# **ARKANSAS REGISTER**



# **Transmittal Sheet**

Use only for **<u>FINAL</u>** and **<u>EMERGENCY RULES</u>** 

Secretary of State
John Thurston
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Little Rock, Arkansas 72201-1094
(501) 682-5070
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For	Office	

Effective Date	Code Number	
Name of Agency		
Department		
Contact	_E-mail	Phone
Statutory Authority for Promulgating Rule	es	
Dula Title.		
Intended Effective Date (Check One)		Date
Emergency (ACA 25-15-204)	Legal Notice Published	·····
10 Days After Filing (ACA 25-15-204)	Final Date for Public Comment	
Other	Reviewed by Legislative Council	
	Adopted by State Agency	·····
Electronic Conv of Pule a mailed from (Paquira	d under ACA 25 15 218)	

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218

**Contact Person** 

E-mail Address

Date

#### **CERTIFICATION OF AUTHORIZED OFFICER**

I Hereby Certify That The Attached Rules Were Adopted

ISA XAXAIKAKA WA MKAVEXAKA ASAKAWAN KASAKAWA KAXAXAKAXAKA KA KAKA

In 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 Arkansas Attorney General, the rulemaking requirements in the Arkansas Administrative Procedures Act cannot be constitutionally applied to the AGFC. Nevertheless, the AGFC does substantially comply with the rulemaking provisions under Ark. Code Ann. section 25-15-204 for public notice, opportunity for comment, and filing of all regulations adopted by the Commission.

Sign	ature
Phone Number	E-mail Address
Ti	tle
Da	ate

Revised 7/2015 to reflect new legislation passed in the 2015 Regular Session (Act 1258). This act changed the effective date from 30 days to 10 days after filing the rule.

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

### **C1.12 Special Usage Restrictions on Certain WMAs and Lakes**

#### A. Restrictions Common to Multiple Listed WMAs and Lakes:

#### 1. Common Restriction A:

- i. From the Saturday before the first day of the first segment of the regular duck season until the first day of the first segment of regular duck season: a. No boats allowed all day.
- ii. During regular duck season open days:
  - a. No entry or access is allowed from 2 a.m. to 4 a.m. (except in designated campsites, parking areas, boat launch ramps and designated boat staging areas); and
  - b. No boats are allowed from 1 p.m. until 4 a.m. (Central Time) except boats may be launched after 2 a.m. under the limited condition that any such boat must remain physically occupied at all times while kept in boat staging areas between 2 a.m. and 4 a.m.
  - c. On Dave Donaldson Black River and George H. Dunklin Jr. Bayou Meto WMAs, no boats are allowed from noon until 4 a.m. (Central Time) except boats may be launched after 2 a.m. under the limited condition that any such boat must remain physically occupied at all times while kept in boat staging areas between 2 a.m. and 4 a.m.
- iii. During regular duck season splits:
  - a. No boats allowed all day.
- iv. During the last day of the last segment of regular duck season and during the special youth/veteran waterfowl hunt:
  - a. No entry or access is allowed from 2 a.m. to 4 a.m. (except in designated campsites, parking areas, boat launch ramps and designated boat staging areas); and
  - b. No boats are allowed from 6:30 p.m. until 4 a.m.

#### B. Restrictions on Specific WMAs and Lakes:

- 1. George H. Dunklin Jr. Bayou Meto:Common Restriction A applies. Boats are prohibited on the Government Cypress Greentree Reservoir. Boating access is allowed from noon until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
  - i. Mulberry Access, to include all of the Salt Bayou Ditches to the confluence of Little Bayou Meto
  - ii. Buckingham Flats Access to include Big Bayou Meto, and Cannon Brake Access to include Little Bayou Meto only on the Cannon Brake Impoundment
  - iii. Cox Cypress and Grand Cypress Lake
- 2. **Bell Slough**: Common Restriction A applies. Open to waterfowl hunting on Tuesday, Thursday, Saturday, and Sunday from the first day of the first segment of regular duck season until the next-to-last day of the last segment of regular duck season. All-day hunting is allowed the last day of the last segment of regular duck season and during special youth waterfowl and veteran and military hunts. Non-motorized boat access to designated water trails is allowed from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from Monday before the first segment of regular duck season.
- 3. **Beryl Anthony Lower Ouachita**: Common Restriction A applies except within the Ouachita River. Use of boats for fishing and non-hunting activities are allowed.
- 4. **Big Lake**: Common Restriction A applies. Mallard Lake is closed to all hunting except for the special early teal season; fishing and non-hunting activities are allowed. Boating access is allowed from 1 p.m. until 6:30 p.m. during the regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of

regular duck season until the first day of the first segment of regular duck season at the following waterbodies:

i. The north/south ditch, all lateral ditches, and borrow pits.

