

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 35.02 Fish Farmer Sales Records 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.

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



Pat Fitts
Director

Chris Colclasure
Deputy Director

Chris Racey
Deputy Director

Roger Manghan
Deputy Director

Arkansas Game and Fish Commission

James F. Goodhart
General Counsel

John P. Marks
Sr. Assistant General Counsel
Phone: 501-223-6327

Christian N. Parks
Assistant General Counsel

Rob Brown
Assistant General Counsel
Fax: 501-223-6463

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