

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, black-tailed prairie dogs, capybara, nilgai, aoudad sheep, kudu, lechwe, ibex, jaguar, leopard, snow leopard, hippopotamus, warthog, Family Salamandridae, large Asian and African Pythons, 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, 2021, 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 or entry of a plea of guilty or nolo contendere for violation of any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals, 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 cervids 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.

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER NO:	20-021	SUBJECT:	2020-2021 General Hunting
DATE PASSED:	May 21, 2020		Regulations Approval
PAGE <u>1</u> of <u>1</u> PAGES		LOCATION:	Statewide

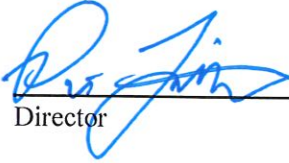
WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached regulations for 2020-2021 Hunting Seasons, including game seasons, bag limits, geographic zones, wildlife management areas, boating access, weapon restrictions, captive wildlife, and manner-of-taking-game requirements for alligator, bear, deer, elk, furbearing animals, quail, rabbit, squirrel, turkey, dove, waterfowl, and other game species; **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 the Director and Commission staff, 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 21st day of May 2020, 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.

	<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>
Submitted by:	Brad Carner Chief	<u>Ken Reeves</u> Ken Reeves by C.C. Chairman
Division:	Wildlife Management	<u>Stan Jones</u> Stan Jones by C.C. Commissioner
Approved:	 Director	<u>Andrew Parker</u> Andrew Parker by C.C. Vice Chairman
Approved:	Legal	<u>J.D. Neeley</u> J.D. Neeley by C.C. Commissioner
Approved:	Fiscal	<u>Joe Morgan</u> Joe Morgan by C.C. Commissioner
		<u>Bobby Martin</u> Bobby Martin by C.C. Commissioner

FINANCIAL/ECONOMIC IMPACT STATEMENT

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

DEPARTMENT: Arkansas Game and Fish Commission

DIVISION: Wildlife Management

PERSON COMPLETING THIS STATEMENT: Mark Hutchings/Matthew Warriner

TELEPHONE #: 501-223-6352 **FAX #:** 501-223-6452

EMAIL: mark.hutchings@agfc.ar.gov / matthew.warriner@agfc.ar.gov

SHORT TITLE OF THIS RULE: 2020-2021 Hunting, WMA, Captive Wildlife and Miscellaneous Regulation Proposals.

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: X No:
2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: X No: If "Yes," please explain: the financial impact of many of the regulation changes is not easily quantifiable due to the nature of the proposed changes.

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: N/A

Next Fiscal Year: Unknown

Amend existing and adopt new regulations including:

- Adopt a quota system for alligator hunting on private lands - Alligator Zones 1, 2 and 3
- Increase bear quota in Bear Zone 1 (Ozarks) from 340 to 500
- Reduce the Public Land Elk Quota by 3 either sex and 3 antlerless permits
- Reduce the Private Land Elk Quota from 12 bulls to 10 bulls and from 40 antlerless elk to 25
- Require all Deer, Turkey, Bear, Alligator, and Elk to be checked within 12 hours from the time of harvest

- Require all hunters (including youth) to obtain a Customer Identification Number (CID) in order to check game or apply for permit hunts
- Simplify turkey regulations by reducing the number of turkey zones from 18 to 2 zones (by county)
- Restrict the harvest of bearded hens
- Reduce bag limits for wild turkeys on all Wildlife Management Areas from 2 to 1 legal turkey
- Allow hunters to harvest only 1 turkey during the first seven days of the season and establish a 1 bird bag limit during the special youth turkey hunt.
- Move turkey season to the third Monday in April, and extend season length in proposed Zone 2 to 21 days with a 2 bird bag limit. Proposed Zone 1 will retain the conservative 9 day season and 1 bird bag limit.
- Create a youth and regular permit turkey hunt on Devil's Eyebrow Natural Area
- Create a new youth permit turkey hunt on Shirey Bay Rainey Brake WMA
- Combine Deer Zones 8 and 8A
- Combine Deer Zones 1A, 6, and 6A
- Combine Deer Zones 4 and 4B and align modern gun deer season with zone 4B (extending from 2 days to 9 days)
- Combine Deer Zones 5 and 5B and align modern gun deer season with Zone 5B (extending from 4 days to 9 days)
- Increase bag limits for Deer Zones 3,6,6A,7,8,8A,10,11, and 13 from 4 deer to 5 deer
- Reduce the aggregate bag limit in Deer Zone 12 and Deer Zone 17 from six deer to five deer
- Create a new muzzleloader deer hunt at Bell Slough WMA
- Create a new modern gun mobility impaired hunt for deer and bear on Bearcat Hollow WMA
- Change the current December Special Modern Gun Youth Hunt on Bearcat Hollow WMA to a regular three day muzzleloader hunt
- Add a new Modern Gun Youth Permit Hunt on Stone Prairie WMA (to coincide with statewide youth season)
- Remove permit requirements for youth deer hunts on Ed Gordon and Hope Upland WMAs
- Open a new Youth Deer Hunt on the following 18 WMAs: Bell Slough, Benson Creek Natural Area, Cattail Marsh, Cut Off Creek, Dr. Lester Sitzes III Bois D' Arc, Earl Buss Bayou De View, Ethel, George H. Dunklin Jr. Bayou Meto, Henry Gray Hurricane Lake, McIlroy Madison County, Rex Hancock Black Swamp, Ring Slough, Robert L. Hankins Mud Creek, Scott Henderson Gulf Mountain, Sheffield Nelson Dagmar, Two Bayou Creek, Village Creek and Whitehall
- Move the current Private Lands Antlerless-only Modern Gun Hunt from the 2nd weekend in October to December, and reduce it from a 5 day hunt to a 3 day hunt (Dec. 29-31) statewide
- Clarify that a lesser weapon may be used during the private land antlerless modern gun deer hunt. Hunter orange still required and only one weapon of choice allowed
- Increase the number of days antlerless deer may be taken on Piney Creeks and Sylamore WMAs and change the bag limit on Muddy Creek and Mt. Magazine WMAs to allow one antlerless deer with muzzleloader or one antlerless first two days of modern gun season.