- 5. Brewer Lake, Cypress Creek, Camp Robinson SUA, and Cedar Creek: Closed to waterfowl hunting.
- 6. Camp Robinson WMA: Common Restriction A applies.
- 7. Cane Creek Lake (Lincoln County): Waterfowl hunting ends at noon.
- 8. Coal Pile Lake: Closed to all hunting. Fishing and non-hunting activities are allowed.
- 9. Cut-Off Creek: Common Restriction A applies. Travel by boat is limited to Cut-Off Creek.
- 10. Cypress Bayou: Common Restriction A applies.
- 11. **Dardanelle**: Waterfowl hunting is not allowed on that part of Big Spadra and Little Spadra creeks lying north of the Missouri Pacific Railroad, east of Crawford Street, south of I-40, and west of Arkansas Highway 103. Dogs, hunting, or trapping devices are prohibited on Johnson County WRA.
- 12. **Dave Donaldson Black River**: Common Restriction A applies except within the Black River. Lake Ashbaugh and Hubble Lake are closed to all hunting, except both are open for the special early teal season; fishing and non-hunting activities are allowed. Boating access is allowed from noon until 6:30 p.m. during the regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
  - i. Little River
  - ii. Reyno Canal Access
  - iii. Winchester Canal Access
- 13. **DeGray Lake**: All weapons are prohibited on Lower DeGray Lake WRA except by permitted participants of special hunts and bowfishing on the lake.
- 14. Dr. Lester Sitzes III Bois d'Arc: Common Restriction A applies.
- 15. Earl Buss Bayou DeView: Common Restriction A applies. Lake Hogue is closed to all hunting except for the special early teal season; fishing and non-hunting activities are allowed. Boating access is allowed only from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
  - i. Thompson Tract boat ramp to include boat run
  - ii. North Oliver Campground primitive boat access to include the natural slough
- 16. Ed Gordon Point Remove: Common Restriction A applies. Open to waterfowl hunting on Tuesday, Thursday, Saturday, and Sunday from the first day of the first segment of regular duck season until the next-to-last day of the last segment of regular duck season. All-day hunting is allowed the last day of the last segment of regular duck season and during special youth waterfowl and veteran and military hunts.
- 17. **Frog Bayou**: Common Restriction A applies. Open to waterfowl hunting on Tuesday, Thursday, Saturday, and Sunday from the first day of the first segment of regular duck season until the next-to-last day of the last segment of regular duck season. All-day hunting is allowed the last day of the last segment of regular duck season and during special youth waterfowl and veteran and military hunts.
- 18. Galla Creek: Common Restriction A applies. Exception: Arkansas River Cutoff west of Flag Lake Road. Open to waterfowl hunting on Tuesday, Thursday, Saturday, and Sunday from the first day of the first segment of regular duck season until the next-to-last day of the last segment of regular duck season. All-day hunting is allowed the last day of the last segment of regular duck season and during special youth waterfowl and veteran and military hunts.
- 19. Harris Brake: Common Restriction A applies except within Harris Brake Lake. Open to waterfowl hunting only Tuesday, Thursday, Saturday and Sunday. All-day hunting is allowed the last day of the last segment of regular duck season. Only shotguns and archery

equipment are allowed for hunting. Harris Brake Lake is open to Canada goose hunting September 1-15.

- 20. Henry Gray Hurricane Lake: Common Restriction A applies except within the White River and Little Red River.
  - i. When the main road gate at Mitchell Corner is closed, boating access is allowed from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
    - a. Glaise Creek (to include Glaise Creek access trail #2 from Mitchell Corner north boat ramp to the creek channel) from the WMA northern boundary to the main water-control structure at Whirl Lake
    - b. Whirl Lake access, to include Whirl Creek
  - ii. When the main road gate at Mitchell Corner is open, boating access is allowed from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
    - a. Big Bell Lake (to include Little Bell Lake)
    - b. Big Hurricane Lake (to include Little Hurricane Lake)
    - c. Bollie Pond
    - d. Glaise Creek
    - e. Honey Lake
    - f. Mallard Lake
    - g. Whirl Lake
    - h. Willow Pond.
- 21. Craig D. Campbell Lake Conway Reservoir: Closed to waterfowl hunting, except on the Caney Creek, Dix Creek, Palarm Creek, and Pierce Creek bays outside posted buffer zones. Waterfowl hunting ends at noon.
- 22. Lake Overcup: Waterfowl hunting ends at noon.
- 23. **Maumelle River:** Closed to waterfowl hunting. All boating activities and access are prohibited in the Restricted Area Zone 1 on the east end of Lake Maumelle as marked by buoy lines. No hunting, camping or other access is allowed on any island on Lake Maumelle.
- 24. **Ozark Lake:** Dryer Lake Units open to waterfowl hunting on Tuesday, Thursday, Saturday, and Sunday from the first day of the first segment of regular duck season until the next-to-last day of the last segment of regular duck season. All-day hunting is allowed the last day of the last day of regular duck season and during special youth waterfowl and veteran and military hunts.
- 25. **Petit Jean River**: Common Restriction A applies. Boating access is allowed from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
  - i. Keeland Lake
  - ii. Club House Pond
  - iii. Lily Pad Pond
  - iv. Kingfisher Lake
  - v. Petit Jean River
- 26. **Rex Hancock Black Swamp**: Common Restriction A applies. Boating access is allowed from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
  - i. Gregory Access (from County Road 758) down the ditch to the Cache River

- ii. Float Road Access (from County Road 752) down the marked trail to the Cache River
- iii. Cache River within the boundaries of the WMA
- 27. Rick Evans Grandview Prairie: Waterfowl hunting closed on all lakes and ponds.
- 28. Seven Devils: Common Restriction A applies.
- 29. Steve N. Wilson Raft Creek Bottoms: Common Restriction A applies. The Jim Sullivan Youth Waterfowl Unit is closed to all access, except for youth waterfowl hunting permit holders during youth waterfowl permit hunts, from the last day of the modern gun permit hunt to the last day of waterfowl season (including the waterfowl special youth hunt).
- 30. St. Francis National Forest: Waterfowl hunting ends at noon.
- 31. **St. Francis Sunken Lands**: The Snowden Field Waterfowl Rest Area levee is open to foot traffic around the north end of the unit.
- 32. **Sheffield Nelson Dagmar**: Common Restriction A applies. The Conway George Tract is closed to all access, except for waterfowl hunting permit holders. Boating access is allowed from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
  - i. Robe Bayou Access to include from the WMA northern boundary to the low water crossing at Interstate 40
  - ii. Gator Pond Access to include only the open water pond area and not flooded timber
  - iii. Bayou DeView designated water trail
- 33. **Shirey Bay Rainey Brake:** Common Restriction A applies except within the Black River. Boating access is allowed from 1 p.m. until 6:30 p.m. during regular duck season open days, all day during regular duck season splits, and all day from the Monday before the first segment of regular duck season until the first day of the first segment of regular duck season at the following waterbodies:
  - i. Shirey Bay, Horseshoe Lake, and Hill Slough
  - ii. Diversion ditch from County Road 317 to the diversion ditch water-control structure
  - iii. **EXCEPTION**: Fishing and non-hunting activities are allowed on Shirey Bay, Horseshoe Lake, and Hill Slough.
- 34. **Sulphur River**: Common Restriction A applies except within the Sulphur River or Mercer Bayou.
- 35. Tommy L. Sproles Lake Pickthorne: Closed to waterfowl hunting.

