

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
John Thurston  
500 Woodlane Street, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-5070  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



---

Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

---

Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_

Proposal: Update of Aquaculture Species Lists, Move Prohibited Aquatic Species List, and add Prohibited Aquatic Species

Justification: The prohibited aquatic species list is currently housed in both J1.01 and J1.03, and is referenced by several other regulations. Establishing it as a distinct addendum will make it easier to reference throughout the Code of Regulations. Additionally, fifteen species are being added to the list which are currently listed as harmful, injurious or invasive by one or more federal agencies. Recent taxonomic name changes also necessitated revisions to the various species lists within the Live Fish Trade code language.

Code Change: J1.01

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

**SHORT TITLE OF THIS RULE: Revised Live Fish Trade Code**

- Financial Benefit to Agency: Reduce management and remediation costs associated with eradicating, containing, or controlling aquatic invasive species, if introduced or established. Reduce management costs associated with pathogens on native aquatic wildlife and aquaculture, if introduced. Prevent loss of fishing and hunting license revenue resulting from use restrictions, habitat degradation, or declines in native fish populations due to invasive species introductions or establishment.**

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?

## J1.01 Approved Commercial Aquaculture Species List

The intent of this list is to delineate species that pose minimal threat to Arkansas' aquatic biota. These farm-reared species may be imported, traded (within the state), or used for commercial aquaculture purposes, once appropriate permits and health certificate requirements have been met. All imported species must comply with health certification requirements (see Codes [35.11](#), [35.12](#), and Addendum Chapter [11.00](#)).

\* Denotes non-native species

### Class Crustacea Family

#### Cambaridae

*Procambarus acutus* (White River crayfish)

*Procambarus clarkii* (Red Swamp crayfish)

### Class Osteichthyes

#### Family Polyodontidae

*Polyodon spathula* (Paddlefish)

#### Family Lepisosteidae

*Lepisosteus oculatus* (Spotted gar)

*Lepisosteus osseus* (Longnose gar)

*Lepisosteus platostomus* (Shortnose gar)

#### Family Amiidae

*Amia ~~ealva~~ ocellicauda* (Emerald Bowfin)

#### Family Anguillidae

*Anguilla rostrata* (American eel)

#### Family ~~Clupeidae~~ Dorosomatidae

~~*Alosa chrysochloris* (Skipjack herring)~~

*Dorosoma cepedianum* (Gizzard shad)

*Dorosoma petenense* (Threadfin shad)

#### Family Alosidae

*Alosa chrysochloris* (Skipjack herring)

## Family Esocidae

*Esox americanus* (~~Grass~~ Redfin pickerel)

*Esox niger* (Chain pickerel)

## Family Cyprinidae

\* *Carassius auratus* (Goldfish, including ornamentals)

~~\* *Ctenopharyngodon idella* (Grass carp) – USFWS CERTIFIED TRIPLOIDS ONLY~~

~~*Cyprinella venusta* (Blacktail shiner)~~

\**Cyprinus carpio* (Common carp, including koi) – Koi must be obtained from a permitted source and spawned and reared only in the United States

~~*Hybognathus nuchalis* (Mississippi silvery minnow)~~

~~*Luxilus chrysocephalus* (Striped shiner)~~

~~*Lythrurus umbratilis* (Redfin shiner)~~

~~*Notemigonus crysoleucas* (Golden shiner)~~

~~*Notropis atherinoides* (Emerald shiner)~~

~~*Notropis boops* (Bigeye shiner)~~

~~———— *Notropis buchanani* (Ghost shiner)~~

~~*Notropis volucellus* (Mimic shiner)~~

~~*Opsopoeodus emiliae* (Pugnose minnow)~~

~~*Pimephales notatus* (Bluntnose minnow)~~

~~*Pimephales promelas* (Fathead minnow)~~

~~*Pimephales vigilax* (Bullhead minnow)~~

~~*Semotilus atromaculatus* (Creek chub)~~

## Family Leuciscidae

*Cyprinella venusta* (Blacktail shiner)

*Hybognathus nuchalis* (Mississippi silvery minnow)

*Luxilus chrysocephalus* (Striped shiner)

*Lythrurus umbratilis* (Redfin shiner)

*Notemigonus crysoleucas* (Golden shiner)

*Notropis atherinoides* (Emerald shiner)

~~*Notropis*~~ *Miniellus boops* (Bigeye shiner)

~~*Notropis*~~ *Paranotropis buchanani* (Ghost shiner)

*Notropis volucellus* (Mimic shiner)

*Opsopoeodus emiliae* (Pugnose minnow)

*Pimephales notatus* (Bluntnose minnow)

*Pimephales promelas* (Fathead minnow)

*Pimephales vigilax* (Bullhead minnow)

*Semotilus atromaculatus* (Creek chub)

## Family Xenocyprididae

\* *Ctenopharyngodon idella* (Grass carp) – USFWS-CERTIFIED TRIPLOIDS ONLY

## **Family Catostomidae**

*Erimyzon ~~oblongus~~ claviformis* (Western Creek chubsucker)

*Erimyzon sucetta* (Lake chubsucker)

*Hypentelium nigricans* (Northern hog sucker)

*Ictiobus bubalus* (Smallmouth buffalo)

*Ictiobus cyprinellus* (Bigmouth buffalo)

*Ictiobus niger* (Black buffalo)

*Minytrema melanops* (Spotted sucker)

*Moxostoma erythrurum* (Golden redhorse)

*Catostomus commersoni* (White sucker)

## **Family Ictaluridae**

*Ictalurus furcatus* (Blue catfish)

*Ameiurus melas* (Black bullhead)

*Ameiurus natalis* (Yellow bullhead)

*Ameiurus nebulosus* (Brown bullhead)

*Ictalurus punctatus* (Channel catfish)

*Noturus gyrinus* (Tadpole madtom)

*Noturus nocturnus* (Freckled madtom)

*Pylodictis olivaris* (Flathead catfish)

## **Family Aphredoderidae**

*Aphredoderus sayanus* (Pirate perch)

## **Family Cyprinodontidae Fundulidae**

*Fundulus notatus* (Blackstripe topminnow)

*Fundulus olivaceus* (Blackspotted topminnow)

## **Family Poeciliidae**

*Gambusia affinis* (Western Mosquitofish)

## **Family Atherinidae**

*Labidesthes sicculus* (Brook silverside)

## **Family Moronidae**

*Morone chrysops* (White bass)

*Morone mississippiensis* (Yellow bass)

\* *Morone saxatilis* (Striped bass)

## Family Centrarchidae

*Centrarchus macropterus* (Flier)  
*Lepomis cyanellus* (Green sunfish)  
*Lepomis gulosus* (Warmouth)  
*Lepomis humilis* (Orangespotted sunfish)  
*Lepomis macrochirus* (Bluegill)  
*Lepomis marginatus* (Dollar sunfish)  
*Lepomis megalotis* (Longear sunfish)  
*Lepomis microlophus* (Redear sunfish)  
*Lepomis miniatus* (Red spotted sunfish)  
*Micropterus dolomieu* (Smallmouth bass)  
*Micropterus punctulatus* (Spotted bass)  
*Micropterus salmoides* (~~Largemouth~~ Florida bass)  
*Micropterus nigricans* (Largemouth bass)  
*Pomoxis annularis* (White crappie)  
*Pomoxis nigromaculatus* (Black crappie)  
~~*Elassoma zonatum* (Banded pygmy sunfish)~~

## Family Elassomatidae

*Elassoma zonatum* (Banded pygmy sunfish)

## Family Percidae

*Percina caprodes* (Logperch)  
*Sander* ~~*canadensis*~~ *canadense*  
(Sauger)  
*Sander* ~~*vitreus*~~ *vitreum* (Walleye)

