

AGFC COMMISSION MEETING
October 16-17, 2019
Proposed regulations to be published in the
Legal Notice to the public.

1.00-C Definition of Terms

For the purposes of the Arkansas State Game and Fish Code of Regulations, the following terms shall be construed, respectively, to mean and include:

ACTIVE DUTY MILITARY- members of active duty, including members of the National Guard and Reserves on active duty (other than for training), may participate.

ADULT GOBBLER – Male turkeys having at least 1 of the following characteristics:

- A. Tail feathers which are the same length,
- B. Wing feathers that have white barring all the way to the tip, or
- C. A beard more than 6 inches in length.

AGFC LICENSE SYSTEM–The point-of-sale system that the Commission uses to sell and dispense Commission-issued licenses, permits, stamps, tags, and other privileges to the public.

ALLIGATOR DEALER – Any person, firm, or corporation engaging in the sale, purchase, barter, or exchange of an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest, or eggs thereof in Arkansas.

ALLIGATOR FARMER – Any person, firm, or corporation possessing an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest or eggs thereof in Arkansas for the purpose of propagation, production, or rearing.

ALLIGATOR SNAPPING TURTLE DEALER – Any person, firm, or corporation engaged in the sale or purchase of alligator snapping turtles.

ALLIGATOR SNAPPING TURTLE BREEDER – Any person, firm, or corporation possessing alligator snapping turtles for the purpose of propagation, production, rearing, or sale.

ANIMAL – An organism of the animal kingdom, as distinguished from the plant kingdom, including any part, product, egg, or offspring thereof.

ANTLERLESS DEER – A doe or a buck having less than 2 inches of hardened bone antler.

ANTLERLESS ELK – Any elk (male or female) not meeting requirements to be a legal bull elk.

AQUACULTURE SPECIES – Any species listed on the Approved Aquaculture Species List (Addendum Chapter J1.00) and species not listed but allowed under Unlisted or Restricted Species Possession Permits.

AQUATIC WILDLIFE – All aquatic species, including aquatic snails, aquatic turtles, crayfish (crawfish and crawdads), fish (including minnows), frogs, mussels, and salamanders.

ARKANSAS RIVER BOUNDARY (Sportfishing Only) – The Arkansas Post Canal from Norrell Lock and Dam No. 1 to the Arkansas River and the Arkansas River from Wilbur D. Mills Dam No. 2 upstream to the Oklahoma state line, including all lakes, bays, and tributary streams accessible by boat from the main channel except:

- Big Bayou Meto upstream from Arkansas Highway 11;
- Plum Bayou upstream from U.S. Highway 79;
- Little Maumelle River upstream from Pinnacle Mountain State Park;

- Maumelle River upstream from Lake Maumelle Dam;
- Fourche LaFave upstream from Arkansas Highway 113;
- Palarm Creek upstream from Interstate 40;
- Cadron Creek upstream from the weir;
- Point Remove Creek upstream from Arkansas Highway 113;
- Petit Jean River upstream from Pontoon Boat Ramp at Arkansas Highway 154;
- Illinois Bayou upstream from Russellville Waterworks Dam;
- Big Piney and Little Piney creeks upstream from Arkansas Highway 359;
- Horsehead Creek upstream from Interstate 40;
- Mulberry River upstream from Interstate 40;
- Frog Bayou upstream from Arkansas Highway 162 and Lee Creek upstream from Lee Creek Dam; and
- From the first non-navigable shoal for streams entering the Arkansas River along the right bank descending from the Oklahoma state line to Lake Dardanelle Dam.

ARTIFICIAL LURE OR FLY – Terminal fishing tackle made entirely of rubber, wood, metal, glass, feathers, hair, synthetic fibers, or plastic, with hook attached.

BAITFISH – Minnows, logperch, gizzard and threadfin shad, gar (other than alligator gar), bullhead catfish, crayfish, drum, bowfin under 6 inches, skipjack herring, brook and inland silversides, bigmouth, smallmouth and black buffalo, river carpsucker, banded and Ozark sculpin, bream 4 inches and under, and bream over 4 inches that are caught by hook and line.

BAITING – The direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could serve as a lure or attractant for wildlife to, on, or over any areas where hunters are attempting to take them.

BIG GAME – Alligator, black bear, deer, elk, and turkey.

BLACK BASS – Largemouth bass, redeye bass, smallmouth bass, and spotted bass.

BLOCKING OUT – The removal of the head or tail associated with the processing of a commercial fish. The blocked-out carcass (bullet) must be at least the minimum length required for the body of water where the commercial fish was harvested (Code 30.11).

BONUS DEER – A harvested deer that is not included in a hunter's statewide bag limit.

BOX TYPE TURTLE TRAP – A floating trap designed to capture aquatic turtles, but does not permit capture of fish (Code 34.07).

BREAM – A species of the genus *Lepomis*, including bluegill, redear, warmouth, and other sunfish.

BUCK – A male deer (see **LEGAL BUCK** definition).

BUCK DEER SEASON – A deer season in which no deer other than legal buck deer may be taken.

BUY – To purchase, barter, exchange, or trade, including any offer to purchase, barter, exchange, or trade.

CAPTIVITY OR HOLD CAPTIVE – The holding of living wildlife in a controlled environment that is manipulated by man for the purpose of exercising ownership, possession, or control of the wildlife, and that has boundaries designed to prevent selected species from entering or leaving the controlled environment.

CARCASS – The body of a dead animal.

CASE – A container specifically designed to hold a firearm which completely encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened with no portion of the firearm exposed.

CATCH-AND-RELEASE – The requirement that fish of a designated species must be immediately released into the water where caught.

CERVID – A member of the Family Cervidae, including without limitation deer, reindeer, moose, elk, and caribou.

CHASE FOR PLEASURE – To search for, pursue, or chase game animals or other wildlife with the use of dogs for recreational purposes only, with no intent of hunting such game animals or wildlife.

CHECKING WILDLIFE – The accurate and complete reporting of specific information to the Commission concerning harvest of alligator, bear, deer, elk, and turkey by one of the following methods: phoning a designated number to report bear, deer, or turkey harvests, or electronically through the Commission's online deer, bear, elk, alligator, and turkey checking web site or mobile applications.

CHRONIC WASTING DISEASE (CWD) – Fatal disease affecting the brain of cervids that belongs to a

group of diseases called transmissible spongiform encephalopathies.

CHUMMING – To dislodge or deposit any substance not attached to a hook which may attract fish.

CITES TAG – A permit that allows shipping of certain animal pelts outside the State of Arkansas and assures compliance with the Convention on the International Trade of Endangered Species.

CLEAN – Having no meat matter or tissue attached to the carcass.

COMPUTER-ASSISTED HUNTING – The use of a computer or any other device, equipment, or software to remotely control the aiming and discharge of a firearm, bow, or crossbow to kill wildlife located in Arkansas.

COMMERCIAL FISH – Bowfin (over 6 inches), paddlefish, shovelnose, sturgeon, and all species of buffalo, catfish, carp, drum, gar, and sucker family (except silver redhorse).

COMMERCIAL FISHERMAN – Any person who fishes with tackle designated as commercial tackle requiring a license or tag issued by the Commission.

COMMERCIAL TACKLE – Properly licensed tackle used to catch aquatic wildlife for commercial purposes.

