# ARKANSAS REGISTER



### **Transmittal Sheet**

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

Secretary of State
John Thurston

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www.sos.arkansas.gov

Effective Date	Code Number	
Name of Agency		
Department		
Contact	E-mail	Phone
Statutory Authority for Promulgating	g Rules	
Rule Title:		
Intended Effective Date		Date
Emergency (ACA 25-15-204)	Legal Notice Published	
10 Days After Filing (ACA 25-15-20)	4) Final Date for Public Comment	
Other(Must be more than 10 days after filing o	Reviewed by Legislative Council	
(accoomore taan 10 aayo attor iming t	Adopted by State Agency	·····
Electronic Copy of Rule e-mailed from: (Re	equired under ACA 25-15-218)	
Contact Person	E-mail Address	Date
	ATION OF AUTHORIZED OFFI	ICER
-	Certify That The Attached Rules Were Adopted  ***********************************	XXXXXXXXXX
Attorney General, the rulemaking requirements in the Arkans	strative Procedures Act. Pursuant to 2011 decision rendered by the sas Administrative Procedures Act cannot be constitutionally applie -15-204 for public notice, opportunity for comment, and filing of all	ed to the AGFC. Nevertheless, the AGFC does su
	Signature	_
Phone Nu	mber E-mail Address	_
<del></del>	Title	_
	Date	

#### **E1.01** Deer Zone Descriptions

**Zone 1 – Northwestern Arkansas.** From northwestern corner of Arkansas; south on the Arkansas-Oklahoma state line to U.S. Highway 62; east on U.S. Highway 62 to Arkansas Highway 16 at Fayetteville; east on Arkansas Highway 16 to Kings River; north on Kings River to the Arkansas-Missouri state line; west on the Arkansas-Missouri state line to the northwestern corner of Arkansas.

#### Zone 1A -

Zone 2 – Western half of north-central Arkansas. From intersection of Arkansas-Missouri state line and Kings River; south on Kings River to Arkansas Highway 16; east on Arkansas Highway 16 to Arkansas Highway 21 near Fallsville; north on Arkansas Highway 21 to Arkansas Highway 16 near Swain; east on Arkansas Highway 16 to Arkansas Highway 27 near Tilly; north on Arkansas Highway 27 to Arkansas Highway 254; east on Arkansas Highway 254 to U.S. Highway 65 at Dennard; north on U.S. Highway 65 to Arkansas Highway 66 at Leslie; east on Arkansas Highway 66 to Arkansas Highway 58 at Mountain View; east on Arkansas Highway 58 to the White River; north on the White River to U.S. Highway 62; west on U.S. Highway 65; north on U.S. Highway 65 to Arkansas-Missouri state line; west on Arkansas-Missouri state line to Kings River.

**Zone 3** – **Eastern half of north-central Arkansas.** From intersection of Arkansas-Missouri state line and U.S. Highway 65; south on U.S. Highway 65 to Arkansas Highway 14; east on Arkansas Highway 14 to U.S. Highway 62 at Yellville; east on U.S. Highway 62 to White River; south on White River to Black River; north on Black River to Current River; north on Current River to Arkansas-Missouri state line; west on Arkansas-Missouri state line to western edge of Bull Shoals Lake.

Zone 4 (Section 1) – Western portion of northeastern Arkansas. From intersection of Current River and Arkansas-Missouri state line; south on Current River to Black River; south on Black River to White River; south on White River to Arkansas Highway 14; east on Arkansas Highway 14 to Arkansas Highway 17; south on Arkansas Highway 17 to Arkansas Highway 14; east on Arkansas Highway 14 to Arkansas Highway 145; south on Arkansas Highway 145 to Arkansas Highway 37; south on Arkansas Highway 37 to Arkansas Highway 42; east on Arkansas Highway 42 to U.S. Highway 49; south on U.S. Highway 49 to Interstate 40 near Brinkley; east on Interstate 40 to Arkansas Highway 1 near Forrest City; north on Arkansas Highway 1 to Craighead County Road 407 (Lawson Road); west on Craighead County Road 407 (Lawson Road) to Christian Valley Road; west on Christian Valley Road to U.S. Highway 49; west on U.S. Highway 49 to Arkansas Highway 226; west on Arkansas Highway 226 to Arkansas Highway 349; north on Arkansas Highway 349 to Arkansas Highway 91; north on Arkansas Highway 91 to U.S. Highway 63; north on U.S. Highway 63 to Arkansas Highway 228; east on Arkansas Highway 228 to U.S. Highway 412; east on U.S. Highway 412 to Arkansas Highway 141; north on Arkansas Highway 141 to U.S. Highway 62; east on U.S. Highway 62 to Arkansas Highway 139; north on Arkansas Highway 139 to Arkansas-Missouri state line; west on Arkansas-Missouri state line to Current River.