## Family Sciaenidae

*Aplodinotus grunniens* (Freshwater drum)

## Family Cichlidae – Species must be obtained from a permitted source and spawned and reared only in the United States

- \* *Oreochromis aureus* (Blue tilapia)
- \* *Oreochromis mossambicus* (Mozambique tilapia)
- \* *Oreochromis niloticus* (Nile tilapia)

## Class Bivalvia

## Family Unionidae



## *Pyganodon grandis* (Giant Floater)

### **VHS Fish Farm Health Inspection Permit:**

It shall be unlawful for any person to import, transport or otherwise receive into the state of Arkansas live fish and/or fertilized eggs from any VHSV-positive state (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, Wisconsin, and Ontario and Quebec) without first obtaining the appropriate permit (see Code [35.01](#)) in addition to a valid Fish Farm Health Inspection Permit issued by the Arkansas Game and Fish Commission and complying with the provisions of said permit. All persons wishing to ship live fish or fish eggs into Arkansas from VHSV-positive states must first obtain the Fish Farm Health Inspection Permit and a copy of the permit must accompany all shipments into the state, even if the fish are transported by a third party. Furthermore, any person hauling live fish through Arkansas from VHS-positive states are prohibited from discharging water from fish-hauling tanks while within the state. All shipments of live fish or eggs coming into Arkansas must be accompanied by an invoice, bill of lading, and appropriate health certificates in compliance with Code [35.03](#). Additionally, the fish health inspection report must be no more than 60 days old from date of reported test results at time of application for Fish Farm Health Inspection Permit from Commission.

A Fish Farm Health Inspection Permit shall be an annual permit that is issued in 2 six-month intervals (refer to Addendum [D1.01](#)). The first interval will cover the period of January 1 - June 30, and the second interval will cover the period of July 1 - December 31. The second interval of the permit will be issued only after new semi-annual testing results are submitted to the Commission. For additional information, please refer to Addenda [D1.01](#), [I1.01](#), and Code [35.11](#).

### **Grass Carp (USFWS-Certified Triploid Only):**

All grass carp sold for stocking purposes must be USFWS-certified triploid. Permitted producers participating in the USFWS-certified triploid grass carp program may transfer certification of triploidy to other holders of valid fish farm, fish dealer, or independent hauler permits that wish to sell USFWS-certified grass carp. All persons selling USFWS-certified triploid grass carp are required to maintain records for a minimum of 3 years containing the purchaser's name, contact information, and number of fish sold. All USFWS-certified triploid grass carp must be maintained in separate tanks, hauling units, and/or culture units from uncertified grass carp.

### **Health Certificates:**

See Addendum Chapter [I1.00](#) for fish health requirements for all live fish and/or fertilized eggs being imported into the state of Arkansas. All required documents must be submitted to the Commission and reviewed prior to importation.

### **Hybrids:**

It is our intent that production and offer for sale of any hybrid fish species is permissible if both parent species are included on the Approved Commercial Aquaculture Species List.

### **Wild Crayfish:**

The harvest and sale of native Arkansas crayfish species that naturally colonize aquaculture ponds and are cultured incidental to production of other aquaculture species is allowed.

### **Wild Turtles:**

Aquaculture facilities possessing a valid Resident Fish Farmer Permit may depredate or relocate aquatic turtles naturally colonizing on the premises and impacting fish production, unless the turtle species is otherwise protected. The harvest and sale of native Arkansas aquatic turtle species that naturally colonize aquaculture ponds and are cultured incidental to production of other aquaculture species is allowed with an Aquatic Turtle Harvest Permit or Aquatic Turtle Farmer/Dealer Permit, unless the species is otherwise protected. See Code Chapter [34.00](#).

### **Aquarium Species:**

It is not the intent of this policy to constrain aquarium trade. ~~Marine and tropical fish commonly distributed in the aquarium trade may be sold without special permit, as long as they are held only in closed aquarium systems (aquaria, tanks, or pools) and are not otherwise prohibited. These species cannot be released in Arkansas.~~ Freshwater, Tropical, and Marine species: fish, mollusks, coral, and crustaceans may be imported into the state with the appropriate paperwork from properly permitted sources provided the species is not prohibited in J1.04 or by any other state or federal regulations. These species must comply with all requirements set forth in Code Chapter 35.00 and Addenda Chapters I1.00, J1.00, and V1.00 including health certificate and bill of lading requirements.

### **Aquaponics / Hydroponics:**

It is not the intent of this policy to constrain aquaponics/ hydroponic production. If live fish and/or fertilized fish eggs are being possessed, propagated, offered for sale, or conditional species are being utilized, at minimum a fish farm permit is required. Any approved species imported for aquaponics/hydroponics must comply with all requirements set forth in Code Chapter [35.00](#) and Addenda Chapters [I1.00](#), [J1.00](#), and [V1.00](#), including health certificate, invoice, and bill of lading requirements.

### **Conditional Species:**

Conditional species are species that are permitted for specific purposes provided the additional terms set forth by AGFC Fisheries Division and biosecurity measures are met. Individuals possessing or desiring to possess these species are required to apply for a Conditional Species Possession Permit in addition to the appropriate permit under Code [35.01](#). The permit application will detail the location of the facility, biosecurity measures taken to prevent the possibility of escape, and the numbers and species to be held (these numbers are best estimates of broodfish and expected production for upcoming year). Some species may be limited to specific types of permit holders based on a species evaluation.

The permitted culture of any conditional aquaculture species shall be conducted in a responsible manner that minimizes the possibility of escape and adheres to any additional requirements set forth by the Commission. Permitted individuals are

required to construct a barrier that prevents escape of juvenile and adult life stages. Drainpipes from holding and culture units where these species are held must be screened, with mesh sized adequately to prevent escape, at all times that water is being released. Double screening is required during water release for units with bighead carp and black carp species. The above-referenced measures and any additional measures listed on the application to eliminate the possibility of escape will be considered as part of the best management practices that the applicant agrees to implement for their facility. The Commission will maintain records of the number and location of these species in the state and will review initial applications and inspect facilities to evaluate the potential for escape.

Facilities will be randomly re-inspected once in a three-year period of time to ensure adherence to biosecurity measures. The permittee will be notified a minimum of 5 days in advance of an inspection, and an employee of the facility is requested to accompany AGFC personnel during the inspection. This permit must be renewed annually and is non-transferrable. In the event that a conditional aquatic species is released or escapes from a permitted facility, the permittee shall notify the AGFC Fisheries Division immediately. The permittee shall **not** be responsible for unforeseen occurrences such as floods, lightning, or sabotage.

Holders of Conditional Species Possession Permits must verify that buyers of these species in Arkansas also have appropriate permits. Conditional species permit holders are required to submit an annual report, on a form provided by the Commission with the permit renewal request, indicating the number of each conditional species produced (farmers) or sold (dealers) in the state of Arkansas. Failure to comply with the terms of the permit may result in permit denial or revocation.

The species covered by these permits include:

### **Family Palaemonidae**

*\*Macrobrachium rosenbergii* (Malaysian prawn) – certified disease-free (certification must be posted onsite). This species must meet the same disease certification requirements as members of Family Penaeidae.

### **Family Penaeidae**

*\*Litopenaeus vannamei* (Pacific White Shrimp) – specific pathogen-free (certification must be posted onsite)

Requirements for culture of marine shrimp species *Litopenaeus vannamei* in Arkansas:

- A. All culture must be in an indoor closed recirculating system- with **NO** discharge. This will provide biosecurity protection against pathogens, predators, and undesirable species from entering or exiting the facility.
  - 1. Floor drains - If needed, each floor drain must have an appropriate-sized mesh/screen to prevent escape by any sized cultured organism. Triple screening is recommended. Discharge from floor drains must enter into the containment tank that can be chlorinated and

dechlorinated prior to release into an approved municipal sewer system whose effluent is treated within the system.