COMMERCIAL WILDLIFE HUNTING RESORT – A facility, location, business, or operation that offers, for pay or other consideration, an opportunity to hunt native wildlife, other than pen-raised game birds, held in captivity. Includes all contiguous land, structures, other appurtenances, and improvements on the land, used for the hunting activities.

COMMERCIAL WILDLIFE PERMIT – Any or all of the following permits: Alligator Farmer/Dealer, Alligator Snapping Turtle Breeder/Dealer, Resident Shell Taker and Seller, Shell Buyer, Non-Resident Shell Buyer, Resident Roe Taker/Seller, Resident Roe Buyer/Exporter, Non-Resident Roe Buyer, Resident Fur Dealer, Non-Resident Fur Dealer, Special Commercial Quail, Game Bird Shooting Resort, Commercial Wildlife Hunting Resort, Wildlife Breeder/Dealer, and Wildlife Importation.

COMMISSION – The Arkansas State Game and Fish Commission, unless otherwise designated.

CONSERVATION CARD – A physical card that the Commission issues to a person and that is linked to that person's AGFC licenses, permits, stamps, and tags. Before engaging in an activity requiring an AGFC license, permit, stamp, or tag, the cardholder must purchase and verify issuance and valid expiration date of all required AGFC licenses, permits, stamps, and tags via www.agfc.com or 1-800-364-GAME. The card itself is not a license and conveys no independent right or privilege beyond the extent of any license, permit, stamp, or tag that has been linked to the card by purchase and has not been suspended, revoked, or expired.

DEFERRED HUNTER EDUCATION (DHE) – Designates a holder of a valid Arkansas hunting license/permit who has deferred completion of the hunter education program.

DISABLED – Any individual who is 100% permanently and totally disabled as declared by one or more of the following federal agencies: the U.S. Social Security Administration, the U.S. Department of Veteran's Affairs, or the U.S. Railroad Retirement Board.

DISABLED VETERAN – Any individual who is a resident of Arkansas and a military veteran, who has been determined by the United States Department of Veterans Affairs (VA) to have a:

- A. 100% total and permanent service-connected disability rating (applies to licenses VLF, VLH, VLC, VLD, and VLT in Addendum **D1.01**); or
- B. 70% or higher service-connected disability rating (applies to license VLL in Addendum **D1.01**); or
- C. 50% or higher service-connected disability rating and is a recipient of the Purple Heart medal (applies to license VLL in Addendum **D1.01**).

DOE – A female deer.

DOE DEER SEASON – A deer season in which a doe may be taken.

DROWNING SET – Any leg-hold trap that uses one or more of the following techniques to retain the target animal in water of suitable depth for drowning: a slide wire with lock, a tangle stake, or a drowning weight.

DUCKS – All species of teal, merganser, whistling duck, scaup, American wigeon, American black duck, bufflehead, canvasback, gadwall, common goldeneye, mallard, mottled duck, northern shoveler, redhead, ring-necked duck, ruddy duck, northern pintail, and wood duck.

EDIBLE PORTIONS – Portions of the following animals are considered edible as stated below:

- A. **Game Mammals:** front quarters, hind quarters, loins, and tenderloins.

- B. **Game Fish:** fillets of fish.
- C. **Game Birds:** breasts.
- D. **Frogs:** hind legs.
- E. **Alligators:** tails, legs, flanks, loins, and tenderloins.

EITHER-SEX – A male or a female.

EITHER-SEX DEER SEASON – A deer season in which a doe or a legal buck may be taken.

EMERGENCY CONDITION – Any condition involving:

- A. Imminent peril to the health, safety, or welfare of the public or the wildlife resources of the State; or
- B. Immediate action mandated by federal law or regulation.

ENCLOSE – To surround wildlife using man-made barriers, including but not limited to fencing, walls, structures, or other devices, so that the wildlife are not free to leave a particular environment.

ENCLOSURE – Any area surrounded by a man-made barrier, including but not limited to fencing, walls, structures, or other devices that prevent wildlife from leaving a particular environment.

ENDANGERED SPECIES – A wildlife species or subspecies endangered or threatened with extinction that is listed or proposed as a candidate for listing by the U.S. Fish and Wildlife Service or any native species or subspecies listed as endangered by the Commission (Addendum Chapter P1.00).

FALCONRY – The caring for and training of raptors for pursuit of wild game, and hunting wild game with raptors. It includes the taking of raptors from the wild to use in the sport and caring for, training, and transporting raptors held for falconry.

FEDERAL WATERS – Waters designated by federal law as federally controlled or under the jurisdiction of a department or agency of the United States Government.

FEE LAKE – A lake in which there is a fee for fishing rights. All persons 16 years of age and older must possess an Arkansas fishing license. Daily limits apply.

FEEDING WILDLIFE – The direct or indirect placing, exposing, depositing, distributing, distributing, or scattering of salt, grain or other feed that serves or could serve as a lure, attractant, or supplemental food source for wildlife.

FERAL HOG – Any hog, including but not limited to Russian and European wild boar, any Old World swine, or the family Tayassuidae, including without limitation peccary, javelin, and New World swine, which is roaming freely and is living in a wild or feral state, and is not conspicuously identified as required under Arkansas Code Annotated § 2-34-101 and § 2-34-102.

FIREARM – Any device designed, made, or adapted to expel a projectile through a barrel, including without limitation modern guns, air guns and muzzleloaders (see **LOADED FIREARM**).

FISH OR FISHING – To lure, attract, collect, or pursue fish species or aquatic wildlife for the purpose of taking or attempting to take such species by any method.

FISH DEALER – Any person who sells live fish, including baitfish.

FISH FARM – Waters and adjacent premises confined within a pond, tank, or lake, not connected with public waters and under management of a fish farmer.

FISH FARMER (AQUACULTURIST) – A person, firm, partnership, or corporation engaged in the propagation or rearing of aquaculture species for sale.

FREEFLOATING FISHING DEVICE – A floating fishing device unanchored or unattached to a stationary object.

FURBEARERS – Badger, beaver, bobcat, coyote, gray fox, red fox, mink, muskrat, nutria, opossum, raccoon, river otter, spotted skunk, striped skunk, and weasel.

GAFF – To take or attempt to take fish with a hand-held or handled hook.

GAME ANIMALS – Alligator, black bear, bobcat, coyote, deer, elk, gray fox, red fox, mink, opossum, eastern cottontail rabbit, swamp rabbit, raccoon, gray squirrel, and fox squirrel.

GAME BIRD SHOOTING RESORT – A facility, location, business, or operation that offers, for pay or other consideration, an opportunity to hunt captive-raised game birds. Includes all contiguous land, structures, other appurtenances, and improvements on the land used for the hunting activities.

GAME BIRDS – Turkey, quail, pheasant, chukar Eurasian collared dove, and all birds classified by the U.S.

Fish and Wildlife Service as migratory game birds.

GAME FISH – Alligator gar, black bass, white bass, striped bass, hybrid striped bass, crappie, catfish, trout, bream, goggle-eye, walleye, muskellunge, sauger, saugeye, paddlefish, and pickerel.

GEOCACHE – Items in a container (cache) placed or hidden for individuals to subsequently find using a Global Positioning System (GPS) receiver.

GEOCACHING – An outdoor sport, similar to “high-tech treasure hunting,” involving use of a Global Positioning System (GPS) receiver to find a cache.

GUIDE – A person who provides, for monetary or any other compensation, that person’s personal services for the purpose of assisting others to locate, pursue, catch, or hunt wildlife.

HACKING – The temporary release of a raptor held for falconry to the wild so that it must survive on its own.

