

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.

N1.02 Length and Protected Length Limits on Certain Lakes and Rivers

A. **BLACK BASS:** It is unlawful to possess black bass as follows:

1. Largemouth bass less than 12 inches on Lake Frierson and Greers Ferry Lake.
2. Spotted bass (Kentucky bass) less than 12 inches on Bull Shoals and Table Rock lakes.
3. All black bass less than 12 inches in Horseshoe Bend Pool on the Strawberry River.
4. Largemouth less than 13 inches on Norfolk and Ouachita lakes.
5. Largemouth bass 13-16 inches on lakes Barnett (White County), Brewer, Wilhelmina (Polk County), Bear Creek Lake, Bob Kidd, and Lee Creek.
6. Largemouth bass less than 13 inches on DeGray Lake and within the boundaries of Felsenthal NWR.

- i. **EXCEPTION:** No restriction in Woodland Trail Pond – located at the Felsenthal NWR Headquarters on U.S. Highway 82 (Ashley County); Locust Ridge Pond – located at Locust Ridge on U.S. Highway 82 (Union County); Eagle Lake Pond– located north of Eagle Lake on Bradley County Road 53 (Bradley County); and Shallow Lake Field Pond located west of Shallow Lake (Union County). Person(s) keeping largemouth bass less than 13 inches from these waters must exit the NWR boundaries immediately upon leaving these ponds and may not enter NWR campgrounds or fish other NWR waters with largemouth bass less than 13 inches from these 4 ponds in their possession.

7. Largemouth bass less than 14 inches on the Arkansas River and its tributaries.
8. Smallmouth bass less than 15 inches on Beaver, Bull Shoals, and Table Rock lakes.
9. Largemouth bass less than 15 inches on Beaver Lake, Blue Mountain, Bull

As of May 3, 2023
 Shoals, Georgia Pacific, Kingfisher, and
 Table Rock lakes; Upper and Lower
 Lake Chicot (including Connerly Bayou
 downstream from Connerly Dam to the
 bayou's mouth and Ditch Bayou from
 the inlet on Lake Chicot to Ditch Bayou
 Dam); and Moss Creek Pond.

10. Black bass greater than 16 inches in Lake Winona.
 11. Largemouth bass 16-21 inches on Lake Atkins. Daily limit 10 (only 1 of which may be longer than 21 inches).
 12. Largemouth bass less than 16 inches on Lake June.
 13. Largemouth bass daily limit 10 (only 1 of which may be longer than 20 inches) on Lake Columbia, Lake Austell (Cross County), Lake Dunn (Cross County), and Lower White Oak Lake.
 14. Largemouth bass daily limit 10 (only 1 of which may be longer than 18 inches) on Lake SWECO.
 15. Smallmouth bass less than 18 inches on the lower Little Missouri River from Narrows Dam to its mouth. Daily limit 1.
 16. Largemouth bass 14-17 inches on Mallard Lake. Daily limit 10, only 1 of which may be larger than 17 inches.
 17. RESERVED.
- B. **CRAPPIE:** It is unlawful to possess crappie as follows:
1. Less than 10 inches in Beaver, Table Rock, Bull Shoals, and Norfolk reservoirs; Cane Creek Lake in Lincoln County; Lake Chicot (including Connerly Bayou downstream from Connerly Dam to the bayou's mouth and Ditch Bayou from the inlet on Lake Chicot to Ditch Bayou Dam); Lake Erling (including Bodcau Creek downstream of Arkansas Highway 360 Bridge), Lake Overcup, Harris Brake Lake, Lake Dardanelle, and Lake Atkins.
 2. Less than 9 inches on Blue Mountain Lake.
- C. **CATFISH (channel, blue and flathead):** It is unlawful to possess flathead catfish less than 20

As of May 3, 2023
inches on the Ouachita River from Sandy Beach
Access (Ouachita County) to Rammel Dam.

- D. **STRIPED BASS:** It is unlawful to possess striped bass less than 20 inches on Lake Norfolk and Beaver Lake
- E. **SHOVELNOSE STURGEON:** It is unlawful to possess shovelnose sturgeon less than 21 inches. Shovelnose sturgeon may not be taken from the Mississippi River.
 - 1. **EXCEPTION:** Sportfish may be snagged (except in catch-and-release areas) in compliance with Codes [26.05](#) and [26.17](#), and within the restrictive size limits in this Addendum chapter.
- F. **WALLEYE:** It is unlawful to possess walleye less than 14 inches on Greers Ferry Lake and its tributaries.

All fish measurements must follow procedures listed in the definition of "Length Limits" in Code 01.00-C.

ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

MINUTE ORDER NO:	<u>23-038</u>	SUBJECT:	<u>Emergency Suspension of Game Fish</u>
DATE PASSED:	<u>July 20, 2023</u>		<u>Limits for Lake Conway Draining</u>
PAGE <u>1</u> of <u>2</u> PAGES		LOCATION:	<u>Faulkner County</u>

WHEREAS, the Craig D. Campbell Lake Conway Reservoir is an approximately 6,700-acre lake located three miles south of the city of Conway in Faulkner County, Arkansas that is owned and managed by the Arkansas Game and Fish Commission under authority of Amendment 35 of the Arkansas Constitution; **and**

WHEREAS, Lake Conway is the first and largest lake constructed by the Commission and, in fact, is the largest lake ever constructed by a state wildlife agency. Because of its size, central location and excellent fishing, it has been one of this state's favored fishing spots since it was built on Palarm Creek in 1948. The lake is well known for its abundant supply of bluegills, redears, bream, bass, crappie, and big blue and channel catfish; **and**