2. Catastrophic failure - In the event of a catastrophic failure the floor drain containment tank must be large enough to accommodate the water volume of at least 1.5 times the volume of the largest individual tank in use within the operation to prevent any escape. The containment tank must be chlorinated and dechlorinated prior to discharge. Any possible escape must be reported immediately to the AGFC Fisheries Division.

B. All solids are to be placed in sealed containers and are for permitted landfill disposal only.

C. Water sources must be municipal or well water source. No connection to above-ground freshwater source will be permitted.

D. All live shrimp must be placed in ice water prior to leaving the facility, or processed prior to leaving the facility.

E. Facilities permitted for the culture of *L. vannamei* culture will not be approved for simultaneous culture of any other crustacean species.

F. All post-larval shrimp, nauplii, or brood imported into Arkansas must be obtained from a **Domestic** US Marine Shrimp Farming Program Specific Pathogen Free (SPF) or Specific Pathogen Resistant (SPR) certified disease free culture facility (No wild caught shrimp permitted: brood, post-larvae, or nauplii). All shrimp imported must be from a SPF or SPR certified facility with at least two consecutive years of disease free certification for all crustacean pathogens listed with the US Marine Shrimp Farming Program and OIE. All testing must be conducted by approved shrimp disease testing facilities. For facilities propagating *L. vannamei* routine disease testing must be conducted. Copies of disease certification must be submitted to AGFC and posted on-site.

#### USMSFP List of Pathogens & Diseases for SPF Penaeid

##### Shrimp

<u>Pathogen Type</u>	<u>Pathogen</u>	<u>Pathogen</u>	<u>Category</u>
	<u>n</u>		
	<u>Group</u>		
<b><u>VIRUS</u></b>	*TSV	dicistrovirus	C-1
	*WSSV	nimavirus (n.f.)	C-1
	*YHV/GAV/LOV	ronivirus (n.f.)	C-1, 2
	**IHNV	parvovirus	C-2
	**BP	occluded baculovirus	**BMN
	**MBV	occluded baculovirus	d BV
		unclassified nonocclude	

C-2

C-2

C-2

HPV

parvovirus

C-1, 2

IMN

totivirus

C-1, 2

**PROCARYOTE** NHP

alpha

proteobacte

ria

C-2

## **PROTOZOA**

Microsporidians microsporidia  
Haplosporidians haplosporidia  
Gregarines apicomplexa C-3

A C-1 pathogens defined as excludable pathogens that can potentially cause catastrophic losses in one or more American penaeid species; C-2 pathogens cause economically significant disease and are excluded from breeding centers, hatcheries, and some types of farms.

\*Listed by Office of International Epizootics as a “Notifiable Disease” as of May 1999

\*\*Listed by Office of International Epizootics with “Other Significant Diseases” as of May 1999

## **OIE Crustacean diseases**

- Acute hepatopancreatic necrosis disease
- Crayfish plague (*Aphanomyces astaci*)
- Yellowhead virus
- Infectious hypodermal and haematopoietic necrosis
- Infectious myonecrosis
- Necrotising hepatopancreatitis
- Taura syndrome
- White spot disease
- White tail disease

- G. Propagation of species. Propagation of the species will be permitted with the requirement that an Aquaculturist develop and implement a health management plan that includes conducting, at a minimum, annual routine disease inspection through an approved shrimp disease testing laboratory. The Aquaculturist will be responsible for submitting copies of disease inspection reports to Arkansas Game and Fish Commission and having current disease inspection certificate(s) posted on-site. Additionally, the Aquaculturist must notify the AGFC Fisheries Division and the State of Arkansas Veterinarian immediately in the event that an above-listed pathogen is detected.
- H. Discharge from facility. Should a facility need to be drained in an emergency situation, the Arkansas Department of Environmental Quality will provide additional information

on discharge limits, site location, and any permits required regarding Environmental Protection Agency guidelines.

- I. The facility must develop a biosecurity plan, hazard analysis critical control point (HACCP) plan, and a catastrophic failure management plan to be kept on file, by the facility and by AGFC, as part of Best Management Practices.

### **Family Salmonidae**

- \* *Oncorhynchus clarki* (Cutthroat trout)
- \* *Oncorhynchus mykiss* (Rainbow trout)
- \* *Salmo trutta* (Brown trout)
- \* *Salvelinus fontinalis* (Brook trout)

Specific requirements regarding importation or stocking salmonid species are located in Code Chapter [27.00](#) and Addendum Chapter [V1.00](#). Health certificates are required for all salmonid species. All sellers of these species are responsible for verifying that buyers have obtained appropriate permits prior to importation and/or stocking.

### **Family ~~Cyprinidae~~ Xenocyprididae**

*Hypophthalmichthys nobilis* (Bighead carp) – Resident Fish Farm Permit holders that hold a valid conditional species permit for this species by January 31, 2021 may continue to obtain an annual conditional species permit for this species for the duration of which they are the owner of the fish farm and continue to meet the terms of the permit. Permits are non-transferrable. Stocking in Arkansas is restricted to only approved fish farms and research/educational facilities meeting the terms and requirements for conditional species. Species may be transported by the permittee or an independent hauler with appropriate permits, if required. This regulation does not prohibit the movement of bighead carp to a legally licensed facility in another state.

- \* Diploid *Mylopharyngodon piceus* (Black carp) – Stocking in Arkansas is restricted to only approved fish farms and research/educational facilities meeting the terms and requirements for conditional species. Species may be transported by the permittee or an independent hauler with appropriate permits, if required. This regulation does not prohibit the movement of diploid black carp to a legally licensed facility in another state.

- \* *Mylopharyngodon piceus* (Black carp) – Triploids – Stocking in Arkansas is restricted to only approved fish farms and research/educational facilities meeting the terms and requirements for conditional species. Species may be transported by the permittee or an independent hauler with appropriate permits, if required. This regulation does not prohibit the movement of triploid black carp to a legally licensed facility in another state.
- \* *Ctenopharyngodon idella* (Grass carp) – Diploids – Stocking in Arkansas is restricted to only approved fish farms and research/educational facilities meeting the terms and requirements for conditional species. Species may be transported by the permittee or an independent hauler with appropriate permits, if required. This regulation does not prohibit the movement of diploid grass carp to a legally licensed facility in another state.

**\*\*\*NOTE\*\*\* The species listed below are listed as injurious species by the USFWS**

*Hypophthalmichthys nobilis* (Bighead

carp) *Hypophthalmichthys molitrix* (Silver

carp) *Mylopharyngodon piceus* (Black

carp)

The injurious wildlife listing means that under the Lacey Act it is illegal to import into the United States live silver, bighead, or black carp, including viable eggs or hybrids of the species, except by permit for zoological, education, medical, or scientific purposes.

