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August 19, 2020

Ms. Jayme Franco
Arkansas Secretary of State, Rules & Regulation Filing
500 Woodlane Drive, Room 26
Little Rock, AR 72201
Via email only: register@sos.arkansas.gov

RE: Legal Notice for Proposed Rules or Regulations – September 2020 meeting

Dear Ms. Franco:

Included in this email, please find for filing and immediate publication on the Secretary of State's website the following:

1. Legal Notice for upcoming Commission Meetings to be held on September 16-17, 2020, which ran in the Arkansas Democrat-Gazette on August 16, 17, and 18, 2020.
2. A link to the proposed Fishing regulation changes that will be reviewed by the Commission at the upcoming meeting (90 proposals). These regulation changes are tentatively scheduled for final consideration and adoption at the October 14-15, 2020 Commission Meetings.

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

Sincerely,

James F. Goodhart
General Counsel

Cc: Ms. Sheri Thomas, Bureau of Legislative Research
thomass@blr.arkansas.gov
statedocs@library.arkansas.gov

LEGAL NOTICE

The Arkansas Game and Fish Commission is anticipating holding the regular monthly Committee meetings beginning at 9:00 a.m., Wednesday, September 16, 2020, and the monthly Commission meeting at 9:00 a.m., Thursday, September 17, 2020, at the Little Rock Office Complex, 2 Natural Resources Drive, Little Rock, AR 72205. At that time, regulations and business pertaining to the operation of the Game and Fish Commission and other fiscal and administrative matters will be considered and acted upon.

It is important to note that while the AGFC Little Rock Office Complex currently is open to the public, due to the COVID-19 coronavirus public health emergency and, depending upon public health conditions in our state at the time, the general public may be unable to gather in the meeting room on September 16 and 17. In-person attendance at the meetings may be limited to only Commission members, the Director, representatives of the media, and other individuals necessary to the proceedings as determined by the Commission Chairman and Director. If that is the case, we anticipate that the Committee meetings on September 16 and the Commission meeting on September 17 will be live-streamed for viewing by members of the press and the public and a link for easy access will be available on the agency website. Please visit the Arkansas Game and Fish Commission website at <https://www.agfc.com> for additional up-to-date details as the September meeting dates draw closer.

Items on the agenda for the September 17, 2020, meeting will include discussion of proposed regulations that previously were considered at the August 20, 2020 Commission Meeting, plus consideration of various Hunting and Fishing Regulations, including, but not limited to:

2021-2022 General Fishing Regulations

- Revise Species definitions including for baitfish, game fish, and rough fish,
- Revise circumstances under which aquatic species may be taken by gig, spear, or bow and arrow,
- Remove Lake Fayetteville from the list of waters on which common carp may not be used as bait,
- Revise Fishing Seasons, Limits, and Lengths,
- Prohibit transportation of Live Zebra Mussels,
- Revise yo-yo, limblime, and trotline requirements,
- Remove requirement to possess an Alligator Gar Permit,
- Add locations to Community Fishing Program Regulations,
- Revise restrictions on possession of native aquatic wildlife as pets,
- Require the removal of drain plugs from vessels while being trailered to and from waterbodies,
- Require a trout permit to keep trout from a portion of the Spring River,
- Remove the prohibition against dragging chains from boats on the Norfolk Tailwater,
- Amend Creel Limits for certain species and locations, and
- Restrict boats on Lake Atalanta to operate by electric motor only.

2021-2022 Commercial Fishing Regulations

- Revise the name of various commercial permits or licenses,
- Amend Commercial Fishing Season Restrictions,
- Revise Permit, Transaction, Tackle, Tag, and Net requirements,
- Revise Possession restrictions,
- Amend Resident Roe Taker/Seller Permit requirements,
- Amend Roe Buyer/Exporter Permit and reporting requirements,
- Revise Paddlefish and Sturgeon Restrictions, and
- Amend Possession and Use of certain size Nets and Trap Restrictions on certain public waterways.

2021-2022 Aquaculture Regulations

- Revise the Permit naming and structure for Fish Dealer, Fish Farmer, and Aquaculture,
- Revise the Approved/Conditional/Prohibited Aquatic Species lists and associated regulations,
- Amend Regulations on stocking in Waters of the State,
- Revise Trout Importation Permit requirements,
- Amend the water intake screening requirement to require 2-inch screening,
- Amend Regulations on release of Aquatic Wildlife,
- Remove the prohibition against the transportation or sale of white crappie,
- Prohibit the importation of live wild caught fish,
- Revise Fish Health requirements, and
- Revise Bill of Lading, Sales Records, and Invoice requirements.

No Fishing Regulation changes will become effective before January 1, 2021.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the September 17, 2020, meeting (preferably by 4:30 p.m. on the day before). Any request to make an oral presentation at the meeting should be submitted in writing to this office on or before September 7, 2020. Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office, at www.agfc.com, or through a written request mailed to the address below.

PAT FITTS, DIRECTOR
Arkansas Game & Fish Commission
Game & Fish Commission Building
2 Natural Resources Drive
Little Rock, Arkansas 72205

4 ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-223-6327 Legal Division

Name of Rule 01.00-C Definition of Terms

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

01.00-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 crocodylian 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 crocodylian 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, **spotted sucker, black redhorse, golden redhorse**, 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.

Electric Bicycle – A bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts (750 WE) that meets one of the following classifications.

- Class 1 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the operator is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of twenty miles per hour (20 m.p.h.).
- Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that is not capable of providing assistance when the electric bicycle reaches the speed of twenty miles per hour (20 m.p.h.).
- Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the operator is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of twenty-eight miles per hour (28 m.p.h.).

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 largemouth~~ bass, ~~spotted bass~~, ~~smallmouth bass~~, ~~bluegill~~, ~~longear sunfish~~, ~~redear sunfish~~, ~~green sunfish~~, ~~warmouth~~, ~~Ozark bass~~, ~~rock bass~~, ~~shadow bass~~, ~~white bass~~, ~~striped bass~~, ~~hybrid striped bass~~, ~~black crappie~~, ~~white crappie~~, ~~blue catfish~~, ~~channel catfish~~, ~~flathead catfish~~, ~~brook trout~~, ~~brown trout~~, ~~cutthroat trout~~, ~~rainbow trout~~, ~~tiger trout~~, ~~breem (*Lepomis sp.*)~~, ~~rock basses (*Ambloplites sp.*)~~, ~~walleye~~, ~~muskellunge~~, ~~sauger~~, ~~paddlefish~~, ~~and pickerel~~, ~~shovelnose sturgeon~~, and ~~hybrids of these species~~.

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. 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.

LIMBLINE – A line anchored to a stationary object above the water surface and extending into the water with two or fewer hooks attached to that line.

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.*, *Azemioops spp.*, *Bitis spp.*, *Gloydius*

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.

MOTORIZED BICYCLE – A bicycle with a transmission and a motor of any type which propels the bicycle.

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;

1. All Non-Expiring Lifetime Licenses and Permits (AddendumD1.01);
2. Resident Special Guide License (Code 03.14);
3. Alligator Farmer/Dealer Permit (Code33.01);

4. Alligator Snapping Turtle Breeder/Dealer Permit (Code34.02);
5. Commercial Fisherman's Permit & Sportfishing License (Code30.01);
6. Commercial Fisherman's Helper Permit (Code30.01);
7. Junior/Senior Commercial Fishing Permit (Code31.01);
8. Resident Shell Taker/Seller's License (Code31.01);
9. Shell Taker Helper Permit (Code31.01);
10. Shell Buyer's License (Code31.01);
11. Resident Fish Dealer License (Code31.01);
12. Resident Roe Taker/Seller Permit (Code30.17);
13. Resident Roe Taker/Helper Permit (Code30.17); and
14. Resident Roe Buyer/Exporter Permit (Code30.18)

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, Shortnose gar, longnose gar, spotted gar,~~ bowfin, ~~yellow~~ bullhead ~~catfish, black bullhead,~~ common carp, ~~Asian carp~~ (goldfish, grass carp, bighead carp, silver carp), ~~suckers (including buffalo)~~ black carp, black buffalo, bigmouth buffalo, smallmouth buffalo, creek chubsucker, river carpsucker, quillback, northern hog sucker, spotted sucker, river redhorse, black redhorse, blacktail redhorse, golden redhorse, shorthead redhorse, freshwater drum, gizzard shad, threadfin shad, skipjack herring, yellow perch, white perch, 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.

SMALLGAME – 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.

TROTLINE – A line anchored to a stationary object at one or more points and with more than two hooks attached at intervals along that line.

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.

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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Name of Rule 25.02 Game Fish Possession Limit Restrictions

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13,14,15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

25.02 GAME FISH POSSESSION LIMIT RESTRICTIONS

It is unlawful to possess more than **23** daily limits of game fish.

PENALTY: Class 1

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Name of Rule 26.00 General Fishing Regulations

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

CHAPTER 26.00 - GENERAL FISHING REGULATIONS

- 26.1 Taking Fish With Electrical Devices, Firearms, Explosives, Toxic, Stupefying Or Killing Substances Prohibited
- 26.2 Trapping Fish Prohibited
- 26.3 Dip-Netting For Fish Prohibited
- 26.4 Gaffing Fish Prohibited
- 26.5 Hogging and Noodling Restricted
- 26.6 Taking Fish with Bow and Arrow or Gig Restricted
- 26.7 Fishing Below Dam Restricted
- 26.8 Waters Restricted to Certain Fishing Tackle
- 26.9 Sportfishing Season Restrictions On Certain National Wildlife Refuges (NWRs)
- 26.10 Blocking Streams Prohibited
- 26.11 Screening Requirements for Pumping from Waters of the State
- 26.12 Release of Native or Non-Native Aquatic Wildlife Prohibited
- 26.13 Certain Exotic Species Prohibited
- 26.14 Transportation of Zebra Mussels Prohibited
- 26.15 Taking Suckers Restricted
- 26.16 Giggling of Game Fish Prohibited
- 26.17 Snagging Game Fish Prohibited
- 26.18 Sale, Possession, or Use Of Live Bait Restricted
- 26.19 Baiting with Common Carp on Certain Waters Prohibited
- 26.20 Sale of Game Fish Prohibited
- 26.21 Yo-Yo, Freefloating, Trotline, ~~Setline~~ and Limbline Fishing Requirements
- 26.22 Reserved
- 26.23 Reserved
- 26.24 Possession of Filleted Fish Prohibited on Length or Protected-Length-Limit Waters
- 26.25 Family and Community Fishing Program Restrictions
- 26.26 Aquatic Pet Restrictions
- 26.27 Wild Caught Baitfish Restricted
- 26.28 Alligator Gar ~~Permit/~~ Tag Requirements

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Name of Rule 26.06 Taking Fish with Bow and Arrow or Gig Restriction

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Date of Publishing August 16, 17, 18, 2020 and Sept. 13,14,15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

26.06 TAKING FISH WITH BOW AND ARROW OR GIG RESTRICTED

It is unlawful to take or attempt to take fish with bow and arrow or gig.

EXCEPTIONS:

- A. Annual limit of 1 alligator gar longer than 36 inches may be taken per year by Alligator Gar Tag holders (Codes 25.01, 26.28).
- B. ~~Gigging is allowed 10 a.m. – midnight, September 15 – February 15 statewide.~~
- B. Half the daily limit of catfish in the waters being fished may be taken per day from noon to noon with bow and arrow July 15-May 1.
- C. Rough fish may be taken with bow and arrow or gig.

PENALTY: Class 1

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Name of Rule 26.11 Screening Requirements for Pumping from Waters of the State

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

26.11 Screening Requirements for Pumping from Waters of the State

It is unlawful to withdraw, by relift or pump, water from public waters without first securely screening intake pipes of relifts or pumps **with 2 inch screening**.

PENALTY: Class 2

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Name of Rule 26.12 Release of Native and Non-Native Aquatic Wildlife Prohibited

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

26.12 RELEASE OF NATIVE OR NON-NATIVE AQUATIC WILDLIFE PROHIBITED

It is unlawful to release native or non-native aquatic wildlife, including their eggs, into the waters of the state without the written permission of the ~~Commission~~ Chief of Fisheries of the Arkansas Game and Fish Commission and in compliance with AGFC Code 35.00 and Addendums I1.00, J1.00, and V1.00. Importation of live wild caught fish prohibited.

EXCEPTIONS:

1. Aquatic species may be **immediately** released back into the waters from which they were taken.
2. A person may, while fishing in waters of the state, use baitfish as bait in compliance with Code 26.18, 26.19, and 26.27.
3. A person who has obtained a valid Trout Stocking Permit from the Commission Chief of Fisheries (Addendum ~~V1.01~~ V1.00) may release trout and trout eggs into waters of the state in compliance with the terms of the permit.
4. ~~No~~ A permit is **not** required for stockings ~~of trout and trout eggs~~ fish and fertilized fish eggs into public waters as part of an officially coordinated project ~~of~~ with the Arkansas Game and Fish Commission with written authorization from the Chief of Fisheries.
5. A person may stock approved farm reared species obtained from a Commission permitted fish farm, fish dealer, or independent hauler into privately owned single landowner confined/impounded waters and privately owned multiple landowner confined/impounded waters without written permission in compliance with Addendums I1.00 and J1.03 provided the landowner has legal right of access to said waters and the said waters are not deemed public waters.

PENALTY: Class 2

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Name of Rule 26.13 Certain Exotic Species Prohibited

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

26.13 Certain Exotic Species Prohibited

It is unlawful to import, transport, or possess ~~any species commonly known as snakehead (Family channidae), walking catfish, stickleback, Mexican banded tetra, piranha or rusty crayfish (Orconectes rusticus)~~ prohibited species (Addendum J1.01 and J1.03). These species may be possessed for public educational display purposes with written approval from the Chief of Fisheries and in compliance with AGFC codes 35.11, 35.12, 35.13, and Addendum I1.00.

~~**EXCEPTION:** These species may be possessed for display and educational purposes by written permit approved by the Commission.~~ Northern Snakehead, *Channa argus*, may be possessed once the head has been severed from the body.

PENALTY: Class 2

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Name of Rule 26.14 Transportation of Zebra Mussels Prohibited

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26.14 TRANSPORTATION OF ZEBRA MUSSELS PROHIBITED

It is unlawful to knowingly transport zebra mussels **into or** within Arkansas.

PENALTY: Class 1

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Name of Rule 26.15 Taking Suckers Restricted

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

26.15 TAKING SUCKERS RESTRICTED

It is unlawful to take more than 20 suckers daily or to possess more than two daily limits taken by gigging, hogging or snagging. Legal methods for taking suckers are as follows:

- A. Gigging ~~from 10 a.m.-midnight, September 15-February 15 statewide, in compliance with Code 26.06~~
- B. Hogging/Noodling in compliance with Code 26.05
- C. Snagging from sunrise-sunset, April 1-February 15 statewide, in compliance with Code 26.17
- D. Sport fishing tackle in compliance with Chapter 26.00
- E. Commercial tackle in compliance with Chapter 30.00

PENALTY: Class 1

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Name of Rule 26.19 Baiting with Common Carp on Certain Waters Prohibited

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26.19 BAITING WITH COMMON CARP ON CERTAIN WATERS PROHIBITED

It is unlawful to use common carp as bait in the following waters:

- A. Benton County – Crystal Lake
- B. Calhoun County – Tri-County Lake
- C. Carroll County – Lake Leatherwood
- D. Clark County –Gurdon Lake
- E. Columbia County – Lake Columbia
- F. Conway County – Lake Cargile and Lake Overcup
- G. Drew County – Lake Monticello
- H. Faulkner County – Craig Campbell D. Lake Conway Reservoir
- I. Grant County – Cox Creek Lake
- J. Hempstead County – Dr. Lester Sitzes III Bois d’Arc Lake, South Fork Lake, Lake Terre Noir, and Mike and Janet Huckabee Lake
- K. Howard County – Gillham Lake
- L. Lincoln County – Cane Creek Lake
- M. Madison County – Lake Hindsville
- N. Ouachita County – Upper and Lower White Oak Lakes
- O. Perry County – Harris Brake Lake
- P. Polk County – Lake Wilhelmina and Irons Fork Lake
- Q. Pope County – Lake Atkins
- R. Scott County – Truman Baker Lake and Lake Hinkle
- S. Sebastian County – Sugarloaf Lake
- T. Washington County – Bob Kidd Lake, Devil’s Den State Park Lake, Lake Elmdale, ~~Lake Fayetteville~~, and Wilson Lake
- U. White County – Lake Barnett and Tom’s Lake

PENALTY: Class 1

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Name of Rule 26.21 YO-YO, Free Floating, Trotline, and Limblime Fishing Requirements

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26.21 YO-YO, Freefloating, Trotline, ~~Setline~~ And Limblime Fishing Requirements

It is unlawful for a person to:

- A. Fish more than ~~30~~ 25 yo-yos or other mechanical fishing devices or to leave such unattended (out of sight or hearing) during daylight hours;
- B. Suspend more than one yo-yo or mechanical fishing device from any horizontal line, wire, limb or support;
- C. Use a stake to mount a yo-yo, limblime, or mechanical fishing device on a Commission-owned lake unless the stake is made from wood or cane;
- D. Fail to remove any mounting stake placed in a Commission-owned lake after the stake is no longer in use for fishing;
- E. Fish in excess of ~~20~~ 25 freefloating fishing devices (jugs) and to fail to attend such devices at all times;
- F. Use trotlines, ~~setlines~~ and limblimes with drops or hooks less than 24 inches apart statewide;
- G. Use any trotline or snagline below any lock and dam on the Arkansas River from the dam to the nearest arrival point navigation marker downstream;
- H. Fail to ~~run~~ check any line and remove catch ~~daily~~ every 48 hours;
- I. ~~Fail to remove any trotline or limblime when no longer in use for fishing (not baited for 48 hours or more);~~ or
- J. Fish any more than 100 hooks at any time between the main levees of the Mississippi River (Code [26.08](#)).

All fishing devices must be clearly labeled, in a durable manner with one of the following:

- A. the name and address;
- B. driver's license number; or
- C. current vehicle license plate number of the person using such equipment.

EXCEPTIONS:

- A. Freefloating Fishing Devices are not required to be attended from sunset to sunrise.
- B. Trotlines that otherwise comply with the provisions of this regulation may be used on Lake Maumelle, except in areas where signs prohibiting use of trotlines are posted by the Commission or Central Arkansas Water Authority.
- C. Limblimes may not be used within the boundaries of Buffalo River National Park.

PENALTY: Class 1

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Name of Rule 26.25 Family and Community Fishing Program Restrictions

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

26.25 FAMILY AND COMMUNITY FISHING PROGRAM RESTRICTIONS

A. FAMILY FISHING PROGRAM WATERS:

1. Chicot County – Lake Village Community Fishing Pond
2. Clay County – Mom’s Lake
3. Columbia County – Armory Pond
4. Craighead County – Craighead Forest Park Youth Fishing Pond
5. Drew County – Monticello High School Pond
6. Fulton County – Salem City Lake
7. Hempstead County – Mike and Janet Huckabee Youth Fishing Pond
8. Jefferson County – Pine Bluff Regional Park Youth Fishing Pond
9. Lawrence County – Walnut Ridge City Lake
10. Pulaski County – War Memorial Park Pond
11. Union County – Mattocks Park Lake

B. FAMILY FISHING PROGRAM RESTRICTIONS: The following restrictions apply to the Family Fishing Program Waters above:

1. Fishing is open only to youths or persons 65 years of age or older. All other properly licensed persons may fish if accompanied by a youth who is actively fishing. Fishing is also open to holders of any Resident Disabled License or Resident Disabled Military Veteran License that permits fishing. One licensed person may assist and fish with an actively fishing disabled fishing license holder;
2. Only hand-held rod or pole allowed;
3. Largemouth bass: catch and release only;
4. Catfish daily limit: 3;
5. Bream daily limit: 25;
6. Trout daily limit: 5;
7. Hybrid striped bass: 3;
8. Lakes open to electric trolling motors only; and
9. All other sportfishing daily limit: same as statewide.

C. COMMUNITY FISHING PROGRAM WATERS:

1. Baxter County – Amon’s Lake
2. Benton County – Lake Springdale, Lake Bentonville, Lake Keith
3. Clark County – Clear Lake
4. Craighead County – Arkansas State University Pond
5. Crawford County – Van Buren Municipal Park Pond
6. **Cross County – Wynne Sports Complex Pond**
7. Crittenden County – Tilden Rodgers Park Pond **and Marion Sports Complex Pond**
8. Faulkner County - Conway Station Park Pond and Dr. James E. Moore Jr. Camp Robinson Firing Range
9. Garland County – Family Park Pond and Entergy Park Pond
10. **Greene County – Reynolds Park Pond**

11. Jefferson County – Martin Luther King Jr. Park Pond in Pine Bluff, White Hall Community Pond, and Redfield City Park Pond
12. Lonoke County – Cabot Community Pond and Mike Freeze England Community Pond
13. Miller County – Lake Dieffenbacher
14. Pike County – John Benjamin Glenwood Community Pond
15. Pope County – Pleasant View Park Pond
16. Pulaski County – all lakes, ponds and streams managed by the City of Little Rock Parks and Recreation Department within the city limits of Little Rock, Community Center Pond, Cherrywood Lake, Lake Valencia, Little Rock Air Force Base Pond, North Little Rock City Park waters, Paradise Lake, Pinnacle Mountain State Park Pond, Sherwood Municipal City Pond, Willow Beach Park Pond
17. Saline County – Sunset Lake
18. Sebastian County – Carol Ann Cross Pond, Wells Lake, Fort Chaffee, and Torraine Lake
19. Washington County – Murphy Park Pond
20. White County – Bald Knob Community Pond and Searcy City Lake
21. Yell County – Dardanelle City Park Ponds and Yell County Wildlife Federation Pond

D. COMMUNITY FISHING PROGRAM RESTRICTIONS: The following restrictions apply to the Community Fishing Program Waters above:

1. Only hand held rod or pole allowed;
2. Largemouth bass: catch and release only;
3. Catfish daily limit: 3;
4. Bream daily limit: 25;
5. Trout daily limit: 5;
6. Hybrid striped bass: 3;
7. Lakes open to electric trolling motors only; and
8. All other sportfish daily limit: same as statewide.

PENALTY: Class 1

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Name of Rule 26.26 Aquatic Wildlife Pet Restrictions

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26.26 AQUATIC WILDLIFE PET RESTRICTIONS

- A. It is unlawful to possess native aquatic wildlife as pets except as follows:
1. No more than **six (6) of each species** live individuals of native fish, crayfish, or snails may be possessed ~~amphibians, reptiles, and/or snails~~ per household ~~may be possessed alive;~~
 2. Must be taken by hand or by any method described in Code 32.04. ~~;~~ **and**
 3. Game fish may only be taken in compliance with ~~all other~~ codes in Chapter 26.00.
 4. **Possession of aquatic turtles and salamanders in compliance with Captive Wildlife codes in Chapter 9.00**
- B. It **also** is unlawful to sell or purchase such wildlife or their progeny or to release them into waters other than those from which they were collected.
- C. **It is unlawful to possess** alligator snapping turtles, **Ozark Hellbenders hellbenders**, Ouachita streambed salamanders, troglodytic (cave-dwelling) species or **species state or federally listed as threatened or** endangered.

EXCEPTIONS:

- ~~A. It is unlawful to possess Alligator snapping turtles, Ozark Hellbenders hellbenders, Ouachita streambed salamanders, troglodytic (cave-dwelling) species or those animals defined as species state or federally listed as threatened or endangered. species. may not be taken.~~
- A. **Legally obtained baitfish** Fish are exempt from the **six (6) of each species individual pets** per household provision.
- B. Commercial fish may be taken only in compliance with Chapter 30.00.
- C. Collecting in compliance with a scientific collection permit or other special use permit issued by the Commission.
- D. Permitted fish farms in compliance with Chapter 35.00.
- E. Licensed commercial fishermen in compliance with Chapter 30.00.

PENALTY: Class 1

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Name of Rule 26.28 Alligator Gar Tag Requirement

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26.28 ALLIGATOR GAR ~~PERMIT~~/TAG REQUIREMENT

- ~~A. It is unlawful for any person to harvest any alligator gar without a valid Alligator Gar Permit in addition to a fishing license in compliance with Code 3.02.~~
- B. It is unlawful for any person to harvest an alligator gar 36 inches in length or greater without a valid Alligator Gar Tag in their possession and complying with the following:
1. Immediately after harvesting an alligator gar ~~over~~ 36 inches ~~in length or greater~~ and before moving it, each fisherman must attach a temporary Alligator Gar Possession Tag to the dorsal fin; and
 2. Each fisherman must check each alligator gar ~~over~~ 36 inches ~~in length or greater~~ within 12 hours of harvest by contacting the Commission and following all tag requirements furnished by the Commission before the season.

PENALTY: Class 1

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Name of Rule 27.01 Trout Permit Requirements

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27.01 TROUT PERMIT REQUIREMENTS

It is unlawful for persons 16 or older to keep trout from waters of the state or to fish without a valid trout permit on the following waters:

- A. Beaver Lake Tailwater from Beaver Dam to the boundary signs at Houseman Access;
- B. Lake Greeson Tailwater from Narrows Dam to Muddy Fork Road (low-water bridge);
- C. Little Red River from Greers Ferry Dam to the Arkansas Highway 305 bridge;
- D. North Fork of the White River downstream of Norfork Dam; and
- E. White River from Bull Shoals Dam to the Arkansas Highway 58 bridge at Guion.
- F. **Spring River from 100 yards below Dam 1 at Mammoth Spring State Park downstream to the mouth of Myatt Creek.**

EXCEPTIONS:

- A. In compliance with Chapter 36.00.
- B. Persons possessing a Lifetime Resident Combination Sportsman's License and Permit or Resident Disabled Military Veteran Lifetime Combination License and Permit.
- C. Persons possessing an Arkansas Trout Permit, Non-Resident Trout Permit, Resident Military Retiree Lifetime Trout Permit, Resident 65 Plus Lifetime Trout Permit, or Resident Disabled Military Veteran Lifetime Trout Permit.