**Zone 4A (Section 1) – Western portion of east-central Arkansas.** From intersection of Interstate 40 and U.S. Highway 49 near Brinkley; south on U.S. Highway 49 to Arkansas Highway 39; south on Arkansas Highway 39 to Arkansas Highway 316; east on Arkansas Highway 316 to Arkansas Highway 318; east on Arkansas Highway 318 to Arkansas Highway 20; east on Arkansas Highway 20 to Phillips County Road 422 at Modoc; east on

Phillips County Road 422 to the Mississippi River levee; north on the Mississippi River levee to U.S. Highway 49; north on U.S. Highway 49 to Arkansas Highway 1 at Walnut Corner; north on Arkansas Highway 1 to I-40 at Forrest City; west on I-40 to U.S. Highway 49 near Brinkley.

Zone 4 (Section 2) – Eastern portion of northeastern Arkansas. From U.S. Highway 62 and the St. Francis River at the Arkansas-Missouri state line; west on U.S. Highway 62 to U.S. Highway 49; south on U.S. Highway 49 to Arkansas Highway 1 near Jonesboro; south on Arkansas Highway 1 to Arkansas Highway 163; south on Arkansas Highway 163 to Poinsett County Road 33 (Cromwell Cutoff Lane and Bay Lane); south on Poinsett County Road 33 (Cromwell Cutoff Lane and Bay Lane) to Arkansas Highway 373; south on Arkansas Highway 373 to Arkansas Highway 163; south on Arkansas Highway 163 to U.S. Highway 64; east on U.S. Highway 64 to St. Francis River Levee; south on the St. Francis River Levee to Interstate 40; east on Interstate 40 to the Mississippi River levee; north on Mississippi River levee to the Arkansas-Missouri state line; west on the Arkansas-Missouri state line to the St. Francis River; north on the St. Francis River to U.S. Highway 62.

**Zone 4A (Section 2)** – **Eastern portion of east-central Arkansas.** From intersection of Interstate40 and the Mississippi River levee at West Memphis; south on the Mississippi River levee to Arkansas Highway 131 at Seyppel; north on Arkansas Highway 131 to Arkansas Highway 147; south on Arkansas Highway 147 to Arkansas Highway 38; west on Arkansas Highway 38 to St. Francis County Road 619; south on St. Francis County Road 619 to Crittenden County Road 47; south on Crittenden County Road 47 to Arkansas Highway 147; north on Arkansas Highway 147 to Crittenden County Road 285; south on Crittenden County Road 285 to the Mississippi River levee; south on the Mississippi River levee to its end near the St. Francis River; on a line due west from this point to the St. Francis River; north on the St. Francis River to I-40 near Madison; east on I-40 to the Mississippi River levee at West Memphis.