**Prohibited Species: In accordance with Code 26.13, it is unlawful to import, culture, or stock any specimen or, hybrid, or viable egg from species listed in Addendum J1.04.**

~~It is unlawful to import for commercial aquaculture any specimen or hybrid from species commonly known as:~~

- ~~• Alewife *Alosa pseudoharengus*~~
- ~~• Blueback herring *Alosa aestivalis*~~
- ~~• Eurasian ruffe *Gymnocephalus cernua*~~
- ~~• Mexican banded tetra *Astyanax aeneus*~~



- ~~Orfe *Leuciscus idus*~~
- ~~Piranha Family *Serrasalminidae*~~

- ~~Roach fish *Rutilus rutilus*~~
- ~~Round Goby *Neogobius melanostomus*~~
- ~~Rudd *Scardinius erythrophthalmus*~~
- ~~Snakehead Family *Channidae*~~
- ~~Stickleback fish Family *Gasterosteidae*~~
- ~~Walking catfish *Clarias baetrachus*~~
- ~~White Perch *Morone americana*~~

- ~~Chinese mitten crab *Eriocher sinensis*~~
- ~~Marbled crayfish *Procambarus virginialis*~~
- ~~Everglades crayfish *Procambarus alleni*~~
- ~~Redclaw crayfish Family *Cherax*~~
- ~~Rusty crayfish *Orconectes rusticus*~~
- ~~Smooth Marron *Cherax cainii*~~
- ~~Yabby *Cherax destructor*~~

- ~~Big Ear radix *Radix auricularia*~~
- ~~Channeled apple snail *Pomacea canaliculata*~~
- ~~Chinese mystery snail *Cipangopaludina chinensis*~~
- ~~Ghost Ramshorn snail *Biomphalaria havanensis*~~
- ~~New Zealand mud snail *Potamopyrgus antipodarum*~~
- ~~Quagga mussel *Dreissena bugensis*~~
- ~~Quilted melania *Tarebia granifera*~~
- ~~Red rim melania *Melanoides tuberculata*~~
- ~~Zebra mussel *Dreissena polymorpha*~~

### **Permits to Culture Unlisted Species:**

Requests to import, possess, propagate, and culture species not listed in this policy will be scientifically evaluated on a case-by-case basis. The burden of proof will rest with the applicant to provide justification as to the need to import and culture the species, justify why currently approved species listed in this policy will not fill the need, and provide information that the requested species will have no significant ecological impact on native species or the resources of the state. The permitted culture of any unlisted aquaculture species shall be conducted in a responsible manner that excludes the possibility of escape from holding and culture units and adheres to the terms set forth in the permit issued by AGFC. Permitted individuals are required to construct a barrier that prevents escape of juvenile and

adult species from culture facilities, and meets all biosecurity, containment, and health certification requirements set forth by the AGFC Fisheries Division scientific review of the requested species. In the event that unlisted aquatic organisms are released or escape from a permitted facility, the permittee shall notify the AGFC Fisheries Division immediately. Additional screening for aquatic animal health pathogens may be required for unlisted species due to country of origin, water source, or specific pathogens of concern and will be considered on a case by case basis.

### **Permit Processing Procedures:**

#### **Permit Renewal:**

Conditional Species Possession Permits and Unlisted Aquaculture Species Permits will be issued on an annual basis to correspond with expiration dates of Fish Farmer, Fish Dealer, and Independent Hauler Permits. The Arkansas Game and Fish Commission is responsible for providing renewal notices to permit holders six weeks in advance of permit expiration date. Existing permits will remain in effect past listed expiration date if a renewal application is submitted by January 31st of the renewal year and processing is pending with AGFC.

#### **Permit Review:**

Conditional Species Possession Permits and Unlisted Aquaculture Species Permits are granted at the approval of the AGFC Chief of Fisheries. The AGFC may solicit input as needed in the scientific review of individual species and applications.

#### **Modification of Lists:**

Any individual may petition the AGFC Chief of Fisheries to add or remove species on the *Approved Commercial Aquaculture Species List* or the *Conditional Aquaculture Species List*. The petition must provide thorough documentation of why a species should or should not be included on a list. Petitions should address the biological threat of the species, including native range, habitats utilized, movement patterns, spawning requirements, reproductive rate, food habits, pathogens of concern, and temperature and water-quality limitations.

Documentation of any introductions or escapes outside the species' native range must be included and evaluate the potential impacts to native species through predation, competition, disease transmission, and displacement. Petitions must include copies of all pertinent reference material.

Petitions to add or remove species on the *Approved Commercial Aquaculture Species List* or the *Conditional Aquaculture Species List* will be responded to by the AGFC Chief of Fisheries after thorough

scientific review of the species and a consultation with an advisory board representing appropriate AGFC staff.

## LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, April 11, 2024, at the Arkansas Game & Fish 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, April 10, 2024, beginning at 9:00 a.m. at the Arkansas Game & Fish Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. All interested persons are invited to attend these meetings.

The Commission meeting on April 11 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 April 11, 2024 meeting will include discussion and/or adoption of proposed regulations that will be considered at the March 20-21, 2024 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 2024-2025 and 2025-2026 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 regulations include, but are not limited to:

### Furbearer/Depredation

- Clarify which Commission-owned properties are open to hunting and trapping.
- Specify that striped skunks are not subject to wanton waste restrictions on wildlife.
- Specify that the requirements to possess another's wildlife are met by current fur dealer reporting requirements.
- Add an exception that would allow raccoon, opossum, or bobcat to be taken at night with the use of any caliber of rifle in accordance with a Predator Control Permit.
- Clarify that otter and bobcat tagging requirements apply to pelts or carcasses.
- Specify that only live red fox, gray fox, and coyote can be sold with a Live Fox and Coyote Permit.
- Clarify depredation permit information and requirements. Specify that nuisance birds, deer, and elk cannot be live captured and moved by the public.
- Authorize riding horses on Commission-owned WMAs for coon hunting or other purposes that are deemed to be appropriate and not in conflict with the agency's management of resources, permit hunts, etc.

### Captive Wildlife

- Clarify that game birds are covered under Game Bird Shooting Resorts code and not under Commercial Wildlife Hunting Resort code.
- Clarify who needs to register animal sales with the agency.

- Add an exception for customers with fewer than 100 Bobwhite Quail for personal consumption that will not be moved off the property and that are either from a Wildlife Breeder/Dealer or an NPIP flock.
- Combine similar codes to reduce confusion and number of regulations.
- Clarify the requirement for movement of wildlife across the state.
- Clarify that any non-prohibited species that is permitted can be imported with a Wildlife Importation Permit.
- Clarify that sanctioned field trials require a special permit letter from the Chief of Wildlife Management, not a shoot-to-kill permit.
- Update the details of CWD testing requirements for Commercial Hunting Resort Requirements.
- Update the Captive Wildlife Species Lists for those species that have been evaluated since the past regulation cycle.
- Clarify that unlisted species are prohibited until evaluated.
- Adjust reporting requirements to semi-annual reporting.
- Clarify that a current and valid veterinarian exam form is required.
- Clarify rules for exhibition of imported wildlife.
- Make a declaration of the agency's right to inspect wildlife being imported into the state.
- Revise code to reflect that shoot-to-kill bird dog training permits are valid from date of issuance to December 31 of that calendar year.
- Add an annual reporting requirement for Venomous Reptile Possession Permit.
- Add a stipulation that you must be an Arkansas resident to apply for a Conservation Education Permit.
- Clarify that permits are required for breeding, sale, and importation of certain species.
- Clarify process of interim approvals for captive wildlife species list and handling of species not listed.
- Adjust fees of various captive wildlife permitting to account for inflation, to include, but not limited to: Game Bird Shooting Resort Permit, Commercial Wildlife Hunting Resort Permit, Wildlife Breeder/Dealer Permit, and Wildlife Importation Permit.
- Allow temporary exhibits of prohibited species for display, education, or conservation purposes to those with USDA permits.
- Remove requirement of Wildlife Importation Permit for Game Bird Shooting Resorts while ensuring birds are obtained from an NPIP source or a Wildlife Breeder/Dealer permittee.
- Allow for the revocation of Wildlife Importation Permits if requirements are not met.

