

# 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](http://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 26.12 Release of Native and Non-Native Aquatic Wildlife 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.

## 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