HARASS – An intentional or negligent act which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral pattern which include but are not limited to breeding, feeding, or sheltering.

HAZARDOUS WAKE – Wash or wake upon an approaching, passing, or stationary vessel, including but not limited to a wake that causes other vessels to take on water, or a wash or wake that is sufficient to toss occupants of other vessels about in a manner that causes injury or the risk of injury.

HARVEST/HARVESTING – To reduce to possession.

HEN TURKEY – Female turkey with or without a beard.

HIGH-FENCE ENCLOSURE – An enclosure that contains an area of at least 500 contiguous acres, with at least 60 percent of the acreage in forested cover that has been classified as timberland by the local county tax assessor, that has a perimeter fence at least 8 feet high, with no cross-fencing that has the effect of reducing the size of the area to less than 500 contiguous acres with at least 60 percent of the acreage in forested cover as herein provided.

HOGGING – The taking of fish by the use of hands only, in or under the water.

HUNT OR HUNTING – Taking or attempting to take wildlife by any method including but not limited to searching, pursuing, chasing, tracking, luring, or attracting.

HUNTING INCIDENT – When bodily injury above basic first aid or death occurs due to an activity directly related to a hunting or trapping excursion in the field. Examples of such activities would include discharge of a firearm, bow, or crossbow, and falls from an elevated platform (tree stand, tower stand, or elevated duck blind).

HUNTING PARTY – 2 or more persons hunting together.

HYBRID RAPTORS – A raptor produced from cross-breeding birds of two different taxa, one or both of which are listed in [50 CFR 10.13](#), and any offspring of such raptors.

IMPORT OR IMPORTATION – To ship, convey, carry, transport, bring, or introduce into Arkansas anything from outside its borders.

IMPRINT – A bird that is hand-raised in isolation from other raptors from 2 weeks of age until it has fledged and will be considered to be an imprinted bird for its entire life.

JAKE – Sub-adult male turkey having all these characteristics:

- A. Longer central tail feathers,
- B. Outermost one or two wing feathers lacking white barring all the way to the tip, and
- C. A beard 6 inches or less in length.

KILLING DEVICE – Any firearm, bow and arrow, crossbow, compressed gas or spring-powered pistol or rifle, blowgun, speargun, hand-thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge a projectile capable of killing wildlife.

LARGE CARNIVORE – Tigers (*Panthera tigris*), African Lions (*Panthera leo*), or any hybrid thereof, and all species of bears.

LEGAL BUCK – A male deer may be considered legal under the following rules as applied by this Code:

- A. **Antlered Buck:** A male deer with 2 inches, or more, of hardened bone antler.
- B. **Buck of Choice:** A male deer.
- C. **Button Buck:** A male deer with less than 2 inches of hardened boned antler.

- D. **3-point Rule:** A male deer having both antlers under 2 inches (including button buck) or at least 1 antler with at least 3 points, each a minimum of 1 inch long, including the tip of the main beam. (Code 21.03).
- E. **12/15 Rule:**
 - 1. A male deer having both antlers under 2 inches (including button buck),
 - 2. A male deer having an inside spread of at least 12 inches or more in width, or
 - 3. A male deer having at least one main beam 15 inches or more in length (Code 21.03).
- F. **15/18 Rule:**
 - 1. A male deer having both antlers under 2 inches (including button buck),
 - 2. A male deer having an inside spread of at least 15 inches or more in width, or
 - 3. A male deer having at least one main beam 18 inches or more in length. (Code 21.03).
- G. **WMA Special Restrictions:** Special restrictions may apply on certain WMAs (Code 21.03).

LEGAL BULL ELK – An elk having at least 1 antler visible above the hair line.

LEGAL TURKEY – A turkey may be considered legal under the following rules as applied by this Code:

- A. Hunters 16 years and older: A legal turkey is an adult gobbler or bearded hen.
- B. Hunters 6 to 15 years of age: A legal turkey is an adult gobbler, bearded hen, or jake.

LENGTH LIMITS –

- A. **Minimum Length Limit:** The shortest length of a fish of a designated species that can be kept.
- B. **Maximum Length Limit:** The maximum length of a fish of a designated species that can be kept.
- C. **Protected Length:** A species/size limit that prohibits anglers from keeping fish within a designated size group.

Unless otherwise specified, all fish are measured from the front of the lower jaw with the mouth closed to the tip of the tail with tail lobes pressed together when laid flat on a rule, on its side. All fish not meeting the length limit requirements for a particular water or species must be immediately released into the water where caught.

LIMITS –

- A. **Daily Limit:** The maximum number of a species allowed to be taken during a specific 24-hour time period (midnight to midnight, unless otherwise specified).
- B. **Seasonal Limit:** The maximum number of a species allowed to be taken during a specific season.
- C. **Possession Limit:** The maximum number of species allowed to be possessed at any time. Any fish or wildlife, excluding migratory game birds, legally taken for personal consumption and stored in processed form within a residence of the possessor shall not count toward the possession limit.

LITTER – All waste which has been discarded or otherwise disposed of, including but not limited to, convenience food and beverage packages or containers, trash, garbage, all other product packages or containers, and other post-consumer solid wastes as referenced in State Law, or discarded animal carcasses.

LOADED FIREARM– Firearms are considered loaded if shells or cartridges are in the chamber, magazine, or cylinder. Percussion cap muzzleloading firearms are considered loaded if the percussion cap is on the nipple. Flintlock muzzleloading firearms are considered loaded if there is powder in the flashpan. Electronic pulse ignition muzzleloaders are considered loaded if the ignition circuit is charged.

MEDICALLY SIGNIFICANT VENOMOUS REPTILE SPECIES – The following reptiles, including their taxonomic successors, subspecies, or hybrids thereof, are designated as medically significant: *Daboia russelii*, *Dendroaspis spp.*, *Naja spp.*, *Oxyuranus spp.*, *Pseudonaja spp.*, *Notechis spp.*, *Pseudechis spp.*,

Boulengerina spp., *Echis* spp., *Bothrops* spp., *Aspidelaps* spp., *Atheris* spp., *Proatheris* spp., *Dispholidus* spp., *Pseudohaje* spp., *Atropoides* spp., *Crotalus* spp., *Lachesis* spp., *Walterinnesia* spp., *Calliophis* spp. or *Maticora* spp., *Bungarus* spp., *Ophryacus* spp., *Porthidium* spp., *Deinagkistrodon* spp., *Azemiops* spp., *Bitis* spp., *Gloydus* spp., *Protobothrops* spp., *Vipera* spp., *Ophiophagus* spp., *Vermicella* spp., *Eristocophis* spp., *Cerrophidion* spp., *Ovophis* spp., *Trimeresurus* spp., *Tropidolaemus* spp., *Sistrurus* spp., *Agkistrodon* spp., *Bothrocophias* spp., *Bothriechis* spp., *Hypnale* spp., *Bothriopsis* spp., *Calloselasma* spp., *Mixcoatlus* spp., *Cerastes* spp., *Pseudocerastes* spp., *Micrurus* spp., *Micruroides* spp., and subfamily *Hydrophiinae* and *Heloderma* spp.

MIGRATORY BIRDS – All birds protected by the Federal Migratory Bird Treaty Act of 1918 and subsequent amendments.

MIGRATORY GAME BIRDS – Coots, crows, doves, Eurasian collared doves, ducks, gallinules or moorhens, geese, rails, snipe, and woodcock.

