

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
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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 24.09 Nonresident Waterfowl Hunting Permit Requirements on WMAs

Newspaper Name Arkansas Democrat Gazette

Date of Publishing June 20, 21, and 22, 2021

Final Date for Public Comment July 22, 2021

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

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

24.09 Nonresident Waterfowl Hunting Permit Requirements On WMAs

- A. It is unlawful for any nonresident hunter who does not possess a valid Nonresident WMA Waterfowl Hunting Permit to take or attempt to take waterfowl during regular duck season on any WMA.
- B. Permits may be purchased for the following dates only:
 - 1. First 10 days of regular duck season.
 - 2. December 27 through January 5 Annually.
 - 3. January 22 through January 31 Annually.
- C. Each permit will allow the nonresident to hunt waterfowl on any WMA for up to 5 consecutive days. The desired hunting dates must be selected from the options available at the time of purchase and all selections are final. Permit purchases are nonrefundable and nontransferable to other persons, dates, or WMAs.
- D. This permit is in addition to hunting and/or guide license requirements as stated in Chapter [03.00](#). This permit must be in the person's possession while taking or attempting to take waterfowl on any WMA.

EXCEPTIONS:

- A. Former residents, who possess a Waterfowl Permit and a Resident Lifetime License for either hunting or combination hunting-and-fishing (Addendum D1.01) obtained prior to September 1, 2021, while a bona fide Arkansas resident (Code 01.00-C, RESIDENT), may hunt waterfowl on any WMA in compliance with Chapter 24.00 without a Nonresident WMA Waterfowl Hunting Permit and are not subject to the above date restrictions.**

PENALTY: Class 2

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, July 22, 2021, at the Little Rock Office Complex, 2 Natural Resources Drive, Little Rock, AR 72205, in the auditorium. 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. Additionally, Committee meetings attended by Commissioners and agency staff members will be held in the Director's conference room throughout the day on Wednesday, July 21, 2021, beginning at 9:00 a.m. All interested persons are invited to attend these meetings.

The AGFC Little Rock Office Complex currently is open to the public and COVID-19 guidelines recommended by the Arkansas Department of Health are applicable. The Commission meeting on July 22nd will be live-streamed and a link for easy viewing 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 July meeting dates draw closer.

Items on the agenda for the July 22, 2021 9:00 a.m. meeting will include adoption of proposed regulations that previously were considered at the June 16-17, 2021 Commission Meetings, plus consideration of various Hunting and Fishing Regulations and regulations pertaining to the Enforcement Division of the Arkansas Game and Fish Commission, including, but not limited to:

Miscellaneous Regulations Concerning Resident Lifetime Hunting & Fishing Licenses and Permits, Nonresident License Requirements, and Nonresident Waterfowl Hunting Permit Requirements on WMAs – Consider proposals to miscellaneous regulations including, but not limited to:

- Clarify that nonresidents are ineligible to obtain public land permits through the permit draw process for hunting elk or alligators, and include an exception for nonresidents who possess a Resident Lifetime License for either hunting or combination hunting-and-fishing obtained prior to September 1, 2021;
- Amend regulation that prohibits illegal possession of a resident license by a nonresident to provide an exception for former residents who possess a valid Resident Lifetime License for hunting, fishing, or combination hunting-and-fishing, or possess a Resident Lifetime Permit for trout or waterfowl, and increase the penalty for violation to Class 4;
- Amend regulations that prohibit counterfeiting or falsifying information on any AGFC license, permit, tag, stamp, certificate, etc. to increase the penalty for violation from Class 3 to Class 4;
- Amend regulation for Nonresident Waterfowl Hunting Permit Requirements on WMAs to provide an exception for former residents who possess a Waterfowl Permit and a Resident Lifetime License for either hunting or combination hunting-and-fishing obtained prior to September 1, 2021. This exception will allow such individuals to hunt waterfowl on any WMA in compliance with Chapter 24.00 without a Nonresident WMA Waterfowl Hunting Permit and without being subject to certain date restrictions applicable to other nonresident hunters; and

- Clarify names of existing Resident Lifetime Licenses.

2021-2022 Waterfowl Hunting Regulations – Adopt amendments to adjust specific dates for waterfowl hunting seasons to conform to Federal framework and update waterfowl names, including:

- Duck, Coot and Merganser — Nov. 20-29, Dec. 11-23, and Dec. 26-Jan. 31;
- Canada Goose — Sept. 1-30, Oct. 30-Nov. 1, Nov. 20-Dec. 3, and Dec. 5-Jan. 31;
- Snow, Blue, Ross's, and White-fronted Goose — Oct. 30-Nov. 14, Nov. 20-Dec. 3, and Dec. 5-Jan. 31;
- Youth and Veteran/Active Military Hunts — Dec. 4 and Feb. 5;
- Light Goose Conservation Order — Oct. 2-22, Oct. 28-Nov. 19, and Feb. 5-April 25; and
- Renaming of "Common Snipe" to "Wilson's Snipe" and renaming "Common Moorhen" to "Gallinule" to reflect Federal references.

2021-2022 Fishing Regulations – Adopt amendments to miscellaneous fishing regulations including, but not limited to:

- Amend regulation for game fish daily limits at Lake Poinsett to require: (1) for the remainder of 2021, all game fish, except catfish, must be released immediately and the catfish daily limit is 5; and (2) effective Jan. 1, 2022, all game fish, except bream and catfish, must be released immediately and the bream daily limit is 25; and
- Amend regulation for Aquatic Animal Health Requirements to clarify definitions and listing of certain warm water fish pathogens of concern.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the July 21, 2021, 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 July 9, 2021. Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office, and at www.agfc.com, or through a written request mailed to the address below.

PAT FITTS, DIRECTOR
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