- Move the Modern Gun Deer Permit Hunt on Cypress Bayou WMA from the fourth Friday in November to the second Saturday in November for 5 days
- Provide an annual Disabled Veterans Modern Gun Hunt on Longview Saline and Warren Prairie WMAs
- Add Independence and Jackson County to the CWD Management Zone
- Remove antler restrictions on the following WMAs in Independence and Jackson Counties to comply with CWD Management Zone regulations: Cherokee, Foushee Cave, Jamestown, and Village Creek WMAs
- Open Wylie Cox Field trial Area (140 ac.) on Ed Gordon Point Remove WMA by removing SUA status and adjust the regulations to be consistent with the remainder of the WMA.
- Create a new leased land WMA at Winona to be named Cedar Mountain WMA.
- Include Camp Robinson WMA in the spinning wing decoys restrictions
- Clarify that an electric bicycle is considered a motorized vehicle and must adhere to motorized vehicle restrictions on WMAs
- Remove firewood restrictions on all Commission-owned WMAs
- Open Bobcat, coyote, and fox hunting with shotguns and rimfire rifles at Little Bayou and Crossett Experimental Forest WMAs
- Allow for applications for new fur dealer permits to be denied if they failed to provide a report the previous year.
- Move the last day of muskrat trapping season from March 31 to February 28
- Change furbearer ammunition restrictions on private lands to only apply to raccoon, opossum, and bobcat being hunted at night.
- Require holders of a wildlife depredation or predator control permit and their designees, to purchase a valid hunting license.
- Exclude bats from the list of species that can be killed when a nuisance except for when rabies testing is needed.
- Add the Little Brown Bat (*Myotis Lucifgus*) as a state listed endangered species.
- Edit some of the wording in the season dates for code clarification and correction of errors made during the electronic conversion of codebook.
- Add USFWS Special Purpose Abatement requirements to falconry code.
- Remove 7 species of federally protected birds from the exceptions list of birds that are not protected
- Allow non-resident falconers with a non-resident hunting license to apply for an Arkansas Passage Peregrine Falcon Permit. Also update the falconry data entry website to new web address.
- Increase Quail Habitat Stamp price from \$4.50 to \$9.50
- Re-establish the annual dove season opening date as the first Saturday in September
- Clarify dates for non-resident waterfowl hunters on WMAs
- Reduce the Scaup daily limit from 2 to 1
- Propose two options for white-fronted goose season; either 74 days (current structure) with a 3 bird bag limit or 88 days with a 2 bird bag limit
- Clarify that the Salt ditches on Bayou Meto WMA adhere to Common Restriction A.
- Implement permitted waterfowl hunting on the Red Cut Slough tract at Cypress Bayou WMA during the regular duck season.
- Allow all day waterfowl hunting on WMAs on the last day of regular duck season and

during the special youth/veteran waterfowl hunts.