MILITARY RETIREE – Any individual at least 60 years of age who is entitled to retired pay as a result of his or her United States military service.

MINNOWS – Small nongame fish commonly used for bait including bluntnose minnows, bullhead minnows, chubs, dace, fatheads, common carp under 6 inches, goldfish, shiners, and stonerollers.

MOBILITY IMPAIRED – A designation made by the Commission based upon a satisfactory showing that a person has a permanent physical condition, verified by a physician duly licensed to practice medicine by a state medical board, which severely impairs the person's mobility and prevents him or her from being able to engage in hunting or fishing activities without the use of an ATV or similar specialized device for transportation.

NATIVE WILDLIFE – Those species and sub-species of wildlife that have established, naturally reproducing, free-ranging, wild populations within Arkansas.

NIGHT – The time period 30 minutes after sunset to 30 minutes before sunrise.

NOODLING – The taking of fish by the use of a pole-mounted breakaway hook that detaches at the time of the strike or catch, or snare type device, with an attached line manipulated by hand when a person is in or under the water.

NONGAME WILDLIFE – All wildlife other than furbearing or game animals, game birds, and game fish.

NON-NATIVE WILDLIFE – Any wildlife not defined as native wildlife.

NONRESIDENT – A person not defined as a resident.

NUISANCE WILDLIFE – Any wildlife creating a problem by committing damage to personal property or crops.

OPEN SEASON – A time frame established by the Commission during which a designated species may be lawfully taken.

PEN-RAISED QUAIL – Quail raised or hatched in captivity.

PERSON – Any individual, firm, corporation, association, partnership, or other legal entity in singular or plural as the context requires. All pronouns shall include the masculine, feminine, and neuter.

PORTABLE HUNTING STAND – Any device or structure used for the purpose of hunting that can be carried in its entirety and erected by hand, including but not limited to tripod stands, lean-to stands, lock-on stands, ladder stands, and climbing stands (box stands are not portable hunting stands).

PORTABLE POP-UP BLIND – A structure used to conceal a person that can be collapsed and carried in its entirety by 1 person.

POSSESS OR POSSESSION – Having or holding wildlife or any property in one's power; the exercise of dominion over property. Possession includes actual possession (physical occupancy or control over property) and constructive possession (control or dominion over property without actual possession or custody of the property).

PRIMATE – A live individual animal of the taxonomic order Primates, excluding humans.

PROPAGATE OR PROPAGATION – To allow plants or animals to breed or multiply.

PUBLIC ROAD – The traveled portion and the shoulders on each side of any road maintained for public travel by a city, county, state, or federal government and includes all structures within the limits of the right-of-way of any such road.

PUBLIC WATERS – Waters that members of the public have a legal right to access and use for recreational purposes, including all legally navigable waters.

PUT-AND-TAKE PAY LAKE – Private waters open to public fishing for a fee, after being licensed by the Commission and where no fishing license or daily limit of fish is imposed.

RAPTOR – Migratory bird of the Order Falconiformes, Accipitriformes, or the Order Strigiformes.

REAR OR REARING – To maintain plants or animals to increase their size or development.

REHABILITATION – Providing medical treatment or other care to orphaned, sick, or injured wild animals that have come into human possession with the goal of returning the animal to the wild.

RESIDENCE – Any dwelling such as a house, manufactured home, or apartment that is permanently fixed in place and is owned, leased, or rented fully or in part by an individual. This term does not include tents; temporary lodging or rental units such as hotels, motels, resorts, or commercial campgrounds; recreational vehicles; mobile travel trailers; or motor vehicles.

RESIDENT –

- A. A natural person whose domicile currently is in Arkansas and has been for at least 60 consecutive days. “Domicile” means the one and only place where a person has physically established a true, fixed and permanent home, and to where, whenever the person is briefly and temporarily absent, the person intends to return. Children younger than 18 are presumed to have the same resident status as their custodial parent or legal guardian unless otherwise documented. A person is not considered a resident under this Code if the person:
 1. Resides in the state only for a special or temporary purpose, but not limited to, engaging in hunting, fishing, or trapping, or
 2. Has been issued any resident license, permit, or tag (except ones that are designated as non-expiring) to hunt, fish or trap in another state or country that is still valid in that state or country.
- B. The following persons also qualify as a “resident” under this Code:
 1. Residents of Arkansas enrolled as full-time students in colleges and universities outside of Arkansas.
 2. Nonresidents enrolled as full-time students in colleges and universities in Arkansas.
 3. Nonresident foreign exchange students attending school in Arkansas.
 4. Resident foreign exchange students attending school outside of Arkansas.
 5. Active-duty military personnel assigned to duty stations in Arkansas.
 6. Active-duty military personnel who were Arkansas residents at the time of entering service, regardless of where currently stationed.
 7. Members of the National Guard who are assigned to an Arkansas Guard Unit.
- C. Applicants for Commission-issued resident, licenses, permits, and tags have the burden of proving they qualify as a “resident” under this Code. Facts that may be considered in establishing proof of current Arkansas residency for the purpose of purchasing Commission-issued resident licenses, permits, and tags include but are not limited to:
 1. Possession of a valid Arkansas driver’s license or official, state-issued Arkansas identification card;*
 2. Possession of a valid Arkansas vehicle registration in the applicant’s name and display of current Arkansas license tags on the applicant’s vehicle;*
 3. Two documents bearing the applicant’s current name and address, not issued by himself or herself, including but not limited to:
 - i. Arkansas voter registration card,* and
 - ii. Income tax returns issued by the Internal Revenue Service and/or the State of Arkansas.
 4. Documentation from a college or university in Arkansas verifying that the applicant currently is enrolled as a full-time student;
 5. Documentation from any branch of the United States Military or the duty station or unit in Arkansas; and
 6. In the case of a child under 18, identification from a parent or legal guardian proving the parent or legal guardian qualifies as a “resident” under this Code.

- *Items marked with a * must have been issued at least 60 days prior to the license, permit, or tag application.
- D. Additionally, to be eligible to be issued any of the following resident licenses, permits, or tags, an Arkansas resident must provide proof that he or she has qualified as a "resident" under this Code for at least the past 1 continuous year;
0. All Non-Expiring Lifetime Licenses and Permits (Addendum **D1.01**);
 1. Resident Special Guide License (Code **03.14**);
 2. Alligator Farmer/Dealer Permit (Code **33.01**);
 3. Alligator Snapping Turtle Breeder/Dealer Permit (Code **34.02**);
 4. Commercial Fisherman's Permit & Sportfishing License (Code **30.01**);
 5. Commercial Fisherman's Helper Permit (Code **30.01**);
 6. Junior/Senior Commercial Fishing Permit (Code **31.01**);
 7. Resident Shell Taker/Seller's License (Code **31.01**);
 8. Shell Taker Helper Permit (Code **31.01**);
 9. Shell Buyer's License (Code **31.01**);
 10. Resident Fish Dealer License (Code **31.01**);
 11. Resident Roe Taker/Seller Permit (Code **30.17**);
 12. Resident Roe Taker/Helper Permit (Code **30.17**); and
 13. Resident Roe Buyer/Exporter Permit (Code **30.18**)
- E. The Commission's director or his or her representative shall make the final determination as to whether a license, permit, or tag applicant qualifies as a "resident" under this Code.

ROUGH FISH – Gars, bowfin, bullhead catfish, common carp, Asian carp (grass carp, bighead carp, silver carp), suckers (including buffalo), drum, and yellow bass.