**EXCEPTION:** Commission staff, volunteers, and participants during Commission-sponsored mentored hunt programs.

ITEM NO. VI-d.

#### **Arkansas Game and Fish Commission**

Little Rock, Arkansas

MINUTE ORDER NO:	22-032	SUBJECT:	2022-23 General Hunting	
DATE PASSED:	May 19, 2022		Regulations Approval	
PAGE 1 of	2 PAGES	LOCATION:	Statewide	
WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached regulations for 2022-2023 Hunting Seasons, including game seasons, bag limits, geographic zones, wildlife management areas, boating access, weapon restrictions, captive wildlife, and manner-of-taking-game requirements for alligator, bear, deer,				

the attached regulations have been communicated through a variety of media WHEREAS, avenues to sportsmen and the general public throughout the state for review and comment for at least the past 30 days; and

game species; and

elk, furbearing animals, quail, rabbit, squirrel, turkey, dove, waterfowl, and other

after carefully considering the recommendations of the Director and Commission WHEREAS, staff, as well as comments received from the public, the Commission has determined that the attached regulations promote sound wildlife conservation and management and are consistent with Amendment 35 of the Arkansas Constitution and that these regulations should now be approved for application statewide.

Now, THEREFORE, BE IT ORDERED this 19th day of May 2022, that the Arkansas Game and Fish Commission hereby approves and adopts the attached regulations, which shall become effective immediately upon public filing or as soon thereafter as possible.

BE IT FURTHER ORDERED that the Commission staff is authorized to proceed with legally certifying and filing the attached regulations with the Secretary of State, State Library, and Bureau of Legislative Research, and incorporating them into the Commission Code Book and Addendum.

	STAFF APPROVAL		
Submitted by:	Brad Carmer Chief		
Division:	Wildlife Management		
Approved:	Director Book		

**COMMISSION APPROVAL** Bobby Martin J. D. Neelev Commissioner

Chair Bennie Wespha Vice Chair

Anne Marie Doramus Commissioner

Stan Jones Commissioner

Rob Finley

Commissioner

Approved:

2

Philip Tappan Commissioner

Approved:

<u>AFKoodhart</u> Legal <u>Envel Sree</u> Fiscal

#### FINANCIAL/ECONOMIC IMPACT STATEMENT

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

DEPARTMENT:Arkansas Game and Fish CommissionDIVISION:Wildlife ManagementPERSON COMPLETING THIS STATEMENT:Brad CarnerTELEPHONE #:501-223-6352FAX #:EMAIL:Brad.Carner@agfc.ar.govSHORT TITLE OF THIS RULE:2022-2024 Hunting Regulations.

- 1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes: X No:
- 2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: X If "Yes", please explain:
- 3. If the purpose of this rule is to implement a **federal** rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year	<u>Next Fiscal Year</u>	
General Revenue	\$ General Revenue	\$
Federal Funds	\$ Federal Funds	\$
Cash Funds	\$ Cash Funds	\$
Special Revenue	\$ Special Revenue	\$
Other (Identify)	\$ Other (Identify)	\$
Total	\$ Total	\$

4 What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

#### Current Fiscal Year: NA

#### Next Fiscal Year: Unknown

Party Subject to Rule: Hunters

Effect on Party Subject to Rule: These are hunting regulation clarification. Potentially, there could be increased fines.

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

Current Fiscal Year: \$N/A Next Fiscal Year: \$N/A

Financial Benefit to Agency: Clarification of regulations

6. Do alternative means exist for accomplishing the objectives of the rules that might be less

burdensome to small business? Yes:

Why were such alternatives not proposed: N/A

7. Compare this rule with federal and state counterparts: N/A

#### LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. <u>Thursday, April 21, 2022</u>, 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. Additionally, Committee meetings attended by Commissioners and agency staff members will be held in the Director's conference room throughout the day on <u>Wednesday, April 20, 2022</u>, beginning at 9:00 a.m. at the Little Rock Office Complex, 2 Natural Resources Drive, Little Rock, AR 72205. 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 April 21st 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 <u>https://www.agfc.com</u> for additional up-to-date details as the April meeting dates draw closer.

Items on the agenda for the April 21, 2022 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the March 15-17, 2022 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:

1. General Hunting and Miscellaneous Wildlife Regulations – Propose general hunting regulations for 2022-23 and 2023-24 including, but not limited to, game seasons, bag limits, geographic zones, wildlife management areas (WMAs), weapon restrictions and other manner-of-taking-game requirements for alligator, bear, deer, elk, furbearing animals, quail, rabbit, squirrel, turkey, dove, waterfowl, and other game species. Changes to regulation include, but are not limited to:

Furbearer/Depredation

- Add exception for bobcat and otter pelt tagging requirement to allow bobcat and otter pelts to temporarily be shipped out of state for tanning without attaching a CITES tag.
- Reduce length of furbearer season for trapping muskrat on WMAs.
- Amend furbearing season trap restrictions to increase maximum size of foothold traps set on land (from 6" to 61/4").
- Revise Predator Control Permit requirements for taking bobcat, coyote, gray fox, opossum, raccoon, red fox, or striped skunk on private land.
- Revise Depredation Permit requirements for consistency with Predator Control Permit requirements, including for taking of certain birds (House Sparrows, European Starlings, Rock Doves, etc.).