PENALTY: Class 1

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Name of Rule 28.01 Spearing Game Fish Restricted

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28.01 SPEARING GAME FISH RESTRICTED

It is unlawful to take game fish with spearguns other than as specified below:

- A. June 15-March 15 from sunrise to sunset in the following waters: Beaver, Blue Mountain, Bull Shoals, Catherine, Conway, DeGray, DeQueen, Dierks, Erling, Gillham, Greers Ferry, Greeson, Hamilton, Harris Brake, Millwood, Nimrod, Norfolk, Ouachita, and Table Rock lakes, and all impoundments created by the locks and dams on the Arkansas River;
- B. The taking of black bass is prohibited in the following waters: Beaver, Bull Shoals, Millwood, Norfolk, and Table Rock lakes;
- C. The taking of flathead catfish is prohibited March 15-July 15;
- D. No more than half of the daily game fish limit (Codes 25.01, 25.02) may be taken by speargun, or the lesser whole number nearest half when the limit is an odd number; and
- E. The possession of spearguns in public waters other than waters specified in this section is prohibited.; and
- ~~F. Catfish, rough fish, may be taken during spearfishing season on DeQueen, Dierks and Gillham lakes. (Note closed season in C above for flathead catfish)~~

PENALTY: Class 1

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Name of Rule 29.02 Prohibited Methods for Taking Bullfrogs

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29.02 PROHIBITED METHODS FOR TAKING BULLFROGS

It is unlawful to take or attempt to take bullfrogs other than by hand, hand nets, hook and line, gig, spear, or by ~~bow and arrow legal archery tackle in compliance with Code 06.04~~.

EXCEPTION: In compliance with Codes [29.04](#) and [35.01](#).

PENALTY: Class 1

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Name of Rule 30.01 Resident Commercial Fishing Permit Requirements

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30.01 RESIDENT COMMERCIAL FISHERMAN'S FISHING PERMIT AND REPORTING REQUIREMENTS

It is unlawful to purchase commercial tackle tags or to operate commercial tackle, ~~or sell or attempt to sell wild-caught commercial aquatic wildlife~~ without a current Resident Commercial Fisherman's Fishing Permit and ~~Sportfishing License~~ Resident Fisheries Conservation License. A bill of sale or receipt of transfer with a Commercial Fisherman's Permit number must accompany all sales to fish markets, processors, or retailers of fish or fish parts in each transaction. ~~Bills of sale must be retained by the purchaser for a period of 12 months and made available for inspection by the Commission.~~

EXCEPTIONS:

- ~~A. Bill of sale or receipt provision applies only to the sale of commercial fish or fish parts from a commercial fisherman to a fish market, processor, or retailer.~~
- ~~B.A.~~ _____ Youths or individuals 65 years of age or older are required to purchase a Junior/Senior Commercial Fishing Permit instead of a Resident Commercial Fisherman's Permit and Resident Fisheries Conservation License ~~Sportfishing License~~.
- ~~C.B.~~ _____ A person with a Resident Commercial Fisherman-Fishing Helper's Permit and a valid a Resident Fisheries Conservation License in their immediate possession may operate the properly tagged tackle of the ~~licensed-permitted~~ commercial fisherman for whom they hold the permit. The holder of a Resident Commercial Fisherman's Fishing Permit and a Resident Fisheries Conservation License ~~Sportfishing License~~ shall be fully responsible for ~~supervising~~ the actions of the person using the Resident Commercial Fisherman-Fishing Helper's Permit.
- ~~C.~~ _____ In compliance with Codes 03.07 and 03.08.
- ~~D.~~ _____

PENALTY: Class 2

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30.02 Commercial
Fishing by Nonresid

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Name of Rule 30.02 Reserved

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~~30.02 COMMERCIAL FISHING BY NON-RESIDENTS PROHIBITED~~ RESERVED

It is unlawful for non-residents to assist or participate in commercial fishing harvest operations or to possess commercial fish, mussels, crayfish, aquatic turtles, or commercial tackle associated with commercial harvest on Arkansas waters.

EXCEPTION: In compliance with Addendum H1.01 – H1.03.

PENALTY: Class 3

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30.02 Commercial
Fishing by Nonresid

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Name of Rule 30.02 Sale of Wild-caught Aquatic Wildlife Permits and Transaction Requirements

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**30.0402 ~~COMMERCIAL FISHERMAN'S PERMIT AND REPORTING REQUIREMENTS~~
~~SALE OF WILD-CAUGHT AQUATIC WILDLIFE AND TRANSACTION REQUIREMENTS~~**

It is unlawful to ~~purchase commercial tackle tags or to operate commercial tackle, or sell or attempt to sell~~ Arkansas wild-caught commercial aquatic wildlife without a current Resident Commercial Fisherman's Fishing Permit and Sportfishing License. A bill of sale or receipt of transfer with a Resident Commercial Fisherman's Fishing Permit number must accompany all sales to fish markets, processors, or retailers of Arkansas commercial fish or fish parts in each transaction. Bills of sale must be retained by the purchaser for a period of 12 months and made available for inspection by the Commission.

~~EXCEPTIONS:~~

- ~~A. Bill of sale or receipt provision applies only to the sale of commercial fish or fish parts from a commercial fisherman to a fish market, processor, or retailer.~~
- ~~B. Youths or individuals 65 years of age or older are required to purchase a Junior/Senior Commercial Fishing Permit instead of a Commercial Fisherman's Permit and Sportfishing License.~~
- ~~C. A person with a Commercial Fisherman Helper's Permit in their immediate possession may operate the properly tagged tackle of the licensed commercial fisherman for whom they hold the permit. The holder of a Commercial Fishermen's Permit and Sportfishing License shall be fully responsible for supervising the actions of the person using the Commercial Fisherman Helper's Permit.~~
- ~~D. In compliance with Codes 03.07 and 03.08.~~

PENALTY: Class 2

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Name of Rule 30.03 Commercial Fishing Reporting Requirements

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30.1603 **COMMERCIAL ~~FISHERMAN-FISHING~~ REPORTING REQUIREMENTS**

It is unlawful for a commercial fisherman to fail to report ~~annually by the 15th of each month,~~ either electronically or on forms supplied by the Commission, ~~his or her~~ commercial harvest of ~~alligator gar or other such species for which harvest information may be required or lack thereof,~~ in compliance with Code 1.00 L.

PENALTY: Class 2

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~~30.03 COMMERCIAL TACKLE LICENSE REQUIREMENTS RESERVED~~

~~It is unlawful to fail to obtain the appropriate Commercial Tackle License for each gill net, trammel net, fish seine, hoop net, slat trap, fiddler net, snag line, trotline, limblime, throw line, set hook, or turtle tackle (hoop nets and box type traps) used in Arkansas waters. Commercial fishermen may not use commercial tackle for sport fishing in waters open to commercial fishing.~~

~~EXCEPTIONS:~~

- ~~A. Fish caught with trotlines, limblines, throw lines, and set hooks while sport fishing may be kept for personal use only.~~
- ~~B. In compliance with Codes 03.07, 03.08, 35.01.~~

~~PENALTY:~~ Class 2

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Name of Rule 30.04 Commercial Tackle Tag Requirements

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30.04 COMMERCIAL TACKLE TAG REQUIREMENTS

~~It is unlawful for a commercial fisherman to fail to attach the metal tags issued with a Commercial Tackle License to the commercial fisherman's tackle as follows:~~

It is unlawful to fail to obtain and attach the appropriate metal tag issued with a Commercial Tackle Permit for each piece of commercial tackle used in Arkansas waters as specified:

- ~~A. Gill net, trammel net, and fish seine tags must be attached to one end of the float line. If over 100 yards, an additional tag is required for each additional 100 yards or fractional part;~~
- ~~B. Hoop net and fiddler net tags must be attached to first hoop at the opening of the net;~~
- ~~C. Slat trap tags must be attached to the first rib nearest the front opening of each trap; and~~
- ~~D. Trotline, snagline, throw line, limblines, and set hook tags (same tag used for each of these tackles) must be attached to each line at the bank end. If over 100 feet, an additional tag is required for each additional 100 feet or fractional part.~~
- A. Gill net, trammel net, and seine tags must be attached to one end of the float line. If over 300 feet, an additional tag is required for each additional 300 feet or fractional part;
- B. Hoop net and fiddler net tags must be attached to first hoop at the opening of the net;
- C. Slat trap tags must be attached to the first rib nearest the front opening of each trap; and
- D. Trotline, snagline, throwline, limblines, and set hook tags must be attached to each line at the bank end. If over 100 feet, an additional tag is required for each additional 100 feet or fractional part; and
- ~~E. Fish caught with trotlines, limblines, throw lines, and set hooks while sport fishing may be kept for personal use only.~~
- F. E. In compliance with Codes 03.07, 03.08, 35.

PENALTY: Class 2

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Name of Rule 30.05 Illegal Commercial Tackle Prohibited

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30.05 ILLEGAL COMMERCIAL TACKLE PROHIBITED

It is unlawful to use any tackle for commercial purposes other than properly tagged licensed tackle in waters open to commercial fishing as specified below:

- A. Slat traps (where permitted by Code 30.4314) maximum slat trap length – 6 feet; maximum round slat trap diameter – 24 inches; maximum square trap width and height – 24 inches; maximum of seven, 1½-inch (width) by 3½-inch (length) unobstructed slots evenly spaced around perimeter of the rear portion of catch area; slat material must be wood or plastic;
 - B. Hoop nets, leads, ~~heart and leads~~ or wings with minimum square bar mesh size - 2½ inches when wet and with any nonmetallic thread or filament material of nylon or cotton not less than 15 gauge;
 - C. Fiddler nets (where permitted by Code 30.4314) with minimum square bar mesh size -- 1½ inches when wet and with any nonmetallic thread or filament material of nylon or cotton not less than 15 gauge; ~~Thread size not less than 15-gauge.~~ Wings or leads prohibited;
 - D. Commercial fish seines with minimum square bar mesh size -- 3½ inches;
 - E. Commercial gill and trammel nets with minimum square bar mesh size -- 3½ inches; and
 - F. Limb-lines, set lines hooks, trotlines, throwlines, and snaglines, ~~which must be run daily and catch removed.~~
- ~~B.—It is unlawful to possess for commercial purposes any nets other than 3½ inch mesh or 6 inch or larger mesh while fishing in the Arkansas River above Dam 2 during the paddlefish season.~~

EXCEPTIONS: In compliance with Codes 35.01 and 35.04.

PENALTY: Class 2

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Name of Rule 30.06 Net Lead or Wing Requirements

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30.06 NET LEAD OR WING ~~LENGTH~~ REQUIREMENTS

A. It is unlawful to use any lead or wing, in excess of 100 yards, with any type of connection to hoop or fiddler nets, barrel, or pond nets using any type connection in excess of 100 yards.

B. It is unlawful for any lead or wing of any type to be set within 100 yards of another lead or wing.

PENALTY: Class 2

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.0807 **BLOCKING STREAMS WITH NETS PROHIBITED**

It is unlawful to block horizontally from water's edge to water's edge more than half of the width of any stream with nets, leads, wings, or seines.

PENALTY: Class 2

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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

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Name of Rule 30.07 Reserved

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

~~30.07 NET LEAD OR WING PROXIMITY REQUIREMENTS~~ RESERVED

~~It is unlawful for any lead or wing of any type to be set within 100 yards of another lead or wing.~~

~~PENALTY:~~ Class 2

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Name of Rule 30.08 Commercial Tackle Checking Requirement

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13, 14, 15, 2020

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.08 COMMERCIAL TACKLE CHECKING REQUIREMENT

It is unlawful to fail to check and remove catch from all commercial tackle at least once during each 48-hour period from sunrise April 1 to sunrise November 1.

PENALTY: Class 2

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30.08 BLOCKING STREAMS WITH NETS PROHIBITED RESERVED

It is unlawful to block horizontally from water's edge to water's edge more than half of the width of any stream with nets, leads, wings, or seines.

PENALTY: Class 2

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Name of Rule 30.09 Possession of Game Fish by Commercial Fishers Prohibited

Newspaper Name Arkansas Democrat Gazette

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

**30.1009 POSSESSION OF GAME FISH BY COMMERCIAL FISHERMEN FISHERS
PROHIBITED**

It is unlawful for a commercial fisherman to sport-fish in the same waters or possess game fish while engaged in commercial fishing or while possessing commercial tackle or commercial fish.

EXCEPTIONS:

- A. Catfish, 16 inches or longer.
- B. PaddlefishAlligator gar.
- ~~C. In compliance with Codes 30.11, 30.14, 35.01.~~
- ~~D-C.~~ Bream for bait, in compliance with Codes 26.18 and 26.27.

PENALTY: Class 2

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Name of Rule 30.09 Reserved

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.09 SEINING AT NIGHT PROHIBITED RESERVED

It is unlawful to use fish seines at night in waters of the state.

EXCEPTION: Between the main levees of the Mississippi River.

PENALTY: Class 2

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Name of Rule 30.10 Possession of Undersized Commercial Fish Prohibited

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13, 14, 15, 2020

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.1410 POSSESSION OF UNDERSIZED COMMERCIAL FISH PROHIBITED

It is unlawful for a commercial fisherman to possess any of the following fish taken from waters of the state:

- A. Catfish or buffalo less than 16 inches in length; or
- B. Paddlefish or sturgeon of any size.

EXCEPTIONS:

- A. Only 12-inch or longer blue and channel catfish may be taken in waters specified in Code ~~30.13~~ 30.14.
- B. Only 16-inch or longer blue catfish may be taken by commercial gear in the Arkansas River from the Arkansas Highway 7 bridge in Yell County to the Oklahoma state line.
- C. Holders of a current resident Roe Taker/Seller Permit or Resident Roe Buyer/Exporter Permit in compliance with Codes 30.17 and 30.18 may possess paddlefish 37 inches or longer in Dardanelle and Ozark lakes of the Arkansas River; 36 inches or longer in the open portion of the Arkansas River, including tributaries, below Dardanelle Lock and Dam, downstream to the Yancopin railroad bridge on the Arkansas River and downstream to Norrell Lock and Dam on the Arkansas Navigation Canal; 35 inches or longer in the Mississippi River; and 34 inches or longer for all other waters open to paddlefish harvest or sturgeon when in season. Paddlefish shall be measured from the front of the eye to the fork of the tail with the fish laid flat on a rule. ~~Catfish and sturgeon harvest in the Mississippi River must be in compliance with Code 30.22.~~
- D. Sturgeon harvested from the waters legal for harvest must be at least 21 inches long, measured from the tip of the snout to the fork of the tail.
- E. ~~16-inch minimum size limit on blue catfish taken by commercial gear in the Arkansas River from the Arkansas Highway 7 bridge in Yell County to the Oklahoma state line.~~

PENALTY: Class 2

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Name of Rule 30.10 Reserved

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

~~30.10 POSSESSION OF GAME FISH BY COMMERCIAL FISHERMEN PROHIBITED~~
RESERVED

~~It is unlawful for a commercial fisherman to possess game fish while engaged in commercial fishing or while possessing commercial tackle or commercial fish.~~

EXCEPTIONS:

- ~~A. Catfish 16 inches or longer.~~
- ~~B. Alligator gar.~~
- ~~C. In compliance with Codes 30.11, 30.14, 35.01.~~
- ~~D. Bream for bait.~~

PENALTY: Class 2

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Name of Rule 30.11 Possession of Filleted Fish Prohibited While Commercial Fishing

Newspaper Name Arkansas Democrat Gazette

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

**30. ~~2611~~
FISHING**

POSSESSION OF FILLETED FISH PROHIBITED WHILE COMMERCIAL

- A. It is unlawful to possess filleted fish or fish with head or tail removed while commercial fishing.
- B. It is unlawful to transport by boat filleted fish or fish with head or tail removed if such fish were taken by a commercial fisherman or were taken by means of commercial tackle.

EXCEPTIONS:

- A. Blocking of paddlefish in compliance with Code 30.~~24~~18.
- B. Catfish may have the tail removed but the carcass must be at least the legal minimum length limit for the water being fished.

PENALTY: Class 2

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Name of Rule 30.11 RESERVED

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.11 ~~UNDERSIZED COMMERCIAL FISH PROHIBITED~~ RESERVED

It is unlawful for a commercial fisherman to possess any of the following fish taken from waters of the state:

- A. ~~Catfish or buffalo less than 16 inches; or~~
- B. ~~Paddlefish or sturgeon of any size.~~

EXCEPTIONS:

- A. ~~Only 12 inch or larger blue and channel catfish may be taken in waters specified in Code 30.13.~~
- B. ~~Holders of a current resident Roe Taker/Seller Permit or Resident Roe Buyer/Exporter Permit in compliance with Codes 30.17 and 30.18 may possess paddlefish 37 inches or longer in Dardanelle and Ozark lakes of the Arkansas River; 36 inches or longer in the open portion of the Arkansas River below Dardanelle Lock and Dam, downstream to the Yancopin railroad bridge on the Arkansas River and downstream to Norrell Lock and Dam on the Arkansas Navigation Canal; 35 inches or longer in the Mississippi River; and 34 inches or longer for all other waters open to paddlefish harvest or sturgeon when in season. Paddlefish shall be measured from the front of the eye to the fork of the tail with the fish laid flat on a rule. Catfish and sturgeon harvest in the Mississippi River must be in compliance with Code 30.22.~~
- C. ~~Sturgeon harvested from the waters legal for harvest must be at least 21 inches from the tip of the snout to the fork of the tail.~~
- D. ~~16 inch minimum size limit on blue catfish taken by commercial gear in the Arkansas River from the Arkansas Highway 7 bridge in Yell County to the Oklahoma state line.~~

PENALTY: ~~Class 2~~

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Name of Rule 30.12 Possession of Rare and Endangered Fish by Commercial Fishers Prohibited

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30. ~~27~~12 POSSESSION OF RARE AND ENDANGERED FISH BY COMMERCIAL FISHERS PROHIBITED

It is unlawful for a commercial fisher~~s~~ to possess rare and endangered fish. Rare fish that may not be possessed include Lake Sturgeon, Alligator Gar, American Eel, Striped Mullet, Highfin Carpsucker, Pealip Redhorse, and Silver Redhorse. Endangered fish species are listed in Addendum P1.01.

PENALTY: Class 2

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Name of Rule 30.12 RESERVED

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~~30.12 SLAT TYPE FISH TRAP AND FIDDLER SIZE HOOP NET RESTRICTIONS~~
RESERVED

It is unlawful to use any slat type fish trap or fiddler size hoop net in public waters listed in Code 30.13 other than as specified below:

- ~~A. Maximum slat trap length — 6 feet.~~
- ~~B. Maximum round slat trap diameter — 24 inches.~~
- ~~C. Maximum square trap width and height -- 24 inches.~~
- ~~D. Minimum of 7, 1½ inch (width) by 3½ inch (length) unobstructed slots evenly spaced around perimeter of the rear portion of catch area. Slat material must be wood or plastic.~~
- ~~E. Fiddler net mesh of any nonmetallic thread or filament material of nylon or cotton with minimum square bar mesh size 1½ inches with thread size not less than 15 gauge and wings or leads are prohibited.~~
- ~~F. In compliance with Code 30.04.~~

PENALTY: Class 2

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Name of Rule 30.13 Commercial Fishing Season Restrictions

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.1513 COMMERCIAL FISHING SEASON RESTRICTIONS

It is unlawful to fish commercial tackle in waters of the state and possession of commercial fishing tackle is prohibited while on these waters, including all lakes owned and/or operated by Arkansas State Parks, USDA Forest Service, or AGFC, except for the following:

- A. The following waters, including all lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified below, when accessible by boat, from the main channel except as limited by Addendum Chapter H1.00 and in accordance with landowner permission Code 5.35, are open year-round to legal commercial tackle as defined in Code 30.05:
- A. ARKANSAS RIVER from its mouth to the ~~Arkansas~~/Oklahoma state line including that part of the Arkansas River from the Ozark Dam to the ~~Arkansas~~/Oklahoma state line, bounded on the north by the Union Pacific Railroad and on the south by Arkansas Highway 22 in compliance with Section C codes below Codes 30.24,30.25. It is unlawful to fish with commercial tackle in waters between arrival point signs and any lock and dam;
 - B. ~~MISSISSIPPI RIVER ARKANSAS WATERS~~Arkansas waters between the main levees of the ~~Mississippi~~ river;
 - C. BLACK RIVER from its mouth to the Missouri state line;
 - D. CACHE RIVER ~~and lakes accessible by boat from the river~~from its mouth to its headwaters in Clay County;
 - E. FOURCHE LaFAVE RIVER from its mouth to the Arkansas Highway 7 bridge in Perry County;
 - F. LITTLE RIVER from its mouth in Hempstead and Little River counties upstream to the Corps of Engineers boat ramp on west bank of river below Millwood Lake Dam; Little River upstream of Patterson Shoals boat ramp to the Oklahoma state line;
 - G. OUACHITA RIVER from the Louisiana state line to U.S. Highway 79B bridge (Camden) (see Emergency Closure Code 38.01);
 - H. PETIT JEAN RIVER from its mouth to the Arkansas Highway 10 bridge in Yell County;
 - I. RED RIVER in Hempstead, Lafayette, Little River, and Miller Counties;
 - J. ST. FRANCIS RIVER upstream to the mouth of the Left Hand Chute of Little River in Poinsett County;
 - K. SALINE RIVER from its mouth upstream to the Arkansas Highway 278 bridge in Bradley County; Saline River and backwaters upstream of the Stillions Railroad Bridge is closed to gill and trammel nets; Saline River above Highway 278 bridge in Bradley County closed to commercial fishing; (see Emergency Closure Code 38.01);~~confluence with the Ouachita River upstream to the Stillion railroad bridge in Ashley and Bradley Counties;~~
 - L. SULPHUR RIVER from its mouth to the Texas state line;
 - M. WHITE RIVER upstream from its mouth to the mouth of the Black River; White River above the mouth of the Black River is closed to commercial fishing.400 yards below Dam No. 1 at Batesville in Independence County;
 - ~~N. All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat, from the main channel except as limited by Addendum Chapter H1.00;~~
 - ~~O.N.~~ **EXCEPTIONS:**
 - ~~A. Emergency Closures listed in Chapter 38.00.~~

~~B.A.~~ Flathead catfish, bowfin, drum, and gar may not be taken or possessed by commercial fishermen on the Ouachita River from Smackover Creek to the northern boundary of Felsenthal NWR.

~~C.B.~~ Blue catfish, flathead catfish, bowfin, drum, and gar may not be taken or possessed by commercial fishermen on the Ouachita River from the northern boundary of Felsenthal NWR to the Louisiana state line, all waters within Felsenthal NWR, and from the Saline River from its mouth within Felsenthal NWR upstream to the Stillions railroad bridge.

~~D.C.~~ Island 40 Chute in Crittenden County is closed to commercial fishing except noon November 1—noon March 30, or when accessible by boat from the Mississippi River.

~~B.~~ The following waters are closed year-round to commercial fishing and possession of commercial fishing tackle is prohibited while on these waters:

- ~~A.~~ Lake Erling, including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway 313 in Lafayette County;
- ~~B.~~ All lakes owned and/or operated by Arkansas State Parks, USDA Forest Service, or AGFC;
- ~~C.~~ Columbia County Lake in Columbia County;
- ~~D.~~ Dorcheat Bayou from its headwaters in Nevada County to the Arkansas/Louisiana state line;
- ~~E.~~ Horseshoe Lake in Crittenden County;
- ~~F.~~ Saline River above the Arkansas Highway 278 in Bradley County;
- ~~G.~~ Lake Wallace in Drew and Chicot Counties;
- ~~H.~~ Hensley Lake in Jefferson County;
- ~~I.~~ Lake Maumelle in Pulaski County;
- ~~J.~~ White Oak Bay (Ozark Lake/Arkansas River);
- ~~K.~~ Little Missouri River;
- ~~L.~~ White River above the mouth of the Black River;
- ~~M.~~ Grand Lake in Chicot County; and
- ~~N.~~ All lakes in the Hot Springs Village Area of Saline County.

