

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



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.

B1.15 – Veteran And Active Duty Military Waterfowl Hunt

1st Saturday in February statewide.

LIMIT: Same as statewide.

ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

MINUTE ORDER NO: 23-019 SUBJECT: 2023-2024 Migratory Waterfowl
 DATE PASSED: April 20, 2023 Hunting Seasons
 PAGE 1 of 1 PAGES LOCATION: Statewide

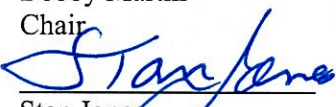
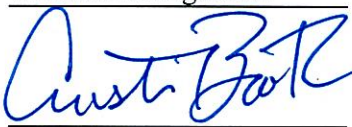
WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached amended regulations for migratory waterfowl hunting, including season date changes; **and**

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

WHEREAS, after carefully considering the recommendations of Commission staff and the Regulations Committee, 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 20th day of April 2023, 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.

	<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>
Submitted by:	 Luke Naylor Chief	 Bobby Martin Chair
Division:	Wildlife Management	 Stan Jones Vice Chair
Approved:	 Director	 J. D. Neeley Commissioner
Approved:	 Legal	 Anne Marie Doramus Commissioner
Approved:	 Fiscal	 Rob Finley Commissioner
		 Philip Tappan Commissioner
		 Bill Jones Commissioner

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

DEPARTMENT: Arkansas Game & Fish Commission

DIVISION:

PERSON COMPLETING THIS STATEMENT: Sandra Garrett

TELEPHONE #: 501-382-3933

FAX #:

EMAIL: Sandra.garrett@agfc.ar.gov

SHORT TITLE OF THIS RULE: waterfowl hunting dates, youth and nonresident dates

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: No: ☒
2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: ☒ 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

General Revenue	\$
Federal Funds	\$
Cash Funds	\$
Special Revenue	\$
Other (Identify)	\$
Total	\$

Next Fiscal Year

General Revenue	\$
Federal Funds	\$
Cash Funds	\$
Special Revenue	\$
Other (Identify)	\$
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: \$ 0

Next Fiscal Year: \$ 0

Party Subject to Rule: waterfowl hunters

Effect on Party Subject to Rule: date changes

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: \$ 0

Next Fiscal Year: \$ 0

Financial Benefit to Agency: none

6. Do alternative means exist for accomplishing the objectives of the rules that might be less burdensome to small business? Yes: No: ☒

Why were such alternatives not proposed:

7. Compare this rule with federal and state counterparts: Federal rules establish dates with which AGFC must comply.

INSTRUCTIONS FOR COMPLETING THIS FORM:

The Division responsible for a regulation proposal must complete this form and include it as the last page(s) of a regulation proposal that is submitted to the Commission for review, and again when the proposal is submitted to the Commission for a vote. After regulation adoption, Legal Division will submit the form to the appropriate State offices.

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, April 20, 2023, 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 throughout the day on Wednesday, April 19, 2023, 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 Commission meeting on April 20th 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 April meeting dates draw closer.

Items on the agenda for the April 20, 2023 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the March 15-16, 2023 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:

- **Fishing Regulations** – Amend existing regulation for Length and Protected Length Limits on Certain Lakes and Rivers to provide that the boundary of Lake Erling includes Bodcau Creek downstream of Arkansas Highway 360 Bridge for the purpose of applying the 10-inch minimum-length-limit for crappie.
- **Waterfowl Hunting Regulations** – Adjust season dates for migratory waterfowl hunting, including for ducks, coots, mergansers, White-fronted geese, Snow, Blue, and Ross geese, and Canada geese; plus adjust season dates for the Special Youth Waterfowl Hunting Season, the Veteran and Active Duty Military Waterfowl Hunt, the Nonresident Waterfowl Hunting Permit Requirements on WMAs, and the Snow, Blue, and Ross's Goose Conservation Order Season.
- **Miscellaneous Rules / Regulations** – Amend the existing definition of "Resident" to clarify that: (1) children younger than 18 are presumed to have the same resident status as their parent or legal guardian; (2) persons who are enrolled as a full-time student at a college or university outside of Arkansas qualify as a resident, provided they qualified as an Arkansas resident at the time of enrollment; (3) nonresidents who are enrolled as a full-time student at a college or university in Arkansas and who reside in the state during the school year qualify as a resident; and (4) for an applicant to qualify as a resident and be eligible to be issued any of the listed resident lifetime or commercial licenses, permits, or tags, the applicant must satisfy the general resident requirements and also provide proof that his or her domicile is currently in Arkansas and has been for at least the past 1 continuous year.

Also adopt policy and procedures to establish and operate an Arkansas Game and Fish Advisory Council, having members consisting of invited citizen-volunteers and designated

AGFC employees, for the purpose of providing stakeholder-focused advisory assistance to the Commission concerning AGFC programs and other critical matters related to the control, management, restoration, conservation and regulation of the wildlife resources of the State of Arkansas.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the April 20, 2023 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 10, 2023. 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.

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