General

• Amend Resident and Non-Resident Hunting License requirements, including: remove references to a temporary internet license or confirmation code; and revise Non-Resident License requirements for hunting elk or alligator.

- Revise codes for listing WMAs for bear and wild turkey hunting seasons and limits, including remove from list those WMAs having "closed" seasons (only WMAs with "open" season will remain listed).
- Define types of killing devices and ammunition allowed for hunting crow.
- Provide exception for prohibited methods for hunting wildlife to allow certain livecage-type traps for use in capturing nuisance animals.
- Amend aiding and abetting prohibition to indicate the penalty is the same as the violation committed by the person who was aided or abetted.
- Amend littering prohibition to prohibit discard of any game animal carcass within 50 yards of any stream, river, pond or lake.
- Establish or revise definitions of the following terms: "Conservation Buck Tag"; "Deer Management Assistant Program"; "Large Carnivore"; "Off Highway Vehicle"; "Personal Watercraft or Jet Boat".
- Amend dog training restrictions on Camp Robinson Special Use Area, including: restrict dog use during reserved dog field trial events in reserved compartments, except dogs participating in the field trial event; and clarify number and types of dogs allowed to be trained.
- Amend big game checking requirements to require deer, adult turkey gobblers, or bear injured or killed by incidental contact (non-hunting activity such as vehicle accident) must be reported to the AGFC Radio Room and an official salvage tag number obtained before the animal or its parts may be possessed from the point of initial contact.
- Clarify color description for hunter orange / safety green clothing requirements.
- Revise camping restrictions on Commission-owned or controlled property, including: require persons 16 years of age or older to obtain a 7-day camping permit for a fee of \$5.00, except that a daily camping permit for a fee of \$15.00 will be necessary for camping at Camp Robinson SUA; establish restrictions for large groups of 50 or more individuals; and adopt additional camping restrictions.
- Amend vehicle restrictions on WMAs, including: restrict use of off highway vehicles (OHVs), but making allowance for limited use of OHVs on certain days on designated open, maintained roads on Jack Mountain WMA.
- Amend prohibition of structures and personal property on WMAs to include prohibiting leaving any trail cameras or vehicles on a WMA, and allow a limited exception for trail cameras that have the owner's name and address visibly and permanently affixed.
- Revise prohibition for skiing on lakes owned or controlled by the Commission to include jet boats.
- Revise prohibition for baiting or hunting over baited portions of WMAs to increase the penalty and delete exception for certain AGFC wildlife food areas.
- Amend season restrictions during permit hunts on WMAs, including: allow certain other hunting seasons to remain open during the permit hunts on Buffalo National River, Bearcat Hollow, and Gene Rush WMAs.
- Amend hunting season and limit restrictions for deer, bear, and wild turkey, including: establish open hunting seasons for Alum Fork Natural Area WMA in

Saline County and Devil's Eyebrow Natural Area WMA in Benton and Carroll Counties.

- Amend season dates, limit restrictions, and permit requirements for deer hunting on various WMAs, including: Bearcat Hollow, Lee Creek, Wedington, and White Rock WMAs; adjust dates for start and close of archery deer season on Dardanelle WMA affecting Johnson County Waterfowl Rest Area; remove current archery deer permit requirement for Maumelle River WMA; remove permit requirements for Disabled Veteran deer hunts at Warren Prairie and Longview Saline Natural Area WMAs; add youth deer permit hunts at Camp Robinson Special Use Area, Harold E. Alexander/Spring River, and Greers Ferry Lake WMAs; remove current firearm restriction for modern gun deer permit hunt and add muzzleloader deer permit hunt at Stone Prairie WMA.
- Revise various regulations to remove existing designation for Ozark National Forest WMA and incorporate those lands into other adjoining cooperative WMAs.
- Amend dog restrictions on WMAs to allow use of dogs for squirrel hunting after first 9 days of modern gun deer season on Bearcat Hollow WMA.
- Delete restrictions for motorized vehicles on Commission-owned areas and consolidate with existing code for motorized vehicle restrictions on WMAs.
- Revise dates for horse and mule restrictions on certain Commission-owned and leased land WMAs and require 30 days' advance notice for large events to obtain a Special Use Permit.
- Amend codes for Maumelle River WMA, including: allow camping in designated areas only; prohibit removal of certain objects from the WMA without a permit; remove current boating/lake hours and horsepower restrictions; and clarify kayak-use areas.
- Establish dove permit requirements on certain WMAs, including: Camp Robinson Special Use Area; Dave Donaldson Black River; Shirey Bay/Rainey Brake; and Frog Bayou WMAs.
- Amend archery tackle restrictions to prohibit the use of archery equipment capable of holding and/or firing more than one arrow or bolt in succession or simultaneously without re-cocking the device, and allow limited exception during modern gun seasons for bear, deer, elk, and turkey.
- Amend existing firearms and weapons regulations to prohibit the use of blow guns and dart guns for hunting white-tailed deer, elk, bear, wild turkey or quail.
- Amend deer hunting regulations to add certain deer zones (created during 2019-20 regulation cycle) and clarify language for private lands antlerless-only modern-gun hunt and exception for retrieving wounded deer. Also create opportunity for hunters to earn a 3rd buck tag (Conservation Buck Tag).
- Revise tagging requirements for white-tailed deer and turkey to be properly tagged or checked immediately after harvest and before moving the animal.
- Amend prohibition for hunting wildlife or possessing a killing device in a state or national park to provide an exception for parks that participate in the AGFC Deer Management Assistance Program with an approved deer management plan.
- Increase fee for the Non-resident Guide Licenses for hunting and for fishing from \$150 to \$450.00.