~~C.B.~~ The following counties or other parts are open year-round to legal commercial tackle as defined in Code 30.05 unless noted closed in Section A above or other codes in Chapter 30.00. When a river or stream forms the boundary between opened and closed counties, that boundary segment shall be closed to commercial tackle, unless noted open in Section A above or other codes in Chapter 30.00. Gill and trammel nets may be fished in the following counties only from noon September 30 to noon May 1, unless noted open in Section A or other codes in Chapter 30.00; commercial fishing unless noted closed in Section B or other codes in Chapter 30.00:

- A. Arkansas (see Emergency Closure Code 38.01);
- B. Ashley (see Emergency Closure Codes ~~38.04-01-38.06~~);
- C. Bradley (see Emergency Closure Codes ~~38.0301, 38.06~~);
- D. Calhoun (see Emergency Closure Codes ~~38.0301, 38.04, 38.06~~);
- E. Chicot; Lake Wallace closed; Grand Lake closed;
- F. Clay;
- G. Columbia (~~Dorcheat Bayou closed in (B) above; also see~~ Emergency Closure Code ~~38.0201~~); Dorcheat Bayou closed; Columbia County Lake closed;
- H. Craighead;
- I. Crittenden; Horseshoe Lake closed;
- J. Cross;
- K. Desha;
- L. Drew (see Emergency Closure Codes ~~38.0401, 38.05~~); Lake Wallace closed;

- M. Greene;
- N. Hempstead; Little Missouri River closed;
- O. Independence;
- P. Jackson;
- Q. Jefferson (see Emergency Closure Code 38.01); Hensley Lake closed;
- R. Lafayette; Lake Erling, including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway 313 in Lafayette County closed;
- S. Lawrence;
- T. Lee;
- U. Lincoln;
- V. Little River;
- W. Lonoke (see Emergency Closure Code 38.01);
- X. Miller;
- Y. Mississippi;
- Z. Monroe;
- AA. ~~Nevada (Dorcheat Bayou closed in (B) above);~~
- BB. ~~Ouachita;~~
- CC. Phillips;
- DD. Poinsett;
- EE. Prairie (see Emergency Closure Code 38.01);
- FF. Pulaski (see Emergency Closure Code 38.01); Lake Maumelle closed;
- GG. Randolph;
- HH. St. Francis;
- II. Union (see Emergency Closure Code 38.0601);
- JJ. White; Little Red River closed year-round to commercial fishing upstream of the Arkansas Highway 367 bridge at Searcy; and
- KK. Woodruff;
- LL. **EXCEPTIONS:**

~~A. Legal gill and trammel nets may be fished in the above counties only from noon September 30 to noon May 1.~~

~~B.A. _____ For waters in the above counties located within the Dale Bumpers White River NWR below Arkansas Highway 1, gill and trammel net season is from noon September 30 - noon November 30 and from noon March 1 - noon September 30 when accessible by boat from the White River and the White River is above 23.5 feet on the St. Charles gauge. All commercial fishermen must obtain a special use permit from the Dale Bumpers White River NWR manager prior to fishing refuge waters.~~

~~C. Saline River and backwaters from Stillion railroad bridge in Ashley and Bradley Counties to the Arkansas Highway 278 bridge in Bradley County are closed all year to gill and trammel nets.~~

~~D. Open waters in Independence County include White River, Black River, and oxbow lakes that are north of Arkansas Highway 14 and east of Arkansas Highway 122 and Arkansas Highway 25. Landowner permission will be required for oxbow lakes that are not accessible from the Black River.~~

~~E. The Little Red River in White County is closed year-round to commercial fishing upstream of the Arkansas Highway 367 Bridge at Searcy.~~

~~D. The following counties are closed year-round to commercial fishing unless noted open in Section A or other codes in Chapter 30.00:~~

~~A. Baxter;~~

~~B. Benton;~~

~~C. Boone;~~
~~D. Carroll;~~
~~E. Clark;~~
~~F. Cleburne;~~
~~G. Cleveland;~~
~~H. Conway;~~
~~I. Crawford;~~
~~J. Dallas;~~
~~K. Faulkner;~~
~~L. Franklin;~~
~~M. Fulton;~~
~~N. Garland;~~
~~O. Grant;~~
~~P. Hot Spring;~~
~~Q. Howard;~~
~~R. IZARD;~~
~~S. Logan;~~
~~T. Johnson;~~
~~U. Madison;~~
~~V. Marion;~~
~~W. Montgomery;~~
~~X. Newton;~~
~~Y. Ouachita;~~
~~Z. Perry;~~
~~AA. Pike;~~
~~BB. Polk;~~
~~CC. _____ Pope;~~
~~DD. _____ Saline;~~
~~EE. Scott;~~
~~FF. Searcy;~~
~~GG. _____ Sebastian;~~
~~HH. _____ Sevier;~~
~~II. Sharp;~~
~~JJ. Stone;~~
~~KK. Van Buren;~~
~~LL. Washington; and~~
~~MM. _____ Yell.~~
~~NN. _____~~ **EXCEPTIONS:**

- ~~A. When a river or stream forms the boundary between opened and closed counties, that boundary segment shall be open to tackle legal in the open county, unless closed in other Codes.~~
- ~~B. That part of Saline River south of Arkansas Highway 371 (old Arkansas Highway 24) in Howard and Sevier Counties is open year round to hoop nets.~~

C. The following waterbodies are open to commercial tackle with certain restrictions:

- A. Corning Lake or Long Lake in Clay County:** Trotlines, throw line, limblines, and snag lines are prohibited.
- B. Lake Dardanelle:**
- A.** Commercial tackle of any type is prohibited from noon March 1 – noon November 30 in the waters of Dardanelle Lake north of the Union Pacific Railroad in Pope, Johnson, and Franklin Counties, Dardanelle Bay in Yell County, and south of signs posted on Shoal Bay, Cane Creek Bay, Six Mile Creek at O-Kane Island Access, and south of Arkansas Highway 22 in Delaware Bay in Logan County.
 - B.** Gill and trammel nets must be anchored so they are not within 3 feet of the water surface except noon December 1 – noon April 1.
 - C.** Commercial tackle of any type is prohibited in the Entergy Nuclear Power Plant discharge bay from noon November 1 – noon March 1.
- C. Central Arkansas National Wildlife Refuge Complex:** The following NWRs allow commercial fishing activities through Special Use Permit only. See refuge manager for Special Use Permit and refuge specific regulations.
- A. Big Lake NWR**
 - B. Cache River NWR**
 - C. Holla Bend NWR**
- D. Lake Millwood:** Legal gill and trammel nets open noon September 30 – noon May 1, and slat traps open noon September 30 – noon June 1. Lake Millwood is open year-round to other legal commercial fishing. Commercial fishers must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Hope Regional Office, and report their catch to the Hope Regional Office by the 15th day of the following month.
- E. Nimrod Lake, Blue Mountain Lake, and Morgan Point Bendway Lake:** Open noon October 1 – noon March 1. All species of carp caught must be removed from these lakes. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Russellville Regional Office, for Nimrod and Blue Mountain Lakes, or the Monticello Regional Office for Morgan Point Bendway Lake, and report their catch to the Regional Office from which they obtained their commercial permit by the 15th day of the following month. Only legal-sized gill and trammel nets or larger.
- F. Cadron Creek and Point Remove Creek:** Legal commercial tackle during the commercial fishing season noon September 30 – noon May 1 on Cadron Creek – from its mouth to Arkansas Highway 287 on its east fork in Faulkner County, North Cadron Creek – from its mouth to Arkansas Highway 285 in Faulkner County; Point Remove Creek – from its mouth up the east fork to Arkansas Highway 95 and the Kissire Bridge on the west fork in Conway County.
- G. Sheffield Nelson Dagmar WMA:** Open noon January 1 until noon the last day of February.
- H. First Old River Lake (Miller County):** Open noon November 1 until – noon February 28, with legal gill and trammel nets. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Hope Regional Office and report their catch to the Hope Regional Office by the 15th day of the following month.
- I. Dr. Lester Sitzes III Bois d'Arc Lake (Hempstead County):** Open noon November 1 – noon February 28, with legal gill and trammel nets. Commercial fishers must obtain, and have in their possession while fishing, a commercial permit from the

- district biologist at the Commission's Hope Regional Office and report their catch to the Hope Regional Office by the 15th day of the following month.
- J. Lake Erling (Lafayette County):** Open noon November 1 – noon February 28, with slat traps and fiddler-size hoops nets upstream to the Highway 360 bridge. Commercial fishermen must obtain and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Camden Regional Office, and report their catch to the Camden Regional Office by the 15th day of the following month.
- K. Lake Chicot (Chicot County):** Open noon November 1– noon December 31. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Monticello Regional Office, and report their catch to the Monticello Regional Office by the 15th day of the following month. All species of carp and all rough fish, excluding alligator gar, caught must be removed from the lake. Alligator gar must be released back into the lake. The 16-inch minimum length limit on buffalo is waived. Only legal-sized or larger gill and trammel nets may be used.
- L. Old River Lake (Pulaski County):** Open noon December 1– noon February 28. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Brinkley Regional Office, and report their catch to the Brinkley Regional Office by the 15th day of the following month. All species of carp and all rough fish, excluding alligator gar, caught must be removed from the lake. Alligator gar must be released back into the lake. The 16-inch minimum length limit on buffalo is waived.
- A.M. Horseshoe Lake (Crittenden County):** Open noon November 1 until noon February 28. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Brinkley Regional Office, and report their catch to the Brinkley Regional Office by the 15th day of the following month. All species of carp and all rough fish, excluding alligator gar, caught must be removed from the lake. Alligator gar must be released back into the lake. The 16-inch minimum length limit on buffalo is waived.

PENALTY: Class 2

4 ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

~~30.13 POSSESSION AND USE OF FIDDLER SIZE HOOP NETS AND SLAT TYPE FISH TRAPS RESTRICTED TO CERTAIN PUBLIC WATERS RESERVED~~

It is unlawful to use or possess fiddler-size hoop nets or slat-type fish traps in any waters of the state other than those specified below:

- ~~A. Arkansas River, including all impoundments, from the mouth of the Mississippi River to Arkansas/Oklahoma state line.~~
- ~~B. L'Anguille River from the mouth of the St. Francis River to the point of origin.~~
- ~~C. Little River from its mouth to the Corps of Engineers boat ramp on the west side of Little River below Millwood Dam.~~
- ~~D. All waters of the Mississippi River bounding Arkansas.~~
- ~~E. Red River from the Louisiana state line to the Oklahoma state line.~~
- ~~F. St. Francis River from the mouth at the Mississippi River to the Missouri state line in Clay County.~~
- ~~G. Old Town Lake in Phillips County.~~
- ~~H. White River from Interstate 40 bridge to its mouth: slat traps only may be used. Fiddler-size hoops are prohibited.~~
- ~~I. All lakes, bays or other bodies of water, other than tributary streams, connected to waters specified, when accessible by boat from the main channel.~~
- ~~J. Bay Ditch, (Cross, Poinsett, and Craighead counties) from its mouth upstream to U.S. Highway 63 in Craighead County.~~
- ~~K. St. Francis Floodway Diversion Ditch from its mouth upstream to U.S. Highway 63 in Poinsett County.~~
- ~~L. Cypress Bayou (Whiskey Chute) in Phillips County (slat traps only).~~
- ~~M. Sulphur River from the mouth of the Red River to the Texas state line.~~
- ~~N. Boeuf River from the mouth to the point of origin.~~

EXCEPTIONS:

- ~~A. Fiddler-size hoop nets are prohibited in the Arkansas River from the Arkansas Highway 7 bridge in Yell County to the Arkansas/Oklahoma state line and in Old Town Lake in Phillips County.~~
- ~~B. Slat traps may be fished from noon September 30—noon June 1 in Millwood Lake and year-round in Little River above Millwood Lake to the Oklahoma state line.~~

PENALTY: Class 2

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Name of Rule 30.14 Possession and Use of Fiddler Size Hoop Nets and Slat Type Fish Traps Restricted to Certain Public Waters

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~~30.14 COMBINING COMMERCIAL FISHING AND SPORT FISHING PROHIBITED~~

~~It is unlawful for a commercial fisherman to sport fish in the same waters while engaged in commercial fishing.~~

~~EXCEPTION: When fishing slat traps only.~~

~~PENALTY: Class 2~~

~~30.1314~~ POSSESSION AND USE OF FIDDLER SIZE HOOP NETS AND SLAT TYPE FISH TRAPS RESTRICTED TO CERTAIN PUBLIC WATERS

It is unlawful to use or possess fiddler-size hoop nets or slat-type fish traps in any waters of the state other than those specified below, including all lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified below, when accessible by boat, from the main channel except as limited by Addendum Chapter H1.00, and in accordance with landowner permission Code 5.35 ~~other than those specified below:~~

- A. Arkansas River, including all impoundments, from ~~the-its~~ mouth ~~of the Mississippi River~~ to ~~Arkansas/the~~ Oklahoma state line. Fiddler-size hoop nets are prohibited in the Arkansas River from the Arkansas Highway 7 Bridge in Yell County to the Oklahoma state line.
- B. L'Anguille River from ~~the-its~~ mouth ~~of the St. Francis River~~ to the point of origin.
- C. Little River from its mouth to the Corps of Engineers boat ramp on the west side of Little River below Millwood Dam.
- D. Little River upstream of Patterson Shoals boat ramp to the Oklahoma state line slat traps may be fished year-round. In Millwood Lake slat traps may be fished from noon Sept. 30 – noon June 1.
- E. All waters of the Mississippi River bounding Arkansas.
- F. Red River from the Louisiana state line to the Oklahoma state line.
- G. St. Francis River from its mouth to the Missouri state line in Clay County.
- H. St. Francis Floodway Diversion Ditch from its mouth upstream to U.S. Highway 63 in Poinsett County.
- I. Bay Ditch, (Cross, Poinsett, and Craighead counties) from its mouth upstream to U.S. Highway 63 in Craighead County.
- J. Old Town Lake in Phillips County: slat traps only. Fiddler-size hoop nets are prohibited.
- K. White River from its mouth to the Interstate 40 Bridge ~~to its mouth~~: slat traps only, ~~may be used~~. Fiddler-size hoop nets are prohibited.
- ~~K. All lakes, bays or other bodies of water, other than tributary streams, connected to waters specified, when accessible by boat from the main channel.~~
- L. Cypress Bayou (Whiskey Chute) in Phillips County (slat traps only).
- M. Sulphur River from ~~the-its~~ mouth ~~of the Red River~~ to the Texas state line.
- N. Boeuf River from the mouth Louisiana state line to the point of origin.

EXCEPTIONS:

- ~~1. Fiddler-size hoop nets are prohibited in the Arkansas River from the Arkansas Highway 7 bridge in Yell County to the Arkansas/Oklahoma state line and in Old Town Lake in Phillips County.~~
- ~~2. Slat traps may be fished from noon September 30 – noon June 1 in Millwood Lake and year round in Little River above Millwood Lake to the Oklahoma state line.~~

| **PENALTY:** Class 2

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.15 COMMERCIAL FISHING SEASON RESTRICTIONS RESERVED

A. The following waters are open year round to legal commercial tackle as defined in Code 30.05:

1. ~~ARKANSAS RIVER from its mouth to the Arkansas/Oklahoma state line including that part of the Arkansas River from the Ozark Dam to the Arkansas/Oklahoma state line, bounded on the north by the Union Pacific Railroad and on the south by Arkansas Highway 22 in compliance with Codes 30.24, 30.25;~~
2. ~~ARKANSAS WATERS between the main levees of the Mississippi River;~~
3. ~~BLACK RIVER from its mouth to the Missouri state line;~~
4. ~~CACHE RIVER and lakes accessible by boat from the river;~~
5. ~~FOURCHE LaFAVE RIVER from its mouth to the Arkansas Highway 7 bridge in Perry County;~~
6. ~~LITTLE RIVER from its mouth in Hempstead and Little River counties upstream to the Corps of Engineers boat ramp on west bank of river below Millwood Lake Dam;~~
7. ~~OUACHITA RIVER from the Louisiana state line to U.S. Highway 79B bridge (Camden);~~
8. ~~PETIT JEAN RIVER from its mouth to the Arkansas Highway 10 bridge in Yell County;~~
9. ~~RED RIVER in Hempstead, Lafayette, Little River, and Miller Counties;~~
10. ~~ST. FRANCIS RIVER upstream to the mouth of the Left Hand Chute of Little River in Poinsett County;~~
11. ~~SALINE RIVER from its confluence with the Ouachita River upstream to the Stillion railroad bridge in Ashley and Bradley Counties;~~
12. ~~SULPHUR RIVER from its mouth to the Texas state line;~~
13. ~~WHITE RIVER upstream from its mouth to 100 yards below Dam No. 1 at Batesville in Independence County;~~
14. ~~All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat, from the main channel except as limited by Addendum Chapter H1.00;~~
15. **EXCEPTIONS:**
 - i. ~~Emergency Closures listed in Chapter 38.00.~~
 - ii. ~~Flathead catfish, bowfin, drum, and gar may not be taken or possessed by commercial fishermen on the Ouachita River from Smackover Creek to the northern boundary of Felsenthal NWR.~~
 - iii. ~~Blue catfish, flathead catfish, bowfin, drum, and gar may not be taken or possessed by commercial fishermen on the Ouachita River from the northern boundary of Felsenthal NWR to the Louisiana state line, all waters within Felsenthal NWR, and from the Saline River from its mouth within Felsenthal NWR upstream to the Stillion railroad bridge.~~
 - iv. ~~Island 40 Chute in Crittenden County is closed to commercial fishing except noon November 1 – noon March 30, or when accessible by boat from the Mississippi River.~~

B. The following waters are closed year round to commercial fishing and possession of commercial fishing tackle is prohibited while on these waters:

1. ~~Lake Erling, including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway 313 in Lafayette County;~~
2. ~~All lakes owned and/or operated by Arkansas State Parks, USDA Forest Service, or AGFC;~~
3. ~~Columbia County Lake in Columbia County;~~

- ~~4. Dorcheat Bayou from its headwaters in Nevada County to the Arkansas/Louisiana state line;~~
 - ~~5. Horseshoe Lake in Crittenden County;~~
 - ~~6. Saline River above the Arkansas Highway 278 in Bradley County;~~
 - ~~7. Lake Wallace in Drew and Chicot Counties;~~
 - ~~8. Hensley Lake in Jefferson County;~~
 - ~~9. Lake Maumelle in Pulaski County;~~
 - ~~10. White Oak Bay (Ozark Lake/Arkansas River);~~
 - ~~11. Little Missouri River;~~
 - ~~12. White River above the mouth of the Black River;~~
 - ~~13. Grand Lake in Chicot County; and~~
 - ~~14. All lakes in the Hot Springs Village Area of Saline County.~~
- ~~C. The following counties or other parts are open year round to commercial fishing unless noted closed in Section B or other codes in Chapter 30.00:~~
- ~~1. Arkansas (Emergency Closure Code 38.01);~~
 - ~~2. Ashley (Emergency Closure Codes 38.04-38.06);~~
 - ~~3. Bradley (Emergency Closure Codes 38.03, 38.06);~~
 - ~~4. Calhoun (Emergency Closure Codes 38.03, 38.04, 38.06);~~
 - ~~5. Chicot;~~
 - ~~6. Clay;~~
 - ~~7. Columbia (Dorcheat Bayou closed in (B) above; also see Emergency Closure Code 38.02);~~
 - ~~8. Craighead;~~
 - ~~9. Crittenden;~~
 - ~~10. Cross;~~
 - ~~11. Desha;~~
 - ~~12. Drew (see Emergency Closure Codes 38.04, 38.05);~~
 - ~~13. Greene;~~
 - ~~14. Hempstead;~~
 - ~~15. Independence;~~
 - ~~16. Jackson;~~
 - ~~17. Jefferson (see Emergency Closure Code 38.01);~~
 - ~~18. Lafayette;~~
 - ~~19. Lawrence;~~
 - ~~20. Lee;~~
 - ~~21. Lincoln;~~
 - ~~22. Little River;~~
 - ~~23. Lonoke (see Emergency Closure Code 38.01);~~
 - ~~24. Miller;~~
 - ~~25. Mississippi;~~
 - ~~26. Monroe;~~
 - ~~27. Nevada (Dorcheat Bayou closed in (B) above);~~
 - ~~28. Ouachita;~~
 - ~~29. Phillips;~~
 - ~~30. Poinsett;~~
 - ~~31. Prairie (see Emergency Closure Code 38.01);~~
 - ~~32. Pulaski (see Emergency Closure Code 38.01);~~
 - ~~33. Randolph;~~
 - ~~34. St. Francis;~~
 - ~~35. Union (see Emergency Closure Code 38.06);~~
 - ~~36. White;~~

~~37. Woodruff;~~

~~38. EXCEPTIONS:~~

- ~~i. Legal gill and trammel nets may be fished in the above counties only from noon September 30 to noon May 1.~~
- ~~ii. For waters in the above counties located within the Dale Bumpers White River NWR below Arkansas Highway 1, gill and trammel net season is from noon September 30—noon November 30 and from noon March 1—noon September 30 when accessible by boat from the White River and the White River is above 23.5 feet on the St. Charles gauge. All commercial fishermen must obtain a special use permit from the Dale Bumpers White River NWR manager prior to fishing refuge waters.~~
- ~~iii. Saline River and backwaters from Stillion railroad bridge in Ashley and Bradley Counties to the Arkansas Highway 278 bridge in Bradley County are closed all year to gill and trammel nets.~~
- ~~iv. Open waters in Independence County include White River, Black River, and oxbow lakes that are north of Arkansas Highway 14 and east of Arkansas Highway 122 and Arkansas Highway 25. Landowner permission will be required for oxbow lakes that are not accessible from the Black River.~~
- ~~v. The Little Red River in White County is closed year round to commercial fishing upstream of the Arkansas Highway 367 Bridge at Searcy.~~

~~D. The following counties are closed year round to commercial fishing unless noted open in Section A or other codes in Chapter 30.00:~~

- ~~1. Baxter;~~
- ~~2. Benton;~~
- ~~3. Boone;~~
- ~~4. Carroll;~~
- ~~5. Clark;~~
- ~~6. Cleburne;~~
- ~~7. Cleveland;~~
- ~~8. Conway;~~
- ~~9. Crawford;~~
- ~~10. Dallas;~~
- ~~11. Faulkner;~~
- ~~12. Franklin;~~
- ~~13. Fulton;~~
- ~~14. Garland;~~
- ~~15. Grant;~~
- ~~16. Hot Spring;~~
- ~~17. Howard;~~
- ~~18. IZard;~~
- ~~19. Logan;~~
- ~~20. Johnson;~~
- ~~21. Madison;~~
- ~~22. Marion;~~
- ~~23. Montgomery;~~
- ~~24. Newton;~~
- ~~25. Ouachita;~~
- ~~26. Perry;~~
- ~~27. Pike;~~
- ~~28. Polk;~~

- ~~29. Pope;~~
- ~~30. Saline;~~
- ~~31. Scott;~~
- ~~32. Searcy;~~
- ~~33. Sebastian;~~
- ~~34. Sevier;~~
- ~~35. Sharp;~~
- ~~36. Stone;~~
- ~~37. Van Buren;~~
- ~~38. Washington; and~~
- ~~39. Yell.~~

40. **EXCEPTIONS:**

- i. ~~When a river or stream forms the boundary between opened and closed counties, that boundary segment shall be open to tackle legal in the open county, unless closed in other Codes.~~
- ii. ~~That part of Saline River south of Arkansas Highway 371 (old Arkansas Highway 24) in Howard and Sevier Counties is open year round to hoop nets.~~

PENALTY: Class 2

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Name of Rule 30.15 Resident Roe Taker/Seller Permit Requirements

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.4715 RESIDENT ROE TAKER/SELLER PERMIT REQUIREMENTS

It is unlawful to take, sell, or possess paddlefish or sturgeon, or their parts, including eggs (roe), without a current Resident Roe Taker/Seller Permit. A Resident Commercial Fishing License Permit is required to purchase a Resident Roe Taker/Seller Permit.

EXCEPTIONS:

1. A person with a Resident Roe Taker/Helper Permit may harvest or assist in the harvest of paddlefish or sturgeon when in the immediate presence of a permitted roe taker/seller. The holder of a Roe Taker/Seller Permit or Roe Buyer/Exporter Permit shall be fully responsible for supervising the actions of the person using the Roe Taker/Helper's Permit.
2. Sportfishers ~~s,men~~ in compliance with Code 25.02, may take and possess, but not sell, paddlefish.
- ~~3. Permitted fish farmers in compliance with Code 35.10~~
- ~~4.3.~~ Paddlefish and sturgeon meat may be sold to individuals only for personal use as long as a bill of sale containing the name and permit number of the authorized harvester, species, total pounds of meat received, and the name of the purchaser accompanies the meat.
4. Paddlefish and sturgeon meat and/or roe can be transported by an authorized representative of a legally permitted resident roe taker/seller if accompanied by a bill of lading or bill of sale indicating the name and permit number of the authorizing resident roe taker/seller and including the species, number of pounds of roe or meat per species, and if being sold, the name of the purchaser. A true bill of lading or bill of sale must accompany the shipment to the final destination.

PENALTY: Class 3

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~~30.16 COMMERCIAL FISHERMAN REPORTING REQUIREMENTS~~ Reserved

~~It is unlawful for a commercial fisherman to fail to report annually, on forms supplied by the Commission, his or her harvest of alligator gar or other such species for which harvest information may be required, in compliance with Code 1.00-L.~~

~~PENALTY:~~ Class 2

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30.1816 ~~RESIDENT ROE BUYER/EXPORTER AND NON-RESIDENT ROE BUYER/EXPORTER PERMIT REQUIREMENTS~~

It is unlawful to buy or export across the state line paddlefish or sturgeon, or their parts, including eggs (roe), without a current Resident Roe Buyer/Exporter Permit or Nonresident Roe Buyer/Exporter Permit, as applicable. ~~Licensed-Permitted~~ commercial ~~fishermen-fishers~~ who hold current Resident Roe Buyer/Exporter Permit may also take paddlefish and sturgeon in compliance with applicable season, size, and tackle regulations.

EXCEPTIONS:

1. In compliance with Code 25.02
2. Permitted fish farmers in compliance with Code 35.10
3. Paddlefish and sturgeon meat may be purchased only from permitted roe taker/sellers and roe buyer/exporters in compliance with Code 30.024
4. Paddlefish and sturgeon meat and/or roe can be transported by an authorized representative of a legally permitted resident buyer/exporter if accompanied by a bill of lading or bill of sale, indicating the name and permit number of the authorizing resident buyer/exporter and including the species, number of pounds of roe or meat per species, and if being sold, the name of the purchaser. A true bill of lading or bill of sale must accompany the shipment to the final destination.
5. Paddlefish, sturgeon, or their meat (excluding eggs or roe), may be purchased for personal use without purchasing either a ~~resident~~Resident/nonresident roe-Roe buyer~~Buyer/exporter~~Exporter permit~~Permit or Non Resident Roe Buyer Permit~~ in compliance with this code.