#### Wildlife Management Areas (WMAs)

- Remove regulation regarding geocaching permits on WMAs because geocaching has since been prohibited.
- Affirm the prohibition of non-permit holders being on WMAs during permit hunts.
- Revise the end date for quail and rabbit dog training on WMAs from April 1 to March 31.
- Define camping to clarify that parking vehicles, boats, etc. in WMA parking lots for extended periods of time is camping and is prohibited outside designated camping areas.
- Allow tree hooks to be used on WMAs.
- Specify that all dog training and field trial activities on a WMA require a hunting license.
- Remove the unnecessary exception that allows for waterfowl retrievers to be used during open migratory bird seasons as these dogs are already allowed.
- Remove references to Ozark National Forest WMA as this WMA no longer exists.

- Expand incidental take of feral hogs on WMAs during open deer, elk, and bear seasons with weapons allowed during those seasons.
- At Camp Robinson SUA:
  - Add muzzleloader permit deer hunt.
  - Add early permit youth deer hunt.
  - Open waterfowl season.
- At Bell Slough WMA:
  - Add early permit youth deer hunt.
  - Add late youth modern gun deer hunt.
- At Stone Prairie WMA:
  - Add late youth modern gun deer hunt.
- At Spring River/Harold E. Alexander WMA:
  - Move modern gun permit deer hunt to statewide opener for gun season.
  - Move deer muzzleloader season up one week to match regular muzzleloader season.
  - Add early permit youth modern gun deer hunt.
  - Change the late youth modern gun deer hunt to an open youth modern gun deer hunt.
- At Ed Gordon Point Remove WMA:
  - Require that the head from all does harvested be left at the WMA work center for verification of harvest.
  - Clarify that access restrictions do not apply to Lake Cargile.
- At J. Perry Mikles Blue Mountain SUA:
  - Allow trapping with enclosed pull-activated or “dog proof” type traps.
  - Move the modern gun deer permit hunt from the second Wednesday in November to the second Thursday in November.
  - Allow hunting of Mourning, White-Winged and Eurasian Collared Dove while field trials are in progress.
  - Allow walk-in hunting of small game (rabbits and squirrel), migratory birds and archery deer while field trials are in progress.
- At Dr. Lester Sitzes III Bois D’Arc WMA:
  - Modify dates of muzzleloader permit hunt to no longer overlap with modern gun youth hunt.

#### Deer/Elk

- Allow the use of rifles which fire straight-walled cartridges .30 caliber and larger in Deer Zones 4 and 5 for modern gun deer season.
- Remove private lands antlerless-only modern gun hunt.
- Limit the bull elk harvest to one bull per landowner property during the private land elk hunt.
- Modify the public land elk hunt quota to issue 6 either-sex and 12 antlerless elk permits while closing Elk Zone 1 to hunting.
- Modify the private land elk hunt quota to 6 bulls and 12 antlerless elk.
- Allow spears for deer, elk, and bear hunting.
- Adjust buck deer restrictions on Big Lake (Mississippi County) and Harold E. Alexander/Spring River (Sharp County).

#### Turkey

- Prohibit the use of electronic decoys for hunting wild turkeys.
- Require Non-Resident Lifetime License Holders to add a no-cost turkey hunting permit to their license before turkey hunting in Arkansas.
- Create a mandatory no-cost resident turkey tag product that is required to hunt wild turkeys in Arkansas, and require all Resident Hunting License Holders and Resident Lifetime License Holders who hunt turkey to manually add this to their license each year.
- Open Camp Robinson SUA to spring turkey hunting by permit and manage permit hunt in combination with Stone Prairie WMA.
- Add a hybrid permit hunt on R.L. Hankins Mud Creek WMA.

#### Migratory Birds

- Include boat motor exhaust restrictions on the Cache River, Dale Bumpers White River, Felsenthal, and Overflow National Wildlife Refuges.
- Allow the taking of Egyptian geese and their eggs.
- Require hunters to have a federal migratory bird hunting stamp to harvest light geese during snow goose season.
- Clarify that the light goose conservation order is exempt from proof of Harvest Information Program (HIP) registration.
- Clarify that geese may be harvested during any open youth and veteran/military hunt with bag limits.
- Implement a waterfowl draw permit hunt on portions of Frog Bayou WMA.
- Clarify the rules of waterfowl permit hunts.
- Remove requirements for boat motors at Frog Bayou WMA as boat motors are not allowed on Frog Bayou.
- Clarify non-resident waterfowl hunting permit requirements.
- Allow non-resident duck hunters to purchase up to ten (10) three-day non-resident WMA waterfowl hunting permits throughout the regular duck season.
- Clarify the rules of veteran/military waterfowl hunts.
- Propose 2024-2025 and 2025-2026 duck season dates.
- Restrict access times at Nimrod Lloyd Millwood WMA Special Regulatory Area.
- Allow non-motorized boat access to all designated water trails.
- Establish a 25-shell limit for waterfowl hunters on all WMAs with a waterfowl-hunting focus, with an exception during special youth waterfowl hunts.
- Restrict waterfowl hunting east of Hwy 7 at Petit Jean River WMA to Tuesday, Thursday, Saturday, Sunday, and the last day of duck season.
- Revise the end date on early Canada goose season from September 15 to October 15.
- Allow an electronic copy of the federal migratory bird hunting stamp to be valid for the entirety of waterfowl season.
- Clarify that the prohibition of guiding waterfowl hunters exists on both Commission-owned or -controlled WMAs and National Wildlife Refuges.
- Clarify resident/non-resident eligible hunting days for landowners owning inholdings on WMAs.

#### Miscellaneous

- Define the term “hunting assistance” and clarify that individuals with a suspended hunting license cannot provide “hunting assistance.”
- Clarify what anatomical parts of wildlife are legal to sell and which parts are illegal to sell.

- Define the term “customer identification (CID)” and allow CID numbers to be used as a method of labeling personal items (tree stands, trotlines, etc.) and tagging harvested game.
- Increase violation points for obstructing hunting, fishing, or trapping.
- Create consistency in the penalty for hunting over bait.
- Clarify that wildlife baiting prohibitions apply to Federal lands in addition to state-owned WMAs.
- Reduce the violation for failing to label or remove a tree stand every 7 days from Class 2 to Class 1.
- Increase the number of days a tree stand can remain in one location from 7 days to 14 days to match regulations on Federal lands.
- Create consistency in the penalty for road hunting by making all road hunting violations Class 3.
- Extend WMA-entry restrictions for boating violations to National Wildlife Refuges.
- Restrict individuals with revoked/suspended hunting and/or fishing licenses from being able to mentor or assist youths in hunting and fishing-related activities.
- Clarify legality of waterfowl hunting on Lake Catherine and Lake Hamilton.
- Clarify the term “written permission” and when written permission is required.
- Clarify rules regarding hunting from a vessel so that it is clearly prohibited with an exception for alligator and waterfowl.
- Create consistency in the penalty for hunting from a vessel by making all violations Class 3.
- Modify verbiage regarding dogs chasing wildlife for “pleasure” to dogs chasing wildlife for “training.”
- Modify requirements for tracking wounded game.
- Remove code requiring individuals to immediately disclose the possession of a concealed handgun.
- Reduce handgun restrictions on Commission-owned or controlled property or while hunting, fishing, or trapping on private property.
- Reinstate the ban on harvesting a collared bear.
- Allow use of unmanned aerial vehicles (drones) for wildlife surveys on private lands and for game recovery if equipped with thermal capabilities.
- Require that dogs not under physical restraint and used for pursuing wildlife be equipped and monitored with devices (e.g. collars) that allow remote tracking and behavior correction.

2. **General Fishing Regulations** – Propose miscellaneous fishing regulations, including, but not limited to:

Alligator

- Remove alligator farmer and dealer permit regulations.
- Remove alligator hunter radio room call requirement.
- Clarify rules regarding non-residents hunting alligators on private lands in zones where alligator hunting is allowed.