**Zone 5 – Northern portion of Crowley's Ridge.** From intersection of Arkansas-Missouri state line and Arkansas Highway 139; south on Arkansas Highway 139 to U.S. Highway 62; west on U.S. Highway 62 to Highway 141; south on Arkansas Highway 141 to U.S. Highway 412; west on U.S. Highway 412 to Arkansas Highway 228; west on Arkansas Highway 228 to U.S. Highway 63; south on U.S. Highway 63 to Arkansas Highway 91; south on Arkansas Highway 91 to Arkansas Highway 349; south on Arkansas Highway 349 to Arkansas Highway 226; east on Arkansas Highway 226 to U.S. Highway 49; north on U.S. Highway 49 to Christian Valley Drive; east on Christian Valley Drive to Craighead County Road 407 (Lawson Road); east on Craighead County Road 407 (Lawson Road) to Arkansas Highway 1; south on Arkansas Highway 1 to Interstate 40 near Forrest City; east on Interstate 40 to St. Francis River Levee; north on St. Francis River Levee to U.S. Highway 64; west on U.S. Highway 64 to Arkansas Highway 163; north on Arkansas Highway 163 to Arkansas Highway 373; north on Arkansas Highway 373 to Poinsett County Road 33 (Bay Lane and Cromwell Cutoff Lane); north on Poinsett County Road 33 (Bay Lane and Cromwell Cutoff Lane) to Arkansas Highway 163; north on Arkansas Highway 163 to Arkansas Highway 1; north on Arkansas Highway 1 to U.S. Highway 49 at Jonesboro; north on U.S. Highway 49 to U.S. Highway 62; north on U.S. Highway 62 to St. Francis River; north on St. Francis River to Arkansas-Missouri state line; west on Arkansas-Missouri state line to Arkansas Highway 139.

**Zone 5A – Southern portion of Crowley's Ridge.** From Interstate 40 and Arkansas Highway 1 at Forrest City; south on Arkansas Highway 1 to U.S. Highway 49 at Walnut Corner; south on U.S. Highway 49 to Mississippi River levee; north on Mississippi River levee to FDR 1901 (low road); north on FDR 1901 to St. Francis National Forest boundary; north and east on St. Francis National Forest boundary to Mississippi River; north on

Mississippi River to St. Francis River; north on St. Francis River to I-40 near Madison; west on I-40 to Arkansas Highway 1 at Forrest City.

Zone 6 – South-central portion of northwestern Arkansas and southern portion of the Ozark Highlands. Start at the Arkansas-Oklahoma State Line and U.S. Hwy 62; south on the Arkansas-Oklahoma State Line to U.S. Interstate 540; east on U.S. Interstate 540 to U.S. Interstate 40; east on U.S. Interstate 40 to U.S. Hwy 64 near Lamar; west on U.S. Hwy 64 to Hwy 123; north on Hwy 123 to Hwy 123/164; east on Hwy 123/164 to Hwy 7/164; south on Hwy 7/164 to Dover; north on Hwy 27 to Hwy 105; south on Hwy 105 to Hwy 124; east on Hwy 124 to Hwy 95 at Wonderview; north on Hwy 95 to Hwy 65 Business Route at Clinton; north on Hwy 65 Business Route to Hwy 16; east on Hwy 16 to Hwy 16/110 near Shirley; east on Hwy 16/110 to Hwy 92 at Greers Ferry; east on Hwy 92 to Hwy 25 at Drasco; north on Hwy 25 to Hwy 87 at Concord; south on Hwy 87 to U.S. Hwy 167 near Pleasant Plains; north on U.S. Hwy 167 to the White River at Batesville; west on White River to Hwy 58 near Guion; west on Hwy 58 to Hwy 14; west on Hwy 14 to Hwy 66 at Mountain View; west on Hwy 66 to U.S. Hwy 65 at Leslie; south on U.S. 65 to Hwy 254 at Dennard; west on Hwy 254 to Hwy 27; west on Hwy 27 to Hwy 16; west on Hwy 16 to State Hwy 7 at Sand Gap; north on State Hwy 7 to Hwy 16 near Deer; west on Hwy 16 to U.S. Hwy 62 at Favetteville; west on U.S. Hwy 62 to Arkansas-Oklahoma State Line.

**Zone 7 – Western portion of Arkansas River Valley.** From intersection of Interstate 49 and Arkansas-Oklahoma state line; north on I-49 to I-40; east on I-40 to Arkansas Highway 9 at Morrilton; south on Arkansas Highway 9 to Arkansas Highway 10 at Perry; west on Arkansas Highway 10 to Arkansas Highway 23 at Booneville; south on Arkansas Highway 23 to U.S. Highway 71; north on U.S. Highway 71 to Arkansas Highway 96; west on Arkansas Highway 96 to Arkansas-Oklahoma state line; north on Arkansas-Oklahoma state line to I-49.