WHEREAS, AGFC staff members have identified multiple issues with the Lake Conway dam that are in need of prompt attention and, to properly resolve these issues, it is necessary to fully drain the lake to gain access to both sides of the dam, make repairs, and perform additional lake renovations; **and**

WHEREAS, during the upcoming drainage of the lake, a large number of desirable game fish will either be flushed out through the spillway drain pipe or become stranded in small pools of water. This valuable fisheries resources could be harvested and utilized by local residents, thereby preventing the waste of edible portions and lessening the presence of decaying fish carcasses in the lake bed; **and**

WHEREAS, given the unusual emergency circumstances and in order to protect public welfare and prevent unnecessary waste of a valuable game fish resource, the Director and AGFC staff are recommending temporarily suspending enforcement of the recreational game fish daily limits and length limits for Lake Conway currently applicable under AGFC Code Chapter 25.00 and Addendum Chapter N1.00, from July 21, 2023 until January 16, 2024, so that so that all persons whose fishing privileges otherwise are not suspended may harvest fish prior to their loss due to water drainage and hot temperatures; **and**

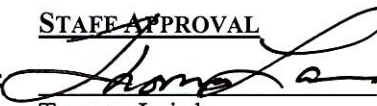
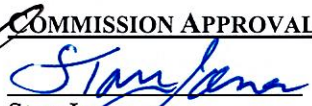
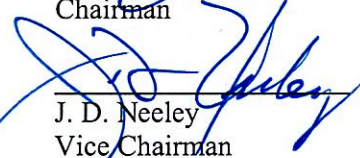

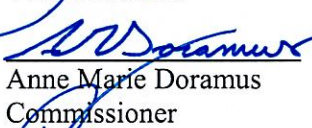
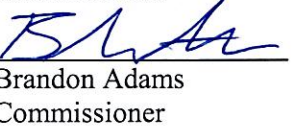

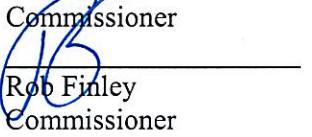
WHEREAS, the attached regulations have been communicated through a variety of media avenues to sportsmen and the general public throughout the state for review and comment for at least the past 30 days; **and**

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 for Lake Conway.

NOW, THEREFORE, BE IT ORDERED this 20th day of July 2023 that the Arkansas Game and Fish Commission hereby declares that an emergency exists, and approves and adopts the attached regulations, which amend AGFC Code Chapter 25.00 and Addendum Chapter N1.00, effective immediately, to temporarily suspend enforcement of the provisions affecting game fish daily limits and length limits on Lake Conway from July 21, 2023 until January 16, 2024, and thereafter the temporary suspension shall terminate.

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:	 Tommy Laird Chief	 Stan Jones Chairman	 Philip Tappan Commissioner
Division:	Fisheries	 J. D. Neeley Vice Chairman	 Bill Jones Commissioner
Approved:	 Director	 Anne Marie Doramus Commissioner	 Brandon Adams Commissioner
Approved:	 Legal	 Rob Finley Commissioner	
Approved:	 Fiscal		

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

DEPARTMENT: Arkansas Game & Fish Commission

DIVISION: Fisheries

PERSON COMPLETING THIS STATEMENT: Sean Lusk

TELEPHONE #: (877) 525-8606

FAX #: (501) 525-2265

EMAIL:

Sean.lusk@agfc.ar.gov

SHORT TITLE OF THIS RULE: Temporarily suspend Lake Conway game fish daily limits.

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: _____ No: **X**
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

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

Next Fiscal Year

General Revenue	\$	
Federal Funds	\$	
Cash Funds	\$	N/A
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: **Anglers in Arkansas**

Effect on Party Subject to Rule: This regulation reduces harvest restrictions for game fish.

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: **N/A**

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

Why were such alternatives not proposed:

7. Compare this rule with federal and state counterparts:

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.

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, July 20, 2023, at the Arkansas Game and Fish Commission Headquarters located at 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, July 19, 2023, beginning at 9:00 a.m. at the Arkansas Game and Fish Commission Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. All interested persons are invited to attend these meetings.

The Commission meeting on July 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 meeting dates draw closer.

Items on the agenda for the July 20, 2023 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the June 14-15, 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** – Take emergency action to amend existing regulations to temporarily suspend all game fish daily limits and length limits on Lake Conway during drainage of the lake for making repairs to the dam to allow anglers to harvest fish that would otherwise expire during this process. This emergency action shall remain in effect from July 21, 2023 until January 16, 2024, and then shall terminate.

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



Austin Booth
Director

Chris Racey
Chief of Staff

Spencer Griffith
Deputy Director

Roger Mangham
Deputy Director

Arkansas Game and Fish Commission

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Assistant General Counsel

James R. Brown
Assistant General Counsel
Fax: 501-223-6463

July 21, 2023


Ms. Jacqueline Cowan
Arkansas Secretary of State, Rules & Regulation Filing
500 Woodlane Drive, Room 26
Little Rock, AR 72201
Via email only: register@sos.arkansas.gov

RE: Legal Notice for Approved Rules or Regulations – July 2023 meetings

Dear Ms. Cowan:

Included are two (2) approved regulation changes that were published in the Legal Notice to the Arkansas Democrat Gazette on June 18-22, 2023. Should you have any questions or comments concerning this filing, please do not hesitate to contact Sarah Milligan or me at (501) 382-3807 at your convenience.

Sincerely,


James F. Goodhart
General Counsel

JFG/srm
Attachment

cc: Ms. Rebecca Miller-Rice, Bureau of Legislative Research
miller-ricer@blr.arkansas.gov
Ms. Sheri Thomas, Bureau of Legislative Research
thomass@blr.arkansas.gov
aslib-govdocs@ade.arkansas.gov