American Eel

- Add American Eel to the list of sportfish with a creel limit of 2.

Bass



- Modify Largemouth Bass limits for Lake Barnett (White County) from 13-16 inch protective slot limit to no minimum length limit with only 1 Largemouth Bass over 16 inches.
- Modify Largemouth Bass limits for Lake Brewer from a 13-16 inch protective slot limit to no minimum length limit with only 1 Largemouth Bass over 16 inches.
- Modify Largemouth Bass limits for Cane Creek Lake from statewide regulations to a 15 inch minimum length limit.
- Modify Largemouth Bass limits for Lake Poinsett to allow a daily limit of 10, only 1 of which may be larger than 16 inches.
- Remove the Smallmouth Bass special regulation areas on Crooked Creek.
- Remove Redeye Bass from the Black Bass definition.
- Implement a Bass Management Assistance Program and Permit which aims to provide technical assistance with black bass management for private landowners with lakes and ponds 10 acres or greater in size. The permit would allow private lake or pond owners to legally harvest above Arkansas's black bass daily and possession limits as long as they comply with the terms and provisions of the permit.

#### Blue Sucker

- Add Blue Sucker to the list of rare species illegal to possess by Commercial Fishers.

#### Bullfrog

- Modify current hunting season to begin after breeding season (late May) while reducing daily bag and possession limits to allow more breeding adults to survive for reproduction.

#### Catfish

- Modify catfish hogging and noodling season based on openness of waterbody to commercial fishing versus geographic location. Waterbodies that are not open to commercial fishing are generally less productive and can benefit for postponing hogging and noodling until after catfish have had the opportunity to spawn.

#### Commercial Fishing

- Modify commercial fishing fee structure to reflect two separate user groups (for-profit & personal use). Create a recreational netting permit (RNP) to provide an opportunity for recreational netters to keep fish for personal use. The new RNP would permit harvesting commercial fish species and three daily limits of catfish with netting gear on waters open to commercial fishing while prohibiting the sale of catch. The RNP permit would not have any reporting requirements.
- Decrease the commercial tackle checking rule for SNS (e.g. gill nets, trammel nets, and seines) & TL (e.g. trot lines, limb lines, snaglines, throw lines, and set hooks) gear from 48 hours to 24 hours while increasing HN (e.g. hoop nets) and FS (e.g. fiddler nets and slat traps) to 72 hours.
- Prohibit the overland transport of commercially-harvested fish alive in water.

#### Crappie

- Set Crappie daily limit on Lake Poinsett.

#### Crayfish

- Modify importation restrictions on crayfish to minimize impacts to interstate commerce.

#### Paddlefish

- Establish Paddlefish Snagging Season below Houseman Access on White River to Missouri State Line.

- Implement a 34 inch minimum length limit for Paddlefish during new snagging season on the White River below the Houseman Access downstream to the Missouri State Line and in the current snagging area below Beaver Dam.
- Establish Paddlefish Permit System & Tagging Requirements for Upper White River above Beaver Lake with a 2 fish annual limit.

#### Tournaments

- Implement fishing tournament registration to improve agency's knowledge of such tournaments to help with management efforts on the waterbodies where these tournaments occur.

#### Trout

- Modify special regulations for Cutthroat Trout on the North Fork White River.
- On the Beaver, Bull Shoals, Norfork, and Greers Ferry, and Spring River Tailwaters, prohibit the nighttime harvest of any fish other than Rainbow Trout.

#### Miscellaneous

- Modify definitions for bait fish, game fish, rough fish, and disabled angler.
- Modify the prohibited aquatic species list and clarify that it applies to more than just Live Fish Trade regulations.
- Restore statewide game fish regulations for Mercer Bayou beginning January 1, 2025.
- Reduce use of unused passive gear, clarify the number of hooks that may be used on various types of passive gear, and add additional methods of labeling fishing devices.
- Differentiate violations for non-residents illegally possessing a resident hunting license from non-residents illegally possessing a resident fishing license. A non-resident illegally possessing a resident fishing license would be a Class 2 offense.
- Require unattended portable live bait containers to be labeled.
- Shift Mattocks Park Lake, Lake Village Community Fishing Pond, Mom's Lake, Monticello High School Pond, Mike and Janet Huckabee Youth Fishing Pond, Monticello High School Pond, and Walnut Ridge City Lake from the Family Fishing Program Restrictions to the Community Fishing Program Waters Restrictions.
- Increase the spearfishing limits on currently legal species from half the daily limit to full daily limit.
- Require resident and non-resident hunting and fishing guides to carry in their possession proof of \$100,000 general liability insurance.
- Redefine the downstream boundary of the Beaver Tailwater.
- Remove game fish daily limit exceptions from Lake Poinsett while establishing a crappie daily limit of 15 fish.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the April 11, 2024 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 1, 2024. 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.

If you need assistance to participate in this public meeting due to a disability as defined under the Americans with Disabilities Act, please contact AGFC's ADA Coordinator in Human Resources

at 501-382-3813 at least three (3) business days prior to the scheduled meeting to request an accommodation. Every reasonable effort will be made to meet your request.

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. Thursday, May 16, 2024, at the El Dorado Union County Chamber of Commerce located at 111 W. Main St., El Dorado, AR 71730. 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 15, 2024, beginning at 9:00 a.m. at El Dorado Union County Chamber of Commerce located at 111 W. Main St., El Dorado, AR 71730. All interested persons are invited to attend these meetings.

The Commission meeting on May 16<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 meeting dates draw closer.

Items on the agenda for the May 16, 2024, meeting will include discussion and/or adoption of proposed regulations that previously were considered at the April 10-11, 2024, 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** – Adopt general hunting regulations for 2024-2025 and 2025-2026 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 regulations include, but are not limited to:

### Furbearer/Depredation

- Clarify which Commission-owned properties are open to hunting and trapping.
- Specify that striped skunks are not subject to wanton waste restrictions on wildlife.
- Specify that the requirements to possess another's wildlife are met by current fur-dealer reporting requirements.
- Add an exception that would allow raccoon, opossum, or bobcat to be taken at night with the use of any caliber of rifle in accordance with a Predator Control Permit.
- Clarify that otter and bobcat tagging requirements apply to pelts or carcasses.
- Specify that only live red fox, gray fox, and coyote can be sold with a Live Fox and Coyote Permit.
- Clarify Depredation Permit information and requirements. Specify that nuisance birds, deer, and elk cannot be live-captured and moved by the public.
- Authorize riding horses on Commission-owned WMAs for coon hunting or other purposes that are deemed to be appropriate and not in conflict with AGFC's management of resources, permit hunts, etc.

### Captive Wildlife

- Clarify that game birds are covered under Game Bird Shooting Resorts code and not under Commercial Wildlife Hunting Resort code.