**Zone 8 – Eastern portion of the Arkansas River Valley.** Start at U.S. Hwy 167 and the White River at Batesville; southeast on the White River to Hwy 14 at Newport; east on Hwy 14 to U.S. Hwy 67; south on U.S. Hwy 67 to U.S. Hwy 64/67/167 at Bald Knob; south on U.S. Hwy 64/67/167 to Hwy 36; west on Hwy 36 to Hwy 305; south on Hwy 305 to Hwy 31 at Floyd; north on 31 to Hwy 5; south on Hwy 5 to Hwy 310; west on Hwy 310 to Hwy 36, west on Hwy 36 to U.S. Hwy 64; west on U.S. Hwy 64 to U.S. Hwy 65B at Conway; south on U.S. Hwy 65B to Hwy 60; west on Hwy 60 to Hwy 9 at Perryville; north on Hwy 9 to U.S. Interstate 40 at Morrilton; west on U.S. Interstate 40 to U.S. Hwy 64 near Lamar; west on U.S. Hwy 64 to Hwy 123; north on Hwy 123 to Hwy 123/164; east on Hwy 123/164 to Hwy 7/164; south on Hwy 7/164 to Dover; north on Hwy 27 to Hwy 105; south on Hwy 105 to Hwy 124; east on Hwy 124 to Hwy 95 at Wonderview; north on Hwy 95 to Hwy 65 Business Route at Clinton; north on Hwy 65 Business Route to Hwy 16; east on Hwy 16 to Hwy 16/110 near Shirley; east on Hwy 16/110 to Hwy 92 at Greers Ferry; east on Hwy 92 to Hwy 25 at Drasco; north on Hwy 25 to Hwy 87 at Concord; south on Hwy 87 to U.S. Hwy 167 near Pleasant Plains; north on U.S. Hwy 167 to the White River at Batesville.

**Zone 9 – East-central Arkansas.** From intersection of Arkansas Highway 14 and U.S. Highway 67 near Newport; south on U.S. Highway 67 to Interstate 40 in North Little Rock; west on Interstate 40 to I-30; west on I-30 to Arkansas River; south on Arkansas River to U.S. Highway 79B; north on U.S. Highway 79B to U.S. Highway 79; north on U.S. Highway 79 to Arkansas Highway 152; east on Arkansas Highway 152 to U.S. Highway 165; south on U.S. Highway 165 to Arkansas River; northeast on Arkansas River to confluence with Arkansas Post Canal; east on Arkansas Post Canal to confluence with White River; southeast on Arkansas-Desha county line, following White River to Missouri-Pacific railroad; northeast on Missouri-Pacific railroad to intersection of western line of Section 9, T8S, R1W; north on western line of Section 4 to north line of T8S, R1W; east along north line of T8S, R1W to intersection of Missouri-Pacific railroad; northeast on Missouri-Pacific railroad; northeast on Missouri-Pacific railroad; northeast on Missouri-Pacific railroad to intersection of Mississisppi

River levee south of Snow Lake; northeast on Mississippi River levee to Phillips County Road 422; west on Phillips County Road 422 to Arkansas Highway 20 at Modoc; west on Arkansas Highway 20 to Arkansas Highway 318; west on Arkansas Highway 318 to Arkansas Highway 316; west on Arkansas Highway 316 to Arkansas Highway 39 at Turner; north on Arkansas Highway 39 to U.S. Highway 49; north on U.S. Highway 49 to Arkansas Highway 42 at Hickory Ridge; west on Arkansas Highway 42 to Arkansas Highway 37; north on Arkansas Highway 37 to Arkansas Highway 145; north on Arkansas Highway 145 to Arkansas Highway 14 to Arkansas Highway 17; north on Arkansas Highway 17 to Arkansas Highway 14; west on Arkansas Highway 14 to White River; west on Arkansas Highway 14 to U.S. Highway 67 near Newport.