SEINE – A fishing net that hangs vertically in the water where the ends can be drawn together to entrap fish.

SEINING – The act of moving a seine by boat or human power to capture fish.

SELL OR SALE – To exchange or deliver for money or its equivalent; to offer for sale, barter, exchange, or trade; or the act of selling, bartering, consigning, exchanging, or trading.

SHELL BUYER – Anyone who buys mussels or mussel parts from a Taker. An agent purchasing for a licensed buyer is not a buyer.

SIMULATED WING MOVEMENT DECOY – Any electric, mechanically-operated, wind-powered, or manually-powered apparatus or device that simulates wing movement, including any device that spins one or more fixed- or stationary-winged decoys around a central axis.

SMALL GAME – Furbearers, migratory game birds, quail, rabbit, and squirrel.

SNAG – To take fish or other aquatic animals using conventional rod-and-reel tackle by a repeated drawing motion rather than enticement by live bait or artificial lure, regardless of what terminal tackle is attached to the fishing line.

SNAGLINE – Commercial tackle consisting of a horizontal line with hooks or drops less than 24 inches apart.

SPORTFISH – See **GAME FISH**.

TACKLE – An apparatus or device used to take wildlife.

TAKE – To shoot, kill, injure, trap, net, snare, spear, catch, capture, or reduce to possession.

TAXIDERMY – The art of preparing, stuffing, or mounting wildlife and parts thereof.

TRAP OR TRAPPING – A device to catch and hold wildlife.

TROUT – Any members of the Salmonidae family including rainbow trout, brown trout, brook trout, lake trout, cutthroat trout, salmon, and char.

VESSEL – Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation, including motorboats and personal watercraft.

VETERAN- (as defined in section 101 of title 38, United States Code) served in the active military, naval, air service or Reserves or National Guard serving on title 32 orders in a combat zone and was discharged or released under Honorable.

WATERFOWL – All species of coots, ducks, geese, and swans.

WATERS OF THE STATE – All streams, lakes, ponds, sloughs, bayous, marshes, or any other waters either permanent or intermittent located wholly or partially within Arkansas. Provided, however, “waters of the state” shall not include pay lakes and fish farms or any waters that are confined within a pond, tank, or lake, situated entirely on the premises of a single private owner and which, except under abnormal flood conditions, are not connected with any of other flowing stream or body of water that extends beyond the premises of such owner.

WILD – To be living in a state of nature and not domesticated.

WILDLIFE – All wild birds, mammals, fish, reptiles, amphibians, other wild aquatic forms, and all other wild animals, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include any and every part of any individual species of wildlife, including animals living in a captive state.

WILDLIFE CHECK METHODS – The following are the official wildlife check methods:

- A. The Commission's online deer, elk, bear, and turkey checking web site and mobile applications;
- B. The Commission's online alligator checking website; and
- C. The designated bear checking telephone number or the designated deer, bear, and turkey checking telephone number.

WILDLIFE MANAGEMENT AREA (WMA) – Designated areas owned or controlled by the Commission and distinguished by certain markers and considered a separate zone with regard to wildlife regulations including: wildlife management area (WMA), waterfowl rest area (WRA), wildlife demonstration area (WDA), special use area (SUA), and state park-conservation area (SP-CA).

YOUTH –

- A. For sections of this Code pertaining to big game, “youth” means any individual between the ages of 6 and 15 years old.
- B. For all other sections of this Code, “youth” means any individual less than 16 years of age.

ZONE – An area defined by the Commission where hunting or fishing activities are regulated.

11.04

It is unlawful for a person, other than a youth, to hunt ducks, in-season geese, mergansers, and coots during the special youth waterfowl hunt (Addendum [B1.13](#)). Shooting hours and bag limits are the same as the regular waterfowl season.

EXCEPTION: ~~Canvasbacks may not be taken.~~ [B1.15](#)

PENALTY: Class 1

B1.15 Veteran and Active Duty Military Waterfowl Hunt

1st Saturday in December and the 2nd Saturday in February statewide.

Limit: Same as statewide

D1.01

SPORT FISHING:

NAME

Alligator Gar Fishing Permit

Resident Fisheries Conservation License

NAME

Resident 3-Day Trip License
Resident Disabled Fishing 3-Yr License
Resident Disabled Combination 3-Yr License
Non-Resident Annual Fishing License
Non-Resident 7-Day Trip Fishing License
Non-Resident 3-Day Trip Fishing License
Arkansas Trout Permit
Non-Resident Trout Permit
White River Border Lakes License
Resident Guide License/Fishing
Non-Resident Guide License/Fishing
Resident 65 Plus Annual Fishing License

SPECIAL AND COMMERCIAL FISHING:**NAME**

Hoop Nets (with or w/o leads), Turtle Nets
Slat Traps and Fiddler Nets
Commercial Trotlines (inc. snaglines, throw-lines, limb lines, set hooks) per 100 ft.
Box Traps Turtle Trap
Commercial Tackle (Seine, Trammel and Gill Nets) 100 yds. or fractional part thereof per tag
Commercial Fisherman's Permit
and Sportfishing License
Commercial Fisherman's Helper Permit
Junior/Senior Commercial Fishing Permit
Alligator Farmer/Dealer Permit
Alligator Tags
Alligator Snapping Turtle Breeder/Dealer Permit
Aquatic Turtle Harvest Permit
Aquatic Turtle Harvest Helper Permit
Junior Aquatic Turtle Harvest Permit
Aquatic Turtle Dealer Permit
Non-Resident Aquatic Turtle Dealer Permit
Aquatic Turtle Farmer Permit
Resident Shell Taker and Seller
Shell Taker Helper Permit
Shell Buyer
Non-Resident Shell Buyer
Shell Buyer's Agent Permit
Resident Fish Dealer
Non-Resident Fish Dealer
Minnow Dealer Tackle (Minnow, Seine, Traps or Lifts)
Fish Farm Health Inspection Permit

Fish Farmer (Aquaculturist) Permit

Bull Frog Permit (Must have valid Fish Farmer Permit)
Resident Roe Taker/Seller Permit

NAME

Resident Roe Taker/Helper Permit
 Resident Roe Buyer/Exporter Permit
 Non-Resident Roe Buyer Permit
 Commercial Facility Operator's Permit
 Private Boat House/Irrigation (Single)
 Private Pier/Irrigation
 Irrigation Permit
 Put and Take Pay Lake
 Venomous Reptile Possession Permit
 Scientific Collection Permit
 Conservation Education Permit

HUNTING LICENSE AND PERMITS:**NAME**

Deferred Hunter Education
 Resident Wildlife Conservation License
 Resident Sportsman's Permit
 Resident Disabled Hunting 3-Yr License
 Resident Disabled Combination 3-Yr License
 Non-Resident Annual All Game License
 Non-Resident 5-Day All Game License
 Non-Resident 3-Day All Game License
 Non-Resident 1-Day All Game License
 Non-Resident Annual Small Game License
 Non-Resident 5-Day Small Game License
 Non-Resident Trappers Permit
 Private Lands Elk Permit
 Arkansas Resident Waterfowl Stamp
 Arkansas Non-Resident Waterfowl Stamp
 Arkansas Quail Stamp (Voluntary only)
Arkansas Turkey Stamp (Voluntary only) TS \$9.50 June 30
 Resident 65 Plus Annual Sportsman's Hunting License
 WMA General Use Permit