- Clarify who needs to register animal sales with AGFC.
- Add an exception for persons with fewer than 100 Bobwhite Quail for personal consumption that will not be moved off the property and that are either from a Wildlife Breeder/Dealer or an NPIP flock.
- Combine similar codes to reduce confusion and number of regulations.
- Clarify the requirement for movement of wildlife across the state.
- Clarify that any non-prohibited species that are permitted can be imported with a Wildlife Importation Permit.
- Clarify that sanctioned field trials require a special permit letter from the Chief of Wildlife Management, not a Shoot-to-Kill Permit.
- Update the details of CWD testing requirements for Commercial Hunting Resort Requirements.
- Update the Captive Wildlife Species Lists for those species that have been evaluated since the past regulation cycle.
- Clarify that unlisted species are prohibited until evaluated.
- Adjust reporting requirements to semi-annual reporting.
- Clarify that a current and valid veterinarian exam form is required.
- Clarify rules for exhibition of imported wildlife.
- Make a declaration of AGFC's right to inspect wildlife being imported into the state.
- Revise code to reflect that Shoot-to-Kill Bird Dog Training Permits are valid from date of issuance to December 31<sup>st</sup> of that calendar year.
- Add an annual reporting requirement for Venomous Reptile Possession Permit.
- Add a stipulation that a person must be an Arkansas resident to apply for a Conservation Education Permit.
- Clarify that permits are required for breeding, sale, and importation of certain species.
- Clarify process of interim approvals for captive wildlife species list and handling of species not listed.
- Adjust fees of various captive wildlife permitting to account for inflation, to include, but not limited to: Game Bird Shooting Resort Permit, Commercial Wildlife Hunting Resort Permit, Wildlife Breeder/Dealer Permit, and Wildlife Importation Permit.
- Allow temporary exhibits of prohibited species for display, education, or conservation purposes to those with USDA permits.
- Remove requirement of Wildlife Importation Permit for Game Bird Shooting Resorts while ensuring birds are obtained from an NPIP source or a Wildlife Breeder/Dealer permittee.
- Allow for the revocation of Wildlife Importation Permits if requirements are not met.

#### Wildlife Management Areas (WMAs)

- Remove regulation regarding Geocaching Permits on WMAs because geocaching activity has been prohibited.
- Affirm the prohibition of non-permit holders being on WMAs during permit hunts.
- Add muzzleloader permit deer hunt at Camp Robinson SUA.
- Add early permit youth deer hunt at Camp Robinson SUA and Bell Slough WMA.
- Add late youth modern gun deer hunt at Stone Prairie WMA and Bell Slough WMA.
- Move modern gun permit deer hunt at Spring River/Harold E. Alexander WMA to statewide opener for gun season.
- Move deer muzzleloader season at Spring River/Harold E. Alexander WMA up one week to match regular muzzleloader season.

- Create an early permit youth modern gun deer hunt at Spring River/Harold E. Alexander WMA.
- Switch the late youth modern gun deer hunt to an open youth modern gun deer hunt at Spring River/Harold E. Alexander WMA.
- Open waterfowl season on Camp Robinson SUA.
- Require that the head from all does harvested at Ed Gordon Point Remove WMA be left at the WMA Work Center for verification of harvest.
- Revise the end-date for quail and rabbit dog training on WMAs from April 1 to March 31.
- Add and/or amend definitions for multiple terms, including “Big Bore Air Rifles”, “Camping”, “Chase for Training”, “Customer Identification Number”, “Disabled”, “Hunt or Hunting”, and “Hunting Assistance”.
- Clarify that access restrictions do not apply to Lake Cargile at Ed Gordon Point Remove WMA.
- Allow trapping with enclosed pull-activated or “dog proof” type traps on J. Perry Mikles Blue Mountain SUA.
- Move the modern gun deer permit hunt at J. Perry Mikles Blue Mountain SUA from the second Wednesday in November to the second Thursday in November.
- Allow hunting of Mourning, White-Winged and Eurasian Collared Dove at J. Perry Mikles Blue Mountain SUA while field trials are being conducted.
- Allow walk-in hunting of small game (rabbits and squirrel), migratory birds and archery deer while field trials are in progress at J. Perry Mikles Blue Mountain SUA.
- Modify dates of muzzleloader permit hunt to no longer overlap with modern gun youth hunt at Dr. Lester Sitzes III Bois D’Arc WMA.
- Allow tree hooks to be used on WMAs.
- Specify that all dog training and field trial activities on a WMA require a hunting license.
- Remove the unnecessary exception that allows for waterfowl retrievers to be used during open migratory bird seasons as these dogs are already allowed.
- Remove references to Ozark National Forest WMA, as this large geographic area has been redesignated.
- Remove restrictions for motion decoys (including spinning-wing decoys) for waterfowl hunting on AGFC-owned WMAs.

#### Deer/Elk

- Allow the use of rifles that fire straight-walled cartridges .30 caliber and larger in Deer Zones 4 and 5 for modern gun deer season.
- Remove private lands antlerless-only modern gun hunt.
- Limit the bull elk harvest to one bull per landowner property during the private land elk hunt.
- Modify the public land elk hunt quota to issue 6 either-sex and 12 antlerless elk permits while closing elk zone 1 to hunting.
- Modify the private land elk hunt quota to 6 bulls and 12 antlerless elk.
- Allow spears for deer, elk, and bear hunting.
- Adjust buck deer restrictions on Big Lake (Mississippi County) and Harold E. Alexander/Spring River (Sharp County) within Mississippi and Sharp Counties.
- Allowing weapons capable of firing straight-walled ammunition statewide during all muzzleloader seasons. Certain weapon restrictions will apply.

- Implement a 3-day velvet buck archery hunt the first Saturday in September for 3 days on private lands and AGFC-owned and leased-land WMAs.
- Limit nonresident deer hunting with dogs to the last 9 days of modern gun deer season - excluding the Christmas modern gun deer hunt - with a one-deer bag limit.

#### Turkey

- Prohibit the use of electronic decoys for hunting wild turkeys.
- Require Non-Resident Lifetime License Holders to add a turkey hunting permit at no-cost to their license before turkey hunting in Arkansas.
- Create a mandatory no-cost resident turkey tag product that is required to hunt wild turkeys in Arkansas, and require all resident hunting license holders and resident lifetime license holders who hunt turkey to manually add this to their license each year.
- Open Camp Robinson SUA to spring turkey hunting by permit and manage permit hunt in combination with Stone Prairie WMA.
- Add a hybrid permit hunt on R.L. Hankins Mud Creek WMA.

#### Migratory Birds

- Include boat motor exhaust restrictions on the Cache River, Dale Bumpers White River, Felsenthal, and Overflow National Wildlife Refuges.
- Allow the taking of Egyptian geese and their eggs.
- Require hunters to have a federal migratory bird hunting stamp to harvest light geese during snow goose season.
- Clarify that the light goose conservation order is exempt from proof of Harvest Information Program (HIP) registration.
- Clarify that geese may be harvested during any open youth and veteran/military hunt with bag limits.
- Implement a waterfowl draw permit hunt on portions of Frog Bayou WMA.
- Clarify the rules of waterfowl permit hunts.
- Remove requirements for boat motors at Frog Bayou WMA as boat motors are not allowed on Frog Bayou.
- Clarify non-resident waterfowl hunting permit requirements.
- Allow non-resident duck hunters to purchase up to ten (10) three-day non-resident WMA waterfowl hunting permits throughout the regular duck season.
- Clarify the rules of veteran/military waterfowl hunts.
- Propose 2024-2025 and 2025-2026 duck season dates.
- Restrict access times at Nimrod Lloyd Millwood WMA Special Regulatory Area.
- Allow non-motorized boat access to all designated water trails.
- Establish a 25-shell limit for waterfowl hunters on all WMAs with a waterfowl-hunting focus with an exception during special youth waterfowl hunts.
- Restrict waterfowl hunting east of Hwy 7 at Petit Jean River WMA to Tuesday, Thursday, Saturday, Sunday, and the last day of duck season.
- Revise the end date on early Canada goose season from September 15<sup>th</sup> to October 15<sup>th</sup>.
- Allow an electronic copy of the federal migratory bird hunting stamp to be valid for the entirety of waterfowl season.
- Clarify that the prohibition of guiding waterfowl hunters exists on both Commission-owned or controlled WMAs and National Wildlife Refuges.
- Clarify resident/non-resident eligible hunting days for landowners owning inholdings on WMAs.