**Zone 10 – Central Arkansas River Valley.** From intersection of U.S. Highway 67 and Arkansas Highway 36; west on Arkansas Highway 36 to Arkansas Highway 305; south on Arkansas Highway 305 to Arkansas Highway 31 at Floyd; north on Arkansas Highway 31 to Arkansas Highway 5; south on Arkansas Highway 5 to Arkansas Highway 310; west on Arkansas Highway 310 to Arkansas Highway 36; west on Arkansas Highway 36 to U.S. Highway 64; west on U.S. Highway 64 to U.S. Highway 65B; south on U.S. Highway 65B to Arkansas Highway 60; west on Arkansas Highway 60 to Arkansas Highway 9; south on Arkansas Highway 9 to Arkansas Highway 10 at Williams Junction; east on Arkansas Highway 10 to Interstate 430; west on I-430 to I-30; east on I-30 to I-40; east on I-40 to U.S. Highway 67; north on U.S. Highway 67 to Arkansas Highway 36.

**Zone 11 – West-central Arkansas.** From intersection of Arkansas Highway 9 and Arkansas Highway 10 at Perry; west on Arkansas Highway 10 to Arkansas Highway 23 at Booneville; south on Arkansas Highway 23 to U.S. Highway 71; north on U.S. Highway 71 to Arkansas Highway 96; west on Arkansas Highway 96 to Arkansas-Oklahoma state line; south along Arkansas-Oklahoma state line to Arkansas Highway 8; east on Arkansas Highway 8 to junction of U.S. Highway 71; south on U.S. Highway 71 to Arkansas Highway 246; east on Arkansas Highway 246 to Arkansas Highway 84 at Athens; east on Arkansas Highway 84 to U.S. Highway 70 at Salem; east on U.S. Highway 70 to Arkansas Highway 227; north on Arkansas Highway 227; north on Arkansas Highway 270; east on U.S. Highway 192; east on Arkansas Highway 192 to Arkansas Highway 7; north on Arkansas Highway 7 to Forest Service Access Road 2; east on Forest Service Access Road 2 to Forest Service Access Road 46; east on Forest Service Access Road 24330; south on Weyerhaeuser Road 24330 to Weyerhaeuser Road 24000; east on Weyerhaeuser Road 24000 to Arkansas Highway 9; north on Arkansas Highway 9 to Arkansas Highway 10 at Perry.

**Zone 12 – Central and south-central Arkansas.** From intersection of Interstate 30 and Arkansas River; west on Interstate 30 to Arkansas Highway 51; south on Arkansas Highway 26; west on Arkansas Highway 26 to Arkansas Highway 27 at Murfreesboro; south on Arkansas Highway 27 to Arkansas Highway 355 at Mineral Springs; south on Arkansas Highway 355 to Arkansas Highway 32 at Saratoga; west on Arkansas Highway 32 to Millwood Dam at Little River; downstream on Little River to Red River; downstream on Red River to I-30; east on I-30 to Arkansas Highway 29; south on Arkansas Highway 29 to Arkansas-Louisiana state line; east on Arkansas-Louisiana state line to Bayou Bartholomew; north on Bayou Bartholomew to U.S. Highway 79B; north on U.S. Highway 79B to Arkansas River; north on Arkansas River to U.S. Interstate I-30.

**Zone 13 – Northwestern part of south-central Arkansas.** From intersection of Interstate 30 and U.S. Highway 70; west on Interstate 30 to Arkansas Highway 51; south on Arkansas Highway 51 to Arkansas Highway 26; west on 26 to U.S. Highway 278 at Center Point; west on U.S. Highway 278 to U.S. Highway 70 at Dierks; west on U.S. Highway 70 to Arkansas-Oklahoma state line; north on Arkansas-Oklahoma state line to Arkansas Highway 8; east on