• Adopt prohibition for any holder of a Guide License to be guiding another person while the licensed guide is intoxicated or under the influence of any narcotic drug, barbiturate, or marijuana, with a Class 4 penalty for violation and suspension of hunting/fishing Guide Licenses as set forth in Codes 01.00-L and 01.00-K.

#### Wild Turkey

- Increase penalty for violation of hunting wild turkey by the aid of baiting.
- Amend season dates, limit restrictions, and permit requirements for turkey hunting on various WMAs, including: Beryl Anthony Lower Ouachita; Cut-Off Creek; Cypress Bayou; Devil's Eyebrow Natural Area; Dr. Lester Sitzes Bois D'Arc; Freddie Black Choctaw Island WMA Deer Research Area East Unit; Longview Saline Natural Area; McIlroy Madison County; Petit Jean River; Scott Henderson Gulf Mountain; Stone Prairie; Sylamore; Trusten Holder; and Warren Prairie WMAs.
- Require a tag and notching system for turkey harvest.

• Reduce the bag limit for turkey to one bird limit.

#### Bear

- Amend bear season dates and limits, including: establish season framework for Bear Zones 3 and 4; modify archery and modern gun seasons for Bear Zones 1, 2, 5 and 5A; open bear archery season 10 days earlier in Bear Zones 1 and 2; and correct season dates for McIlroy Madison County WMA.
- Amend restrictions for selling wildlife to allow exception for legally harvested bear hide, skull, and claws as items that may be sold.

<u>Elk</u>

• Amend limit restrictions for elk hunting to reduce elk quotas, including number of public and private land elk tags.

#### <u>Waterfowl</u>

- Revise prohibition for killing devices and ammunition for hunting migratory game birds to indicate that certain non-toxic shot requirements apply to migratory waterfowl hunting only and increase the penalty for violation.
- Revise prohibition for use of non-toxic shot while hunting small game on certain WMAs to identify specific WMAs where it is unlawful to possess any shot other than federally-approved non-toxic shot while hunting migratory birds with shotguns.
- Amend season dates, limit restrictions, and permit requirements for waterfowl hunting, including for: duck, coot, and merganser; Canada Goose; Snow, Blue and Ross's Goose; and White-fronted Goose; adjust dates for special youth waterfowl hunting and veteran and active duty military waterfowl hunting; adjust dates for nonresident waterfowl hunting permit requirements on WMAs; and restrict White-fronted Goose season to 74 days to run concurrently with duck season and with a 3-bird bag limit.
- Revise special usage restrictions on certain WMAs and lakes to extend "Common Restriction A" boat access restrictions to include the 7 days preceding the first day of the first segment of regular duck season; and include waterfowl hunting restrictions on Bell Slough, Ed Gordon Point Remove, Frog Bayou, Galla Creek, and Ozark Lake (Dyer Lake Unit) WMAs.
- Amend boat motor restrictions on certain WMAs to require all boats on "Common Restriction A" WMAs to operate only with motors that have factory exhaust systems

in place effective for the 2023-24 duck season. Outboard motors must not be ported to allow exhaust to evacuate above the water line at any point during operation.

Endangered Species / Captive Wildlife

- Amend Endangered Species List to add and remove various species, including: add Red Knot and Black Rail birds; revise Red-cockaded Woodpecker name; and remove Sprague's Pipit and Magazine Mountain shagreen snail.
- Revise Commercial Wildlife Hunting Resort Permit requirements, including remove current prohibition for hunting black bear at a permitted commercial wildlife hunting resort.
- Amend Wildlife Importation Permit requirements, including: clarify this permit is necessary for import of native aquatic turtles and alligators; require disease testing and control measures; allow wildlife to be transported through Arkansas as part of interstate commerce without having to obtain a permit; and require that animals must comply with requirements for proper cages, enclosures, pens, and security, and be kept in humane and healthy conditions.
- Revise provisions prohibiting possession of certain wildlife in captivity and relocate various provisions to other captive wildlife codes for clarity.
- Amend restrictions for possession of captive non-native wildlife to indicate requirements for possession of non-native wildlife pets and mirror existing exemptions found elsewhere in the Code Book.
- Amend existing captive wildlife possession requirements and permits to allow ratites (ostriches, emus, and rheas) to be kept in uncovered pens. Also include provisions authorizing special conditions to permits (Commercial Wildlife Hunting Resort, Game Bird Shooting Resort, Wildlife Breeder/Dealer, Wildlife Importation, Wildlife Rehabilitation, and Venomous Reptile Permits) when deemed necessary by the Commission.
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- Amend restrictions for possessing native wildlife as pets to remove bobcat, coyote, gray fox, and red fox from current list of native species that may be captured by hand in the wild and kept as pets.
- Revise the Unrestricted, Permitted, and Prohibited Captive Wildlife Species Lists (Addenda R1.01, R1.02, and R1.03), reorganize by species types, and add new species to each of these lists. Also amend the Prohibited Captive Wildlife Species List bird selection to prohibit waterfowl without exceptions.
- Amend restrictions for bird dog training and retrieving dog training, and establish requirements for a Shoot-to-Kill Bird Dog Training Permit and a Game Bird Shoot-to-Kill Permit, including existing dog training restrictions and restrict the number of birds that may be kept at any one time to 100.
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- Amend requirements for Falconry Permit to comply with federal falconry regulations required by the U.S. Fish and Wildlife Service.