PENALTY: Class 3

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~~30.17 RESIDENT ROE TAKER/SELLER PERMIT REQUIREMENT~~ Reserved

~~It is unlawful to take, sell, or possess paddlefish or sturgeon, or their parts, including eggs (roe), without a current Resident Roe Taker/Seller Permit. A Commercial Fishing License is required to purchase a Resident Roe Taker/Seller Permit.~~

~~EXCEPTIONS:~~

- ~~A. A person with a Resident Roe Taker/Helper Permit may harvest or assist in the harvest of paddlefish or sturgeon when in the immediate presence of a permitted roe taker/seller. The holder of a Roe Taker/Seller Permit or Roe Buyer/Exporter Permit shall be responsible for supervising the actions of the person using the Roe Taker/Helper's Permit.~~
- ~~B. Sportfishermen in compliance with Code 25.02 may take and possess, but not sell, paddlefish.~~
- ~~C. Permitted fish farmers in compliance with Code 35.10~~
- ~~D. Paddlefish and sturgeon meat may be sold to individuals only for personal use as long as a bill of sale containing the name and permit number of the authorized harvester, species, total pounds of meat received, and the name of the purchaser accompanies the meat.~~
- ~~E. Paddlefish and sturgeon meat and/or roe can be transported by an authorized representative of a legally permitted resident roe taker/seller if accompanied by a bill of lading or bill of sale indicating the name and permit number of the authorizing resident taker/seller and including the species, number of pounds of roe or meat per species, and if being sold, the name of the purchaser. A true bill of lading or bill of sale must accompany the shipment to the final destination.~~

~~PENALTY:~~ Class 3

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30.1917 ROE BUYER/EXPORTER REPORTING REQUIREMENTS

Resident roe buyers/exporters or nonresident roe buyers/~~exporters~~ must submit monthly, ~~on or before~~ by the 15th day of each month, reports of roe-buying transactions for the preceding month on forms provided by the Commission. Resident roe buyers/exporters also must report their take of roe. Failure to maintain accurate records will result in permit revocation and ~~no~~ renewal. These forms shall be completed at the time of purchase and available for inspection by Commission personnel at any reasonable time.

PENALTY: Class 3

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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

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Name of Rule 30.18 Cutting or Mutilation of Paddlefish and Sturgeon Prohibited

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13, 14, 15, 2020

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.2118

CUTTING OR MUTILATION OF PADDLEFISH AND STURGEON PROHIBITED

It is unlawful to possess a cut or mutilated paddlefish or sturgeon while on the water unless the eggs have been removed and at least 2 inches of one ovary remains attached to each fish. Mutilation includes tearing or disfiguring of paddlefish in any way near the vent area. A 12-gauge needle may be used to determine the presence of eggs. Eggs must be kept in separate containers, one fish per container.

EXCEPTION: Fish may be blocked out but the carcass must be at least the legal minimum length limit for the water being fished.

PENALTY: Class 4

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~~30.18 RESIDENT ROE BUYER/EXPORTER AND NON-RESIDENT ROE BUYER/EXPORTER PERMIT REQUIREMENTS~~ Reserved

~~It is unlawful to buy or export across the state line paddlefish or sturgeon, or their parts, including eggs (roe), without a current Resident Roe Buyer/Exporter Permit or Nonresident Buyer/Exporter Permit, as applicable. Licensed commercial fishermen who hold current Resident Roe Buyer/Exporter Permit may also take paddlefish and sturgeon in compliance with applicable season, size, and tackle regulations.~~

~~EXCEPTIONS:~~

- ~~A. In compliance with Code 25.02~~
- ~~B. Permitted fish farmers in compliance with Code 35.10~~
- ~~C. Paddlefish and sturgeon meat may be purchased only from permitted roe taker/sellers and roe buyer/exporters in compliance with Code 30.01~~
- ~~D. Paddlefish and sturgeon meat and/or roe can be transported by an authorized representative of a legally permitted resident buyer/exporter if accompanied by a bill of lading or bill of sale, indicating the name and permit number of the authorizing resident buyer/exporter and including the species, number of pounds of roe or meat per species, and if being sold, the name of the purchaser. A true bill of lading or bill of sale must accompany the shipment to the final destination.~~
- ~~E. Paddlefish, sturgeon, or their meat (excluding eggs or roe), may be purchased for personal use without purchasing either a resident/nonresident roe buyer/exporter permit in compliance with this code.~~

~~PENALTY:~~ Class 3

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Name of Rule 30.19 Paddlefish and Sturgeon Harvest and Tackle Restrictions

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30.2319 PADDLEFISH AND STURGEON HARVEST AND TACKLE RESTRICTIONS

It is unlawful to take, attempt to take, or possess paddlefish or sturgeon, or their parts, including eggs (roe), from waters of the state from midnight April 10–sunrise November 20.

EXCEPTIONS:

- A. Permitted resident roe buyers/exporters and permitted nonresident roe buyers may possess processed roe only with proper reports of transactions described in Code 30.19.
- B. In compliance with Code 25.02.
- C. Permitted fish farmers in compliance with Code 35.10.
- D. Sturgeon may be taken midnight November 15–sunrise May 1.
- ~~E.~~ Roe takers are required to use only multifilament nets from sunrise November 20–midnight December 5, and from sunrise March 2–midnight April 10, in the Arkansas River below James W. Trimble Dam.
- ~~E.~~
- ~~F.~~ It is unlawful to possess for commercial purposes any nets other than 3½-inch mesh or 6-inch or larger mesh while fishing for paddlefish in the Arkansas River above Dam 2 during the paddlefish season.
- ~~F.~~

PENALTY: Class 3

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~~30.19 ROE BUYER/EXPORTER REPORTING REQUIREMENTS~~ Reserved

~~Resident roe buyers/exporters or nonresident roe buyers/exporters must submit monthly, on or before the 16th of each month, reports of roe buying transactions for the preceding month on forms provided by the Commission. Resident roe buyers/exporters also must report their take of roe. Failure to maintain accurate records will result in permit revocation and no renewal. These forms shall be completed at the time of purchase and available for inspection by Commission personnel at any reasonable time.~~

~~PENALTY:~~ Class 3

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Name of Rule 30.20 Paddlefish and Sturgeon Possession Restrictions on Certain Waters

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30.20 PADDLEFISH AND STURGEON POSSESSION RESTRICTIONS ON ~~WHITE RIVER, ARKANSAS RIVER, AND BORDER CERTAIN~~ WATERS

It is unlawful to use commercial tackle to take, attempt to take, or possess paddlefish or sturgeon, or their parts including eggs (roe), from:

- A. That part of the White River (including any backwaters) immediately above the Newport Access and proceeding upstream to the boat ramp at Jacksonport State Park. ~~and from the confluence of Black River upstream to Dam 1 at Batesville.~~
- B. The following border waters with Louisiana: Red River in Hempstead, Lafayette, Little River, and Miller counties; Ouachita River from the Louisiana state line to 100 yards below Felsenthal Lock and Dam; Bayou Bartholomew from the Louisiana state line to its source in Jefferson County; Bodcau Bayou from the Louisiana state line to the base of Lake Erling Dam; Boeuf River from the Louisiana state line to its source in Chicot County; and Bayou Macon from the Louisiana state line to its source in Desha County.
- C. The portion of the Arkansas River extending from Trimble Lock and Dam upstream to the Oklahoma state line except for during permitted special seasons determined by the Commission.

PENALTY: Class 3

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Name of Rule 30.21 Harvest Restriction on Sturgeon in the Mississippi River

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

30.~~222~~221 HARVEST RESTRICTION ON STURGEON IN THE MISSISSIPPI RIVER

It is unlawful to, ~~for commercial purposes,~~ use commercial tackle to take, attempt to take, or possess any sturgeon from the Mississippi River, including the Arkansas River to Dam 2, the St. Francis River to the Huxtable Pumping Station, and the White River to Montgomery Point Lock and Dam.

PENALTY: Class 2

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Name of Rule 30.21 Reserved

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~~30.21 CUTTING OR MUTILATION OF PADDLEFISH AND STURGEON PROHIBITED~~

~~Reserved~~

~~It is unlawful to possess a cut or mutilated paddlefish or sturgeon while on the water unless the eggs have been removed and at least 2 inches of one ovary remains attached to each fish. Mutilation includes tearing or disfiguring of paddlefish in any way near the vent area. A 12-gauge needle may be used to determine the presence of eggs. Eggs must be kept in separate containers, one fish per container.~~

~~**EXCEPTION:** Fish may be blocked out but the carcass must be at least the legal minimum length limit for the water being fished.~~

~~**PENALTY:** Class 4~~

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

~~30.22 HARVEST RESTRICTION ON STURGEON IN THE MISSISSIPPI RIVER~~ RESERVED

~~It is unlawful to, for commercial purposes, take, attempt to take, or possess any sturgeon from the Mississippi River, including the Arkansas River to Dam 2, the St. Francis River to the Huxtable Pumping Station, and the White River to Montgomery Point Lock and Dam.~~

~~PENALTY:~~ Class 2

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~~30.23 PADDLEFISH AND STURGEON HARVEST RESTRICTIONS RESERVED~~

It is unlawful to take, attempt to take, or possess paddlefish or sturgeon, or their parts, including eggs (roe), from waters of the state from midnight April 10—sunrise November 20.

~~EXCEPTIONS:~~

- ~~A. Permitted resident roe buyers/exporters and permitted nonresident roe buyers may possess processed roe only with proper reports of transactions described in Code 30.19.~~
- ~~B. In compliance with Code 25.02.~~
- ~~C. Permitted fish farmers in compliance with Code 35.10.~~
- ~~D. Sturgeon may be taken midnight November 15—sunrise May 1.~~
- ~~E. Roe takers are required to use only multifilament nets from sunrise November 20—midnight December 5 and from sunrise March 2—midnight April 10 in the Arkansas River below James W. Trimble Dam.~~

~~PENALTY:~~ Class 3

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**~~30.24 RESTRICTED COMMERCIAL FISHING IN ARKANSAS RIVER NAVIGATION
SYSTEM RESERVED~~**

~~It is unlawful to fish with commercial tackle in waters between arrival point signs and any lock and dam.~~

~~**EXCEPTION:** Hoop nets may be fished below Dam 2 only when fished from the launching ramp below the dam on the Arkansas County side to the mid-point of the river, downstream to the boat ramp on the Desha County side and the entire river downstream to Morgan Cut-Off.~~

~~**PENALTY:** Class 2~~

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

~~30.25 COMMERCIAL FISHING RESTRICTIONS IN CERTAIN WATERS RESERVED~~

- ~~A. **Corning Lake or Long Lake in Clay County:** Trotlines, throw line, limblines, and snag lines are prohibited.~~
- ~~B. **Lake Dardanelle:** Commercial tackle of any type is prohibited from noon March 1—noon November 30 in the waters of Dardanelle Lake north of the Missouri Pacific Railroad in Pope, Johnson, and Franklin Counties, Dardanelle Bay in Yell County, and south of signs posted on Shoal Bay, Cane Creek Bay, Six Mile Creek at O Kane Island Access, and south of Arkansas Highway 22 in Delaware Bay in Logan County.~~
- ~~C. **Lake Dardanelle:** Gill and trammel nets must be anchored so they are not within 3 feet of the water surface except noon December 1—noon April 1.~~
- ~~D. **Big Lake National Wildlife Refuge:** March 1—October 31 with 3 inch or larger square bar mesh gill and trammel nets.~~
- ~~E. **Lake Millwood:** Legal gill and trammel nets open noon September 30—noon May 1, and slat traps open noon September 30—noon June 1. Lake Millwood is open year round to other legal commercial fishing. Commercial fishermen must register prior to fishing with the local district fisheries biologist at the Hope Regional Office and must submit monthly catch records to the local district fisheries biologist by the 15th of the following month.~~
- ~~F. **Nimrod Lake, Blue Mountain Lake, and Morgan Point Bendway Lake:** Open noon October 1—noon March 1. All species of carp caught must be removed from these lakes. Commercial fishermen must register with the local district fisheries biologist prior to fishing and must submit monthly catch records to the local district fisheries biologist by the 15th of the following month. Only legal sized gill and trammel nets or larger.~~
- ~~G. **Entergy Nuclear Power Plant:** No commercial fishing in the discharge bay from November 1—March 1.~~
- ~~H. **Cadron Creek and Point Remove Creek:** Legal commercial tackle during the commercial fishing season noon September 30—noon May 1 on Cadron Creek—from its mouth to Arkansas Highway 287 on its east fork in Faulkner County, North Cadron Creek—from its mouth to Arkansas Highway 285 in Faulkner County, Point Remove Creek—from its mouth up the east fork to Arkansas Highway 95 and the Kissire Bridge on the west fork in Conway County.~~
- ~~I. **Sheffield Nelson Dagmar WMA:** Open noon January 1 until the last day of February.~~
- ~~J. **First Old River Lake (Miller County):** Open noon November 1 until noon the last day of February, with legal gill and trammel nets. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Hope Regional Office and report their catch to the Hope Regional Office by March 15.~~
- ~~K. **[Reserved]**~~
- ~~L. **Dr. Lester Sitzes III Bois d'Arc Lake (Hempstead County):** Open noon November 1—noon February 28, with legal gill and trammel nets. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Hope Regional Office and report their catch to the Hope Regional Office by March 15.~~
- ~~M. **Callion Lake (Union County):** Open noon February 1—noon, March 15 with legal gill and trammel nets. Commercial fishermen must obtain and have in their possession while fishing, a commercial permit from the district biologist at the Commission's Camden Regional Office and report their catch to the Camden Regional Office by March 31. All rough fish caught in the nets must be retained.~~

~~N. **Lake Chicot (Chicot County):** Open noon November 1—noon December 31.~~

~~Commercial fishermen must register prior to fishing with the local district fisheries biologist and must submit monthly catch records to the local district fisheries biologist by the 15th of the following month. All species of carp and all rough fish, excluding alligator gar, caught must be removed from the lake. Alligator gar must be released back into the lake. The 16-inch minimum length limit on buffalo is waived. Only legal-sized or larger gill and trammel nets may be used.~~

~~O. **Old River Lake (Pulaski County):** Open noon December 1—noon February 28.~~

~~Commercial fishermen must register prior to fishing with the local district fisheries biologist at the Brinkley Regional Office and must submit monthly catch records to the local fisheries biologist by the 15th of the following month. All species of carp and all rough fish, excluding alligator gar, caught must be removed from the lake. Alligator gar must be released back into the lake. The 16-inch minimum length limit on buffalo is waived.~~

~~P. **Horseshoe Lake (Crittenden County):** Open noon November 1 until noon February 28.~~

~~Commercial fishermen must register prior to fishing with the local district fisheries biologist at the Brinkley Regional Office and must submit monthly catch records to the local fisheries biologist by the 15th of the following month. All species of carp and all rough fish, excluding alligator gar, caught must be removed from the lake. Alligator gar must be released back into the lake. The 16-inch minimum length limit on buffalo is waived.~~

PENALTY: Class 2

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~~30.26 POSSESSION OF FILLETED FISH PROHIBITED WHILE COMMERCIAL FISHING RESERVED~~

- ~~A. It is unlawful to possess filleted fish or fish with head or tail removed while commercial fishing.~~
- ~~B. It is unlawful to transport by boat filleted fish or fish with head or tail removed if such fish were taken by a commercial fisherman or were taken by means of commercial tackle.~~

~~EXCEPTION:~~ Blocking of paddlefish in compliance with Code 30.21.

~~PENALTY:~~ Class 2

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~~30.27 POSSESSION OF RARE AND ENDANGERED FISH BY COMMERCIAL FISHERS~~
~~PROHIBITED RESERVED~~

~~It is unlawful for commercial fishers to possess rare and endangered fish. Rare fish that may not be possessed include Lake Sturgeon, Alligator Gar, American Eel, Striped Mullet, Highfin Carpsucker, Pealip Redhorse, and Silver Redhorse. Endangered fish species are listed in Addendum P1.01.~~

~~PENALTY:~~ Class 2

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Name of Rule 32.02 Retail Bait Dealer License Requirements

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32.02 ~~Fish Dealer License Requirement~~ Retail Bait Dealer License Requirement

It is unlawful to offer for sale or to sell live ~~fish (including~~ baitfish) in a retail bait shop in Arkansas without ~~an Arkansas Fish Dealer License~~ a Retail Bait Dealer License (Resident or Nonresident) ~~or an Arkansas Fish Farmer Permit~~. A license is required for each separate business location. Game fish may not be taken from the wild and sold, except in compliance with Code 26.20. ~~Additionally permit holders must comply with Code 26.27 regarding Arkansas wild caught baitfish and health certificate requirements when importing farm reared baitfish from an AGFC permitted fish farm, fish dealer, or independent live hauler (Resident or Non Resident. It is unlawful to import live wild caught baitfish. Farm reared baitfish must be reared from egg to harvest and obtained from an AGFC permitted Fish Farmer, Fish Dealer, or Independent Hauler.~~

EXCEPTIONS:

- ~~A. Licensed fishing guides are not required to purchase a Fish Dealer License when providing baitfish during the act of guiding.~~
- B. ~~Minnows~~ Baitfish may be sold at the permitted ~~aquaculture~~ facility where grown in compliance with Code 35.01.
- C. Marine and tropical aquatic ~~wildlife~~ fish commonly distributed in the aquarium trade may be sold without special permit, as long as they are held ~~only~~ permanently in closed aquarium systems and not otherwise prohibited.

PENALTY: Class 1

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Name of Rule 32.04 Baitfish Tackle Restrictions

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32.04 BAITFISH TACKLE RESTRICTIONS

It is unlawful to use tackle for taking or attempting to take baitfish from waters of the state other than as specified below. Only baitfish may be retained for bait, and all other species of fish must be immediately returned to the waters where taken. The tackle allowed for taking baitfish is as follows:

- A. Seines not in excess of 50 feet long and 4 feet in depth with square mesh of 1/4 inch.
- B. Square traps or lifts not exceeding 6 feet by 6 feet by 3 feet in depth, and round traps not exceeding 3 feet in diameter and 6 feet long with up to 3/4 inch wire or mesh and throat size of 2 inches square.
- C. Throw nets and casting nets with square mesh not larger than 1 inch, or shad trawl nets with square mesh not larger than 1 inch.
- D. Plastic, ~~glass~~ or wire mesh minnow traps not in excess of 1 gallon capacity with throat size of not more than 1.5 inches.
- E. Hand-operated dip nets or lifts with up to 1 inch square bar mesh used to take legal baitfish for personal use while in the act of sport fishing day or night.

PENALTY: Class 1

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Name of Rule 34.01 Aquatic Turtle Permit Requirements

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34.01 Aquatic Turtle Permit Requirements

- A. It is unlawful for a nonresident to harvest any aquatic turtles.
- B. It is unlawful for a resident to operate tackle, harvest, propagate, purchase or sell any wild-caught aquatic turtles for commercial purposes without the following permits:
 - 1. A Commercial Fisherman Permit and Sportfishing License, and either an Aquatic Turtle Harvest Permit or a Junior Aquatic Turtle Harvest Permit (for resident youths) are required to harvest and sell wild aquatic turtles.
 - 2. The bearer of an Aquatic Turtle Harvest Helper Permit may assist in the harvest or operate the properly tagged tackle of a licensed aquatic turtle harvester or dealer.
 - 3. A Commercial Fisherman Permit and Sportfishing License, and an Aquatic Turtle Dealer Permit (see Addendum J1.02 for Approved Species for Commercial Culture of Aquatic Turtles) are required to engage in the harvest, propagation, purchase, sale or export of wild-caught aquatic turtles.
 - 4. An Aquatic Turtle Farmer Permit is required to engage in the propagation, sale or export of propagated aquatic turtles. This permit does not allow for the purchase, barter, trade, exchange or sale of wild-caught turtles. See Addendum J1.02 for Approved Species for Commercial Culture of Aquatic Turtles.
 - 5. An Alligator Snapping Turtle Breeder/Dealer Permit is required to possess, buy, sell or offer to sell alligator snapping turtles or their eggs. Alligator snapping turtles longer than 5 inches curved carapace length may not be sold, bartered, traded, or transferred without written approval of the Commission. An affidavit form provided by the Commission specifying the transaction type (transfer or sale), party type (individual or business), and number of turtles, shall be submitted to the Commission. All sales of wild-caught aquatic turtles shall follow all transaction and reporting requirements (Code 34.07) in this chapter.

EXCEPTIONS:

- A. Fish farmer permittees may depredate or relocate aquatic turtles impacting commercial aquaculture production without a permit; however for harvest and sell sale of aquatic turtles from their aquaculture facilities they must possess a valid an Aquatic Turtle Harvest Permit or Aquatic Turtle Dealer Permit.
- B. Fish markets selling only dressed turtles for human consumption in Arkansas are not required to have an Aquatic Turtle Dealer Permit.

PENALTY: Class 3

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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Name of Rule 34.02 Qualifications for Certain Aquatic Turtle Permits

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

34.02 Qualifications for Certain Aquatic Turtle Permits

The following conditions shall be met to qualify for and maintain an Aquatic Turtle Farmer Permit, Aquatic Turtle Dealer Permit, or Alligator Snapping Turtle Breeder/Dealer Permit. An Aquatic Turtle Dealer Permit is required if wild-caught turtles are held in captivity (e.g. in ponds, impoundments, tanks, etc.) for any length of time. From January 1, 2019 to December 31, 2021, no more than 150 permits total per year will be issued in combination between Aquatic Turtle Dealer and Aquatic Turtle Harvester permits.

- A. A site plan must be provided with the permit application, including legal and physical descriptions of all facilities, and a sketch map showing the location and approximate size of all facilities (ponds, impoundments, tanks, etc.) used to hold or propagate aquatic turtles.
- B. All sites shall be inspected and approved by Commission personnel prior to issuance of a permit.
- C. All facilities (ponds, impoundments, tanks, etc.) used to hold or propagate aquatic turtles shall be fenced and maintained in such a manner as to prevent the egress of captive turtles and ingress of wild stock. (See Addendum J1.02 for Approved Species for Commercial Culture of Aquatic Turtles.)
- D. Facilities shall be subject to random inspection by Commission personnel.
- E. Permittees shall follow all transaction and reporting requirements for harvest of wild-caught turtles in compliance with Code 34.07.

PENALTY: Class 3

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Name of Rule 35.00 Live Fish Trade Regulations

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.00 ~~Fish Farmer/Dealer Regulations~~-Live Fish Trade Regulations

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Name of Rule 35.01 Live Fish Trade Permit Requirements

Newspaper Name Arkansas Democrat Gazette

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.01 ~~Fish Farmer Permit Requirements~~ Live Fish Trade Permit Requirements

It is unlawful for fish farmers, distributors, wholesalers, pond consultants, aquaponics/hydroponics producers, or independent live haulers to possess, propagate or ~~sell~~ offer for sale farm reared (egg to harvest) aquaculture species or fertilized eggs without a ~~current Fish Farmer Permit~~ an appropriate valid permit. Permits are non-transferrable and are required to be renewed annually. See Addendum J1.01 for Approved commercial Aquaculture Species and Addendum I1.00 for Aquatic Animal Health Requirements.

A. Resident Fish Farmer Permit- Resident who possesses, propagates, and raises farm-reared approved aquaculture species/eggs on an approved fish farm in Arkansas. With this permit a resident fish farmer may also sell, distribute, hold and/or transport farm-reared approved aquaculture species/eggs within and into the state from approved fish farm sources and provide pond and aquaponics/hydroponics consulting.

B. Non-resident Fish Farm Permit- Non-resident who possesses, propagates, and raises farm-reared approved aquaculture species/eggs on an approved fish farm in a location outside the state of Arkansas. With this permit a non-resident fish farmer may also sell, distribute, hold and/or transport farm-reared approved aquaculture species/eggs within and into the state from approved fish farm sources and provide pond and aquaponics/hydroponics consulting.

C. Resident Fish Dealer/Independent Hauler- Resident, who sells, distributes, holds, and/or transports farm-reared approved aquaculture species/eggs within and into the state from AGFC approved fish farm sources and provide pond and aquaponics/hydroponics consulting, includes resident pond consultants.

D. Non-resident Fish Dealer/Independent Hauler- Non-resident who sells, distributes, and/or transports farm reared approved aquaculture species/eggs within and into the state from AGFC approved fish farm sources and provide pond and aquaponics/hydroponics consulting , includes non-resident pond consultants.

E. Research/Educational/Exhibition/Government Fish Culture Facility Permit- Any research, educational, public aquaria, or state and federally owned aquaculture facilities that possess and/or propagate fish for research, exhibition, or public stocking purposes and provide pond and aquaponics/hydroponics consulting . This permit does not allow the holder to sell live species in commercial trade, however, accredited zoos may sell species to other accredited zoos.

Exceptions:

1. Retail Bait Dealer (Bait Shop) must comply with Code 32.02 regarding permitting and licensing requirements.
2. Commercial fishermen must comply with Code 30.01 regarding permitting and licensing requirements.
3. Licensed fishing guides are not required to purchase a fish dealer's permit when providing baitfish during the act of guiding.
4. No AGFC issued permit is required for shipments of live fish or fertilized eggs passing through the state with no loading or unloading within the state; however

restrictions do apply and all shipments of live fish/ fertilized eggs must comply with Codes 35.03, 35.11, and 35.12.

5. Marine and tropical aquatic fish commonly distributed in the aquarium trade may be sold without special permits, as long as they are held only in closed systems and not otherwise prohibited.

6. All other aquatic wildlife species traded commercially must comply with AGFC Code of Regulations, including captive wildlife.

7. Common shipping carrier services (ex. Fed-Ex, UPS, USPS, etc.) are not required to obtain a hauler permit.

PENALTY: Class 1 and shipments found in violation will be escorted back to the in-state originating source or to the state line for non-resident sources and not allowed to re-enter state until in compliance.

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Name of Rule 35.02 Fish Farmer Sales Records Requirements

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.02 Fish Farmer Sales Records Requirements

It is unlawful for fish farmers, fish dealers, and independent live haulers to fail to maintain legible records, including those required by Code 35.03 indicating all importations, sales and shipments, and to reveal records to an enforcement officer for inspection upon request. Records must be retained for a minimum of 3 years.