Arkansas Highway 8 to U.S. Highway 71; south on U.S. Highway 71 to Arkansas Highway 246; east on Arkansas Highway 246 to Arkansas Highway 84 at Athens; east on Arkansas Highway 84 to U.S. Highway 70 at Salem; east on U.S. Highway 70 to Arkansas Highway 227; north on Arkansas Highway 227 to U.S. Highway 270; east on U.S. Highway 270 to Arkansas Highway 227; north on Arkansas Highway 227 to Arkansas Highway 192; east on Arkansas 192 to Arkansas Highway 7; north on Arkansas Highway 7 to Forest Service Access Road 2; east on Forest Service Access Road 2 to Forest Service Access Road 46; east on Forest Service Access Road 46 to Weyerhaeuser Road 24330; south on Weyerhaeuser Road 24330 to Weyerhaeuser Road 24000; east on Weyerhaeuser Road 24000 to Arkansas Highway 9; north on Arkansas Highway 9 to Arkansas Highway 10 at Williams Junction; east on Arkansas Highway 10 to I-430; south on I-430 to I-30; southwest on I-30 to U.S. Highway 70.

**Zone 14 – Southwestern Arkansas.** From intersection of U.S. Highway 70 and Arkansas-Oklahoma state line; east on U.S. Highway 70 to U.S. Highway 278 at Dierks; east on U.S. Highway 278 to Arkansas Highway 26; east on Arkansas Highway 26 to Arkansas Highway 27; south on Arkansas Highway 27 to Arkansas Highway 355 at Mineral Springs; south on Arkansas Highway 355 to Arkansas Highway 32 at Saratoga; west on Arkansas Highway 32 to Millwood Dam at Little River; downstream on Little River to Red River; west on Red River to U.S. Highway 71; north on Highway 71 to Arkansas Highway 32 near Ashdown; west on Arkansas Highway 32 to Arkansas-Oklahoma state line; north on Arkansas-Oklahoma state line to U.S. Highway 70.

**Zone 15 – Southwestern part of south-central Arkansas.** From Interstate 30 and Arkansas Highway 29 at Hope; south on Arkansas Highway 29 to Arkansas-Louisiana state line; west on Arkansas-Louisiana state line to intersection of Arkansas-Louisiana-Texas state lines; north along Arkansas-Texas state line to Red River; west on Red River to intersection of Arkansas-Texas-Oklahoma state lines; north along Arkansas-Oklahoma state line to Arkansas Highway 32; east on Arkansas Highway 32 to U.S. Highway 71 near Ashdown; south on U.S. Highway 71 to Red River; east on Red River to I-30 near Fulton; east on I-30 to Arkansas Highway 29 at Hope.

**Zone 16 – Southeastern Arkansas.** From Arkansas River and U.S. Highway 79B; north on U.S. Highway 79B to U.S. Highway 79; north on U.S. Highway 79 to Arkansas Highway 152; east on Arkansas Highway 152 to U.S. Highway 165; south on U.S Highway 165 to the Arkansas/Mississippi River levee; south on the Arkansas/Mississippi River levee to Gould Road; west on Gould Road to Arkansas Highway 1; south on Arkansas Highway 1 to Arkansas Highway 138; west on Arkansas Highway 138 to Bayou Bartholomew; north along Bayou Bartholomew to U.S. Highway 79B; north on U.S. Highway 79B to the Arkansas River.

**Zone 16A – Southern portion of southeastern Arkansas.** From Mississippi River levee and Arkansas-Louisiana state line; west along Arkansas-Louisiana state line to Bayou Bartholomew; north along Bayou Bartholomew to Arkansas Highway 138; east on Arkansas Highway 138 to Arkansas Highway 1; north on Arkansas Highway 1 to Gould Road; east on Gould Road to Mississippi River levee; south on Mississippi River Levee to Arkansas-Louisiana state line.

