, and limits provided by the required annual refuge hunting permit or refuge trapping permit on all NWRs.

E. Buffalo National River, Camp Robinson WMA, and Ditch 28 on Big Lake WMA are closed to all trapping.

F. Bobcat, coyote, and fox hunting with dogs allowed on Casey Jones WMA in accordance with Code 22.01.

05.28 -- Predator Control Permit Requirement

Approved Regulation

It is unlawful to take bobcat, coyote, gray fox, red fox, opossum, raccoon, or striped skunk for the purpose of wildlife management on private lands outside of an established hunting or trapping season without obtaining a Predator Control Permit and complying with the terms and provisions of the permit.

- A. Applicant must be the owner, immediate family of owner, lessee or have written permission from landowner or lessee of the land upon which the permit will be used. Property must be outside the limits of any incorporated town. Persons having hunting/trapping privileges revoked are not eligible for a Predator Control Permit.
- B. Permits are valid from July 1 through June 30.
- C. Permit holders may use firearms day or night to shoot bobcat, coyote, gray fox, opossum, raccoon, red fox, or striped skunk.
- D. Permit holders may use traps in accordance with Codes 17.01, 17.02, and 17.03 to take bobcat, coyote, gray fox, red fox, opossum, raccoon, or striped skunk.

PENALTY: Class 1

05.01 -- Hunting Wildlife In Closed Season Prohibited

Approved Regulation

It is unlawful to hunt any species of wildlife other than during a season opened by the Commission and by using legal methods for that season (Addenda A1.00, B1.00, C1.00). It also is unlawful to possess any species of wildlife, or portions thereof, illegally taken during a closed season.

EXCEPTION: In compliance with Codes 05.10, 05.28, 09.15 and Addendum F1.07.

PENALTIES:

Small Game: Class 2

Big Game: Class 4

05.02 -- Night Hunting Prohibited

Approved Regulation

It is unlawful to hunt any wildlife at night.

EXCEPTIONS:

- A. The taking of bobcat, raccoon and opossum when treed by dogs at night during an open season for that species (Addenda A1.05, C1.09).
- B. The taking of aquatic wildlife other than mussels by legal methods during an open season.
- C. The taking of bullfrogs by legal methods during an open season.
- D. The taking of alligators by legal methods during an open season in compliance with Addendum A1.10 and Code 12.03.
- E. The checking of legally set traps or snares, but must not possess a firearm larger than a .22 caliber rimfire.
- F. In compliance with Codes 05.10 and 05.28.

PENALTY: Class 4

ARKANSAS GAME AND FISH COMMISSION
 Little Rock, Arkansas

MINUTE ORDER NO:	<u>19-052</u>	SUBJECT:	<u>Furbearer Regulations</u>
DATE PASSED:	<u>July 25, 2019</u>		<u>Approval</u>
PAGE <u>1</u> of <u>1</u> PAGES		LOCATION:	<u>Statewide</u>

WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached regulations to amend existing regulations for hunting and trapping furbearing animals; **and**

WHEREAS, the attached regulations have 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 regulations promote sound wildlife conservation and management and are consistent with Amendment 35 of the Arkansas Constitution and that these regulations should now be approved for application statewide.

NOW, THEREFORE, BE IT ORDERED this 25th day of July 2019, that the Arkansas Game and Fish Commission hereby approves and adopts the attached regulations, 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 regulations with the Secretary of State, State Library, and Bureau of Legislative Research and incorporating them into the Commission Code Book and Addendum.

STAFF APPROVAL
 Submitted by: Brad Carner
 Brad Carner
 Chief

Division: Wildlife Management

Approved: [Signature]
 Director

Approved: [Signature]
 Legal

Approved: [Signature]
 Fiscal

COMMISSION APPROVAL
[Signature] [Signature]
 Ken Reeves Stan Jones
 Chairman Commissioner

[Signature]
 Andrew Parker J. D. Neeley
 Vice Chairman Commissioner

[Signature] [Signature]
 Bobby Martin Anne Marie Doramus
 Commissioner Commissioner

[Signature]
 Joe Morgan
 Commissioner

ARKANSAS GAME AND FISH COMMISSION
 Little Rock, Arkansas

MINUTE ORDER NO:	<u>19-052</u>	SUBJECT:	<u>Furbearer Regulations</u>
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STAFF APPROVAL
 Submitted by: Brad Carner
 Brad Carner
 Chief

Division: Wildlife Management

Approved: [Signature]
 Director

Approved: [Signature]
 Legal

Approved: [Signature]
 Fiscal

COMMISSION APPROVAL
[Signature] [Signature]
 Ken Reeves Stan Jones
 Chairman Commissioner

[Signature]
 Andrew Parker
 Vice Chairman

[Signature]
 Bobby Martin
 Commissioner

[Signature]
 Joe Morgan
 Commissioner

[Signature]
 J. D. Neeley
 Commissioner

[Signature]
 Anne Marie Doramus
 Commissioner

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: Brad Carner
TELEPHONE #: 501-978-7329 FAX #: 501-223-6452
EMAIL: brad.carner@agfc.state.ar.us
SHORT TITLE OF THIS RULE: Furbearer season.