AGFC Leased Lands Permit (Hunting, Trapping and Camping):

Casey Jones WMA
 Big Timber WMA
 Cherokee WMA
 Gum Flats WMA
 Howard County WMA
 Provo WMA
 Lafayette County WMA
 Lake Greeson WMA
 Jack Mountain WMA
 Jim Kress WMA
 Falconry Permit Apprentice
 Falconry Permit General

NAME

Falconry Permit Master

Resident Guide License/Hunting

Non-Resident Guide License/Hunting

Resident Special Guide License

Non-Resident WMA Waterfowl Hunting Permit (5-day trip) (Code 24.09)

HUNTING COMMERCIALIZATION:**NAME**

Resident Trappers Permit

Resident Fur Dealer

Non-Resident Fur Dealer

Game Bird Shooting Resort Permit

Commercial Wildlife Hunting Resort Permit

Wildlife Breeder/Dealer Permit

Wildlife Importation Permit

Mountain Lion Permit

Live Fox and Coyote Permit

LIFETIME LICENSE:**NAME**

Resident Military Retiree Lifetime Fishing License

Resident Military Retiree Lifetime Hunting License

Resident Military Retiree Lifetime Combination License

Resident Military Retiree Lifetime Waterfowl Permit

Resident Military Retiree Lifetime Trout Permit

Resident 65 Plus Lifetime Fishing License

Resident 65 Plus Lifetime Sportsman's Hunting License and Permit

Resident 65 Plus Lifetime Combination License

Resident 65 Plus Lifetime Waterfowl Permit

Resident 65 Plus Lifetime Trout Permit

Lifetime Resident Combination Sportsman's License and Permit

Resident Disabled Military Veteran Lifetime Fishing License

Resident Disabled Military Veteran Lifetime Hunting License

Resident Disabled Military Veteran Lifetime Combination License (includes Hunting and Fishing only)

Resident Disabled Military Veteran Lifetime Waterfowl Permit

Resident Disabled Military Veteran Lifetime Trout Permit

Resident Disabled Military Veteran Lifetime Combination License and Permit (includes Hunting, Fishing, Trout, and Waterfowl)

COMBINATION LICENSE:**NAME**

Resident 65 Plus Annual Combination License

Resident Combination License

*Good from requested day of issue for period of license.

**Good for 1 year from date of purchase.

****Expires when the zone quota has been reached (Addendum [A1.09](#)).

*****Good for that season only.

*****Good for 1year from date of issuance.

+Good for 3 years from date of purchase.

++Fee applies to initial purchase. No fee for annual renewal.

+++Permit is annual permit issued in 26-month intervals.

Affected Codes

R1.02 -- Permitted Captive Wildlife Species List

A. Permits for breeding, sale, and importation may be issued for the following species in accordance with Codes 09.07 (Wildlife Breeder/Dealer Permit Required) and 09.10 (Wildlife Importation Permit Required):

1. Red-necked (Bennet's) wallaby (*Macropus rufogriseus*)
2. African Dwarf Aquatic Frog (*Hymenochirus boettgeri*)
3. Boa Constrictor (*Boa constrictor*)
4. Horned Frog, Pacman Frog (*Ceratophrys spp.*)
5. Moccasins (*Agkistrodon spp.*)
6. Pygmy Rattlesnakes (*Sistrurus spp.*)
7. Rattlesnakes (*Crotalus spp.*)
8. Shield-nosed Cobras (*Genus Aspidelaps*)
9. Cobras (*Genus Naja*)
10. King Cobras (*Genus Ophiophagus*)
11. Tree Cobras (*Genus Pseudohaje*)
12. Desert Cobras (*Genus Walterinnesia*)
13. African Bush Vipers (*Genera Atheris, Proatheris*)
14. Boomslangs (*Genus Dispholidus*)
15. Eurasian/ American Elapid Snakes (*Genera Boulengerina, Bungarus, Calliophis, Dendroaspis, Hemibungarus, Micruroides, Micrurus, Sinomicrurus spp.*)
16. Terrestrial Papuaustralian Elapids (*Genera Notechis, Oxyuranus, Pseudonaja, Pseudechis, Vermicella spp.*)
17. Sea Snakes (*Genera Acalyptophis, Aipysurus, Astrotia, Emydocephalus, Enhydrina, Ephalophis, Hydrelaps, Hydrophis, Kerilia, Kolpophis, Lapemis, Laticauda, Parahydrophis, Pelamis, Praescutata, Thalassophis spp.*)
18. Southeast Asian Vipers (*Azemiops spp.*)
19. Pitvipers (*Genera Calloselasma, Gloydus, Protobothrops, Deinagkistrodon, Hypnale, Ovophis, Trimeresurus, Tropidolaemus, Atropoides, Bothriechis spp.*)
20. African Vipers (*Genus Bitis*)
21. Palearctic Vipers (*Genus Vipera*)
22. Firebelly Toads (*Genus Bombina*)
23. African Bullfrogs (*Genus Pyxicephalus*)
24. Elands (*Genus Taurotragus*)
25. Nyala (*Tragelaphus angasii*)
26. Sable antelope (*Hippotragus niger*)
27. Waterbuck (*Kobus ellipsiprymnus*)
28. Steenbok (*Raphicerus campestris*)
29. Red Kangaroo (*Macropus rufus*)
30. Serval (*Leptailurus serval*)
31. Caracal (*Caracal caracal*)
32. Patagonian cavy (*Dolichotis patagonum*)

33. European hedgehog (*Erinaceus europaeus*)
34. Ring-tailed coati (*Nasua nasua*)
35. Geoffroy's Cat (*Leopardus geoffroyi*)
36. North American Porcupine (*Erethizon dorsatum*)
37. Old World Porcupines (*Subgenus Hystrix*)
38. Eurasian Lynx (*Lynx lynx*)
39. Giraffe (*Giraffa camelopardalis*)
40. Hyenas (*Family Hyaenidae*)
41. Tamandua (*Genus Tamandua*)
42. Common degu (*Octodon degus*)
43. Cairo spiny mouse (*Acomys cahirinus*)
44. Capuchin monkeys (*Subfamily Cebinae*)
45. Common marmoset (*Callithrix jacchus*)
46. Alexandrine Parakeet (*Psittacula eupatria*)
47. Rose-ringed (Ring-necked) Parakeet (*Psittacula krameri*)
48. Monk Parakeet (Quaker Parrot) (*Myiopsitta monachus*)
49. Zebra (*Equus grevyi*, *E. quagga*, *E. zebra*)
50. Water Buffalo (*Bubalus bubalis*)
51. Addax (*Addax nasomaculatus*)
52. Brindled gnu (*Connochaetes taurinus*)
53. Gaur (*Bos gaurus*)
54. Gerenuk (*Litocranius walleri*)
55. Himalayan tahr goat (*Hemitragus jemlahicus*)
56. Impala (*Aepyceros melampus*)
57. Tamarin monkeys (*Genus Saguinus*)
58. Black-tufted marmoset (*Callithrix penicillata*)
59. Geoffroy's or white-headed marmoset (*Callithrix geoffroyi*)
60. All native species of wildlife not listed in Addendum R1.01 (listing species for which the permits are not necessary) or R1.03 (listing species for which permits will not be issued).
61. Any other unlisted species upon evaluation and determination by the Commission that the species does not pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, and that can be safely confined in a humane manner.

F1.04 -- Wildlife Importation Permit Requirements

A. Eligibility and Application Requirements:

1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
2. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.

