

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.



## **Arkansas Game and Fish Commission**

### **Limited English Proficiency/Title VI Program Notice to the Public**

#### **Your Rights Under**

#### **Title VI of the Civil Rights Act of 1964**

---

The Arkansas Game and Fish Commission hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all agency programs and activities. It is our policy that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, low-income, disability or limited English proficiency be excluded from the participation in, be denied the benefits of, or otherwise subjected to discrimination under any of AGFC's programs or activities.

Any person who believes they have been subjected to an unlawful discriminatory practice under Title VI has a right to file a formal complaint. A written complaint must be filed with the agency within 180 days of the last incident of discrimination.

All complaints should be submitted to:

Arkansas Game and Fish Commission  
ATTN: AGFC Compliance Officer  
Human Resources  
2 Natural Resources Drive  
Little Rock, AR 72205  
Email: [ComplianceOfficer@agfc.ar.gov](mailto:ComplianceOfficer@agfc.ar.gov)

AGFC's LEP/Title VI Non-Discrimination Plan and Complaint Process can be found online at: <https://www.agfc.com/civil-rights/>

# Civil Rights Complaint and Appeal Procedure

The Arkansas Game and Fish Commission (“AGFC” or “Commission”) makes every effort to provide fair treatment of all persons regardless of their race, color, religion, gender, national origin (including Limited English Proficiency (LEP)), income status, age, sex, or disability in their hunting, fishing, wildlife viewing, and other wildlife conservation activities, or in AGFC’s programs and facilities, in accordance with applicable federal and state law. Furthermore, it is the policy of the Commission to provide equal access to its programs, services, activities, and facilities under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and other applicable laws and regulations. However, this policy does not waive the Commission’s federal or state sovereign immunity. AGFC is a recipient of federal financial assistance.

The Commission encourages public awareness of this policy and the procedures for making discrimination complaints or inquiries. Complaints are to be dealt with confidentially and free of harassment and intimidation. This formal complaint procedure is established in accordance with state and federal law, and may be used by anyone who wishes to file a complaint alleging discrimination on the basis of race, color, religion, gender, national origin, LEP status, income status, age, sex, or disability in the provision of services by or access to activities, programs or facilities of AGFC. A separate procedure applies to complaints relating to employment by AGFC.

A copy of AGFC’s LEP Plan and Policy is available at <http://www.agfc.com/civil-rights>.

## 1. File complaint

If you believe you have been discriminated against (as described above), a complaint must be in writing on the “Civil Rights Complaint/Appeal” form and contain information about the alleged discrimination, such as your (the Complainant’s) name, address, and phone number, as well as the location, date, and description of the incident. The Complainant must sign and date the form certifying the information is true and correct. Please use the Civil Rights Complaint/Appeal form to file a complaint. A complaint must be submitted by the Complainant or his or her designee as soon as possible, but no later than 180 calendar days after the alleged violation to:

Arkansas Game and Fish Commission  
ATTN: AGFC Compliance Officer  
Human Resources  
2 Natural Resources Drive  
Little Rock, AR 72205  
Email: [ComplianceOfficer@agfc.ar.gov](mailto:ComplianceOfficer@agfc.ar.gov)

Upon request, AGFC will make available alternative means of filing a complaint, such as personal interviews or a tape recording of the complaint with language assistance services, to

LEP persons or persons with disabilities. If you need further assistance or information, please contact the AGFC Compliance Officer at 501-207-0326.

## **2. Commission review**

Within 180 calendar days after AGFC's receipt of the complaint, the AGFC Compliance Officer or designee will communicate with the Complainant to discuss the complaint and possible resolutions.

Within 180 calendar days after the communication, the AGFC Compliance Officer or designee will respond in writing, or, where appropriate, in a format accessible to the Complainant, with a final decision of the complaint. The response will explain the position of AGFC and offer alternative options for substantive resolution of the complaint.

## **3. Appeal of Decision**

If the response by the AGFC Compliance Officer or designee does not satisfactorily resolve the issue, the Complainant and/or his or her designee may appeal the decision within 180 calendar days after receipt of the response by submitting an additional completed Civil Rights Complaint/Appeal form to:

Arkansas Game and Fish Commission  
ATTN: Director  
2 Natural Resources Drive  
Little Rock, AR 72205

Alternatively, the Complainant may write to:

Office of Diversity, Inclusion and Civil Rights  
Department of the Interior  
1849 C Street NW  
Washington, DC 20240

## **4. Records Retention**

AGFC will keep a log of all civil rights complaints received. The log will include date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint. All written complaints received, notes, and responses will be retained by AGFC for at least three years.



## Civil Rights Complaint/Appeal

It is the policy of the Arkansas Game and Fish Commission (AGFC) to comply with all applicable federal and state laws and regulations related to civil rights in service delivery and facility access for the public. If you believe AGFC may have discriminated against you in providing you access to AGFC's public facilities, programs, activities, or services, AGFC wants to hear from you. Complete this form and mail it to:

### Arkansas Game and Fish Commission

**ATTN: Compliance Officer**

**2 Natural Resources Drive**

**Little Rock, AR 72205**

**Phone number: (501) 207-0326**

**Contact information – So we can communicate with you**

Tracking number (AGFC use only)

Your name	(Area code) Daytime phone	Email
Home address (Address, City, State, ZIP code)		

### Incident information

Incident date (mm/dd/yyyy)	Approximate time of incident <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	Location of incident
Basis/Type of complaint (choose all that apply) <input type="checkbox"/> Race/Color <input type="checkbox"/> Disability <input type="checkbox"/> Religion <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> National origin/Limited English proficiency		Have you filed a complaint with another agency regarding this incident? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," which agency? _____
Description of the incident (explain what happened)		
Provide and describe any supporting documents regarding the incident and attach them to this form		