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.

<u>Current Fiscal Year</u>		<u>Next Fiscal Year</u>	
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:** Unknown
Party Subject to Rule: Hunters
Effect on Party Subject to Rule: Potentially, there could be fines.

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

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

05.01 -- Hunting Wildlife In Closed Season Prohibited

Proposed Regulation

It is unlawful to hunt any species of wildlife other than during a season opened by the Commission and by using legal methods for that season (Addenda **A1.00**, **B1.00**, **C1.00**). It also is unlawful to possess any species of wildlife, or portions thereof, illegally taken during a closed season.

EXCEPTION: In compliance with Codes **05.10**, **05.28**, **09.15** and Addendum **F1.07**.

PENALTIES:

Small Game: Class 2

Big Game: Class 4

05.02 -- Night Hunting Prohibited

Proposed Regulation

It is unlawful to hunt any wildlife at night.

EXCEPTIONS:

- A. The taking of bobcat, raccoon and opossum when treed by dogs at night during an open season for that species (Addenda **A1.05**, **C1.09**).
- B. The taking of aquatic wildlife other than mussels by legal methods during an open season.
- C. The taking of bullfrogs by legal methods during an open season.
- D. The taking of alligators by legal methods during an open season in compliance with Addendum **A1.10** and Code **12.03**.
- E. The checking of legally set traps or snares, but must not possess a firearm larger than a .22 caliber rimfire.
- F. In compliance with Codes **05.10** and **05.28**.

PENALTY: Class 4

05.21 -- Wasting Edible Or Marketable Portions Of Wildlife Prohibited

Proposed Regulation

It is unlawful to allow the edible portions (Code 01.00-C) of any big game, small game (except furbearers), game fish, game bird, or frog normally consumed as food to go to waste. It also is unlawful to discard any portion of furbearers or other wildlife that has a legal marketable or commercial value.

EXCEPTIONS:

- A. Bobcats, coyotes, crows, opossum, raccoons and skunks.
- B. Legally taken squirrel pelts, rabbit pelts, turkey bones, deer antlers, elk antlers, deer hides, elk hides and feathers not protected by federal regulation (50 CFR 20.1).
- C. Nuisance wildlife (Codes 05.10, 05.28 and Addendum G1.01).
- D. All rough fish (Code 01.00-C).

PENALTY: Class 2

05.28 -- Predator Control Permit Requirement

Proposed Regulation

It is unlawful to take bobcat, coyote, gray fox, red fox, opossum, raccoon, or striped skunk for the purpose of wildlife management on private lands outside of an established hunting or trapping season without obtaining a Predator Control Permit and complying with the terms and provisions of the permit.

- A. Applicant must be the owner, immediate family of owner, lessee or have written permission from landowner or lessee of the land upon which the permit will be used. Property must be outside the limits of any incorporated town. Persons having hunting/trapping privileges revoked are not eligible for a Predator Control Permit.
- B. Permits are valid from July 1 through June 30.
- C. Permit holders may use firearms day or night to shoot bobcat, coyote, gray fox, opossum, raccoon, red fox, or striped skunk.
- D. Permit holders may use traps in accordance with Codes 17.01, 17.02, and 17.03 to take bobcat, coyote, gray fox, red fox, opossum, raccoon, or striped skunk.

PENALTY: Class 1

A1.05 -- Furbearer Season And Limits

Proposed Regulation

- A. **Gray Fox, Mink and Red Fox Hunting:** Sunrise on the first day of September to sunset on the last day of February (day hunting only).
LIMIT: Daily limit 2 per species, possession unlimited.
- B. **Raccoon, Opossum and Striped Skunk Hunting:** January 1 through December 31 (day or night hunting; dogs are required to hunt at night).
LIMIT: Daily limit unlimited, possession unlimited.
- C. **Bobcat Hunting:** Sunrise on the first day of September to sunset on the last day of February (dogs allowed to hunt bobcat during the day; dogs required to hunt bobcat at night) and during turkey season (day hunting only; no dogs allowed)
LIMIT: Daily limit 2, possession unlimited.
EXCEPTIONS:
1. Dogs are not allowed in deer zones where a firearms deer season is in progress that prohibits the use of dogs.
 2. During youth turkey hunts, only youth may take bobcats.
- D. **Coyote Hunting:** January 1 through December 31. Dogs are allowed to hunt coyote during the day, except during turkey season no dogs are allowed. Coyote may not be hunted at night.
LIMIT: Daily limit unlimited, possession unlimited.
EXCEPTIONS:
1. Dogs are not allowed in deer zones where a firearms deer season is in progress that prohibits the use of dogs.
 2. During youth turkey hunts, only youth may take coyotes.
- E. **River Otter Hunting:** Sunrise on the second Saturday in November through sunset on the last day of February (day hunting only).
LIMIT: Daily limit 2, possession unlimited.
- F. **Muskrat, Nutria and Beaver Hunting:** Sunrise on the first day of September through sunset on the last day of March (day hunting only).
LIMIT: Daily limit unlimited, possession unlimited.
- G. **Badger, Spotted Skunk (Civet Cat) and Weasel Hunting:** Closed.
- H. **Furbearer Trapping (Other than Beaver, Coyote, Muskrat and Nutria):** Sunrise on the second Saturday in November through sunset on the last day of February.
LIMIT: Daily limit unlimited, possession unlimited.
- I. **Beaver, Muskrat and Nutria Trapping:** Sunrise on the second Saturday in November through sunset on the last day of March.