B. The requested permit shall be denied if:

1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
2. The applicant fails to disclose material information required, makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
3. The Commission finds, through further inquiry or investigation, the issuance of the permit may be potentially harmful to the wildlife resources of the State.

C. Permit Requirements:

1. Wildlife Importation Permit holders may import wildlife into or transport wildlife through the State under the following conditions provided that, prior to transportation, the permit holder possesses the following documentation:
 - i. Written proof of the origin and destination of each animal.
 - ii. Documentation for each animal to demonstrate they have not been kept in, or originated from, a location from which importation has been restricted in accordance with Code 09.11.
 - iii. A completed state or federal certificate of veterinary inspection form upon which an accredited veterinarian has certified each animal to be free of diseases/parasites. Animals other than cervids originating within Arkansas and that are taken from the state for less than 30 days may re-enter the state without the need for a veterinary exam.
2. The Wildlife Importation Permit and issued documentation required in Addendum F1.04(C)(1) must accompany each animal during transport.
 - i. All documentation required in Addendum F1.04(C)(1) shall be submitted by the permit holder to the Commission's Wildlife Management Division within 7 days of the permitted importation.
 - ii. Failure to comply may result in suspension or revocation of any existing permit held by the violator and denial of any future permits. Additionally, criminal charges may be filed.

D. Disease Testing:

1. **Prior to importation, brindled gnu (*Connochaetes taurine*) must test negative for Alcelaphine herpesvirus-1 by virus neutralization, or other serologic test as recommended by the U.S. Department of Agriculture's National Veterinary Services Laboratory, within 30 days of import and evidence of such testing must be documented in accordance with F1.04(c)1.**

R1.03 -- Prohibited Captive Wildlife Species List

- A. The Commission will not issue permits for breeding, sale, or importation of the following species other than in accordance with the exceptions listed in Codes 09.07, 09.10, 09.11, and Addendum F1.03 (possession of some species may be allowed in accordance with Codes 09.02, 09.05, 09.13, and 09.14):
 1. Apes
 2. Baboons (Genus *Papio*)
 3. Bats (Order Chiroptera)
 4. Box turtles (Genus *Terrapene*)

5. Cervids (Family Cervidae)
6. Coyotes that originate from or have lived in Alaska, Idaho, Illinois, Indiana, Iowa, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Texas, Wisconsin, Wyoming, or Canada
7. Foxes (*Urocyon cinereoargenteus* and *Vulpes vulpes*) that originate or have lived in Alaska, Arizona, Idaho, Illinois, Indiana, Iowa, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New York, North Dakota, Ohio, South Dakota, Texas, Vermont, Wisconsin, Wyoming, or Canada
8. Large carnivores
9. Macaques (Genus *Macaca*)
10. Mountain lions (*Puma concolor*)
11. Raccoon (*Procyon lotor*)
12. Rodents (Order Rodentia) captured in the wild from Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, Texas, Utah, or Wyoming
13. Skunks (Genus *Mephitis* and *Spilogale*)
14. Waterfowl (except for the importation of hatching eggs or waterfowl acquired from a Commission-permitted Wildlife Breeder/Dealer)
15. Blackbuck antelope (*Antilope cervicapra*) (possession of these animals and their offspring is restricted to only those facilities permitted before February 20, 2019)
16. Black-tailed prairie dogs (*Cynomys ludovicianus*) (possession of these animals and their offspring is restricted to only those facilities permitted before February 20, 2019)
17. Capybara (*Hydrochoerus hydrochaeris*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
18. Nilgai (*Boselaphus tragocamelus*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
19. Aoudad Sheep (*Ammotragus lervia*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
20. Oryx (Genus *Oryx*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
21. Kudu (*Tragelaphus* spp.) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
22. Lechwe (*Kobus leche*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
23. Ibex (*Capra* spp.) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
24. Jaguar (*Panthera onca*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
25. Leopard (*Panthera pardus*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
26. Snow Leopard (*Panthera uncia*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
27. Hippopotamus (*Hippopotamus amphibious*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
28. Warthog (Genus *Phacochoerus*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)

29. Rhinoceros (Family *Rhinocerotidae*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)

F1.03 -- Wildlife Breeder/Dealer Permit Requirements

- A. Wildlife Breeder/Dealer Permits may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
 2. The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's facility shall be in compliance with all local ordinances; and
 3. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
 2. The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
 3. The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner.
 4. The applicant is seeking to permit a new facility for the rearing, breeding, propagating, or distributing of large carnivores, mountain lions, or any member of the Cervidae family.
 5. The applicant is seeking to permit a facility for a species listed in Addendum R1.03. However, the Director (or designee) may issue a permit for a species not listed in Addenda R1.02 or R1.03 should an evaluation by Commission staff determine the species does not pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture and can be safely confined in a humane manner.
 6. The applicant is seeking a Wildlife Breeder/Dealer Permit for waterfowl on properties where poultry is raised for sale, show, or exhibition.
- C. Permit Requirements:
1. The applicant shall supply satisfactory evidence stock has been/will be secured from a legal source.
 2. Stock may be slaughtered in accordance with established husbandry practices for slaughter of domestic livestock. Purchasers of dressed game birds slaughtered at Wildlife Breeder/Dealer facility shall be issued by a permit holder a receipt with the name and address of the facility, date of sale, name of purchaser, and the number of and species of dress birds sold.
 3. Fencing of enclosures in which deer, elk or other big game animals are to be held shall consist of a permanent deer-proof fence at least 8 feet tall and constructed in a manner that prohibits escape of captive wildlife and prohibits entry of native wildlife.

4. Waterfowl hatched in wildlife breeder/dealer facilities shall be banded with a seamless metal band.
5. Wildlife Breeder/Dealer Permit holders for cervids, blackbuck antelope, ~~and~~ black-tailed prairie dogs, **capybara, nilgai, aoudad sheep, kudu, lechwe, ibex, jaguar, leopard, snow leopard, hippopotamus, warthog and rhinoceros** shall only sell individuals of those species to Arkansas residents who possess a current Wildlife Breeder/Dealer Permit for the respective species or to buyers outside of Arkansas. Additionally, Wildlife Breeder/Dealer Permit holders for cervids may sell cervids to Arkansas residents who possess a current Commercial Wildlife Hunting Resort Permit for cervids.
6. Live bobwhite quail sold to Arkansas residents who do not possess a Wildlife Breeder/Dealer Permit or Game Bird Shooting Resort Permit must be banded by the permit holder.
7. Rearing, breeding, propagating, producing or distributing primates shall not be permitted except facilities accredited by the Zoological Association of America.
8. A Wildlife Breeder/Dealer Permit holder is prohibited from moving cervids out of the permitted facility upon written notice by the Commission that a sample taken from a cervid within 25 miles of the facility tested positive for CWD.