PENALTY: Class 1

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Name of Rule 35.03 Fish Farmer Bill of Lading and Paperwork Requirements

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.03 Fish Farmer Bill of Lading and Paperwork Requirements

It is unlawful ~~for fish farmers to fail to furnish a bill of lading or bill of sale as specified below to~~ transport live aquatic species or fertilized eggs into or through the State of Arkansas without meeting the paperwork requirements:

- A. A bill of sale (invoice) ~~or true bill of lading~~ must be immediately supplied to each purchaser of ~~fish~~ aquaculture species. The bill of sale must indicate the species, number and/or weight of ~~fish~~ species/eggs sold, name of the purchaser, and name and permit number of the fish farmer, fish dealer, or independent live hauler making transaction and accompany shipment to final destination.
- B. ~~The name and address of the consignor and consignee must be indicated on a true bill of lading for fish shipped or transported in intrastate and interstate commerce.~~ A true bill of lading indicating the species, number and/or weight of species/eggs sold, source of each species/eggs, final destination of each species/eggs, name and address of each purchaser, and name, address, and permit number of the fish farmer, fish dealer, or independent live hauler making transaction and accompany shipment to final destination during intrastate and interstate commerce.
- C. ~~The original Fish Farmer Permit number must be indicated on each and every bill of sale, invoice, or bill of lading covering each fish transaction.~~ Valid health certificates need to accompany all live fish shipments including eggs when a health certificate is required (AGFC Codes 35.11 and 35.12, Addendum I1.00). Health certification requirements for all other aquatic wildlife species must comply with Code 9.00 and Addendum F1.00.

PENALTY: Class 1 and shipments found in violation will be escorted back to the in-state originating source or to the state line for non-resident sources and not allowed to re-enter state until in compliance.

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Name of Rule 35.04 Fish Farmer Tackle Requirements

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.04 Fish Farmer Tackle Requirements

It is unlawful for fish farmers to use or transport illegal commercial tackle without first complying with Codes **35.01**, **35.02**, and **35.03**.

PENALTY: Class 1

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Name of Rule 35.05 Bullfrog Permit

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.05 Bullfrog Permit

Resident fish farmers are allowed to depredate Ranidae species impacting production of their farm without additional permits providing the species is not otherwise protected. Resident fish farmers are allowed to harvest and offer for sale Bull Frogs from their permitted facility with a valid Bull Frog Permit in compliance with Code 29.00.

PENALTY: Class 1

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Name of Rule 35.05 RESERVED

Newspaper Name Arkansas Democrat Gazette

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.05 ~~Transportation or Sale of White Crappie Prohibited~~ RESERVED

~~It is unlawful for fish farmers to transport, sell, or deliver white crappie in excess of 6 inches in length.~~

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Name of Rule 35.07 Fishing in Fish Farm Culture Units Prohibited

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Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.07 Fishing in ~~Caged Fish Confinements~~ Fish Farm Culture Units Prohibited

It is unlawful to fish or otherwise disturb aquaculture species contained in fish ~~confinements~~ ~~culture units~~ for production or rearing of aquaculture species ~~without written permission from fish farm owner/manager~~.

Exception:

1. Permitted fish farmers, fish farm staff, fish health specialist, or veterinarian may disturb and utilize fishing and alternative methods for obtaining samples for animal health/ diagnostic purposes, size and weight evaluations, or sampling for off-flavor testing in commercial aquaculture facilities.

PENALTY: Class 1

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Name of Rule 35.09 Possession, Rearing, Propagation or Sale of Conditional and Unlisted Aquaculture Species Prohibited

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.09 Possession, Rearing, Propagation or Sale of **Restricted Conditional** and Unlisted Aquaculture Species **by Fish Farmers** Prohibited

It is unlawful for fish farmers, fish dealers, or independent live haulers to possess, rear, propagate, transport, or sell aquaculture species/eggs not listed on the Approved Aquaculture Aquatic Species List (Addendum J1.00) without a **Restricted Conditional** Species Possession Permit or an Unlisted Aquaculture Species Possession Permit from the Arkansas Game and Fish Commission Chief of Fisheries. Only permitted residential fish farmers, state and federal culture facilities, and research/ educational/ public aquaria facilities are allowed to propagate conditional and unlisted species with appropriate permits. See Addendum J1.01 for species, permitting process, and reporting requirements; Addendum I1.00 and Addendum V1.00 for aquaculture species health requirements.

EXCEPTIONS:

1. The sale of native crayfish ~~and turtle species~~ that naturally colonize in ~~culture~~ aquaculture facilities is allowed if not otherwise prohibited – **must list as species on permit.**
2. Marine and tropical aquatic ~~wildlife~~ fish commonly distributed in the aquarium trade may be sold without special permit, as long as they are held only in closed ~~aquarium~~ systems and not otherwise prohibited. **Any live release of these species is unlawful.**
3. ~~The rearing and sale of turtles as allowed under Chapter 34.00~~ Fish Farmer permittees may depredate or relocate aquatic turtles impacting commercial fish production from their facility without additional permit; however, for the harvest and sale of aquatic turtles from their aquaculture facilities they must possess a valid Aquatic Turtle Harvest Permit or Aquatic Turtle Dealer Permit in compliance with Code 34.00.
4. Accidental inclusion of 5% or less (by number) of aquatic species native to Arkansas from an otherwise legal shipment of live aquaculture organisms will be exempt from prosecution provided the included species are not otherwise prohibited.

PENALTY: Class 2

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Name of Rule 35.11 Viral Hemorrhagic Septicemia Virus Fish Importation Regulation

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.11 Viral Hemorrhagic Septicemia Virus (VHSV) Fish Importation Regulation

It is unlawful to import, transport, or otherwise receive into Arkansas live fish or fertilized eggs from any Viral Hemorrhagic Septicemia Virus (VHSV)-positive state without a valid Fish Farm Health Inspection Permit issued by the Commission and in compliance with the provisions of the permit ~~and the requirements in Addendum 14.0411.00~~ and the following requirements:

- A. Any person shipping live fish or fish eggs into Arkansas from VHSV-positive states must obtain the Fish Farm Health Inspection Permit and a copy of the permit must accompany all shipments into the state, even if the fish are transported by a third party.
- B. Any person hauling live fish through Arkansas from VHSV-positive states is prohibited from discharging water from fish-hauling tanks in Arkansas.
- C. All shipments of live fish or eggs coming into Arkansas must be accompanied by ~~an invoice or bill of lading that clearly describes the origin(s) of all fish and/or eggs in the shipment~~ appropriate permits Code 35.01 and paperwork requirements Code 35.03.

PENALTY: Class 3

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Name of Rule 35.12 Aquatic Animal Health Certification Requirement for Importation

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

35.12 ~~Permit Required To Possess Silver Carp, Bighead Carp, Diploid Black Carp Or European Rudd~~ Aquatic Animal Health Certification Requirement for Importation

~~It is unlawful to possess live silver carp, bighead carp, diploid black carp, or European rudd without a current Restricted Species Possession Permit.~~ It is unlawful to import, transport, or otherwise receive into Arkansas live fish or fertilized eggs from any source outside of Arkansas without a valid Fish Health Disease Free certification. Screening and confirmatory test must be conducted as described in the inspection section of the most recent edition of "American Fisheries Society – Fish Health Section Blue Book," the most recent edition of the World Organization for Animal Health "Manual of Diagnostic Tests for Aquatic Animals", conducted according to approved protocols in a laboratory listed by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service approved to test for aquatic animal pathogens, or in a USDA NAHLN laboratory by an official NAHLN protocol. See Addendum I1.00 for specific requirements.

Exceptions:

1. Channel Catfish (*Ictalurus punctatus*), Blue Catfish (*Ictalurus furcatus*) and Hybrid Catfish (*Ictalurus furcatus*) X Channel Catfish (*Ictalurus punctatus*) for commercial foodfish production may be imported by permitted Resident fish farmers from permitted Non-resident fish farms located in the state of Mississippi in the area West of Interstate Hwy 55 and North of Interstate Hwy 20 without a health certificate provided they remain on the receiving facility except to go directly to a terminal processing facility. Exclusions for these species do not apply for fish destined for recreational or other stocking purposes.
2. Federally listed threatened or endangered species or species of greatest conservation concern may utilize a sentinel species from the same genus or located in the same water source to meet health certification requirements.
3. A Certificate of Veterinary Inspection will be accepted in lieu of health certifications for educational display purposes (eg. zoos, public aquaria, museums, etc.) where specimens remain permanently in captivity in a closed aquarium system.

PENALTY: Class 4-3

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Name of Rule 35.13 Importation of Wild Caught Live Fish

Newspaper Name Arkansas Democrat Gazette

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35.13 Importation of Wild Caught Live Fish

It is unlawful to import or otherwise receive into Arkansas live wild caught fish species from any source outside of Arkansas.

Exceptions:

1. Importation of live wild caught federally listed threatened or endangered and species of greatest concern will be allowed for bona fide research and/or conservation purposes.
2. Importation of live wild caught specimens designated for educational display purposes (eg. zoos, public aquaria, museums, etc.) will be allowed where specimens remain in captivity permanently in a closed aquarium system.

Penalty: Class 3

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Name of Rule 37.10 Boat Drain Plug Removal Requirement

Newspaper Name Arkansas Democrat Gazette

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Final Date for Public Comment Oct. 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

37.10 BOAT DRAIN PLUG REMOVAL REQUIREMENT

All aquatic vessel drain plug(s), including, but not limited to, bilges, livewells, baitwells and ballast tanks, must be removed before and during trailering of vessel to and from waterbody access facilities.

EXCEPTIONS:

- A. Fishing tournament officials may submit a request to AGFC Fisheries Division for written permission to allow for the transport of fish to an offsite weigh station. All participants must be given a copy of the permit.
- B. Transportation of baitfish is allowed in compliance with Code 26.27.

PENALTY: Class 1

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Name of Rule 37.12 Boat Motor Restriction for Lake Atalanta

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Final Date for Public Comment Oct. 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

37.12 BOAT MOTOR RESTRICTION FOR LAKE ATALANTA

It is unlawful to operate any boat motor other than an electric motor on Lake Atalanta.

PENALTY: Class 1

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Name of Rule D1.01 Licenses, Permits, Stamps, Tags, Costs and Expiration Dates

Newspaper Name Arkansas Democrat Gazette

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D1.01 – Licenses, Permits, Stamps, Tags, Costs, and Expiration Dates

SPORT FISHING:

NAME	CODE	COST	EXP. DATE
Alligator Gar Fishing Permit	AGP	Free	Dec. 31
Resident Fisheries Conservation License	FSH	\$10.50	**
Resident 3-Day Trip License	RT3	\$6.50	*
Resident Disabled Fishing 3-Yr License	RDF	\$10.50	+
Resident Disabled Combination 3-Yr License	RDC	\$35.50	+
Non-Resident Annual Fishing License	NRF	\$50	**
Non-Resident 7-Day Trip Fishing License	NT7	\$25	*
Non-Resident 3-Day Trip Fishing License	NT3	\$16	*
Arkansas Trout Permit	TPR	\$10	**
Non-Resident Trout Permit	TPN	\$20	**
White River Border Lakes License	WRL	\$10	**
Resident Guide License/Fishing	GLF	\$25	**
Non-Resident Guide License/Fishing	GNF	\$150	**
Resident 65 Plus Annual Fishing License	PAF	\$3.50	**

SPECIAL AND COMMERCIAL FISHING:

NAME	CODE	COST	EXP. DATE
Hoop Nets (with or w/o leads), Turtle Nets	HN	\$4	Dec. 31
Slat Traps and Fiddler Nets	FS	\$12.50	Dec. 31
Commercial Trotlines (inc. snaglines, throw-lines, limb lines, set hooks) per 100 ft.	TL	\$5	Dec. 31
Box Traps Turtle Trap	TT	\$2	Dec. 31
Commercial Tackle (Seine, Trammel and Gill Nets) 100 yds. or fractional part thereof per tag	SNS	\$15	Dec. 31

NAME	CODE	COST	EXP. DATE
<u>Resident</u> Commercial Fishing <u>erman's</u> Permit and <u>Resident Fisheries Conservation</u> <u>Sportfishing</u> License	CFS	\$25	Dec. 31
<u>Resident</u> Commercial Fishing <u>erman's</u> Helper's Permit	CFH	\$25	Dec. 31
Junior/Senior Commercial Fishing Permit	JSC	\$14.50	Dec. 31
Alligator Farmer/Dealer Permit	AFP	\$200	June 30
Alligator Tags		\$4	June 30
Alligator Snapping Turtle Breeder/Dealer Permit	AST	\$100	June 30
Aquatic Turtle Harvest Permit	THP	\$100	Dec. 31
Aquatic Turtle Harvest Helper Permit	TH	\$50	Dec. 31
Junior Aquatic Turtle Harvest Permit	JTH	\$25	Dec. 31
Aquatic Turtle Dealer Permit	TDR	\$250	Dec. 31
Non-Resident Aquatic Turtle Dealer Permit	TDN	\$500	Dec. 31
Aquatic Turtle Farmer Permit	TBP	\$100	Dec. 31
Resident Shell Taker and Seller	STS	\$100	Dec. 31
Shell Taker Helper Permit	SH	\$100	Dec. 31
Shell Buyer	SBR	\$1,000	Dec. 31
Non-Resident Shell Buyer	SBN	\$2,000	Dec. 31
Shell Buyer's Agent Permit	SA	\$100	Dec. 31
Resident Retail Bait Fish Dealer	MD	\$10	Dec. 31
Non-Resident Fish Dealer	FDN	\$250	Dec. 31
Minnow Dealer Tackle (Minnow, Seine, Traps or Lifts)	MS	\$5	Dec. 31
Fish Farm Health Inspection Permit	VHS	\$200	+++
Resident Fish Farmer (Aquaculturist) Permit	RFF	\$25	Dec.31 ++
Non-Resident Fish Farm (Aquaculturist) Permit	NFF	\$100	Dec. 31
Resident Fish Dealer/Independent Hauler Permit	DHR	\$25	Dec. 31
Non-Resident Fish Dealer/Independent Hauler Permit	DHN	\$100	Dec. 31

NAME	CODE	COST	EXP. DATE
Research/Educational/Exhibition/State and Federal Culture Facility Permit	AQU	FREE	Dec. 31
Bull Frog Permit (Must have valid Fish Farmer Permit)	BP	\$25	Dec. 31
Resident Roe Taker/Seller Permit	RTS	\$500	Dec. 31
Resident Roe Taker/Helper Permit	RH	\$100	Dec. 31
Resident Roe Buyer/Exporter Permit	RBE	\$1,000	Dec. 31
Non-Resident Roe Buyer Permit	RBN	\$2,000	Dec. 31
Commercial Facility Operator's Permit	BDN	\$25	Dec. 31
Private Boat House/Irrigation (Single)	BHS	\$30	Dec. 31
Private Pier/Irrigation	DPS	\$30	Dec. 31
Irrigation Permit	IP	\$30	Dec. 31
Put and Take Pay Lake	PLO	\$150	Dec. 31
Venomous Reptile Possession Permit	VRP	\$75	June 30
Scientific Collection Permit	SCP	Free	*****
Conservation Education Permit	CEP	Free	June 30

*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 renewal.~~

+++Permit is annual permit issued in ~~26~~ (2) six-month intervals.

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

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Contact Phone 501-223-6327 Legal Division

Name of Rule 11.00 Aquatic Animal Health Requirements

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

~~11.01 Viral Hemorrhagic Septicemia Virus Fish Importation Requirements~~ **11.00 Aquatic Animal Health Requirements**

For purposes of these requirements, the following definitions shall apply to all sections of the addendum:

Appropriate Fish Sample– ~~150 fish representing all fish lots and culture units present on a farm or facility. The ratio of fish lots on the farm or facility should be reflected in the composition of the sample. The sample should not be collected from tanks or raceways used for short-term storage of fish produced in other culture units.~~ A number of fish, as described below, must include any fish with lesions or behavioral anomalies.

Facility inspection sample number based on an assumed pathogen prevalence level (APPL). Facility inspections must be conducted at the 2% APPL level.

<u>Population Size (Number of fish)</u>	<u>Number of Fish Required for Sample at 2% APPL</u>
50	50
100	75
250	110
500	130
2000	145
>100,000	150

Facility Inspection: An inspection that looks at an entire facility and establishes that the facility is free from specific diseases. Critical parts of a facility inspection program are 1) that the farm must have biosecurity to prevent the introduction of diseases between inspections, and 2) that any fish introduced onto the farm meet the Commission's inspection requirements and are free of regulated pathogens. Facility level inspections are the preferred testing method and the model set by international standards (OIE).

Facility inspection requirements: Fish Farms with over >100,000 fish on the farm must submit 150 fish representing all fish species and culture units present on a farm or facility. The ratio of fish species on the farm or facility should be reflected in the composition of the sample. The sample should not be collected from tanks or raceways used for short-term storage of fish produced in other culture units. Biosecurity must be in place and maintained to prevent a change in health status during period from sample collection to harvesting and moving of the fish. Sample must be collected during appropriate season by qualified independent party. Facility inspections must be conducted at least once annually, twice annually for VHSV positive areas.

Lot Inspection: An inspection of a single lot of fish (fish that are of the same age, same species, same brood stock, same farm, and water from the same source). Lot inspections establish only the disease status of a specific group of fish on a particular day. They are not as effective as facility inspections and are good only for as long as the disease status of the lot is protected by biosecurity measures.

Lot inspection requirements: – 60 fish per lot of fish of the same age, same species, same brood stock, same farm, and same water source; must not be co-mingled with other fish populations between sample collection and fish shipment. Biosecurity must be

in place and maintained to prevent a change in health status during period from sample collection to harvesting and moving of the fish. Sample must be collected during appropriate season by qualified independent party. Testing should be conducted as close as possible to anticipated fish movement. Facilities holding federally-listed threatened or endangered species may utilize a sentinel species from the same genus or a closely related species held in the same water source for a minimum of 30 days prior to sample collection to meet fish health requirements for state and federal culture facilities, research and educational facilities.

Appropriate Season— The first day of ~~spring~~ March until the first day of ~~summer~~ June Solstice, and the first day of ~~fall~~ September until the first day of ~~winter~~ December Solstice.

Appropriate Testing Methods— ~~Cell culture followed by an appropriate confirmatory test. The protocol must be as described in the inspection section of the most recent edition of “American Fisheries Society—Fish Health Section Blue Book,” or must be conducted according to approved protocols in a laboratory listed by the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service approved to test for VHSV.~~ Screening and confirmatory test must be conducted as described in the inspection section of the most recent edition of “American Fisheries Society – Fish Health Section Blue Book,” the most recent edition of the World Organization for Animal Health “Manual of Diagnostic Tests for Aquatic Animals”, conducted according to approved protocols in a laboratory listed by the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service approved to test for aquatic animal pathogens, or in a USDA NAHLN laboratory by an official NAHLN protocol.

Biosecurity required—

For farms relying on facility inspections—

New animals must either be of an equivalent health certification status or greater than current health certification status of the current farm population, or they must be maintained in a biosecure quarantine that protects the main farm from infectious disease introduction. Disinfected eggs from quarantined animals may be moved out of quarantine and the fry moved onto the main farm. Farms may only use water supplies for which Commission deems there is no evidence that regulated pathogens are present, or must disinfect the water prior to its introduction onto the farm proper.

For farms relying on lot inspections—

A lot of fish (same age, same species, same water source, same broodstock, same farm) must not be co-mingled with other fish on the farm between sample collection and fish shipments. Between sampling and shipping, the fish must be maintained in water supplies for which there is no evidence that regulation pathogens are present, or must disinfect the water prior to its introduction into the quarantine area.

Certificate of veterinary inspection (CVI)- an official document issued by a federal, state, tribal, or accredited veterinarian certifying that the fish identified on the document have been inspected and were found to satisfy the regulations pertaining to their intended movement – within the same state, between states, or internationally. Void 30 days after issuance.

Certificate of Veterinary usage - A CVI documenting no clinical signs of disease and infection will be accepted for health certification for educational display purposes (eg. zoos, public aquaria, museums) where individual specimens remain in captivity in a closed system throughout their life.

Culture Units– Ponds, raceways, cages or other containments used to rear fish.

Farm-raised– Fish that spend their entire life (egg to sale) on a farm or commercial facility.

~~**Lot**– A group of fish of the same age, from the same broodfish, and that live on a single farm or facility in water from the same source.~~

Qualified Independent Party– A veterinarian, a fish health inspector certified by the Fish Health Section of the American Fisheries Society, or an employee of a state agency recognized as a competent authority for fish health and assigned by that agency to collect fish inspection samples and verify biosecurity.

Qualified Testing Laboratory– Any state, federal, or private laboratory recognized by the AGFC as competent to conduct fish inspections.

Pathogens of Concern (list subject to change as new pathogens of concern emerge):

Fish Pathogens: (Required for fish species)

- Epizootic hematopoietic necrosis (EHN)
 - Infectious hematopoietic necrosis (IHN)**
 - *Orcorhynchus masou* virus disease**
 - Spring viremia of carp
 - Viral hemorrhagic septicemia virus (VHSV)
 - Infectious pancreatic necrosis (IPN)
 - Bacterial kidney disease (*Renibacterium salmoninarum*)**
 - Piscirickettsiosis (*Piscirickettsia salmonis*)**
 - Whirling disease (*Myxobolus cerebralis*)**
- ** **not** required for warm water species

Mollusk Pathogens: (Required for mollusk species)

- *Bonamia exitiosus*
- *Bonamia ostreae*
- *Marteilia refringens*
- *Marteilia sydneyi*
- *Marteilia chungmuensis*
- *Mikrocytos roughleyi*
- *Perkinsus olseni/ atlanticus*
- *Candidatus Xenohaliotis californiensis*
- *Haplosporidium nelsoni*

- *Haplosporidium costale*
- *Pekinsus marinus*
- QPX

Crustaceans Pathogens: (Required for crustacean species, see Addendum J1.01 for shrimp species)

- Taura syndrome virus
- Yellowhead disease
- Spherical baculovirus (*Penaeus monodon*-type)
- Infectious hypodermal and hematopoietic necrosis
- White spot disease
- Tetrahedral baculovirus (*Baculovirus penaei*)
- Crayfish plague (*Aphanomyces astaci*)
- Necrotizing hepatopancreas diseases (HPD)

VHSV-free Water Source– Water from a well, borehole or spring (the spring must be covered and free of fish), or **disinfected water source** which does not contain VHSV.

VHSV-positive State– Any state in the U.S. or any Canadian province listed by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service as positive for viral hemorrhagic septicemia virus (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, Wisconsin, Ontario and Quebec).

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Proposed Rule Cover Sheet



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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Name of Rule 11.01 Viral Hemorrhagic Septicemia Virus Fish Importation Requirements – Areas Deemed Positive for VHSV

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

11.01 Viral Hemorrhagic Septicemia Virus Fish Importation Requirements – Areas Deemed Positive for VHSV

Requirements:

- A. A Fish Farm Health Inspection Permit ~~may~~ **will only** be issued to persons **holding a valid fish farmer, fish dealer, or independent hauler permit** who submit on forms supplied by the Commission satisfactory documentary proof including the following information:
1. Proof an appropriate fish sample has been collected by a qualified independent party during the appropriate season and submitted to a fish health inspection laboratory for analysis; **and**
 2. Inspection reports from a qualified testing laboratory asserting the sample tested negative for VHSV by appropriate testing methods, and
 3. Written documentation from a qualified independent party asserting the fish are farm-raised, the farm or facility uses a VHSV-free water source, and fish or eggs to be shipped to Arkansas have not been mixed with, or potentially contaminated by, fish or water not meeting standards specified for a Fish Farm Health Inspection Permit. To be eligible for a Fish Farm Health Inspection Permit, a farm or facility must provide written documentation from a qualified independent party verifying the farm or facility has a biosecurity plan sufficient to prevent contamination of permit-eligible fish by ineligible fish or by water not from a VHSV-free source, and the farm or facility follows the biosecurity plan without exception. The fish health inspection report must be no more than 60 days old from the date of reported test results at time of application for Fish Farm Health Inspection Permit from Commission.
- B. ~~An annual~~ **The Fish Farm Health Inspection Permit is an annual non-transferrable permit** issued in ~~2~~ **6** ~~six-month~~ intervals in compliance with Addendum D1.01. The first interval is January 1 - June 30, and the second interval is July 1 – December 31. The second interval of the permit will be issued only after new semi-annual testing results are submitted to the Commission. Annual renewal may be granted based upon submission to the Commission of new documents as described above that include new semi-annual testing results. Failure to conduct a semi-annual inspection will result in a 1-year suspension of the Fish Farm Health Inspection Permit.
- C. **EXCEPTIONS:** A Fish Farm Health Inspection Permit shall not be required for import of live fish from a VHSV-positive state if:
1. The fish are moving to a state-inspected slaughter facility meeting the following criteria:
 - a. The slaughter facility must discharge wastewater into a municipal sewage system that includes wastewater disinfection;
 - b. The slaughter facility must either render or compost offal, including carcasses.
 2. The fish are moving to a qualified diagnostic facility for disease testing.
 3. ~~The fish are ornamentals~~ **Marine or tropical aquarium trade fish species and that** meet the following criteria:
 - a. The fish are moving directly to a home aquarium;

- b. The fish are moving to wholesale or retail distributors of ~~ornamental~~ **marine and tropical aquarium** fish and will be **permanently confined held** in a **closed system** (aquaria, tanks, or lined pools).