LIMIT: Daily limit unlimited, possession unlimited.

J. Coyote Trapping: Sunrise on the first day of August through sunset on the last day of March.

LIMIT: Daily limit unlimited, possession unlimited

EXCEPTIONS:

A. In compliance with Codes 05.01, 05.10, 05.28, 09.14.

B. In compliance with Addendum C1.09.

C1.09 -- Furbearer Season And Limits On WMAs

Proposed Regulation

- A. **Gray Fox, Mink and Red Fox Hunting:** Sunrise on the first day of September to sunset on the last day of February (day hunting only).
- **LIMIT:** Daily limit 2 per species, possession unlimited.
- B. **Opossum and Striped Skunk Hunting:** Sunrise on the first day of September to sunset on the last day of February (day or night hunting; dogs are required for hunting at night).
- **LIMIT:** Daily limit unlimited, possession unlimited.
- C. **Bobcat Hunting:** Sunrise on the first day of September to sunset on the last day of February (dogs required to hunt bobcat at night) and during turkey season (day hunting only; no dogs allowed).
- **EXCEPTIONS:**
 1. Closed during turkey and squirrel seasons on WMAs where a turkey or squirrel season is closed.
 2. During youth turkey hunts, only youths may take bobcat.
 3. Hope Upland and Rick Evans Grandview Prairie WMAs are closed to bobcat hunting except on Tuesdays, Thursdays, and Saturdays during daylight hours only.
 - **LIMIT:** Daily limit 2, possession unlimited.
- D. **Coyote Hunting:** Sunrise on the first day of July through sunset on the last day of February (dogs not allowed to hunt coyote) and during turkey season (day hunting only; no dogs allowed).
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 1. Closed during turkey and squirrel seasons on WMAs where a turkey or squirrel season is closed.
 2. During youth turkey hunts, only youths may take coyote.
 3. Hope Upland and Rick Evans Grandview Prairie WMA are closed to coyote hunting except on Tuesdays, Thursdays, and Saturdays during daylight hours only.
 - **LIMIT:** Daily limit unlimited, possession unlimited.
- E. **River Otter Hunting:** Sunrise on the second Saturday in November through sunset on the last day of February (day hunting only).
- **LIMIT:** Daily limit 2, possession unlimited.
- F. **Raccoon Hunting:** Sunset first day of July through the last day of August (night hunting only; dogs are required); first day of September through the last day of

February (day or night hunting; dogs are required for hunting at night); first day of March through the last day of March (night hunting only; dogs are required).

- **LIMIT:** Daily limit unlimited, possession unlimited.

G. **Muskrat, Nutria, and Beaver Hunting:** Sunrise on the first day of September through sunset on the last day of February.

- **LIMIT:** Daily limit unlimited, possession unlimited.

H. **Badger, Spotted Skunk (Civet Cat), and Weasel Hunting:** Closed.

I. **Furbearer Trapping (Other than Beaver, Coyote, Muskrat, and Nutria):** Sunrise on the second Saturday in November through sunset on the last day of February.

- **LIMIT:** Daily limit unlimited, possession unlimited.

J. **Beaver, Muskrat, and Nutria Trapping:** Sunrise on the second Saturday in November through the last day of March.

- **LIMIT:** Daily limit unlimited, possession unlimited.

K. **Coyote Trapping:** Sunrise on the first day of August through sunset on the last day of March.

- **LIMIT:** Daily limit unlimited, possession unlimited.

EXCEPTIONS:

A. Only enclosed, pull-activated dog-proof traps may be utilized on Camp Robinson SUA.

B. Cedar Creek and Electric Island WMAs are closed to all furbearer hunting and trapping.

C. J. Perry Mikles Blue Mountain SUA is closed to all trapping. Chase for pleasure or training purposes is permitted year-round. Closed during field trials.

D. Furbearer hunting and trapping allowed under the conditions, seasons, and limits provided by the required annual refuge hunting permit or refuge trapping permit on all NWRs.

E. Buffalo National River, Camp Robinson WMA, and Ditch 28 on Big Lake WMA are closed to all trapping.

F. Bobcat, coyote, and fox hunting with dogs allowed on Casey Jones WMA in accordance with Code 22.01.