### Individuals involved, if applicable – Enter name, title, or phone number, if known

Name of person you believe discriminated against you	Title	(Area code) Phone number
Name of person you believe discriminated against you	Title	(Area code) Phone number
Name of person you believe discriminated against you	Title	(Area code) Phone number
Name of witness to the incident		(Area code) Phone number
Name of witness to the incident		(Area code) Phone number
Name of witness to the incident		(Area code) Phone number

**X**

Signature

Date

**ARKANSAS GAME AND FISH COMMISSION**  
 Little Rock, Arkansas

MINUTE ORDER NO:	<u>23-022</u>	SUBJECT:	<u>Civil Rights Complaint &amp; Appeal</u>
DATE PASSED:	<u>May 18, 2023</u>		<u>Procedure; and Limited English</u>
			<u>Proficiency Plan &amp; Policy</u>
PAGE <u>1</u> of <u>2</u> PAGES		LOCATION:	<u>Statewide</u>

**WHEREAS,** the Arkansas Game and Fish Commission makes every effort to provide fair treatment of all persons regardless of their race, color, religion, gender, national origin (including Limited English Proficiency (LEP)), income status, age, sex, or disability in their hunting, fishing, wildlife viewing, and other wildlife conservation activities, or in AGFC's programs and facilities, in accordance with applicable federal and state law; **and**

**WHEREAS,** the Commission recognizes the need for written policy and procedures to identify how members of the public can make inquiries or file complaints concerning discrimination, as well as for having a plan and policy to make reasonable efforts to eliminate or reduce LEP as a barrier to individuals wanting to access AGFC programs, activities, or services; **and**


**WHEREAS,** Commission staff have proposed the attached Civil Rights Complaint and Appeal Procedure and Limited English Proficiency Plan and Policy to address these important concerns; **and**

**WHEREAS,** the attached policies and procedures 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 the Director, Commission staff and the Regulations Committee, as well as comments received from the public, the Commission has determined that the attached policies and procedures advance the present priorities, needs, budgetary concerns, and public expectations for this agency, are consistent with Amendment 35 of the Arkansas Constitution, and that the same should now be approved for application.

**NOW, THEREFORE, BE IT ORDERED** this 18<sup>th</sup> day of May 2023, that the Arkansas Game and Fish Commission hereby approves and adopts the attached Civil Rights Complaint and Appeal Procedure and Limited English Proficiency Plan and Policy, 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 policies and procedures with the Secretary of State, State Library, and Bureau of Legislative Research and distributing the new policies and procedures, as appropriate.

**Submitted by:**   
Landon Aaron  
Special Projects Manager

**Division:** Administration

**Approved:**   
Director

**Approved:**   
Legal

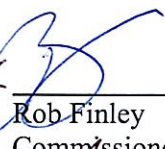
**Approved:**   
Fiscal

**COMMISSION APPROVAL**  
  
Bobby Martin  
Chair


  
Stan Jones  
Vice Chair

  
J.D. Neeley  
Commissioner

  
Anne Marie Doramus  
Commissioner

  
Rob Finley  
Commissioner

  
Philip Tappan  
Commissioner

  
Bill Jones  
Commissioner



## LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, May 18, 2023, at the Vada Sheid Community Development Center on the Arkansas State University-Mountain Home campus, 1600 South College Street, Mountain Home, AR 72653. 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, May 17, 2023, beginning at 8:00 a.m. at the Vada Sheid Community Development Center on the Arkansas State University-Mountain Home campus. All interested persons are invited to attend these meetings.

The Commission meeting on May 18<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 May meeting dates draw closer.

Items on the agenda for the May 18, 2023 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the April 19-20, 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 regulations for Non-Resident Fishing License Requirements, including remove option for Non-Resident 14-Day Trip Fishing License and increase amount of Non-Resident Guide License/Fishing.
- **Hunting Regulations** –
  - Amend existing regulations for Non-Resident Hunting License Requirements, including annual license fee amounts and requirements for hunting various game animals, including small game, waterfowl, alligator, deer, turkey, bear, and elk. More specifically, increase amounts of Non-Resident Deer Hunting Licenses, Non-Resident Guide License/Hunting, Non-Resident WMA Waterfowl Hunting Permit (5-day trip), and Arkansas Non-Resident Waterfowl Stamp, and establish Non-Resident Permits for hunting bear, turkey, elk, and alligator.
  - Adopt regulation to require a Non-Resident Hunting Dog Permit before a nonresident may use any dog to hunt, chase, pursue or retrieve deer, or to train a dog for such purposes.
  - Amend existing regulations for Wildlife Management Areas, including establish Hot Springs State Forest WMA, Goat's Beard Bluff Natural Area WMA, and Sugarloaf Mountains-Midland Peak Natural Area WMA plus establish user requirements for these WMAs, including restrictions for camping, firearms, and hunting deer, turkey, furbearers, feral hogs, and other game.
  - Amend existing regulation to clarify that prohibition for horses and mules on Freddie Black Choctaw Island WMA Deer Research Area applies from sunrise to sunset during an open deer season.



- Amend existing regulation for boating and duck hunting on certain WMAs and lakes to clarify that on Rex Hancock Black Swamp WMA the Common Restriction A applies except within the Cache River.
- **Policy/Procedures** – Adopt policy and procedures to establish (1) Civil Rights Complaint and Appeal Procedure; and (2) Limited English Proficiency Plan and Policy.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the May 18, 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 May 8, 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