- Modify Common Restriction A to restrict boat access all day on 21 WMAs for 5 days before waterfowl season and during waterfowl splits. Add Cypress Bayou WMA and 5 additional water bodies on Petit Jean River and Dave Donaldson Black River WMAs and remove 2 from Ed Gordon Point Remove WMA from the exceptions in Common Restriction A.
- Clarify and update definitions relating to captive game birds and Shoot-to-Kill Bird Dog Training permit.
- Clarify exception relating to field trials and eliminate exception relating to USDA Wildlife Exhibition permits.
- Clarify that non-native birds be kept in buildings or covered pens. And clarify what constitutes proof of ownership.
- Clarify which species of quail and pheasant may be released in accordance with certain permits and clarify what methods of confinement for birds are adequate.
- Clarify that the exception from the Wildlife Breeder/Dealer Permit regulations, allowing for the sale of up to 20 individual animals per year of species on the Permitted Species List, does not apply to certain species for which Wildlife Breeder/Dealer Permits are restricted.
- Eliminate Mountain Lion Permit.
- Eliminate certain redundant language in the Game Bird Shooting Resort Permit code.
- Eliminate redundant language in the Commercial Wildlife Hunting Resort Permit code.
- Update reasons for suspension or revocation of Wildlife Breeder/Dealer permits to match language used as reasons for denial of new permit applications.
- Modifying Wildlife Importation Permit requirements to allow those importing birds to provide proof of participation in the National Poultry Improvement Program by the out-of-state facility to satisfy disease testing requirements and to require those importing venomous reptiles into Arkansas for temporary exhibition follow certain caging requirements.
- Clarify that rules regarding temporary display of venomous reptiles in F1. (C) (4) may also apply to individuals without permits. Update terms for suspension or revocation.
- Clarify that captive born native species of birds being kept as pets be kept in buildings or covered pens. Clarify the use of tongs and snake hooks would be allowed to hand capture native wildlife and clarify what constitutes proof of legal possession of captive born native wildlife pets.
- Clarify that holders of the Conservation Education Permit must conduct at least 20 hours of conservation education each year to be eligible for renewal. Update terms for permit suspension or revocation to match terms for which initial application would have been denied.
- Add 3 bird species and 81 reptile species to Addendum R1.01 – Unrestricted Captive Wildlife Species that upon staff review do not appear to be inherently dangerous and pose no significant risk to human health and safety, native fish and wildlife health or populations, agriculture, and can be safely confined in a humane manner.
- Add 4 bird species and 31 mammal species to Addendum R1.02 – Permitted Captive Wildlife Species List that upon staff review appear to pose a moderate but manageable risk to human health and safety, native fish and wildlife health or populations, or agriculture, such that they warrant further restriction or oversight.

- Add 30 mammal, 5 reptile and 123 amphibian species to Addendum R1.03 --Prohibited Captive Wildlife Species List to prohibit the breeding, sale or importation of these species. Importation, breeding and sale of these species (as well as blackbuck antelope black-tailed prairie dogs) will be allowed for those permitted by the required dates.
- Add capybara, nilgai, aoudad sheep, oryx, kudu, lechwe, ibex, jaguar, leopard, snow leopard, hippopotamus, warthog, rhinoceros, newts and fire salamanders, and large Asian and African pythons to Addendum F1.03 for the purpose of prohibiting the sale of these species to only persons who possess a current Wildlife Breeder/Dealer Permit for the respective species or to buyers outside of Arkansas.
- Add a disease testing requirement in Addendum F1.04 – Wildlife Importation Permit Requirements for brindled gnu which is being proposed to be permitted for importation, breeding and sale.
- Extend deadline to apply for Wildlife Breeder/Dealer Permits for those animals that do not meet standard documentation requirements and the deadline by which a Venomous Reptile Permit has to be obtained for those possessing these medically significant venomous species to July 1, 2021. Also extend deadline to July 21, 2021 for certain caging, facility and transport requirements for those with medically significant venomous reptiles kept under the native wildlife pet code.
- Authorize transfer of un-releasable wild animals from rehabilitators to holders of a Commission-issued Conservation Education Permit.
- Add exceptions for possession of certain threatened and endangered species to the Commission’s endangered species code.
- Limit the amount of time that holders of Live Fox and Coyote Permits may keep live-caught animals to 30 days or less prior to sale and restrict sales to fox pen owners only.
- Clarify within the Wildlife Breeder/Dealer regulation that a Live Fox and Coyote Permit is needed to sell live fox and coyote.
- Reduce the time for Venomous Reptile Permit holders to correct caging problems from 30 days to 10 days.
- Clarify warning sign requirements for permanent and temporary venomous reptile enclosures.

Party Subject to Rule: hunters, trappers and persons engaged in captive wildlife related activities will be primarily subject to these rules.

Effect on Party Subject to Rule: The proposed changes, as listed above, will effect parties subject to the regulations as categorized to liberalize or expand opportunity (26%); clarify existing code (33%); simplify or reduce regulations (15%) and restrictions (26%).

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: Unknown

Financial Benefit to Agency: Increase to price of Voluntary Quail stamp from \$4.50 to \$9.50 could result in increased revenue for habitat management

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: Regulations vary greatly among states.



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May 28, 2020

Ms. Kayla Sansom, Rules & Regulation Filing
Office of the Arkansas Secretary of State
500 Woodlane Drive, Room 26
Little Rock, AR 72201

RE: Arkansas Game and Fish Commission Regulation Adopted on May 21, 2020

Dear Ms. Sansom:

Attached please find a link to the 93 regulations approved by the Arkansas Game and Fish Commission on April 23, 2020. Also included for each individual regulation is the required transmittal sheet, and applicable Financial Impact Statement and the signed Minute Order. The Commission respectfully requests that these regulation become effective 10 days after filing.

Notices for the proposed regulations were published in the Arkansas Democrat-Gazette on March 22, 23, and 24, 2020, and April 19, 20, and 21, 2020.

Hard copies of the approved regulations will be in the mail in the next day or so. **Kindly notify April Soman at april.soman@agfc.ar.gov to confirm receipt of both the electronic submission and hard copies.** Should you have any questions or concerns regarding 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