Chronic Wasting Disease

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- Amend restrictions for deer season and limits, including revise harvest definitions within Ashley, Bradley and Union County portions of Deer Zone 12, and within Randolph County portion of Deer Zone 4.
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  - Define "Game Fish Parts" in the Definition of Terms.
  - Establish that it is illegal to use "game fish parts" (which includes eggs and milt) and add an exception that commercially-prepared (i.e., cured) trout eggs will be allowed.
  - Remove War Memorial Park Pond from the Family and Community Fishing Program Restrictions.

#### Sportfish

- Reinstate statewide crappie regulations on Bois d'Arc Lake.
- Implement catch and release only for all sportfish in Lake Monticello, including all creeks and ponds in its lakebed.
- Implement 13-inch minimum length limit for Largemouth and Smallmouth Bass and remove length limit for Spotted Bass on Lake Norfork.

- Increase the Lake Poinsett daily creel of Bream to the statewide limit of 50.
- Remove 13-16-inch slot length limit regulation for harvest of Largemouth Bass from Sugar Loaf Lake.

• Implement 10-inch minimum length limit for Crappie at Lake Erling. <u>Commercial Fishing</u>

- Clarify that gill and trammel nets are the only legal commercial fishing gear on Horseshoe Lake (Crittenden County).
- Establish special commercial fishing season on Long Slough Lake (Miller County), open noon November 1 until noon February 28 regardless of Sulphur River water level.

• Remove slat traps as a legal form of gear for fishing on Millwood Lake.

Non- Sportfish

- Require certain baitfish collection devices to be clearly labeled, in a durable manner.
- Allow recreational harvest of common snapping turtles and softshell turtles for personal consumption with a combined limit of six animals harvested per day.
- Create a new regulation specific to crayfish to establish harvest restrictions and type of gear that can be used to legally take crayfish, and close certain waters to harvest, including Eleven Point, South Fork Spring, Spring, and Strawberry Rivers.

Invasive Species

- Prohibit possession of invasive aquatic plant species on properties owned, managed, or controlled by the Commission.
- Add exception for possession of White Perch and Yellow Perch, and add White Perch and Marbled Crayfish to the list of Prohibited Species.
- Remove regulation for Transportation of Zebra Mussels Prohibited.
- Amend prohibition for possession of certain live carp to add exceptions for Silver Carp, Bighead Carp, and Black Carp to be possessed with a valid Conditional and/or Unlisted Species Permit.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the April 21, 2022 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 April 11, 2022. Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office and at <u>www.agfc.com</u>, or through a written request mailed to the address below.

AUSTIN BOOTH, DIRECTOR Arkansas Game & Fish Commission Game & Fish Commission Building 2 Natural Resources Drive Little Rock, Arkansas 72205

#### LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. <u>Thursday, May 19, 2022</u>, 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. Additionally, Committee meetings attended by Commissioners and agency staff members will be held in the Director's conference room throughout the day on <u>Wednesday, May 18, 2022</u>, beginning at 9:00 a.m. at the Little Rock Office Complex, 2 Natural Resources Drive, Little Rock, AR 72205. 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 May 19th 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 <u>https://www.agfc.com</u> for additional up-to-date details as the April meeting dates draw closer.

Items on the agenda for the May 19, 2022 meeting will include discussion and/or adoption of proposed regulations that previously were considered at Commission Meetings held on March 15-17, April 7, and April 20-21, 2022, 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:

1. General Hunting and Miscellaneous Wildlife Regulations – Propose general hunting regulations for 2022-23 and 2023-24 including, but not limited to, game seasons, bag limits, geographic zones, wildlife management areas (WMAs), weapon restrictions and other manner-of-taking-game requirements for alligator, bear, deer, elk, furbearing animals, quail, rabbit, squirrel, turkey, dove, waterfowl, and other game species. Changes to regulation include, but are not limited to:

Furbearer/Depredation

- Add exception for bobcat and otter pelt tagging requirement to allow bobcat and otter pelts to temporarily be shipped out of state for tanning without attaching a CITES tag.
- Reduce length of furbearer season for trapping muskrat on WMAs.
- Amend furbearing season trap restrictions to increase maximum size of foothold traps set on land (from 6" to 61/4").
- Revise Predator Control Permit requirements for taking bobcat, coyote, gray fox, opossum, raccoon, red fox, or striped skunk on private land.
- Revise Depredation Permit requirements for consistency with Predator Control Permit requirements, including for taking of certain birds (House Sparrows, European Starlings, Rock Doves, etc.).

General

• Amend Resident and Non-Resident Hunting License requirements, including: remove references to a temporary internet license or confirmation code; and revise Non-Resident License requirements for hunting elk or alligator.