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Name of Rule 11.02 Fish Health Requirements for Importation Outside of VHSV Positive Areas

Newspaper Name Arkansas Democrat Gazette

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

Addendum I1.02 Fish Health Requirements for Importation Outside of VHSV Positive Areas

Nonresident fish farm permit requestors must submit the most recent health certificate for the facility and the previous three years' worth of health certificates (if available) with their first Nonresident Fish Farm application form if available. Annual renewal application of nonresident fish farm permit must include all new health certificates obtained since issuance of last permit. If selling fish obtained from sources outside of the permitted farm, health certificates from those facilities must be submitted for review prior to importation into the state and a copy must accompany shipment to the final destination. A copy of fish health certificates must accompany shipment with Bill of Lading. Importation of wild caught species is prohibited in accordance with AGFC code 35.13.

Resident and Nonresident Fish Dealers (including Pond Consultants)/Independent Haulers are required to purchase approved species from Commission permitted sources (Code 35.01) with required fish health certificate for stocking purposes within the state of Arkansas. The most recent fish health certificates for sources must be submitted with application/ renewal at time they are submitted. If fish are obtained from a new source, their health certificate must be submitted to AGFC for review prior to the importation of the fish. A copy of fish health certificates must accompany shipment with Bill of Lading and Invoice. Importation of wild caught species is prohibited in accordance with AGFC code 35.13.

- A. A Nonresident Fish Farm and Fish Dealer Permits will only be issued to persons who submit on forms supplied by the Commission satisfactory documentary proof including the following information:
 - 1. Proof an appropriate fish sample has been collected by a qualified independent party during the appropriate season and submitted to qualified fish health inspection laboratory for analysis from the facility and any outside sources the facility utilizes as fish sources;
 - 2. Inspection reports from a qualified testing laboratory asserting the sample tested negative for listed pathogens by appropriate testing methods, and
 - 3. Written documentation from a qualified independent party asserting the fish are farm-raised, the farm or facility uses a VHSV-free water source, and fish or fertilized eggs to be shipped to Arkansas have not been mixed with, or potentially contaminated by, fish or water from known sources of regulated pathogens.
 - 4. A completed application for appropriate permit in compliance with Code 35.01 and Addendum J1.00.

- A. Failure to submit required aquatic animal health documentation in a timely manner will result in a 1-year suspension of eligibility to obtain permit.

- B. **EXCEPTIONS:** Aquatic animal health certificates shall not be required for the importation of live fish or crayfish if:
 - 1. The species are moving to a state-inspected slaughter facility meeting the following criteria:

- a. The slaughter facility must discharge wastewater into a municipal sewage system that includes wastewater disinfection; and
 - b. The slaughter facility must either render or compost offal, including carcasses.
2. Species moving to a qualified diagnostic facility for disease testing.
3. Channel catfish (*Ictalurus punctatus*), Blue catfish (*Ictalurus furcatus*), and Hybrid Catfish (*Ictalurus furcatus* X *Ictalurus punctatus*) imported for commercial foodfish production by Resident fish farms from a permitted Non-resident fish farmers located in the state of Mississippi in the area West of Interstate Highway 55 and North of Interstate Highway 20 provided they remain on the receiving facility except for transfer directly to a state-inspected slaughter facility. These exclusions do not apply for fish destined for recreational or other stocking purposes. Receiving facilities that include these fish as part of their farm level or lot inspection are allowed to offer for sale approved species for stocking purposes.
4. Crayfish imported for immediate human consumption.
5. Marine or tropical aquarium fish species that meet the following criteria:
 - a. The fish are moving directly to a home aquarium; and
 - b. The fish are moving to wholesale or retail distributors of marine and tropical fish and will be permanently confined in a closed system (aquaria, tanks, or pools).

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Name of Rule J1.00 Approved Aquatic Species List

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Addendum J1.00 Approved ~~Aquaculture~~ Aquatic Species List

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Name of Rule J1.01 Approved Commercial Aquaculture Species List

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J1.01 Approved Commercial Aquaculture Species List

The intent of this list is to delineate species that pose minimal threat to Arkansas' aquatic biota. These farm reared species may be freely imported into the state once appropriate permits and health certificate requirements have been met, and traded within the state, for commercial aquaculture purposes. ~~This does not approve the release of any species into the public waters of the state.~~ All imported species must comply with health certification requirements (AGFC Codes 35.11, 35.12, and Addendum I1.00)

*Denotes non-native species

Class Crustacea

Family Cambaridae

Procambarus acutus (White River crayfish)

Procambarus clarkii (Red Swamp crayfish)

~~Family Palaemonidae~~

~~**Macrobrachium rosenbergii* (Malaysian prawn) — certified disease free (certification must be posted onsite)~~

Class Osteichthyes

Family Polyodontidae

Polyodon spathula (Paddlefish)

Family Lepisosteidae

Lepisosteus oculatus (Spotted gar)

Lepisosteus osseus (Longnose gar)

Lepisosteus platostomus (Shortnose gar)

Family Amiidae

Amia calva (Bowfin)

Family Anguillidae

Anguilla rostrata (American eel)

Family Clupeidae

Alosa chrysochloris (Skipjack herring)

Dorosoma cepedianum (Gizzard shad)

Dorosoma petenense (Threadfin shad)

Family Salmonidae

- * ~~*Oncorhynchus clarki* (Cutthroat trout)~~
- * ~~*Oncorhynchus mykiss* (Rainbow trout)~~
- * ~~*Salmo trutta* (Brown trout)~~
- * ~~*Salvelinus fontinalis* (Brook trout)~~
- * ~~*Salvelinus namaycush* (Lake trout)~~

Family Esocidae

- Esox americanus* (Grass pickerel)
- Esox niger* (Chain pickerel)

Family Cyprinidae

- * *Carassius auratus* (Goldfish, including ornamentals)
- * *Ctenopharyngodon idella* (Grass carp) - USFWS CERTIFIED TRIPLOIDS ONLY
- * ~~*Mylopharyngodon piceus* (Black carp)~~
- Cyprinella venusta* (Blacktail shiner)
- * *Cyprinus carpio* (Common carp, including koi) – Koi must be obtained from a permitted source and species spawned and reared only in the United States.
- Hybognathus nuchalis* (Mississippi silvery minnow)
- Luxilus chrysocephalus* (Striped shiner)
- Lythrurus umbratilis* (Redfin shiner)
- Notemigonus crysoleucas* (Golden shiner)
- Notropis atherinoides* (Emerald shiner)
- Notropis boops* (Bigeye shiner)
- Notropis buchanani* (Ghost shiner)
- Notropis volucellus* (Mimic shiner)
- Opsopoeodus emiliae* (Pugnose minnow)
- Pimephales notatus* (Bluntnose minnow)
- Pimephales promelas* (Fathead minnow)
- Pimephales vigilax* (Bullhead minnow)
- Semotilus atromaculatus* (Creek chub)

Family Catostomidae

- Erimyzon oblongus* (Creek chubsucker)
- Erimyzon sucetta* (Lake chubsucker)
- Hypentelium nigricans* (Northern hogsucker)
- Ictiobus bubalus* (Smallmouth buffalo)
- Ictiobus cyprinellus* (Bigmouth buffalo)
- Ictiobus niger* (Black buffalo)
- Minytrema melanops* (Spotted sucker)
- Moxostoma erythrurum* (Golden redhorse)
- Catostomus commersoni* (White sucker)

Family Ictaluridae

Ictalurus furcatus (Blue catfish)
Ameiurus melas (Black bullhead)
Ameiurus natalis (Yellow bullhead)
Ameiurus nebulosus (Brown bullhead)
Ictalurus punctatus (Channel catfish)
Noturus gyrinus (Tadpole madtom)
Noturus nocturnus (Freckled madtom)
Pylodictis olivaris (Flathead catfish)

Family Aphredoderidae

Aphredoderus sayanus (Pirate perch)

Family Cyprinodontidae

Fundulus notatus (Blackstripe topminnow)
Fundulus olivaceus (Blackspotted topminnow)

Family Poeciliidae

Gambusia affinis (Mosquitofish)

Family Atherinidae

Labidesthes sicculus (Brook silverside)

Family ~~Percichthyidae~~ Moronidae

Morone chrysops (White bass)
Morone mississippiensis (Yellow bass)
* *Morone saxatilis* (Striped bass)

Family Centrarchidae

Centrarchus macropterus (Flier)
Lepomis cyanellus (Green sunfish)
Lepomis gulosus (Warmouth)
Lepomis humilis (Orangespotted sunfish)
Lepomis macrochirus (Bluegill)
Lepomis marginatus (Dollar sunfish)
Lepomis megalotis (Longear sunfish)
Lepomis microlophus (Redear sunfish)
Lepomis punctatus miniatus (Red Spotted sunfish)
Micropterus dolomieu (Smallmouth bass)
Micropterus punctulatus (Spotted bass)
Micropterus salmoides (Largemouth bass)
Pomoxis annularis (White crappie) —less than 6 inches
Pomoxis nigromaculatus (Black crappie)
Elassoma zonatum (Banded pygmy sunfish)

Family Percidae

Percina caprodes (Logperch)

~~*Stizostedion canadense*~~ *Sander canadensis* (Sauger)

~~*Stizostedion vitreum*~~ *Sander vitreus* (Walleye)

Family Sciaenidae

Aplodinotus grunniens (Freshwater drum)

Family Cichlidae – Species must be obtained from a permitted source and species spawned and reared only in the United States.

* *Oreochromis aureus* (Blue tilapia)

* *Oreochromis mossambicus* (Mozambique tilapia)

* *Oreochromis niloticus* (Nile tilapia)

Class Amphibia

Family Ranidae

~~*Rana catesbeiana*~~ (Bullfrog)

~~*Rana sphenoccephala*~~ (Southern leopard frog)

Class Bivalvia

Family Unionidae

~~*Pygandon*~~ *Pyganodon grandis* (Giant Floater)

~~* Denotes nonnative species~~

VHS Fish Farm Health Inspection Permit:

It shall be unlawful for any person to import, transport or otherwise receive into the state of Arkansas live fish and/or fertilized eggs from any VHSV-positive state (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, Wisconsin, and Ontario and Quebec) without first obtaining **appropriate permit (Code 35.01) in addition to** a valid Fish Farm Health Inspection Permit issued by the Arkansas Game and Fish Commission and complying with the provisions of said permit. All persons wishing to ship live fish or fish eggs into Arkansas from VHSV-positive states must first obtain the Fish Farm Health Inspection Permit and a copy of the permit must accompany all shipments into the state, even if the fish are transported by a third party. Furthermore, any person hauling live fish through Arkansas from VHS-positive states are prohibited from discharging water from fish-hauling tanks while within the state. All shipments of live fish or eggs coming into Arkansas must be accompanied by an invoice, ~~or~~ bill of lading, **and appropriate health certificates that clearly describes the origin(s) of all fish and/or eggs in the shipment in compliance with Code 35.03.** Additionally, the fish health inspection report must be no more than 60 days old from date of reported test results at time of application for Fish Farm Health Inspection Permit from Commission.

A Fish Farm Health Inspection Permit shall be an annual permit that is issued in 2 ~~6~~ six-month intervals (refer to Addendum D1.01). The first interval will cover the period of January 1 -June 30, and the second interval will cover the period of July 1 -December 31. The second interval of the permit will be issued only after new semi-annual testing results are submitted to the Commission. For additional information, please refer to Addendum D1.01, I1.01, and Code 35.11.

Health Certificates:

See Addendum I1.00 for fish health requirements for all live fish and/or fertilized eggs being imported into the state of Arkansas. Required documented must be submitted to the Commission and reviewed prior to importation.

Hybrids:

It is our intent that production ~~or~~ and offer for sale of any hybrid fish species is permissible if both parent species are included on the Approved Commercial Aquaculture Species List.

Wild Crayfish:

The harvest and sale of native Arkansas crayfish species that naturally colonize aquaculture ponds and are cultured incidental to production of other aquaculture species is allowed.

Wild Turtles:

Depredation or relocation of aquatic turtles naturally colonizing in aquaculture ponds and impacting fish production is allowed on aquaculture facilities possessing a valid Resident Fish Farmer Permit, unless the turtle species is otherwise protected. The harvest and sale of native Arkansas aquatic turtle species that naturally colonize aquaculture ponds and are cultured incidental to production of other aquaculture species is allowed with an Aquatic Turtle Harvest Permit or Aquatic Turtle Dealer Permit, unless the species is otherwise protected ~~by other codes~~. See Code Chapter 34.00.

Aquarium Species:

It is not the intent of this policy to constrain aquarium trade. Marine and tropical ~~aquatic species~~ fish commonly distributed in the aquarium trade may be sold without special permit, as long as they are held only in closed systems (aquaria, tanks, or pools) and are not otherwise prohibited ~~by other codes (e.g. Code 26.13)~~. These species cannot be released into waters in Arkansas.

Aquaponics/ Hydroponics:

It is not the intent of this policy to constrain aquaponics/ hydroponic production. If live fish and/or fertilized fish eggs are being possessed, propagated, offered for sale, ~~sold~~ or conditional species are being utilized in the system at minimum a fish farm permit is required. Any approved species imported for aquaponics/hydroponics must comply with all requirements set forth in AGFC Code 35.00, Addendums I1.00, J1.00, and V1.00; including health certificate, invoice, and bill of lading requirements.

Restricted Species Conditional Species:

~~Some species are well established in Arkansas aquaculture but under criticism at regional and/or national levels. While we do not currently restrict the trade in these species, persons possessing or desiring to possess these species are required to apply to AGFC for a Restricted Species Possession Permit. This permit will detail the location of their facilities, measures taken to eliminate the possibility of escape, and the numbers and species to be held (these numbers are best estimates and will only be updated when permit is renewed for the next year). The~~

~~permitted culture of any restricted aquaculture species shall be conducted in a responsible manner that minimizes the possibility of escape. Permitted aquaculturists are required to construct a barrier that prevents escape of juvenile and adult fishes from culture ponds. Pond drainpipes should be double screened prior to any pond drainage with at least one screen being of a mesh size small enough to prevent the passage of any permitted fish present in the pond. These and any other measures listed on the application to eliminate the possibility of escape will be considered the “best management practices” that the applicant agrees to implement. AGFC will maintain records of the number and location of these species in the state, and determine if sufficient precautions are taken to prevent escape into the waters of the state. AGFC will review applications based on the best information available to evaluate the potential for escape. If this potential is acceptably low, AGFC will grant a no-cost special holding permit for these species, renewable annually. In the event that restricted aquatic organisms are released or escape from a permitted facility into waters of the state, the permittee shall notify the AGFC immediately. The permittee shall not be responsible for unforeseen occurrences such as floods, lightning or sabotage. Facilities with ponds prone to flooding shall limit culture of Restricted Species to areas least likely to become inundated. Holders of Restricted Species Possession Permits are expected to assure that buyers of these species in Arkansas also have an approved permit. Failure to comply with permit terms or inability to show adequate measures of escape prevention may result in permit denial or revocation.~~

~~The species covered by these permits include the following:~~

~~Family Cyprinidae~~

~~*Hypophthalmichthys molitrix* (Silver carp)
Hypophthalmichthys nobilis (Bighead carp)
Diploid Mylopharyngodon piceus (Black carp)
Scardinius erythrophthalmus (European rudd)~~

~~***NOTE*** The species listed below are listed as injurious species~~

~~*Hypophthalmichthys molitrix* (Silver carp)
Hypophthalmichthys nobilis (Bighead carp)
Mylopharyngodon piceus (Black carp)~~

~~The injurious wildlife listing means that under the Lacey Act it is illegal to import or to transport live silver, bighead, or black carp, including viable eggs or hybrids of the species, across state lines, except by permit for zoological, education, medical, or scientific purposes.~~

~~EXAMPLE 1: A producer maintains diploid black carp to produce triploid black carp for sale to catfish farmers to control snails in their ponds. The individual has previously applied for a Restricted Species Possession Permit for diploid black carp, documenting sufficient measures to prevent escape and been issued a no-cost permit. The individual may sell triploid black carp to his customers and may sell diploid black carp to other black carp producers after ensuring that they also have Restricted Species Possession Permits to possess diploid black carp.~~

~~EXAMPLE 2: A food fish producer purchases bighead carp, holds them in raceways for a few days, then ships them to an out-of-state fish market. The individual has previously applied for a Restricted Species Possession Permit for bighead carp, easily documenting sufficient measures to prevent escape (held in raceways with blocked egress) and been issued a no-cost permit.~~

~~The individual is then able to purchase the fish, hold them, and ship them to other markets (assuming it is in compliance with regulations of the destination state).~~

Conditional species are species that are permitted for specific purposes provided the additional terms set forth by AGFC Fisheries Division and biosecurity measures are met. Individuals possessing or desiring to possess these species are required to apply for a Conditional Species Possession Permit in addition to the appropriate permit in AGFC Code 35.01. The permit application will detail the location of the facilities, biosecurity measures taken to prevent the possibility of escapement, and the numbers and species to be held (these numbers are best estimates of broodfish and expected production for upcoming year). Some species may be limited to specific types of permit holders based on species evaluation. The permitted culture of any conditional aquaculture species shall be conducted in a responsible manner that minimizes the possibility of escapement and adheres to any additional requirements set forth by the AGFC. Permitted individuals are required to construct a barrier that prevents escapement of juvenile and adult life stages of these species from culture units. Drainpipes from holding and culture units where these species are held must be screened at all times when water is being released from the culture unit with a screen of adequate mesh size to prevent the passage of any permitted species present. Double screening is required during water release for units with bighead carp and black carp species. These and any additional measures listed on the application to eliminate the possibility of escapement will be considered as part of the best management practices that the applicant agrees to implement for their facility. AGFC will maintain records of the number and location of these species in the state. AGFC will review initial applications and inspect facilities to evaluate the potential for escapement; facilities will be randomly re-inspected once in a three year period of time to ensure escapement measures are still meeting the requirements at the facility. Permittee will be notified a minimum of 5 days in advance of an inspection and an employee of the farm is requested to accompany the AGFC personnel during the inspection. This permit must be renewed annually and is non-transferrable. In the event that conditional aquatic species are released or escape from a permitted facility, the permittee shall notify the AGFC immediately. The permittee shall **not** be responsible for unforeseen occurrences such as floods, lightning or sabotage. Holders of Conditional Species Possession Permits are expected to assure that buyers of these species in Arkansas also have appropriate permits. Conditional species permit holders are required to submit an annual report on a form provided to the permit holder by the AGFC with the permit renewal request, indicating the number of each conditional species produced (farmers), or sold (dealers) in the state of Arkansas. Failure to comply with the terms of the permit may result in permit denial or revocation.

The species covered by these permits include:

Family Palaemonidae

**Macrobrachium rosenbergii* (Malaysian prawn) – certified disease-free (certification must be posted onsite). This species must meet the same disease certification requirements as members of Family Penaeidae.

Family Penaeidae

**Litopenaeus vannamei* (Pacific White Shrimp) – specific pathogen-free (certification must be posted onsite)

Requirements for culture of marine shrimp species: *Litopenaeus vannamei* in Arkansas

1. All culture must be in an indoor closed recirculating system- with **NO** discharge. This will provide biosecurity protection against pathogens, predators, and undesirable species from entering or exiting the facility. Predators are an issue in shrimp culture in two ways, first they impact production by feeding on shrimp and secondly they also serve as vectors for transmitting pathogens to and from the farm. An indoor facility will eliminate the impact of predators on production.

a. Floor drains- If needed, must have appropriate sized mesh/screens to prevent any escapement by any sized cultured organism since they are noted to be incredible jumpers. Triple screening is recommended. Discharge from floor drains must enter into the containment tank that can be chlorinated and dechlorinated prior to release into an approved municipal sewer system whose effluent is treated within the system. These measures will also serve as a biosecurity measure preventing any live organisms from exiting the biosecure culture facility or any live wild organism from entering into the biosecure facility. Pathogens have the ability to move both directions, in or out of a facility. The desired goal is to prevent pathogen impact on the resources of the state and on the cultured species as well.

b. Catastrophic failure- In the event of a catastrophic failure/event the floor drain containment tank must be large enough to accommodate the water volume of at least 1.5 times the volume of the largest individual tank in use within the operation to prevent any escapement of organisms or pathogens into the wild. For example, if the largest individual tank in use within the operation is 1000 gallons, the catastrophic containment tank must hold a minimum of 1500 gallons of water. The containment tank must be chlorinated and dechlorinated prior to discharge. Any possible escapement must be reported immediately to Arkansas Game and Fish Commission Fisheries Division. This species is classified as a non-native species that does have adaptive capabilities as described in the Invasive Species Compendium for *Litopenaeus vannamei*. Establishment in wild is unlikely, but all escapements must be documented.

2. All solids are to be placed in sealed containers and are for permitted landfill disposal only.

3. Water sources must be municipal or well water source. This will serve as a biosecurity measure to prevent any outside pathogen or organisms from entering the biosecure facility through the water source and impacting the cultured species. No connection to above ground freshwater source will be permitted.

4. All live shrimp must be placed in ice water prior to leaving the facility or processed prior to leaving the facility.

5. Facilities permitted for the culture of *L. vannamei* culture will not be approved for simultaneous culture of any other crustacean species. This is standard practice in shrimp farming operations. Many species can be difficult to distinguish from one another and it also increasing the possibility of transference of a pathogen from one species to another.

6. All post-larval shrimp, nauplii, or brood imported into Arkansas must be obtained from a **Domestic** US Marine Shrimp Farming Program Specific Pathogen Free (SPF) or Specific Pathogen Resistant (SPR) certified disease free culture facility (No wild caught shrimp permitted: brood, post-larvae, or nauplii). All shrimp imported must be from a SPF or SPR certified facility with at least two consecutive years of disease free certification for all crustacean pathogens listed with the US Marine Shrimp Farming Program and OIE. All testing must be conducted by approved shrimp disease testing facilities. For facilities propagating *L. vannamei* routine disease testing must be conducted. Copies of disease certification must be submitted to Arkansas Game and Fish Commission and posted on-site.

USMSFP List of Pathogens & Diseases for SPF Penaeid Shrimp

<u>Pathogen Type</u>	<u>Pathogen</u>	<u>Pathogen Group</u>	<u>Category^A</u>
<u>VIRUS</u>	*TSV	dicistrovirus	C-1
	*WSSV	nimavirus (n.f.)	C-1
	*YHV/GAV/LOV	ronivirus (n.f.)	C-1,2
	**IHHNV	parvovirus	C-2
	**BP	occluded baculovirus	C-2
	**MBV	occluded baculovirus	C-2
	**BMN	unclassified nonoccluded BV	C-2
	HPV	parvovirus	C-1, 2
	IMN	totivirus	C-1, 2
<u>PROCARYOTE</u>	NHP	alpha proteobacteria	C-2
<u>PROTOZOA</u>	Microsporidians	microsporidia	C-2
	Haplosporidians	haplosporidia	C-2
	Gregarines	apicomplexia	C-3

^A C-1 pathogens defined as excludable pathogens that can potentially cause catastrophic losses in one or more American penaeid species; C-2 pathogens cause economically significant disease

and are excluded from breeding centers, hatcheries, and some types of farms.

*Listed by Office of International Epizootics as a “Notifiable Disease” as of May 1999

**Listed by Office of International Epizootics with “Other Significant Diseases” as of May 1999

OIE Crustacean diseases

- Acute hepatopancreatic necrosis disease
- Crayfish plague (*Aphanomyces astaci*)
- Yellowhead virus
- Infectious hypodermal and haematopoietic necrosis
- Infectious myonecrosis
- Necrotising hepatopancreatitis
- Taura syndrome
- White spot disease
- White tail disease

7. Propagation of species. Propagation of the species will be permitted with the requirement the Aquaculturist develop and implement a health management plan that includes conducting at a minimum annual routine disease inspection through an approved shrimp disease testing laboratory. The Aquaculturist will be responsible for submitting copies of disease inspection reports to Arkansas Game and Fish Commission and having current disease inspection certificate(s) posted on-site. Additionally the Aquaculturist must notify Arkansas Game and Fish Commission Fisheries Division and the State of Arkansas Veterinarian immediately should an above listed pathogen be detected.

8. Discharge from facility- Should a facility need to be drained in an emergency situation ADEQ needs to provide additional information on discharge limits, site location, and any permits required regarding EPA guidelines.

9. Facility must develop a biosecurity plan, hazard analysis critical control point (HACCP) plan, and a catastrophic failure management plan to have on file as part of Best Management Practices.

Family Salmonidae

- * *Oncorhynchus clarki* (Cutthroat trout)
- * *Oncorhynchus mykiss* (Rainbow trout)
- * *Salmo trutta* (Brown trout)
- * *Salvelinus fontinalis* (Brook trout)

Specific requirements regarding importation or stocking salmonid species are located in AGFC Code 27.00 and Addendum V1.00. Health certificates are required for all salmonid species. All sellers of these species are responsible for ensuring buyers have obtained appropriate permits prior to importation and/or stocking.

Family Cyprinidae

Hypophthalmichthys nobilis (Bighead carp)- Resident Fish Farm Permit holders that held a valid conditional species permit for this species by January 31st, 2021 may continue to obtain an annual conditional species permit for this species for the duration to which they are the owner of the fish farm and continue to meet the terms of the permit. Permits are non-transferrable. Stocking in Arkansas restricted to only on approved fish farms and research/educational facilities meeting terms and requirements of conditional species. Species may be transported by permittee or independent hauler with appropriate permits if required. This regulation does not prohibit the movement of bighead carp to a legally licensed facility in another state.

* Diploid *Mylopharyngodon piceus* (Black carp) – Stocking in Arkansas restricted to only on approved fish farms and research/educational facilities meeting terms and requirements of conditional species. Species may be transported by permittee or independent hauler with appropriate permits if required. This regulation does not prohibit the movement of diploid black carp to a legally licensed facility in another state.

* *Mylopharyngodon piceus* (Black carp) – Triploids – Stocking in Arkansas restricted to only on approved fish farms and research/educational facilities meeting terms and requirements of conditional species. Species may be transported by permittee or independent hauler with appropriate permits if required. This regulation does not prohibit the movement of triploid black carp to a legally licensed facility in another state.

