

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
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Name of Department Legal Division

Agency or Division Name Arkansas Game & Fish Commission

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

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Name of Rule 05.10 Depredation Permit Requirement

Newspaper Name Arkansas Democrat Gazette

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Final Date for Public Comment May 21, 2020

Location and Time of Public Meeting AGFC Auditorium, 2 Natural Resources Drive, Little Rock AR 72205,  
at 10:00 a.m.

## 05.10 Depredation Permit Requirement

It is unlawful to take or attempt to take any game or furbearing animal damaging crops or personal property without obtaining a Depredation Permit along with a valid hunting license and complying with the terms and provisions of the permit. Non-game wildlife, excluding bats, migratory birds and endangered species, which pose a reasonable threat to persons or property, may be taken during daylight hours with firearms, or trapped (Code 17.01), without a Depredation Permit (Addendum G1.01).

### EXCEPTIONS:

- A. Nuisance wildlife may be taken by legal methods during any open season on the species committing damage and in accordance with applicable bag limits.
- B. Property owners or their designees may use live traps for removal of nuisance wildlife, other than bear or alligator. Live trapping conducted in incorporated towns or cities must be in accordance with their local ordinances or statutes. Live captured nuisance wildlife must be released unharmed outside the municipalities' boundaries within 24 hours.
- C. Nuisance beaver, muskrat, nutria, coyote, raccoon, opossum, squirrel, and striped skunk may be taken year-round, using firearms during daylight hours (Code 06.07) only by landowners or their designees, in any number, on private property where damage is being committed, or may be trapped and destroyed (Code 17.01).
- D. House Sparrows, Red-Winged Blackbird, Common Grackle, Brewers Blackbird, Great-tail Grackle, Brown Headed Cow Bird, European Starlings, Rock Dove, American Crow and Fish Crows damaging agricultural crops or personal property may be taken in accordance with both 50 CFR 21.43 and Code 14.01.
- E. Nuisance migratory birds taken in compliance with a permit issued by the U.S. Fish and Wildlife Service or in compliance with U.S. Fish and Wildlife Service regulations.
- F. Bats that have bitten or otherwise potentially exposed a human, pet or livestock to rabies may be killed provided that they are submitted to the Arkansas Department of Health for rabies testing.

**PENALTY:** Class 1