- Revise codes for listing WMAs for bear and wild turkey hunting seasons and limits, including remove from list those WMAs having "closed" seasons (only WMAs with "open" season will remain listed).
- Define types of killing devices and ammunition allowed for hunting crow.
- Provide exception for prohibited methods for hunting wildlife to allow certain livecage-type traps for use in capturing nuisance animals.
- Amend aiding and abetting prohibition to indicate the penalty is the same as the violation committed by the person who was aided or abetted.
- Amend littering prohibition to prohibit discard of any game animal carcass within 50 yards of any stream, river, pond or lake.
- Establish or revise definitions of the following terms: "Conservation Buck Tag"; "Deer Management Assistant Program"; "Large Carnivore"; "Off Highway Vehicle"; "Personal Watercraft or Jet Boat".
- Amend dog training restrictions on Camp Robinson Special Use Area, including: restrict dog use during reserved dog field trial events in reserved compartments, except dogs participating in the field trial event; and clarify number and types of dogs allowed to be trained.
- Amend big game checking requirements to require deer, adult turkey gobblers, or bear injured or killed by incidental contact (non-hunting activity such as vehicle accident) must be reported to the AGFC Radio Room and an official salvage tag number obtained before the animal or its parts may be possessed from the point of initial contact.
- Clarify color description for hunter orange / safety green clothing requirements.
- Revise camping restrictions on Commission-owned or controlled property, including: require persons 16 years of age or older to obtain a 7-day camping permit for a fee of \$5.00, except that a daily camping permit for a fee of \$15.00 will be necessary for camping at Camp Robinson SUA; establish restrictions for large groups of 50 or more individuals; and adopt additional camping restrictions.
- Amend vehicle restrictions on WMAs, including: restrict use of off highway vehicles (OHVs), but making allowance for limited use of OHVs on certain days on designated open, maintained roads on Jack Mountain WMA.
- Amend prohibition of structures and personal property on WMAs to include prohibiting leaving any trail cameras or vehicles on a WMA, and allow a limited exception for trail cameras that have the owner's name and address visibly and permanently affixed.
- Revise prohibition for skiing on lakes owned or controlled by the Commission to include jet boats.
- Revise prohibition for baiting or hunting over baited portions of WMAs to increase the penalty and delete exception for certain AGFC wildlife food areas.
- Amend season restrictions during permit hunts on WMAs, including: allow certain other hunting seasons to remain open during the permit hunts on Buffalo National River, Bearcat Hollow, and Gene Rush WMAs.
- Amend hunting season and limit restrictions for deer, bear, and wild turkey, including: establish open hunting seasons for Alum Fork Natural Area WMA in

Saline County and Devil's Eyebrow Natural Area WMA in Benton and Carroll Counties.

- Amend season dates, limit restrictions, and permit requirements for deer hunting on various WMAs, including: Bearcat Hollow, Lee Creek, Wedington, and White Rock WMAs; adjust dates for start and close of archery deer season on Dardanelle WMA affecting Johnson County Waterfowl Rest Area; remove current archery deer permit requirement for Maumelle River WMA; remove permit requirements for Disabled Veteran deer hunts at Warren Prairie and Longview Saline Natural Area WMAs; add youth deer permit hunts at Camp Robinson Special Use Area, Harold E. Alexander/Spring River, and Greers Ferry Lake WMAs; remove current firearm restriction for modern gun deer permit hunt and add muzzleloader deer permit hunt at Stone Prairie WMA.
- Revise various regulations to remove existing designation for Ozark National Forest WMA and incorporate those lands into other adjoining cooperative WMAs.
- Amend dog restrictions on WMAs to allow use of dogs for squirrel hunting after first 9 days of modern gun deer season on Bearcat Hollow WMA.
- Delete restrictions for motorized vehicles on Commission-owned areas and consolidate with existing code for motorized vehicle restrictions on WMAs.
- Revise dates for horse and mule restrictions on certain Commission-owned and leased land WMAs and require 30 days' advance notice for large events to obtain a Special Use Permit.
- Amend codes for Maumelle River WMA, including: allow camping in designated areas only; prohibit removal of certain objects from the WMA without a permit; remove current boating/lake hours and horsepower restrictions; and clarify kayak-use areas.
- Establish dove permit requirements on certain WMAs, including: Camp Robinson Special Use Area; Dave Donaldson Black River; Shirey Bay/Rainey Brake; and Frog Bayou WMAs.
- Amend archery tackle restrictions to prohibit the use of archery equipment capable of holding and/or firing more than one arrow or bolt in succession or simultaneously without re-cocking the device, and allow limited exception during modern gun seasons for bear, deer, elk, and turkey.
- Amend existing firearms and weapons regulations to prohibit the use of blow guns and dart guns for hunting white-tailed deer, elk, bear, wild turkey or quail.
- Amend deer hunting regulations to add certain deer zones (created during 2019-20 regulation cycle) and clarify language for private lands antlerless-only modern-gun hunt and exception for retrieving wounded deer. Also create opportunity for hunters to earn a 3rd buck tag (Conservation Buck Tag).
- Revise tagging requirements for white-tailed deer and turkey to be properly tagged or checked immediately after harvest and before moving the animal.
- Amend prohibition for hunting wildlife or possessing a killing device in a state or national park to provide an exception for parks that participate in the AGFC Deer Management Assistance Program with an approved deer management plan.
- Increase fee for the Non-resident Guide Licenses for hunting and for fishing from \$150 to \$450.00.

- Adopt prohibition for any holder of a Guide License to be guiding another person while the licensed guide is intoxicated or under the influence of any narcotic drug, barbiturate, or marijuana, with a Class 4 penalty for violation and suspension of hunting/fishing Guide Licenses as set forth in Codes 01.00-L and 01.00-K.
- Amend Point System for Violation of Commission Regulations to indicate that, for the purpose of determining a person's eligibility for suspension or revocation under Code 01.00-L, the Commission will not consider violation points that have: (1) previously been counted and formed the basis for issuance of a suspension or revocation, or (2) expired.
- Amend prohibition for certain firearms during muzzleloading deer or bear seasons to allow buckshot No. 4 or larger to be fired from a muzzleloader, and allow limited use of blow guns and dart guns.
- Amend wildlife records requirements applicable to commercial facilities and taxidermists receiving, processing, or storing wildlife to omit "deer camps" from the list of entities required to maintain records of harvested wildlife for one year.