* *Ctenopharyngodon idella* (Grass carp) – Diploids – Stocking in Arkansas restricted to only on approved fish farms and research/educational facilities meeting terms and requirements of conditional species. Species may be transported by permittee or independent hauler with appropriate permits if required. This regulation does not prohibit the movement of diploid grass carp to a legally licensed facility in another state.

*****NOTE*** The species listed below are listed as injurious species by the USFWS**

Hypophthalmichthys nobilis (Bighead carp)

Hypophthalmichthys molitrix (Silver carp)

Mylopharyngodon piceus (Black carp)

The injurious wildlife listing means that under the Lacey Act it is illegal to import into the United States live silver, bighead, or black carp, including viable eggs or hybrids of the species, except by permit for zoological, education, medical, or scientific purposes.

Prohibited Species:

It is unlawful to import for commercial aquaculture any specimen or hybrid from species commonly known as:

- Alewife *Alosa pseudoharengus*
- Blueback herring *Alosa aestivalis*
- Eurasian ruffe *Gymnocephalus cernua*
- Mexican banded tetra *Astyanax aeneus*
- Orfe *Leuciscus idus*
- Piranha Family *Serrasalminidae*
- Roach fish *Rutilus rutilus*
- Round Goby *Neogobius melanostomus*
- Rudd *Scardinius erthroptalmus*
- Snakehead Family *Channidae*
- Stickleback fish Family *Gasteroseidae*
- Walking catfish *Clarias bacrachus*

- Chinese mitten crab *Ericher sinensis*
- Everglades crayfish *Procambarus alleni*
- Redclaw crayfish Family *Cherax*
- Rusty crayfish *Orconectes rusticus*
- Smooth Marron *Cherax cainii*
- Yabby *Cherax destructor*

- Big-Ear radix *Radix auricularia*
- Channeled apple snail *Pomacea canaliculata*
- Chinese mystery snail *Cipangopaludina chinensis*
- Ghost Ramshorn snail *Biomphalaria havanensis*
- New Zealand mud snail *Potamopyrgus antipodarum*
- Quagga mussel *Dreissena bugensis*
- Quilted melania *Tarebia granifera*
- Red-rim melania *Melanooides tuberculata*
- Zebra mussel *Dreissena polymorpha*

Turtles:

The turtle species listed below are native to Arkansas and may be cultured by those who obtain a Commercial Turtle Dealer/Breeder Permit from the Commission and report production by species (Commission Chapter 34.00).

Family Chelydridae

Chelydra serpentina (Common snapping turtle)

Family Emydidae

Chrysemys picta dorsalis (Southern painted turtle)

Graptemys geographica (Common map turtle)

Graptemys ouachitensis (Ouachita map turtle)

Graptemys pseudogeographica kohnii (Mississippi map turtle)

Pseudemys concinna (River cooter)
Trachemys scripta elegans (Red-eared slider)

Family Kinosternidae

Kinosternon subrubrum hippocrepis (Mississippi mud turtle)
Sternotherus carinatus (Razorback musk turtle)
Sternotherus oderatus (Common musk turtle)

Family Trionychidae

Apalone spinifera (Spiny softshell)
Trionyx muticus muticus (Midland smooth softshell)

Other Species Covered Under Separate Permits:

The following species are governed by separate code and have their own permit requirements. This policy does not seek to add any further permitting requirements for these species.

Family Alligatoridae

Alligator mississippiensis (American alligator)—Federal Permit required

Family Chelydridae

Macrolemys temminckii (Alligator snapping turtle)—AST Farmer/Dealer Permit required

Permits to Culture Unlisted Species:

Requests to import, **posses, propagate,** and culture species not listed in this policy will be **scientifically** evaluated on a case-by-case basis. The burden of proof will rest with the applicant to provide justification as to the need to import and culture the species, justify why currently approved species listed in this policy will not fill the need, and provide information that the requested species will have no significant ecological impact on native species or the resources of the state. ~~show measures are in place to prevent the possibility of escape will have no significant ecological impact (i.e. species cannot survive in waters of Arkansas due to temperature, salinity, or other environmental factor).~~ The permitted culture of any unlisted aquaculture species shall be conducted in a responsible manner that excludes the possibility of **escape** escapement from holding and culture **ponds** units and adheres to the terms set forth in the permit by AGFC. Permitted **aquaculturists** individuals are required to construct a barrier that prevents escape of juvenile and adult **fish** species from culture facilities, and meets all biosecurity, containment, and health certification requirements set forth by AGFC Fisheries Division scientific review of the requested species. ~~The applicant will also need to provide justification as to the need to import the species into the state and why species listed in this policy will not fill the need.~~ In the event that unlisted aquatic organisms are released or escape from a permitted facility ~~into waters of the state~~, the permittee shall notify the AGFC immediately. Additional screening for aquatic animal health pathogens may be required for unlisted species due to country of origin, water source, or specific pathogens of concern and will be considered on a case by case basis.

~~EXAMPLE 1: A producer in southern Arkansas wishes to raise yellow perch. This species is not native to Arkansas and has begun to show up in reservoirs in the north part of the state. Since~~

~~the habitat in the producer's area is hostile to yellow perch (water chemistry and summer temperatures), AGFC issues an Unlisted Aquaculture Species Permit.~~

~~EXAMPLE 2: A producer wants to grow Australian redclaw crayfish. This species is not native to Arkansas (or the U.S.) but is found in comparable latitudes in Australia. The producer's plans are to raise them inside in heated raceways and have no discharge. This is found to eliminate the chance of escape and AGFC issues an Unlisted Aquaculture Species Permit.~~

Permit Processing Procedures:

Permit Renewal:

~~Restricted Conditional~~ Species Possession Permits and Unlisted Aquaculture Species Permits will be issued on an annual basis to correspond with expiration dates of Fish Farmer, **Fish Dealer, and Independent Hauler** Permits. The Arkansas Game and Fish Commission is responsible for providing renewal notices to permit holders 6 weeks in advance of permit expiration date. Existing permits will remain in effect past listed expiration date if a renewal application is ~~pending~~ submitted by January 31st of the renewal year and processing is pending with AGFC.

Permit Review:

~~Restricted Conditional~~ Species Possession Permits and Unlisted Aquaculture Species Permits are granted at the approval of the AGFC **Chief of Fisheries**. The AGFC may solicit input as needed in the **scientific** review of individual **species and** applications.

Modification of Lists:

Any individual may petition AGFC **Chief of Fisheries** to add or remove species on the *Approved Commercial Aquaculture Species List* or the *Restricted Conditional Aquaculture Species List*. The petition must provide thorough documentation of why a species should or should not be included on a list. Petitions should address the biological threat of the species, including native range, habitats utilized, movement patterns, spawning requirements, reproductive rate, food habits, **pathogens of concern**, and temperature and water-quality limitations. They should include documentation of any introductions or escapes outside the species' native range. ~~They should also and~~ evaluate the potential impacts to native species through predation, competition, disease transmission, and displacement. Petitions should include copies of all pertinent reference material.

Petitions to add or remove species on the *Approved Aquaculture Species List* or the *Restricted Conditional Aquaculture Species List* will be responded to by the **chief** Chief of **fisheries** Fisheries after thorough scientific review of the species and a consultation with an advisory board representing appropriate AGFC staff. ~~consultation with an advisory board representing: Arkansas state aquaculture coordinator, Stuttgart National Aquaculture Research Center, Aquaculture/Fisheries Center at UAPB, U.S. Fish and Wildlife Service, Arkansas Natural Heritage Commission, and Arkansas Game and Fish Commission staff.~~

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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John Thurston
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Little Rock, Arkansas 72201-1094
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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-223-6327 Legal Division

Name of Rule J1.02 Approved Species for Commercial Culture of Aquatic Turtles and Alligators

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

J1.02 Approved Species for Commercial Culture of Aquatic Turtles and Alligators.

Turtles:

The aquatic turtle species listed below are native to Arkansas and may be cultured by those who obtain a Commercial Aquatic Turtle Dealer Permit from the Commission (Code 34.00).

Family Chelydridae

Chelydra serpentina (Common snapping turtle)

Family Emydidae

Chrysemys dorsalis (Southern painted turtle)

Graptemys geographica (Common map turtle)

Graptemys ouachitensis (Ouachita map turtle)

Graptemys kohnii (Mississippi map turtle)

Pseudemys concinna (River cooter)

Trachemys scripta (Redeared slider)

Family Kinosternidae

Kinosternon subrubrum (Mississippi mud turtle)

Sternotherus oderatus (Common musk turtle)

Family Trionychidae

Apolone spinifera (Spiny softshell)

Apolone mutica (Midland smooth softshell)

Other Species Covered Under Separate Permits:

The following species are governed by separate code and have their own permit requirements.

Family Alligatoridae

Alligator mississippiensis (American alligator) – Alligator Farmer Permit required (Code 33.00)

Family Chelydridae

Macrochelys temminckii (Alligator snapping turtle) – AST Farmer/Dealer Permit required (Code 34.00)

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-223-6327 Legal Division

Name of Rule J1.03 Approved Stocking Species List for Privately Owned Lakes and Ponds

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

J1.03 Approved Stocking Species List for Privately Owned Lakes and Ponds

Private landowners may purchase the approved farm-raised species listed below from AGFC permitted sources (Resident/Non-Resident Fish Farmer, Resident/Non-Resident Fish Dealer/ Independent Hauler) for stocking without a permit from AGFC (Code 26.12). No importation of live wild caught fish species for stocking allowed. All imported fish species must meet health certificate requirements set forth by state and federal regulations (See Addendum I1.00). A true bill of lading, invoice, and health certificate (if required) must accompany every shipment of live fish entering or being transported through the State of Arkansas (See Codes 35.03, 35.11, and 35.12).

Class Crustacea

Family Cambaridae

Procambarus acutus (White River crayfish)

Procambarus clarkii (Red Swamp crayfish)

Class Osteichthyes

Family Centrarchidae

Lepomis cyanellus (Green sunfish)

Lepomis macrochirus (Bluegill)

Lepomis microlophus (Redear sunfish)

Micropterus salmoides (Largemouth bass)

Pomoxis annularis (White crappie)

Pomoxis nigromaculatus (Black crappie)

Family Cichlidae- Species must be obtained from a permitted source and species spawned and reared only in the United States.

* *Oreochromis aureus* (Blue tilapia)

* *Oreochromis mossambicus* (Mozambique tilapia)

* *Oreochromis niloticus* (Nile tilapia)

Family Clupeidae

Dorosoma petenense (Threadfin shad)

Dorosoma cepedianum (Gizzard shad)

Family Cyprinidae

* *Carassius auratus* (Goldfish, including ornamentals)

* *Ctenopharyngodon idella* (Grass carp) – USFWS Certified Triploids Only

* *Cyprinus carpio* (**Koi only**- must be obtained from a permitted source and species spawned and reared only in the United States.)

Notemigonus crysoleucas (Golden shiner)

Pimephales promelas (Fathead minnow)

Family Ictaluridae

Ictalurus furcatus (Blue catfish)

Ictalurus punctatus (Channel catfish)

Family Moronidae

Morone chrysops X *Morone saxatilis* (Hybrid Striped bass)

Hybrids:

It is our intent that stocking of any hybrid fish species is permissible if both parent species are included on the Approved Stocking Species List for Privately owned Lakes and Ponds, with the exception of Hybrid Catfish (*Ictalurus furcatus* X *Ictalurus punctatus*).

Salmonid species:

Requires a valid Trout Importation/ Stocking permit and must meet all requirements set forth in AGFC Code 27.07, AGFC Code Chapter 35.00, Addendums I1.00, J1.00, and V1.00.

VHS Fish Farm Health Inspection Permit:

It shall be unlawful for any person to import, transport or otherwise receive into the state of Arkansas live fish and/or fertilized eggs from any VHSV-positive state (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, Wisconsin, and Ontario and Quebec) without first obtaining appropriate permit (Code 35.01) in addition to a valid Fish Farm Health Inspection Permit issued by the Arkansas Game and Fish Commission and complying with the provisions of said permit. All persons wishing to ship live fish or fish eggs into Arkansas from VHSV-positive states must first obtain the Fish Farm Health Inspection Permit and a copy of the permit must accompany all shipments into the state, even if the fish are transported by a third party. Furthermore, any person hauling live fish through Arkansas from VHS-positive states are prohibited from discharging water from fish-hauling tanks while within the state. All shipments of live fish or eggs coming into Arkansas must be accompanied by an invoice, bill of lading, and appropriate health certificates in compliance with Code 35.03. Additionally, the fish health inspection report must be no more than 60 days old from date of reported test results at time of application for Fish Farm Health Inspection Permit from Commission.

Permission to Import, Rear, or Stock Unlisted Species:

Requests to import, possess, and stock species not listed in this policy will be scientifically evaluated on a case-by-case basis. The burden of proof will rest with the applicant to provide justification as to the need to import and stock the species, justify why currently approved species listed in this policy will not fill the need, and provide information that the requested species will have no significant ecological impact on native species or resources of the state. The stocking of any unlisted aquaculture species shall be conducted in a responsible manner that excludes the possibility of escapement from holding and culture units. Permit holders are required to construct a barrier that prevents escapement of juvenile and adult species from their location and meet all biosecurity, containment, and health certificate requirements set forth by AGFC Fisheries Division scientific review of the species. Additional biosecurity and containment requirements may be required as part of the terms of the permit based on scientific review of the

species. In the event that unlisted aquatic organisms are released or escape from the stocked location, the permittee shall notify the AGFC immediately. Additional screening for aquatic animal health pathogens maybe required for unlisted species due to country of origin, water source, or specific pathogens of concern and will be considered on a case by case basis.

Prohibited Species:

It is unlawful to import for private lake or pond stocking any specimen or hybrid from species commonly known as:

- Alewife *Alosa pseudoharengus*
- Blueback herring *Alosa aestivalis*
- Eurasian ruffe *Gymnocephalus cernua*
- Mexican banded tetra *Astyanax aeneus*
- Orfe *Leuciscus idus*
- Piranha Family *Serrasalminidae*
- Roach fish *Rutilus rutilus*
- Round Goby *Neogobius melanostromus*
- Rudd *Scardinius erthrothalmus*
- Snakehead Family *Channidae*
- Stickleback fish Family *Gasteroseidae*
- Walking catfish *Clarias bacrachus*
- Yellow perch *Perca flavescens*

- Chinese mitten crab *Ericher sinensis*
- Everglades crayfish *Procambarus alleni*
- Redclaw crayfish Family *Cherax*
- Rusty crayfish *Orconectes rusticus*
- Smooth Marron *Cherax cainii*
- Yabby *Cherax destructor*

- Big-Ear radix *Radix auricularia*
- Channeled apple snail *Pomacea canaliculata*
- Chinese mystery snail *Cipangopaludina chinensis*
- Ghost Ramshorn snail *Biomphalaria havanensis*
- New Zealand mud snail *Potamopyrgus antipodarum*
- Quagga mussel *Dreissena bugensis*
- Quilted melania *Tarebia granifera*
- Red-rim melania *Melanoides tuberculata*
- Zebra mussel *Dreissena polymorpha*

Modification of Lists:

Any individual may petition AGFC to add or remove species on the *Approved Stocking Species List for Privately Owned Lakes and Ponds*. The petition must provide thorough documentation of why a species should or should not be included on a list. Petitions should address the biological threat of the species, including native range, habitats utilized, movement patterns, spawning requirements, reproductive rate, food habits, and temperature, pathogens of concern, and

water-quality limitations. They should include documentation of any introductions or escapes outside the species' native range and evaluate the potential impacts to native species through predation, competition, disease transmission, and displacement. Petitions should include copies of all pertinent reference material.

Petitions to add or remove species on the *Approved Stocking Species List for Privately Owned Lakes and Ponds* will be responded to by the Chief of Fisheries after thorough scientific review of the species and a consultation with an advisory board representing Arkansas Game and Fish Commission staff.

4 ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

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Contact Phone 501-223-6327 Legal Division

Name of Rule N1.01 Game Fish Daily Limits

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13, 14, 15, 2020

Final Date for Public Comment Oct. 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

N1.01 GAME FISH DAILY LIMITS

Species	Statewide Daily Limit
Alligator Gar	1 Under 36 Inches 1 Over 36 Inches Annually with Tag
Black Basses	10 (including no more than 4 Smallmouth)
Bream (over 4 inches length)	50
Catfish (except Bullhead)	10
Crappie	30
Rock Bass	10
Muskellunge	6
Paddlefish	2
Pickereel	6
Sauger	6
Saugeye	6
Shovelnose Sturgeon	No Limit
Striped Bass or Hybrid (Combination)	6
Trout	5 (including no more than 2 Brown, 2 Cutthroat, 2 Brook)
Walleye	6
White Bass	25

EXCEPTIONS:

A. The following bodies of water are restricted as follows:

1. **Horseshoe Bend Pool** (Strawberry River in IZARD County) – 1/2 the daily limit for all sportfish.
2. **Lake Chicot** – 1/2 the Lake Chicot daily limit for all sportfish (except no limit on channel catfish) during lake drawdown (July 9 – December 31, 2019).
- ~~3. **Lake June** – all black bass, crappie, and bream must be released immediately.~~
3. **Lake Poinsett** – no daily limit for harvest of game fish.
4. **Mercer Bayou** (Sulphur River WMA) – no daily limit for harvest of game fish.
5. **Lake Monticello** – EXEMPT FROM ALL GAME FISH DAILY LIMITS.
 - i. Pursuant to Emergency Proclamation on July 29, 2019, and Emergency Minute Order adopted on August 22, 2019, there are no game fish daily limits for Lake Monticello during the draining of the lake. This emergency action shall remain in effect for a period of one-hundred twenty (120) days (from July 29, 2019 until November 26, 2019) and then shall terminate.

B. **BLACK BASS (LARGEMOUTH, SPOTTED, SMALLMOUTH):**

1. **Smallmouth bass:**
 - i. **Ozark Zone** (Baxter, Benton, Boone, Carroll, Clay, Cleburne, Fulton, Independence, IZARD, Lawrence, Madison, Marion, Newton, Randolph, Searcy, Sharp, Stone, Van Buren and Washington counties) – smallmouth bass minimum length limit of 12 inches with a daily limit of 4, except Bull Shoals, Beaver, Greers Ferry, Table Rock, and Norfolk lakes (see Ex. 1(B) below). Greers Ferry Lake – smallmouth bass minimum length limit of 12 inches, daily limit 6.

- ii. **Ozark Zone Blue Ribbon Streams** – Crooked Creek from Arkansas Highway 101 bridge downstream to the confluence with the White River; between the U.S. Highways 62-412 and U.S. Highway 62 Spur bridges at Pyatt – smallmouth bass minimum length limit 18 inches, daily limit of 1; Buffalo River from confluence with Clabber Creek downstream to the confluence with the White River – smallmouth bass minimum length limit 18 inches, daily limit of 1; all other water of Crooked Creek and Buffalo River – smallmouth bass minimum length limit of 14 inches, daily limit of 2.
 - iii. **Ozark Zone Catch-and-Release Area** – Crooked Creek, along boundary of Arkansas Game and Fish Foundation property near Kelley’s Slab Access.
 - iv. **Ozark Zone Quality Streams** – Kings River from Trigger Gap to U.S. Highway 62 bridge –smallmouth bass minimum length limit of 18 inches, daily limit of 1; all other water of the Kings, Illinois, Spring, South Fork of the Spring and Eleven Point rivers and War Eagle Creek – smallmouth bass minimum length limit of 14 inches, daily limit of 2.
 - v. **Ouachita/Boston Zone** (all Arkansas counties not included in the Ozark Zone) – smallmouth bass minimum length limit of 10 inches, daily limit of 4.
 - vi. **Ouachita/Boston Zone Quality Streams** – (Mulberry, Caddo above DeGray Lake, DeGray Lake, Cossatot River, Ouachita River upstream from Lake Ouachita, Ouachita River downstream from Rammel Dam, Saline River, including its 4 headwater forks in Saline, Perry and Garland counties, South Fork/Ouachita, Little Missouri above Lake Greeson) – smallmouth bass minimum length limit of 12 inches, daily limit of 2.
 - vii. **Ouachita/Boston Zone Catch-and-Release Area** – all smallmouth bass caught in ~~Lake Ouachita including the Ouachita River upstream to the River Bluff access and the South Fork of the Ouachita River upstream to Hovel Branch Lake Catherine~~ must be immediately returned to the **stream water**.
2. **Largemouth bass:**
- i. Lake Terre Noire, ~~Lake June~~ and Lake Sylvia – daily limit 5.
 - ii. Lake Millwood – daily limit 6.
 - iii. Mallard Lake – daily limit 1.
 - iv. Marion McCollum Lake, Lake Sylvia – Largemouth bass caught must be immediately returned to the water.
3. **3. Black Bass (all species combined):**
- i. Beaver, Bull Shoals, DeGray, ~~DeQueen~~, Norfolk, Table Rock lakes, Lake Jack Nolen, Ouachita, Ashbaugh – daily limit 6.
 - ii. Lake Lou Emma – daily limit 5
 - ~~iii. Lake Atkins – daily limit 4~~
 - iii. War Eagle Creek – daily limit 2

- iv. Lakes Ouachita, DeGray, and Greeson – in addition to the daily limit of black basses, 10 spotted bass may be taken.

C. BREAM: No limit on bream 4 inches or shorter.

D. CATFISH:

1. No limit on catfish on Grand Lake – Chicot County, Lake Chicot (including that portion of Connerly Bayou downstream from Connerly Dam to the bayou’s mouth and Ditch Bayou from the inlet on Lake Chicot to Ditch Bayou Dam) and between the main levees of the Mississippi River, from the confluence of the Mississippi/White rivers upstream to the Benzal Railroad Bridge, and from the confluence of the Mississippi/Arkansas rivers upstream to the Yancopin Railroad Bridge.
2. No limit on blue and channel catfish from Little River (below Millwood Dam) Red and Sulphur rivers.
3. No limit on channel catfish on Marion McCollum Lake Greenlee – Monroe County ~~, Lake Chicot (including that portion of Connerly Bayou downstream from Connerly Dam to the bayou’s mouth and Ditch Bayou from the inlet on Lake Chicot to Ditch Bayou Dam) and Lake Erling.~~
4. Catfish daily limit – 5 in DeWitt City Park Lake (Arkansas County); Lake Atalanta (Benton County); Hidden Lake (Carroll County); Big Timber Lake and Gurdon Lake (Clark County); Hubble Lake (Clay County); Lake Bailey (Conway County); Lake Cambadelle and Lake Lou Emma (Crawford County); Marion City Park Lake (Crittenden County); Village Creek State Park Lakes (Cross and St. Francis Counties); Lake Bennett (Faulkner County); Lake Clearfork (Garland County); Crowley Ridge State Park Lake and Reynolds Park Lake (Greene County); Newark City Lake (Independence County); Lake June (Lafayette County); Ward City Park Lake (Lonoke County); Hindsville Lake (Madison County); Blytheville City Park Lake (Mississippi County); Donald Branch Fishing Pond (Monroe County); Lake Sylvia (Perry County); Shady Lake (Polk County); Twin Lakes A and B, Camp Ferncliff (Pulaski County); Old Davidsonville State Park Lake (Randolph County); Forrest City Park Lake (St. Francis County); Truman Baker Lake (Scott County); Cave City’s Lakes (Sharp County); Gunner Pool and Hayden Bend Pond (Stone County); Devils Den State Park (Washington County); Spring Lake, Kingfisher, Clubhouse Lakes in Petit Jean WMA (Yell County) and posted USDA Forest Service ponds and lakes.
5. In addition to daily limit, 10 channel catfish ~~under 16 inches~~ may be taken on the Arkansas River.
6. In addition to daily limit, ~~10 channel catfish and~~ 10 blue catfish ~~any size~~ may be taken in Lake Erling.

E. CRAPPIE:

1. Crappie daily limit – 15 in Beaver, Table Rock, Bull Shoals, Norfolk reservoirs, Cane Creek Lake (Lincoln County) Gurdon Lake (Clark County) and Dr. Lester Sitzes III Bois d’Arc Lake.
2. Crappie daily limit – 50 between the main levees of the Mississippi River, from the confluence of the Mississippi/White rivers upstream to the Benzal Railroad

Bridge, from the confluence of the Mississippi/Arkansas rivers upstream to the Yancopin Railroad Bridge and on Horseshoe Lake (Crittenden County).

3. Crappie daily limit – 20 in Lake Chicot **and Blue Mountain Lake**.
4. No crappie daily limit on Lake Charles, **Lake Frierson and Lake Hogue**.

F. WALLEYE:

1. Beaver Lake and its tributaries; Table Rock Lake and its tributaries to Beaver Dam; Bull Shoals Lake, and Norfolk Lake – minimum length limit of 18 inches, daily limit 4.
- ~~2. Greers Ferry Lake and its tributaries – protected slot limit of 20-28 inches minimum length limit of 14 inches, daily limit of 6 (only 1 of which may be longer than 28 inches).~~
2. In compliance with Addendum N1.02 and Code Chapter 28.00.

G. WHITE BASS, STRIPED BASS, HYBRID STRIPED BASS:

1. **White bass:**
 - i. Between the main levees of the Mississippi river, from the confluence of the Mississippi and White rivers upstream to the Benzal Railroad Bridge, and from the confluence of the Mississippi and Arkansas rivers upstream to the Yancopin Railroad Bridge – daily limit of 50, possession limit of 100.
 - ii. Beaver Lake and its tributaries; **Bob Kidd Lake, Greers Ferry Lake and its tributaries, Lakes Ashbaugh, Sequoyah and Monticello** – no limit.
2. **Striped bass and hybrid striped bass (combined):**
 - i. Beaver, ~~Bull Shoals~~ and Norfolk ~~Lakes~~; Lake Ouachita – daily limit 3.
 - ii. Arkansas River and connecting lakes – daily limit 10.
 - iii. Lake Monticello – no limit.

