ARKANSAS REGISTER



Transmittal Sheet

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

Secretary of State
John Thurston

500 Woodlane, Suite 026 Little Rock, Arkansas 72201-1094 (501) 682-5070

www.sos.arkansas.gov



For Office Use Only: Code Number _____ Effective Date Name of Agency Arkansas Game and Fish Commission Department_Legal Division Contact James Goodhart, General Counsel E-mail james.goodhart@agfc.ar.gov Phone 501-223-6327 Statutory Authority for Promulgating Rules Amendment 35 Rule Title: 26.25 Family And Community Fishing Program Restrictions **Intended Effective Date** Date (Check One) Aug. 15-18, Sept. 23-15, 2020 ☐ Emergency (ACA 25-15-204) Legal Notice Published October 14, 2020 10 Days After Filing (ACA 25-15-204) Final Date for Public Comment Other January 1, 2021
(Must be more than 10 days after filling date.) Reviewed by Legislative Council October 15, 2020 Adopted by State Agency Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218) April M. Soman April.Soman@agfc.ar.gov Contact Person E-mail Address

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

CONTROL OF THE STANDARD ST

n Substantial Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. Pursuant to 2011 decision rendered by the Pulaski County Circuit Court and 2000 opinion by the rkansas Attorney General, the rulemaking requirements in the Arkansas Administrative Procedures Act cannot be constitutionally applied to the AGFC Nevertheless, the AGFC does substantially omply with the rulemaking provisions under Ark. Code Ann. section 25-15-204 for public notice, opportunity for comment, and fitting of all regulations adopted by the Commission.

	/s/ Jan	nes F. Goodhart			
50	1-223-6327	Signature James.Goodh	aut@agfc.ar.gev:SI #9 02 700 0500		
<u> </u>	Phone Number	General Counsel	E-mail Address		
		Title October 19 , 2020 Date	0		

Arkansas Game and Fish Commission

Code Book

The regulations in this Code Book are hereby adopted by the Arkansas State Game and Fish Commission under authority of Amendment 35 to the Constitution of the State of Arkansas. All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

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

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

SHORT TITLE OF THIS RULE: 2021 General Fishing Regulation Change Proposals

FAX #: 501-223-6372

EMAIL:

DEPARTMENT: Arkansas Game & Fish Commission

PERSON COMPLETING THIS STATEMENT: Ben Batten

DIVISION: Fisheries

ben.batten@agfc.ar.gov

TELEPHONE #: 501-223-6300

1.	Does this proposed, Yes:	amended, No: X	or repealed rule or	regulation have a finar	icial imp	pact?	•
2.	Do you believe that to prohibitive? Yes:	the develo	opment of a financia No: X If "Y	l impact statement is s es", please explain:	o specul	lative as to be co	st
3.	If the purpose of this r for implementing the	ule is to in regulation	mplement a federal r . Please indicate if th	ule or regulation, please ne cost provided is the c	give the	e incremental cos e program.	t
	Current Fiscal Year General Revenue Federal Funds Cash Funds Special Revenue Other (Identify) Total	<u> </u>	N/A	Next Fiscal Year General Revenue Federal Funds Cash Funds Special Revenue Other (Identify) Total	\$ \$ \$ \$ \$	N/A	
4	repealed rule? (Estin equipment, construction	nated cost ion, labor,	includes fees, admi	ny party subject to the inistrative penalties, re- es, revenue loss, or oth posed rule, and explain	porting, ier costs	record keeping, associated with	1
	Current Fiscal Year	: \$	N/A	Next Fiscal Year:	\$	N/A	
	Party Subject to Rule:	Anglers a	and aquatic recreati	onalists			
	Effect on Party Subject	t to Rule:	Neutral				
5.	What is the total estir financial benefit to the	nated cos ne agency	t by fiscal year to th from implementing	e agency to implemen this rule.	t this rul	le? Explain the	
	Current Fiscal Year	: \$	N/A	Next Fiscal Year:	\$	N/A	
	Financial Benefit to A	Agency: N	N/A				
5.	Do alternative means burdensome to small	exist for a business?	accomplishing the o	bjectives of the rules the No: X	hat migl	nt be less	
	Why were such altern	iatives not	t proposed:				
7.	Compare this rule wit	h federal	and state counterpar	rts:			

ITEM NO.	IV(b)	
1111111110.	~***	

ARKANSAS GAME AND FISH COMMISSION Little Rock, Arkansas

MINUTE ORDER NO:		20-051		SUBJECT:	2021 Fishing Regulations		
DATE PASSED:		Oct	ober 15, 2020				
PAGE 1	of.	1	PAGES	LOCATION:	Statewide		
WHEREAS,				and Fish Commister	sion and its staff have proposed the		
				and the general pul	municated through a variety of media olic throughout the state for review and		
Regulations Committee, Commission has determine conservation and manage			ions Committe sion has determation and man s Constitution	ee, as well as con mined that the attac agement and are o	ndations of Commission staff and the nments received from the public, the shed regulations promote sound wildlife consistent with Amendment 35 of the gulations should now be approved for		
Now, THEREFO Commission he January 1, 2021.	reby a	E IT ORD	ERED this 15t and adopts the	h day of October 2 attached regulation	2020, that the Arkansas Game and Fish ons, which shall become effective on		
filing the attach	ned reg	gulations	with the Secre		d to proceed with legally certifying and te Library, and Bureau of Legislative and Addendum.		
Submitted by:	R	APPRO Batten	<u>VAL</u>	COMMISSION Andrew Parke Chairman	J. D. Neeley		
Division:	Fishe	eries		∕Joe Morgan	Anne Marie Doramus		
Approved:	Direc	tor T		Vice Chairma Bobby Martin Commissione	Kob Emley		

Commissioner

Approved:

Approved: