

# 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 \_\_\_\_\_

Contact Person Sarah Milligan

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Contact Phone 501-382-3807 Legal Division

Name of Rule Policy AD-1-04 Advisory Council

Newspaper Name Arkansas Democrat Gazette

Date of Publishing March 19, 20, & 21, 2023

Final Date for Public Comment April 20, 2023

Location and Time of Public Meeting AGFC Headquarters – 2 Natural Resources Drive, Little Rock, AR 72205

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

**SHORT TITLE OF THIS RULE: Policy AD-1-04**

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

## **INSTRUCTIONS FOR COMPLETING THIS FORM:**

1. ECONOMIC IMPACT - In compliance with Governor's Proclamation EO 05-04, this form must be completed for **commercial licenses and permits** and submitted at the time a regulation is proposed to the Commission. The form will be forwarded to the Chief of Fiscal Services Division for review. After review, the form will be submitted to:

Director  
Arkansas Department of Economic Development  
One Capitol Mall  
Little Rock, AR 72201

2. FINANCIAL IMPACT - After passage of any regulation changes which have a financial impact (including all sport, lifetime, and commercial licenses) this form must be completed and submitted to the Chief of the Legal Division. The form is required for filing regulation changes with the Secretary of State.

## **ARKANSAS GAME AND FISH ADVISORY COUNCIL**

AGFC POLICY AD-1-04 | EFFECTIVE 4/20/2023

### **PURPOSE**

To set forth policy and procedures of the Arkansas Game and Fish Commission (AGFC, Commission) for establishing and operating an Arkansas Game and Fish Advisory Council (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.

### **SCOPE**

This policy applies to all activities of the Commission, to all locations of the Commission, to all individuals employed by the Commission, and to all citizen-stakeholders who accept an invitation to serve on the Arkansas Game and Fish Advisory Council.

### **POLICY**

It is the interest of the Arkansas Game and Fish Commission to establish and operate an Arkansas Game and Fish Advisory Council that shall be composed of volunteer citizen-stakeholders and AGFC employees designated by the Director to facilitate public involvement and recommendations with respect to agency programming. More specifically, the Advisory Council is to help the AGFC determine how it can better serve multiple user groups of Arkansas's wildlife resources, how AGFC can better partner with private industry and other third parties to maximize outdoor opportunity and conservation awareness, and how AGFC can better communicate and advocate for the large and critical mission of wildlife conservation in Arkansas and the challenges it faces. The Advisory Council will not fill a representative function or provide input on agency regulations; rather, its function is to collect information and facilitate the sharing of communication, partnership, advice, and recommendations with AGFC through focused groups of citizen-stakeholders.

#### **AD-1-04-A. ORGANIZATION**

1. Advisory Council members shall be selected at the purview of the AGFC Director, based principally upon having a history of demonstrated commitment to the advancement of conservation in Arkansas.
2. Ideally, for maximum benefit, the Advisory Council should have diverse membership; nevertheless, invitations for participation ultimately shall be extended to individuals without regard to their race, religion, gender, national origin, age, disability, citizenship, or other protected status.
3. Advisory Council members and designated AGFC employees will be assigned to one (1), but not more than two (2) subordinate panels identified by the Director. There shall be approximately five (5), but not more than ten (10) panels within the Advisory Council, including but not limited to: the Fishing Panel (FP); the Habitat and Access Panel (HAC); the Hunting Panel (HP); and the Recreational Shooting Panel (RSP). Each panel will be chaired by an Advisory Council citizen-

stakeholder member, have at least one designated AGFC employee member, and be composed of end-users, industry representatives, and/or members of conservation associations.

4. All members of the Advisory Council and designated AGFC employees shall serve at the pleasure of the Director. Advisory Council members shall be subject to periodic rotation (e.g., terms of two (2) to four (4) years) at the reasonable discretion of the Director, to provide for new member participation.

### **AD-1-04-B. OPERATION**

1. Meetings of the Advisory Council shall be open by invitation to council members and designated AGFC employees, plus AGFC Commissioners and/or invited guests only. In the event multiple AGFC Commissioners plan to be in attendance, then such meeting will be announced and conducted as a public meeting in accordance with the requirements of the Arkansas Freedom of Information Act.
2. The full Advisory Council is expected to meet with the Director at least annually. Subordinate panels should meet at least semi-annually, but not more than quarterly.
3. The chair of the Advisory Council and the chairs of the subordinate panels shall not schedule any meetings except at the call of, or with the advance approval of, the Director or the designated AGFC employee and with an agenda approved by the Director or such AGFC employee. At least one designated employee of the AGFC shall attend each meeting of a subordinate panel, unless otherwise approved in advance by the Director.
4. Following each full Advisory Council and subordinate panel meeting, an accurate summary description of matters discussed and recommendations reached shall be made in meeting notes, which shall be approved by the chair and the designated AGFC employee and then provided to the Director.
5. Copies of meeting agenda, reports, working papers, studies, or other documents which were made available to or prepared for or by the full Advisory Council or a subordinate panel shall be retained for a period of at least five (5) years from its creation or effective date.
6. Once established, each subordinate panel shall remain operating unless and until terminated in the sole discretion of the Director.
7. The Director shall regularly provide oral or written updates to the AGFC Commissioners regarding Advisory Council meeting activities.

## 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 20<sup>th</sup> 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](http://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