#### Wild Turkey

- Increase penalty for violation of hunting wild turkey by the aid of baiting.
- Amend season dates, limit restrictions, and permit requirements for turkey hunting on various WMAs, including: Beryl Anthony Lower Ouachita; Cut-Off Creek; Cypress Bayou; Devil's Eyebrow Natural Area; Dr. Lester Sitzes Bois D'Arc; Freddie Black Choctaw Island WMA Deer Research Area East Unit; Longview Saline Natural Area; McIlroy Madison County; Petit Jean River; Scott Henderson Gulf Mountain; Stone Prairie; Sylamore; Trusten Holder; and Warren Prairie WMAs.
- Require a tag and notching system for turkey harvest.
- Reduce the bag limit for turkey to one bird limit.

Bear

- Amend bear season dates and limits, including: establish season framework for Bear Zones 3 and 4; modify archery and modern gun seasons for Bear Zones 1, 2, 5 and 5A; open bear archery season 10 days earlier in Bear Zones 1 and 2; and correct season dates for McIlroy Madison County WMA.
- Amend restrictions for selling wildlife to allow exception for legally harvested bear hide, skull, and claws as items that may be sold.

<u>Elk</u>

• Amend limit restrictions for elk hunting to reduce elk quotas, including number of public and private land elk tags.

<u>Waterfowl</u>

- Revise prohibition for killing devices and ammunition for hunting migratory game birds to indicate that certain non-toxic shot requirements apply to migratory waterfowl hunting only and increase the penalty for violation.
- Revise prohibition for use of non-toxic shot while hunting small game on certain WMAs to identify specific WMAs where it is unlawful to possess any shot other than federally-approved non-toxic shot while hunting migratory birds with shotguns.
- Amend season dates, limit restrictions, and permit requirements for waterfowl hunting, including for: duck, coot, and merganser; Canada Goose; Snow, Blue and Ross's Goose; and White-fronted Goose; adjust dates for special youth waterfowl hunting and veteran and active duty military waterfowl hunting; adjust dates for

nonresident waterfowl hunting permit requirements on WMAs; and restrict Whitefronted Goose season to 74 days to run concurrently with duck season and with a 3bird bag limit.

- Revise special usage restrictions on certain WMAs and lakes to extend "Common Restriction A" boat access restrictions to include the 7 days preceding the first day of the first segment of regular duck season; and include waterfowl hunting restrictions on Bell Slough, Ed Gordon Point Remove, Frog Bayou, Galla Creek, and Ozark Lake (Dyer Lake Unit) WMAs.
- Amend boat motor restrictions on certain WMAs to require all boats on "Common Restriction A" WMAs to operate only with motors that have factory exhaust systems in place effective for the 2023-24 duck season. Outboard motors must not be ported to allow exhaust to evacuate above the water line at any point during operation.

Endangered Species / Captive Wildlife

- Amend Endangered Species List to add and remove various species, including: add Red Knot and Black Rail birds; revise Red-cockaded Woodpecker name; and remove Sprague's Pipit and Magazine Mountain shagreen snail.
- Revise Commercial Wildlife Hunting Resort Permit requirements, including remove current prohibition for hunting black bear at a permitted commercial wildlife hunting resort.
- Amend Wildlife Importation Permit requirements, including: clarify this permit is necessary for import of native aquatic turtles and alligators; require disease testing and control measures; allow wildlife to be transported through Arkansas as part of interstate commerce without having to obtain a permit; and require that animals must comply with requirements for proper cages, enclosures, pens, and security, and be kept in humane and healthy conditions.
- Revise provisions prohibiting possession of certain wildlife in captivity and relocate various provisions to other captive wildlife codes for clarity.
- Amend restrictions for possession of captive non-native wildlife to indicate requirements for possession of non-native wildlife pets and mirror existing exemptions found elsewhere in the Code Book.
- Amend existing captive wildlife possession requirements and permits to allow ratites (ostriches, emus, and rheas) to be kept in uncovered pens. Also include provisions authorizing special conditions to permits (Commercial Wildlife Hunting Resort, Game Bird Shooting Resort, Wildlife Breeder/Dealer, Wildlife Importation, Wildlife Rehabilitation, and Venomous Reptile Permits) when deemed necessary by the Commission.
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  - Define "Game Fish Parts" in the Definition of Terms.

- Establish that it is illegal to use "game fish parts" (which includes eggs and milt) and add an exception that commercially-prepared (i.e., cured) trout eggs will be allowed.
- Remove War Memorial Park Pond from the Family and Community Fishing Program Restrictions.
- Amend the definition of "Zone" in the Definition of Terms and provide that a zone can include individually designated creeks, lakes, rivers, streams, and other waterbodies; catch-and- release areas; special regulation areas; WMAs; and specific lands and waters described in Addendum Chapter E1.00.
- Adopt regulation establishing certain waters as zones and indicate that specific public waterbodies or areas on waters controlled by the Commission may be designated as separates zones for which the Commission may establish and apply fishing regulations.

Sportfish

- Reinstate statewide crappie regulations on Bois d'Arc Lake.
- Implement catch and release only for all sportfish in Lake Monticello, including all creeks and ponds in its lakebed.
- Implement 13-inch minimum length limit for Largemouth and Smallmouth Bass and remove length limit for Spotted Bass on Lake Norfork.
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3. **Procedure for Conducting Commission Business** – Amend existing internal procedure for conducting Commission business to delete requirement that a minimum of two Commissioners must be physically present in a meeting room at the time of a Commission meeting, and permit all Commissioners to participate in public meetings conducted by way of telephone or video conference.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the May 19, 2022 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 May 9, 2022. Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office and at <u>www.agfc.com</u>, or through a written request mailed to the address below.

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