D. Reporting and Record-keeping Requirements:

1. Legible records of all wildlife acquisitions and dispositions, including births, deaths, sales, slaughter and transport, shall be kept.
2. Records shall include evidence of legal possession of all wildlife kept under the permit, including licenses, bills of sale, bills of lading, receipts, invoices or other satisfactory evidence of ownership. Records shall include date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.
3. Records of sale shall include the name, address and telephone number of the person to whom the wildlife was sold, and the number of each species sold to each person.
4. Records must be retained throughout the time the wildlife is possessed by the permittee or for five years, whichever is longer.
5. Holders of Wildlife Breeder/Dealer Permits shall submit legible, complete quarterly reports (forms available from the Commission) of their inventory and any births, deaths, sales, purchases of wildlife or returned legally owned wildlife originating in Arkansas that has been out of the state for less than 30 days by the fifth day of the following months: March, June, September, and December.
6. Wildlife Breeder/Dealer Permit holders who possess cervids in facilities larger than 25 acres where the animals are allowed free range may report an estimated inventory number based on a Commission-approved survey technique.
7. Stock shall only be acquired from either a Commission-permitted Wildlife Breeder/Dealer or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Permits will not be issued to and existing permits may be revoked for facilities that have acquired stock by any other method except for stock in possession, and not otherwise prohibited by this Code, for which an application was submitted to the Commission by July 1, 2020, and approved.
8. The Commission shall be notified within 24 hours of the escape of any animals from the facility.

E. Disease Testing and Control:

1. The director of the Commission, in consultation with the director of the Arkansas Livestock and Poultry Commission, or their designees, shall determine mechanisms and procedures for control of diseases and parasites in captive wildlife within Arkansas. Such mechanisms and procedures shall include, but not be limited to, examination, testing, quarantine and slaughter or destruction of individual animals and/or herds or flocks that are, or in the opinion of the Commission may be, infected with a disease or parasite that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of Arkansas.
2. Examinations, testing, quarantine and slaughter of captive wildlife shall be conducted at the expense of the owner. As a condition of any permit issued under this addendum chapter, the Commission may require the captive wildlife be quarantined for a period specified by the Commission.
3. All Cervids that die in captivity must be tested for chronic wasting disease. Copies of test results shall be forwarded to the Commission within seven days of receipt.
4. Captive Cervid facilities must be in compliance with all Arkansas Livestock and Poultry Commission requirements.
5. Permitted Wildlife Breeder/Dealer facilities in which birds are kept are required to adhere to Arkansas Livestock and Poultry Commission requirements regarding pullorum-typhoid disease tests and are encouraged to participate in the National Poultry Improvement Plan.
6. Each Wildlife Breeder/Dealer facility where waterfowl are kept is required to test 60 birds for duck virus enteritis using the PCR technique every May. Facilities containing less than 60 birds shall test all birds in stock. Samples shall be taken by a licensed veterinarian and submitted to the Arkansas Livestock and Poultry Commission at the owner's expense. Copies of test results shall be forwarded to the Commission within seven days of receipt.
7. Flocks testing positive for duck virus enteritis shall be quarantined or destroyed by the owner or operator within 14 days and the carcasses disposed of in accordance with Arkansas Livestock and Poultry Commission regulations.

F. Facility and Caging Requirements:

All wildlife possessed under a Wildlife Breeder/Dealer Permit in Arkansas shall be maintained in a permanent enclosure, pen, or cage strong enough to prevent escape of the wildlife and protect them from injury. All wildlife shall be maintained in humane and healthy conditions. Birds must be kept in buildings or covered pens that prevent escape and that do not allow entry of wild birds. Enclosures shall be kept in good repair at all times and gates shall be securely fastened with latches or locks. Enclosures, pens or cages considered unsafe by Commission personnel must be repaired or reconstructed within 10 days or as specified by the Commission.

1. Facilities containing large carnivores and mountain lions shall meet the following requirements:
 - i. A written plan of action shall be prepared and a copy submitted with permit application for use in the following events: Severe damage to enclosures from fire, wind, floods or other natural forces; animals attacking and/or injuring humans, and animals escaping enclosures. Plans should identify the location of temporary holding facilities and necessary mechanisms to safely transport large carnivores to these facilities. Recapture plans shall outline procedures for handling and recapturing escaped large carnivores. Plans should include a list of safety equipment which shall be available for use. The Commission shall

immediately be notified upon the escape of any large carnivores or mountain lions. In the event of sickness, the name, address, phone number, and signature of the veterinarian who has agreed to care for the animal shall be provided.

- ii. A perimeter fence sufficient to deter entry by the public, at least 8 feet tall shall completely surround cages where animals are housed or exercised outdoors. Perimeter fences that allow objects to be passed through them, such as chain link or welded wire, shall be at least 3 feet from cages or exercise areas.
- iii. Warning signs must be posted at the entrance to the property.
- iv. All cages or enclosures shall be equipped with an entrance or device that allows a keeper to enter or exit a cage without providing an avenue of escape to an animal (such as a double-gated entry door, interconnected cages that can be isolated from each other, a lock-down area, or other comparable device). Safety entrances shall be constructed of materials of equivalent strength as those prescribed for cage construction. Doors or gates in perimeter fences shall be locked when unattended.
- v. Cages shall be equipped with a lockout area that allows the keeper access while the animal is contained in a separate area.
- vi. Cages shall be well braced and securely anchored at ground level to prevent escape by digging or erosion. The fasteners and fittings used in construction shall be of equivalent strength to the material required for cage construction.
- vii. In facilities containing tigers, African lions and bears cage construction materials shall consist of at least 9-gauge chain link or equivalent materials. In facilities containing mountain lions, cage construction materials shall consist of at least 11-gauge chain link or equivalent materials. Juvenile animals may be kept in incubation or rearing facilities not meeting these standards until they weigh more than 25 pounds.
- viii. Cages containing a single African lion, tiger or bear shall have a cage floor at least 300 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.
- ix. Cages containing a single mountain lion shall have a cage floor at least 200 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.
- x. Large carnivores and mountain lions may temporarily be housed in cages or enclosures smaller than specified in this chapter while being transported, while in veterinary care or while being quarantined provided temporary caging is large enough for the animal to stand up, lie down and turn around without touching the sides of the enclosure or another animal.
- xi. Open-top outdoor exercise areas are allowed providing they have vertical walls at least 12 feet tall, topped by either: an inward-angled overhang at an angle between 35 and 55 degrees, which is at least 2 feet long and of equal strength as the cage walls; or, two strands of electric fencing, one of which is 1 foot below the top of the vertical wall, and the other at the top of the wall or the upper 3 feet of the interior of the fence consists of sheer, solid metal. Animals may not be left in exercise areas overnight.
- xii. Permit holders whose facility, including enclosures, pens and cages, is not in compliance with this Commission Addendum Chapter shall be notified in writing and shall have 10 days to correct the violation.

- xiii. If the violation has not been corrected in 10 days of notification, the Commission may revoke any existing permit and may refuse to issue any future permit. Such revocation or refusal to issue a future permit shall be in addition to any criminal charges that may be filed.
2. Facilities containing medically significant venomous reptiles shall meet the requirements in Addendum F1.08.

G. Inspection:

1. Any person issued a Wildlife Breeder/Dealer Permit shall allow entry, at any reasonable hour, to Commission employees or their agents to inspect any wildlife and/or facilities kept under authority of the permit.
2. Each permittee shall pen the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by the employee or agent.

H. Renewal, Transfer, Suspension and Revocation:

1. Permits may be revoked for failure to comply with the terms of the permit or with the terms of this Commission Addendum Chapter.
2. Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.
3. If, at the end of 20 days, just cause has not been given, the Commission may suspend or revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
4. Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.
5. No existing permit can be transferred to another person, firm or corporation rearing, breeding, propagating, producing or distributing any member of the Cervidae family.
6. Holders of Wildlife Breeder/Dealer Permits for cervida or large carnivores whose facilities are void of their permitted species for one (1) year shall not have their permit renewed as of July 1, 2018.