**Zone 17 – Arkansas land within Mississippi River levee.** Arkansas land between Arkansas-Tennessee state line, Arkansas-Mississippi state line and Mississippi River levee and other lands described: From Mississippi River levee and Arkansas-Missouri state line, south on Mississippi River levee to Arkansas Highway 131 at Seyppel; north on Arkansas Highway 131 to Arkansas Highway 147; south on Arkansas Highway 147 to Arkansas Highway 38; west on Arkansas Highway 38 to St. Francis County Road 619; south on St. Francis County

Road 619 to Crittenden County Road 47; south on Crittenden County Road 47 to Arkansas Highway 147; north on Arkansas Highway 147 to Crittenden County Road 285; south on Crittenden County Road 285 to Mississippi River levee; south on Mississippi River levee to its end near the St. Francis River: on a line due west from this point to the St. Francis River: along the St. Francis River to the Mississippi River to the southeastern boundary of St. Francis National Forest; west and south along St. Francis National Forest boundary to intersection of FDR 1901 (low road); south along FDR 1901 to Mississippi River levee in Helena-West Helena; south on Mississippi River levee to Missouri-Pacific railroad south of Snow Lake; south and west along the Missouri-Pacific railroad to intersection of north line of Section 1. T8S, R1W; west along Township line to northwestern corner of Section 4, T8S, R1W; south along western line of Section 4, T8S, R1W to north line of Section 9, T8S, R1W; south along western line of Section 9, T8S, R1W to Missouri-Pacific railroad; south and west along Missouri-Pacific railroad to White River; northwest on Arkansas-Desha county line, following White River to Arkansas Post Canal; west along Arkansas Post Canal to Arkansas River; southwest on Arkansas River to U.S. Highway 165 at Pendleton Bridge; south on U.S. Highway 165 to Arkansas-Mississippi River levee; south on Arkansas-Mississippi River levee to Arkansas-Louisiana state line.

#### Arkansas Game and Fish Commission Little Rock, Arkansas

SUBJECT:

20-021

MINUTE ORDER NO:

Fiscal

MINUTE ORD	ER NO:	20-021		SUBJECT:	2020-2021 General Hunting	
DATE PASSEI	D:	N	fay 21, 2020		Regulations Approval	
PAGE	1 o	f 1	PAGES	LOCATION:	Statewide	
WHEREAS,		regulation geograpsic captive elk, furt	ons for 2020-20 hic zones, wildli wildlife, and ma	21 Hunting Seaso fe management ar nner-of-taking-gar	and its staff have proposed the attached ns, including game seasons, bag limits, eas, boating access, weapon restrictions, me requirements for alligator, bear, deer, rrel, turkey, dove, waterfowl, and other	
WHEREAS,	the attached regulations have been communicated through a variety of med avenues to sportsmen and the general public throughout the state for review as comment for at least the past 30 days; and					
WHEREAS,		determin manager	s well as commended that the attacement and are comment and are comment and are comment are comment are comment are comment and are comment are commen	nents received fr ched regulations pr nsistent with Amer	ations of the Director and Commission om the public, the Commission has comote sound wildlife conservation and adment 35 of the Arkansas Constitution pproved for application statewide.	
Commission	nereby	BE IT OR approves	DERED this 21s	t day of May 202 e attached regula	20, that the Arkansas Game and Fish tions, which shall become effective	
filing the atta	iched re	gulations	with the Secreta	staff is authorized ary of State, Stat ission Code Book	I to proceed with legally certifying and E Library, and Bureau of Legislative and Addendum.	
Submitted by	:	FF APPRO	VAL	COMMISSION Ken Reeves Chairman	NAPPROVAL  Stan Jones Commissioner  A Clary To A Marketing Commissioner	
Division:	Wild	llife Manag	gement	Andrew Park Vice Chairma	er by Cc J.D. Neeley	
Approved:	Dire	ctor	m	Joe Morgan Gommişsione	by C. C. Anne Marie Doramus has	
Approved:	Lega	1		Bobby Martin Commissione	Martin by C C	
Approved:						

#### 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

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

SHORT TITLE OF THIS RULE: 2020-2021Hunting, 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.

Current Fiscal Year	<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	\$

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 antierless elk to
- Require all Deer, Turkey, Bear, Alligator, and Elk to be checked within <u>12</u> 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 2<sup>nd</sup> 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 outof-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 livecaught 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.



Chris Colclasure Deputy Director

## Arkansas Game and Fish Commission

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Rob Brown

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