H. ALLIGATOR GAR:

1. Alligator gar longer than 36 inches may not be harvested from noon May 1 – noon July 1 statewide.
- ~~2. Alligator Gar Permit is required to harvest alligator gar up to 36 inches.~~
2. Alligator Gar **Permit and Tag are is** required to harvest alligator gar over 36 inches (Code 26.28).

I. TROUT (BROOK, BROWN, CUTTHROAT, RAINBOW, TIGER):

1. **Brown trout:**
 - i. White River from Bull Shoals Dam to Arkansas Highway 58 Bridge (Bull Shoals Tailwater) and North Fork White River (Norfolk Tailwater) – minimum length 24 inches, daily limit 1; only 1 of trout daily limit may be longer than 14 inches.
 - ii. Spavinaw Creek (Benton County) west of Arkansas Highway 59 **and Spring River** – minimum length 16 inches, daily limit 2.
 - iii. **Spring River (from 100 yards below Dam No.1 at Mammoth Spring State Park to the mouth of Myatt Creek.)** – minimum length 14 inches, daily limit 1; only 1 of trout daily limit may be longer than 14 inches.

- iv. Little Red River from Greers Ferry Dam to Arkansas Highway 305 Bridge (Greers Ferry Tailwater) – daily limit of 5 (only 1 of trout daily limit may be longer than 16 inches).
- v. White River from Beaver Dam to boundary signs at Houseman Access (Beaver Tailwater) – protected slot limit of 13-16 inches, daily limit of 5 (only 1 of trout daily limit may be longer than 16 inches).
- vi. Little Missouri River from Narrows Dam to Arkansas Highway 27 Bridge (Narrows Tailwater) – all brown trout must be released immediately.

2. Cutthroat trout:

- i. White River from Bull Shoals Dam to Arkansas Highway 58 Bridge (Bull Shoals Tailwater) – minimum length 24 inches, daily limit of 1; only 1 of trout daily limit may be longer than 14 inches.
- ii. North Fork White River (Norfork Tailwater), Spavinaw Creek (Benton County) west of Arkansas Highway 59, ~~Spring River~~ – minimum length 16 inches, daily limit of 2.
- iii. Little Red River from Greers Ferry Dam to Arkansas Highway 305 Bridge (Greers Ferry Tailwater) – only 1 of trout daily limit may be longer than 16 inches.
- iv. White River from Beaver Dam to boundary signs at Houseman Access (Beaver Tailwater) – protected slot limit of 13-16 inches (only 1 of trout daily limit may be longer than 16 inches).

3. Brook trout:

- i. White River from Bull Shoals Dam to Arkansas Highway 58 Bridge (Bull Shoals Tailwater), North Fork White River (Norfork Tailwater) – minimum length 14 inches, daily limit of 1; only 1 of trout daily limit may be longer than 14 inches.
- ii. Spavinaw Creek (Benton County) west of Arkansas Highway 59, ~~Spring River~~ – minimum length 14 inches, daily limit 2.
- iii. Little Red River from Greers Ferry Dam to Arkansas Highway 305 Bridge (Greers Ferry Tailwater) – only 1 of trout daily limit may be longer than 16 inches.
- iv. White River from Beaver Dam to boundary signs at Houseman Access (Beaver Tailwater) – protected slot limit of 13-16 inches (only 1 of trout daily limit may be longer than 16 inches).

4. Rainbow trout:

- i. Lake Atalanta (Benton County) – daily limit of 5.
- ii. White River from Bull Shoals Dam to Arkansas Highway 58 Bridge (Bull Shoals Tailwater), North Fork White River (Norfork Tailwater), ~~Spring River~~ – daily limit of 5 (only 1 of trout daily limit may be longer than 14 inches).
- iii. Little Red River from Greers Ferry Dam to Arkansas Highway 305 Bridge (Greers Ferry Tailwater) – daily limit of 5 (only 1 of trout daily limit may be longer than 16 inches).

- iv. White River from Beaver Dam to boundary signs at Houseman Access (Beaver Tailwater) – protected slot limit of 13-16 inches, daily limit of 5 (only 1 of trout daily limit may be longer than 16 inches).
5. **Tiger trout**
- i. White River from Bull Shoals Dam to Arkansas Highway 58 Bridge (Bull Shoals Tailwater) and North Fork White River (Norfork Tailwater) – minimum length 24 inches, daily limit 1; only 1 of trout daily limit may be longer than 14 inches.

All fish measurements must follow procedures listed in the definition of "Length Limits" in Code 01.00-C.

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Proposed Rule Cover Sheet



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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

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Contact Phone 501-223-6327 Legal Division

Name of Rule N1.02 Length and Protected Length Limits on Certain Lakes and Rivers

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13, 14, 15, 2020

Final Date for Public Comment Oct. 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

N1.02 LENGTH AND PROTECTED LENGTH LIMITS ON CERTAIN LAKES AND RIVERS

A. BLACK BASS: It is unlawful to possess black bass as follows:

1. Largemouth bass less than 12 inches on Lake Frierson **and Greers Ferry Lake**.
2. Spotted bass (Kentucky bass) less than 12 inches on, Bull Shoals, Norfolk, and Table Rock lakes.
3. All black bass less than 12 inches in Horseshoe Bend Pool on the Strawberry River.
4. Largemouth less than 13 inches on Lake Ouachita.
5. Largemouth bass 13-16 inches on lakes Austell (Cross County), Barnett (White County), Brewer, Wilhelmina (Polk County), Bear Creek Lake, Bob Kidd, Lee Creek, and Sugar Loaf Lake.
6. Largemouth bass less than 13 inches on DeGray Lake and within the boundaries of Felsenthal NWR.
 - i. **EXCEPTION:** No restriction in Woodland Trail Pond – located at the Felsenthal NWR Headquarters on U.S. Highway 82 (Ashley County); Locust Ridge Pond – located at Locust Ridge on U.S. Highway 82 (Union County); Eagle Lake Pond – located north of Eagle Lake on Bradley County Road 53 (Bradley County); and Shallow Lake Field Pond located west of Shallow Lake (Union County). Person(s) keeping largemouth bass less than 13 inches from these waters must exit the NWR boundaries immediately upon leaving these ponds and may not enter NWR campgrounds or fish other NWR waters with largemouth bass less than 13 inches from these 4 ponds in their possession.
7. Largemouth bass less than 14 inches on the Arkansas River and its tributaries.
8. Smallmouth bass less than 15 inches on Beaver, Bull Shoals, Norfolk and Table Rock lakes.
9. Largemouth bass less than 15 inches on Beaver Lake, ~~Big Lake NWR~~, Blue Mountain, Bull Shoals, Georgia Pacific, ~~Greers Ferry~~, Kingfisher, Norfolk and Table Rock lakes; Upper and Lower Lake Chicot (including Connerly Bayou downstream from Connerly Dam to the bayou's mouth and Ditch Bayou from the inlet on Lake Chicot to Ditch Bayou Dam); Lake Greenlee and Moss Creek Pond.
10. Black bass greater than 16 inches in Lake Winona.
11. Largemouth bass 16-21 inches on Lake Atkins. Daily limit ~~4~~ **10** (only 1 of which may be longer than 21 inches).
12. **Largemouth Bass less than 16 inches on Lake June.**
13. Largemouth bass daily limit 10 (only 1 of which may be longer than 20 inches) on Lake Columbia, Lake Austell (Cross County), Lake Dunn (Cross County) and **Lower White Oak Lake**.
14. Largemouth bass daily limit 10 (only 1 of which may be longer than 18 inches) on Lake SWEPCO.
15. Smallmouth bass less than 18 inches on the lower Little Missouri River from Narrows Dam to its mouth. Daily limit 1.
16. Largemouth bass 14-17 inches on Mallard Lake. Daily limit 10, only 1 of which may be larger than 17 inches.
17. RESERVED.

~~18. Largemouth bass 18-21 inches on Lower White Oak Lake. Daily limit 10 (only 1 of which may be longer than 21 inches).~~

B. CRAPPIE: It is unlawful to possess crappie as follows:

1. Less than 10 inches in Beaver, Table Rock, Bull Shoals, and Norfolk reservoirs; Cane Creek Lake in Lincoln County; Lake Chicot (including Connerly Bayou downstream from Connerly Dam to the bayou's mouth and Ditch Bayou from the inlet on Lake Chicot to Ditch Bayou Dam); Lake Charles, Lake Conway (including Gold Creek downstream from the Sturgis Road Bridge, Stone Dam Creek downstream of Interstate 40 Bridge, Caney Creek/Little Creek downstream from the Arkansas Highway 286 Bridge, and Palarm Creek downstream from the Arkansas Highway 286 Bridge), Lake Overcup, Harris Brake Lake, **Lake Dardanelle** and Lake Atkins.
2. Less than 9 inches on Blue Mountain Lake.

C. CATFISH (channel, blue and flathead): It is unlawful to possess flathead catfish less than 20 inches on the Ouachita River from Sandy Beach Access (Ouachita County) to Rimmel Dam.

D. STRIPED BASS: It is unlawful to possess striped bass less than 20 inches on Lake Norfolk and Beaver Lake

E. SHOVELNOSE STURGEON: It is unlawful to possess shovelnose sturgeon less than 21 inches. Shovelnose sturgeon may not be taken from the Mississippi River.

1. **EXCEPTION:** Sportfish may be snagged (except in catch-and-release areas) in compliance with Codes 26.05 and 26.17, and within the restrictive size limits in this Addendum chapter.

F. WALLEYE: It is unlawful to possess walleye less than 14 inches on Greers Ferry Lake and its tributaries.

All fish measurements must follow procedures listed in the definition of "Length Limits" in Code 01.00-C.

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Proposed Rule Cover Sheet



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Agency or Division Name Legal Division

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Previous Agency Name, If Applicable _____

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Name of Rule N1.03 Specific Trout Water Regulations

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and Sept. 13, 14, 15, 2020

Final Date for Public Comment Oct. 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

N1.03 SPECIFIC TROUT WATER REGULATIONS

A. Beaver Tailwater (White River from 100 yards below Beaver Dam to boundary signs at Houseman Access):

1. No fishing, boating, or wading within 100 yards of Beaver Dam.
2. An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish other than as specified for the paddlefish-snagging season.
3. Bait fishing allowed only with a single hooking point.
4. From April 15 - June 15, snagging game fish is legal only from 100 yards below Beaver Dam from the Corps of Engineers "No Fishing Beyond This Point" sign downstream to the first Corps of Engineers boat ramp on the left descending bank to the first boat-launching ramp. Snagging must cease after half the daily limit of any game fish has been snagged. Snagged fish of any species shall not be released.
5. Special Regulation Area: Artificial Lures Only Area/No Bait Zone from approximately 0.5 mile below Beaver Dam to approximately 100 yards upstream of Parker Bend Access, as indicated by signs.
 - i. Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - ii. Chumming is prohibited.

B. Bull Shoals Tailwater (White River from 100 yards below Bull Shoals Dam to Arkansas Highway 58 Bridge at Guion):

1. No fishing, boating, or wading within 100 yards of Bull Shoals Dam.
2. An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish. Only a single hooking point per pole may be used for bait fishing.
3. Special Regulation Areas:
 - i. Bull Shoals Dam Catch-and-Release Area – Open to fishing from February 1 - October 31 from 100 yards below Bull Shoals Dam to the upstream boundary of Bull Shoals/White River State Park, as indicated by signs.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - c. Chumming is prohibited.
 - ii. Bull Shoals Dam Closed Area – the area 100 yards below Bull Shoals Dam to the wing dike at the Bull Shoals/White River State Park Trout Dock. This area is closed to fishing or wading November 1 - January 31.
 - iii. Bull Shoals Dam Seasonal Brown Trout Catch-and-Release Area, November 1 - January 31. From the wing dike at Bull Shoals/White River State Park Trout Dock to the downstream boundary of the Bull Shoals/White River State Park.
 - a. All brown trout must be immediately released.

- b. Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
- c. Chumming is prohibited.
- d. No fishing 30 minutes after sunset to 30 minutes before sunrise.
- iv. Rim Shoals Catch-and-Release Area (near Cotter). From sign immediately above mouth of Jenkins Creek to the first electric power line downstream, as indicated by signs.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - c. Chumming is prohibited.

C. Norfolk Tailwater (North Fork of the White River from 100 yards below Norfolk Dam to the confluence of the White River):

- 1. No fishing, boating, or wading within 100 yards below Norfolk Dam.
- 2. An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish. Only a single hooking point per pole may be used for bait fishing.
- ~~3. Chain dragging is prohibited. It is unlawful to drag chains or other objects from boats, capable of destroying aquatic vegetation.~~
- 4. Special Regulation Areas:
 - i. Norfolk Catch-and-Release Area – from the downstream end of Long Hole to the Bill Ackerman River Ridge Walk-in Access (about 1-2 miles), as indicated by signs.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - c. Chumming is prohibited.

D. Greers Ferry Tailwater (Little Red River from 100 yards below Greers Ferry Dam to the Arkansas Highway 305 Bridge):

- 1. No fishing, boating, or wading within 100 yards of Greers Ferry Dam.
- 2. An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish. Only a single hooking point per pole may be used for bait-fishing.
- 3. Special Regulation Areas:
 - i. JFK Catch-and-Release Area (at John F. Kennedy Park below Greers Ferry Dam) – from 100 yards downstream from Greers Ferry Dam to approximately 0.5 miles downstream to the last Greers Ferry National Fish Hatchery effluent outfall in John F. Kennedy Park, as indicated by signs.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - c. Chumming is prohibited.

- ii. Cow Shoals Catch-and-Release Area - from the head of Cow Shoals to the mouth of Canoe Creek, as indicated by signs.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures with a single, barbless hooking point per pole shall be used. Natural or scented baits are prohibited.
 - c. Chumming is prohibited.
 - d. Closed to night fishing from October 1 – December 31 (No fishing one-half hour after sunset to one-half hour before sunrise).
- iii. Mossy Shoals Catch-and-Release Area – from the head of Dunham Shoals downstream to the end of Mossy Shoals, as indicated by signs.
- iv. All trout caught must be immediately released.
- v. Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
- vi. Chumming is prohibited.

E. Collins Creek (from its source in John F. Kennedy Park below Greers Ferry Dam to the confluence of the Little Red River):

1. An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
2. Catch-and-Release Stream. All trout caught must be immediately released.
3. Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
4. Chumming is prohibited.
5. Fishing is limited to youths upstream of the wooden vehicle bridge in John F. Kennedy Park.
6. Fishing is allowed from sunrise to sunset.
7. Downstream of the wooden vehicle road bridge in John F. Kennedy Park, fishing is limited to youths under age 16, anglers with a fishing license and a trout permit who are accompanying a youth under age 16 in the act of fishing, and mobility impaired anglers.
8. Mobility impaired anglers shall fish from the mobility impaired access piers only.
9. Mobility impaired card is required for mobility-impaired anglers in compliance with Addendum C1.11.

F. Dry Run Creek (from its source on the east side of Norfolk National Fish Hatchery below Norfolk Dam to the confluence with the North Fork of the White River):

1. An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
2. Catch-and-Release Stream. All trout caught must be immediately released.
3. Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
4. Chumming is prohibited.
5. Fishing is limited to youths and mobility impaired anglers.
6. Fishing is allowed from sunrise to sunset.
7. Mobility impaired anglers shall fish from the mobility impaired access pier or boardwalk only.

8. Mobility-impaired card is required for mobility-impaired anglers in compliance with Addendum C1.11.
- G. Blanchard Spring Mirror Lake** (in Ozark National Forest Blanchard Spring, from its source to the confluence with North Sylamore Creek):
1. An angler shall use no more than two fishing rods or poles and must attend them at all times. No other devices shall be used to catch fish.
- H. Spring River** (from 100 yards below Dam No. 1 at Mammoth Spring State Park to the mouth of Myatt Creek):
1. An angler shall use no more than one fishing rod or pole and must attend them at all times. No other devices shall be used to catch fish.
- I. Spavinaw Creek (Benton County)** (from its source downstream to the Arkansas Highway 59 bridge):
1. An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
 2. Catch and Release Stream. All trout caught must be immediately released.
 3. Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
 4. Chumming is prohibited.
- J. Narrows Tailwater – Little Missouri River** from 100 yards below Narrows Dam (Lake Greeson) downstream to the low-water bridge (Arkansas Highway 27 Bridge):
1. An angler shall use no more than one fishing rod or pole and must attend them at all times. No other devices shall be used to catch fish.
 2. Special Regulation Areas:
 - i. Narrows Catch-and-Release Area – from 100 yards below Narrows Dam downstream to the upstream boundary of Riverside Park Access.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures with a single, barbless hooking point per pole shall be used. Natural or scented baits are prohibited.
 - c. Chumming is prohibited.
 - ii. Narrows Summer Catch-and-Release Area – May 1 - October 15. Downstream from the upstream boundary of the Riverside Park Access to the gas line crossing above River Ridge Pool.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures with a single, barbless hooking point per pole shall be used. Natural or scented baits are not allowed.
 - c. Chumming is not allowed.
 - iii. Narrows Winter Catch-and-Release Area – October 16 - April 30. From approximately 300 yards downstream of Hinds Bluff Access to approximately 300 yards upstream of Old Factory Site (Weir 2), as indicated by signs.
 - a. All trout caught must be immediately released.
 - b. Only artificial lures with a single, barbless hooking point per pole shall be used. Natural or scented baits are prohibited.
 - c. Chumming is prohibited.

K. Big Spring (at Cotter) from its source to the confluence with the White River:

1. Fishing is limited to youths and disabled anglers. Youths must be accompanied by an adult when fishing. Adult disabled anglers must carry proof they are 100 percent permanently and totally disabled (Code 01.00-C) and possess a sport fishing, lifetime fishing, or combination hunting and fishing license, plus a trout permit.
2. An angler may use no more than one fishing rod or pole and must attend it at all times. No other devices may be used to catch fish.
3. All fish caught must be released.
4. Only artificial lures with barbless hook(s) may be used. Natural or scented baits are prohibited.
5. Chumming is prohibited.
6. Fishing is allowed from sunrise to sunset.
7. No fishing in the swimming hole at the upstream end of Big Spring, as indicated by signs.
8. No motorized boats allowed in Big Spring.

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

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Contact Phone 501-223-6327 Legal Division

Name of Rule V1.01 Trout Stocking Permit Requirements

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

V1.01 Trout Stocking Permit Requirements

A. Trout Stocking Permits may be issued by the Chief of Fisheries to applicants complying with the following requirements:

1. The applicant must be at least 18 years old and shall not have been convicted of (as defined in Code 01.00-C) for violating any federal, state, or municipal law or regulation governing wildlife or fisheries, illegal appropriation or commercialization of wildlife or fisheries, or cruelty to animals within 5 years of the application date;
2. The applicant must provide satisfactory proof of applicant's ownership of the land beneath the waters for which the permit is sought;
3. The applicant shall certify in writing that he/she is in compliance with all federal, state, and local laws or regulations and possesses all required permits or licenses;
4. The applicant shall submit a written application (available from the Commission) for each stocking to be permitted. Each application submitted shall contain the applicant's contact information; a general description and the location (including section, township, range, county) of the water(s) to be stocked; the proposed stocking date(s); the originating facility's contact information; the species, size, and number of trout and trout eggs to be stocked; and any other information requested on the application form; and
5. The applicant shall include with the application a disease-free certification for the **AGFC permitted** fish farm or other facility from which the trout or trout eggs will originate. The certification must have been issued under the guidelines ~~set forth by the American Fisheries Society Fish Health Blue Book—Procedures for the Detection and Identification of Certain Fish Pathogens (“disease free certification”)~~ in Addendum I1.00 and meet all fish health requirements.

B. The requested permit shall be denied if:

1. The applicant fails to meet any of the issuance criteria set forth in this regulation;
2. The land beneath the waters for which the permit is sought is publicly-owned or such waters constitute navigable or otherwise public waters;
3. 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;
4. The Commission finds, through further inquiry or investigation (including the inspection detailed below), that the issuance of the permit may be potentially harmful to the fishery resources of the state or that the stocking action is inconsistent with the Commission's management objectives for the water and the watershed to be stocked;
5. The Commission's Fisheries Pathologist disapproves the disease-free certification submitted by the applicant; or
6. The trout species for which the permit is requested is restricted or prohibited under federal or state law or Commission regulation.

C. Inspection:

1. The Fisheries Division shall inspect the waters for which the permit is sought before issuance or disapproval of the permit. Inspection will be for the purpose of

evaluating the public versus private nature of the waters, connectivity of the waters, suitability of the waters for the trout species proposed to be stocked, biosecurity of the waters and related facility (if any), opportunity for escapement of the stocked trout, potential impact of trout on aquatic resources, and likelihood of viability for trout populations outside of the proposed permitted stocking location.

2. Applicants and permittees shall allow agents of the Commission to enter and inspect the premises, including books, records or permits required to be kept, and any trout, trout eggs, or facilities kept under authority of permit at reasonable times upon request by an agent of the Commission.

D. Permit Requirements:

1. Permittee must notify the Fisheries Division in writing of the actual date of each stocking and provide a current disease-free certification at least ~~5-business~~ 21 days prior to the stocking event.
2. The stocking permit must be available at the location of any stocking.
3. Within 14 calendar days after each stocking event, the permittee must submit a report regarding the event that includes the permittee's contact information, the permit number, the waters stocked, the location (including section, township, range, county) of the stocking, the stocking date, originating facility, the species, size, and number of trout and trout eggs stocked.

E. Reporting and Record-keeping Requirements:

1. Legible records of all trout and trout egg acquisitions and dispositions, including origin, stocking dates, the waters stocked, the location (including section, township, range, county) of the stocking, and the species, size, and number of trout or trout eggs stocked, shall be kept.
2. Records shall include evidence of legal possession of all trout or trout eggs stocked under the permit, including permits, 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 trout or trout eggs were acquired.
3. Records must be retained for 5 years.

F. Permit Renewal, Transfer, Suspension And Revocation:

1. Trout Stocking Permits shall expire on December 31 each year. Permits may be reviewed and renewed following receipt and approval by the Chief of Fisheries of a permit renewal application (available from the Commission). Permit renewal applications must be submitted to the Chief of Fisheries within 60 days of permit expiration.
2. Trout Stocking Permits are not transferable.
3. Persons in violation of the terms of this permit, Commission Codes, or convicted of violating associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
4. If after 20 days just cause has not been given, the Commission may suspend or revoke any existing permit held by the violator and may refuse to issue future

permits. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.

5. Upon revocation, permit holder must remove by legal means all trout and trout eggs 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.

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Proposed Rule Cover Sheet



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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Name of Rule V1.02 Trout Importation Permit Requirements

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

V1.02 Trout Importation Permit Requirements

- A. Trout Importation Permits may be issued by the Chief of Fisheries to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of (as defined in Code 01.00-C) for violating any federal, state or municipal law or regulation governing wildlife or fisheries, illegal appropriation or commercialization of wildlife or fisheries, or cruelty to animals within 5 years of the application date
 2. The applicant shall certify in writing that he/she is in compliance with all federal, state, and local laws or regulations and possesses all required permits or licenses
 3. The applicant shall submit a written application (available from the Commission) for each importation to be permitted. Each application submitted shall contain the applicant's contact information; the proposed importation date(s); the originating facility's contact information; the species, size, and number of trout and trout eggs to be imported; and any other information requested on the application form
 4. The applicant shall include with the application a disease-free certification for the **AGFC permitted** fish farm or other facility from which the trout or trout eggs will originate. The certification must have been issued under the guidelines ~~set forth by the American Fisheries Society Fish Health Blue Book — Procedures for the Detection and Identification of Certain Fish Pathogens (“disease free certification”)~~ in Addendum I1.00 and meet all fish health requirements; and
 5. If the trout or trout eggs will originate from a VHSV-positive state, the applicant must provide satisfactory proof of compliance with Code 35.11.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this regulation
 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 (including the inspection detailed below), that the issuance of the permit may be potentially harmful to the fishery resources of the state
 4. The Commission's Fisheries Pathologist disapproves the disease-free certification submitted by the applicant; or
 5. The trout species for which the permit is requested is restricted or prohibited under federal or state law or Commission regulation.
- C. Inspection:
1. Applicants and permittees shall allow agents of the Commission to enter and inspect the premises, including books, records or permits required to be kept, and any trout, trout eggs, or facilities kept under authority of permit at reasonable times upon request by an agent of the Commission.
- D. Permit Requirements:

1. Permittee must notify the Fisheries Division in writing of the actual date of each importation and provide a current disease-free certification at least ~~5-business~~ 21 days prior to the importation event.
2. The importation permit must accompany the permitted trout or trout eggs during importation.
3. Within 14 calendar days after each importation event, the permittee must submit a report regarding the event that includes the permittee's contact information, the permit number, the importation date, originating facility, the species, size, and number of trout and trout eggs imported.

E. Reporting and Record-keeping Requirements:

1. Legible records of all trout and trout egg acquisitions and dispositions, including origin, importation dates, and the species, size, and number of trout or trout eggs imported, shall be kept.
2. Records shall include evidence of legal possession of all trout or trout eggs imported under the permit, including permits, 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 trout or trout eggs were acquired.
3. Records must be retained for five years.

F. Permit Renewal, Transfer, Suspension And Revocation:

1. Trout Importation Permits shall expire on December 31 each year. Permits may be reviewed and renewed following receipt and approval by the Chief of Fisheries of a permit renewal application (available from the Commission). Permit renewal applications must be submitted to the Chief of Fisheries within 60 days of permit expiration.
2. Trout Importation Permits are not transferable.
3. Persons in violation of the terms of this permit, Commission Codes, or convicted of violating associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
4. If after 20 days just cause has not been given, the Commission may suspend or revoke any existing permit held by the violator and may refuse to issue future permits. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
5. Upon revocation, permit holder must remove by legal means all trout and trout eggs 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.