- Reduce the daily bag limit for mallard hens from two to one per day.
- Modify white-fronted goose season to be 69 days and reduce daily bag limit to two per day.

#### Miscellaneous

- Define the term “hunting assistance” and clarify that individuals with a suspended hunting license cannot provide “hunting assistance.”
- Clarify what anatomical parts of wildlife are legal to sell and which parts are illegal to sell.
- Define the term “customer identification (CID)” and allow CID numbers to be used as a method of labeling personal items (tree stands, trotlines, etc.) and tagging harvested game.
- Increase violation points for obstructing hunting, fishing, or trapping.
- Create consistency in the penalty for hunting over bait.
- Clarify that wildlife baiting prohibitions apply to Federal lands in addition to state-owned WMAs.
- Reduce the violation for failing to label or remove a tree stand every 7 days from Class 2 to Class 1.
- Increase the number of days a tree stand can remain in one location from 7 days to 14 days to match regulations on Federal lands.
- Create consistency in the penalty for road hunting by making all road hunting violations Class 3.
- Extend WMA-entry restrictions for boating violations to National Wildlife Refuges.
- Restrict individuals with revoked/suspended hunting and/or fishing licenses from being able to mentor or assist youths in hunting and fishing-related activities.
- Clarify legality of waterfowl hunting on Lake Catherine and Lake Hamilton.
- Clarify the term “written permission” and when written permission is required.
- Clarify rules regarding hunting from a vessel so that it is clearly prohibited with an exception for alligator and waterfowl.
- Create consistency in the penalty for hunting from a vessel by making all violations Class 3.
- Modify verbiage regarding dogs chasing wildlife for “pleasure” to dogs chasing wildlife for “training.”
- Modify requirements for tracking wounded game.
- Remove code requiring individuals to immediately disclose the possession of a concealed handgun.
- Reduce handgun restrictions on Commission-owned or controlled property or while hunting, fishing, or trapping on private property.
- Require resident and nonresident hunting guides to carry in their possession proof of \$100,000 general liability insurance.

## 2. **General Fishing Regulations** – Propose miscellaneous fishing regulations, including, but not limited to:

#### Alligator

- Remove alligator farmer and permit regulations to close the loop hole that would allow someone to purchase this permit to possess a crocodilian as a pet.
- Remove alligator hunter radio room call requirement.



- Clarify rules regarding nonresidents hunting alligators on private lands in zones where alligator hunting is allowed.

#### American Eel

- Add American Eel to the list of sportfish with a creel limit of 2 fish.

#### Bass

- Modify Largemouth Bass limits for Lake Barnett (White County) from 13-16 inch protective slot limit to no minimum length limit with only 1 Largemouth Bass over 16 inches.
- Modify Largemouth Bass limits for Lake Brewer from a 13-16 inch protective slot limit to no minimum length limit with only 1 Largemouth Bass over 16 inches.
- Modify Largemouth Bass limits for Cane Creek Lake from statewide regulations to a 15 inch minimum length limit.
- Modify Largemouth Bass limits for Lake Poinsett to allow a daily limit of 10, only 1 of which may be longer than 16 inches.
- Remove the Smallmouth Bass special regulation areas on Crooked Creek.
- Remove Redeye Bass from the Black Bass definition.
- Implement a Bass Management Assistance Program & Permit which aims to provide technical assistance with black bass management for private landowners with lakes and ponds ten acres or greater in size. The permit would allow private lake or pond owners to legally harvest above Arkansas's black bass daily and possession limits as long as they comply with the terms and provisions of the permit.
- Modify Largemouth Bass limits for Lake Pickthorne to allow a daily limit of 2, only 1 of which may be longer than 21 inches.

#### Beaver Tailwater Boundary

- Redefine the downstream boundary of the Beaver Tailwater.

#### Blue Sucker

- Add Blue Sucker to the list of rare species illegal to possess by Commercial Fishers.

#### Bullfrog

- Modify current hunting season to begin after breeding season (June 1-Dec. 31) and maintain 18 frog daily limit.

#### Catfish

- Modify catfish hogging and noodling season based on openness of waterbody to commercial fishing versus geographic location. Waterbodies that are not open to commercial fishing are generally less productive and can benefit for postponing hogging and noodling until after catfish have had the opportunity to spawn.

#### Commercial Fishing

- Modify commercial fishing fee structure to reflect two separate user groups (for-profit & personal use). Create a recreational netting permit (RNP) to provide an opportunity for recreational netters to keep fish for personal use. The new RNP would permit harvesting commercial fish species and three daily limits of catfish with netting gear on waters open to commercial fishing while prohibiting the sale of catch. The RNP permit would not have any reporting requirements.
- Prohibit the transport of live commercial fish in water.

#### Crayfish

- Modify importation restrictions on crayfish to minimize impacts to interstate commerce.

#### Paddlefish

- Establish Paddlefish Snagging Season below Houseman Access on White River to Missouri State Line.
- Implement a 34 inch minimum length limit for Paddlefish during new snagging season on the White River below the Houseman Access downstream to the Missouri State Line and in the current snagging area below Beaver Dam.
- Establish Paddlefish Permit System & Tagging Requirements for Upper White River above Beaver Lake.

#### Tournaments

- Implement fishing tournament registration to improve agency's knowledge of such tournaments to help with management efforts on the waterbodies where these tournaments occur.

#### Trout

- Modify special regulations for Cutthroat Trout on the North Fork White River.
- Adopt restriction for only Rainbow Trout to be harvested from 30 minutes after sunset to 30 minutes before sunrise (no other trout species permitted during those times).

#### Miscellaneous

- Modify definitions for bait fish, game fish, rough fish, and disabled angler.
- Modify the prohibited aquatic species list and clarify that it applies to more than just Live Fish Trade regulations.
- Restore statewide game fish regulations for Mercer Bayou beginning January 1, 2025.
- Reduce use of unused passive gear, clarify the number of hooks that may be used on various types of passive gear, and add additional methods of labeling fishing devices.
- Differentiate violations for nonresidents illegally possessing a resident hunting license from nonresidents illegally possessing a resident fishing license. A nonresident illegally possessing a resident fishing license would be a Class 2 offense.
- Require unattended portable live bait containers to be labeled.
- Shift Mattocks Park Lake, Lake Village Community Fishing Pond, Mom's Lake, Monticello High School Pond, Mike and Janet Huckabee Youth Fishing Pond, Monticello High School Pond, and Walnut Ridge City Lake from the Family Fishing Program Restrictions to the Community Fishing Program Waters Restrictions. Craighead Forest Park Fishing Pond to remain listed under the Family Fishing Program Restrictions.
- Increase the spearfishing limits on currently legal species from half the daily limit to full daily limit.
- Allow use of nets (up to 5 nets) for holders of a recreational fish netting license.
- Decrease the passive tackle requirements for TL (e.g. trot lines, limb lines, snaglines, throw lines, and set hooks) gear from 48 hours to 24 hours.
- Remove game fish size restrictions and daily limits on Lake Conway and Lake Wilhelmina (to apply during the planned renovation process at each lake).
- Require resident and nonresident fishing guides to carry in their possession proof of \$100,000 general liability insurance.
- Increase fees for various licenses and permits, including fee for Resident Guide Fishing License, Resident Commercial Fishing Permit, and Resident Commercial Fishing Helper's Permit.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the May 16, 2024 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 6, 2024. 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.

If you need assistance to participate in this public meeting due to a disability as defined under the Americans with Disabilities Act, please contact AGFC's ADA Coordinator in Human Resources at 501-382-3813 at least three (3) business days prior to the scheduled meeting to request an accommodation. Every reasonable effort will be made to meet your request.

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