

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State

Cole Jester

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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 _____

Summary

Proposal: Adjust harvest definitions on Ed Gordon Point Remove WMA, Cove Creek Natural Area WMA, and Lake Overcup WMA within Conway County, and Norfolk Lake WMA in Baxter County by modifying the legal terms for deer harvested --- “legal buck” and “doe” for “antlered” buck and “antlerless deer”. Remove the requirement that an antlerless deer must be harvested and checked prior to harvesting an antlered buck on Ed Gordon WMA.

Justification: Research indicates that one method to slow the spread of CWD and suppress prevalence is all age class, male-focused harvest. Bucks tend to carry the highest prevalence of CWD and young bucks commonly disperse from their natal ranges. Additionally, ongoing research suggests that fawns born to CWD infected does can become infected in utero, and CWD infections in animals under a year of age are well documented in the state. The AGFC has implemented changes to deer harvest regulations within the CWD Management Zone that give hunters the opportunity to engage in harvest-based CWD management activities if they desire to do so. Based on the County Risk Assessment Tool included in the 2021-2025 CWD Management and Response Plan, Conway County has met the criteria for inclusion in the CWD Management Zone. Because CWD Management strategies are considered most effective when applied early in a disease outbreak, staff recommend the immediate inclusion of Conway County in the CWD Management Zone and the application of all associated harvest regulation changes. Baxter County was previously included within the CWD Management Zone, but a recent CWD positive deer was identified, therefore resulting in the need to modify harvest guidelines for Norfolk Lake WMA. Other CWD management strategies are automatically implemented when a county is added to the CWD Management Zone in E1.12; however, Wildlife Management Areas (WMAs) are not included in this regulation. Changes to code C1.01 are needed to exchange the terms “legal buck” and “doe” for “antlered” buck and “antlerless deer”. In addition, specific to Ed Gordon WMA, certain antler buck harvest definitions outlined in C1.14 need to be removed. The requirement to harvest and check an antlerless deer prior to harvesting an antlered buck has been removed from Ed Gordon WMA.

Code: C1.14

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

DEPARTMENT: Arkansas Game and Fish Commission

DIVISION: Research

PERSON COMPLETING THIS STATEMENT: Cory Gray

TELEPHONE #: 870-723-4885

FAX #:

EMAIL: Cory.Gray@agfc.ar.gov

SHORT TITLE OF THIS RULE: C1.14 - Buck Deer Restrictions on Certain WMAs

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	\$ 0.00
Federal Funds	\$ 0.00
Cash Funds	\$ 0.00
Special Revenue	\$ 0.00
Other (Identify)	\$ 0.00
Total	\$ 0.00

Next Fiscal Year

General Revenue	\$ 0.00
Federal Funds	\$ 0.00
Cash Funds	\$ 0.00
Special Revenue	\$ 0.00
Other (Identify)	\$ 0.00
Total	\$ 0.00

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: \$ 0.00

Next Fiscal Year: \$ 0.00

Party Subject to Rule: 0.00

Effect on Party Subject to Rule: 0.00

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

Current Fiscal Year: \$0.00

Next Fiscal Year: \$0.00

Financial Benefit to Agency: 0.00

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: No

C1.14 BUCK DEER RESTRICTIONS ON CERTAIN WMA

- A. On Buck Island, Cut-Off Creek, Dave Donaldson Black River, ~~Ed Gordon Point Remove~~, Freddie Black Choctaw Island WMA Deer Research Area East Unit, George H. Dunklin Jr. Bayou Meto, Henry Gray Hurricane Lake, Rick Evans Grandview Prairie, St. Francis National Forest, Sheffield Nelson Dagmar, and Trusten Holder WMAs a buck must have:
1. Both antlers under 2 inches (button buck included); or
 2. An inside spread of 15 inches or more in width; or
 3. At least one main beam 18 inches or more in length.
- B. On Johnson County WRA on Dardanelle WMA any buck deer may be legally harvested during a firearm permit hunt.
- C. On Greers Ferry Lake and Lake Greeson WMAs, any buck deer may be legally harvested during the deer alternative firearms mobility-impaired hunt.
- D. On Hobbs SP-CA and Nimrod Lloyd Millwood WMA any buck deer may be legally harvested during the deer modern gun mobility-impaired hunt.
- E. On Dr. Lester Sitzes III Bois d'Arc, Hope Upland, Lafayette County, Mike Freeze Wattensaw and Moro Big Pine Natural Area, Scott Henderson Gulf Mountain, Shirey Bay Rainey Brake WMAs a buck must have:
1. Both antlers under 2 inches (button buck included); or
 2. An inside spread of 12 inches or more in width; or
 3. At least one main beam 15 inches or more in length.
- F. On Bald Knob, Big Lake, Dale Bumpers White River, Cache River, Felsenthal, Holla Bend, Overflow, Pond Creek and Wapanocca NWRs; Rex Hancock Black Swamp WMA; and U of A Pine Tree Experimental Station WDA, any buck deer may be legally harvested during all deer hunts.
- G. In compliance with Code [11.02](#).
- H. On any WMA within the CWD Zone (Addendum E1.12) including: Bearcat Hollow, Beaver Lake, Beryl Anthony Lower Ouachita, Big Lake, Blue Mountain, Buffalo National River, Cherokee (those lands that fall within the CWD counties), Cherokee Prairie Natural Area, Dardanelle, Fort Chaffee, Frog Bayou, Galla Creek, Garrett Hollow Natural Area, Gene Rush, Greers Ferry Lake, H.E. Flanagan Prairie Natural Area, Harold E. Alexander Spring River, Howard Hensley Searcy County, Hobbs State Park-Conservation Area, Jim Kress, Jones Point WMA, Lee Creek, Loafers Glory, McIlroy Madison County, Mount Magazine, Nimrod Lloyd Millwood, Ozark Lake, Petit Jean River, Piney Creeks, Rainey, Robert L. Hankins Mud Creek, Scott Henderson Gulf Mountain, Slippery Hollow Natural Area, Sweden Creek Natural Area, Wedington, and White Rock WMAs and J. Perry Mikles Blue Mountain SUA, any buck deer may be legally harvested during all deer hunts.

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, March 20, 2025, at the AGFC Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. At that time, regulations and business pertaining to the operation of the AGFC 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, March 19, 2025, beginning at 9:00 a.m. at the AGFC Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. All interested persons are invited to attend these meetings.

The Commission meeting on March 20th will be live-streamed and a link for easy viewing access will be available on the agency website. Please visit the AGFC website at <https://www.agfc.com> for additional up-to-date details as the meeting dates draw closer.

Items on the agenda for the March 20, 2025 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the February 19-20, 2025 Commission Meetings, plus consideration of various Hunting and Fishing Regulations and regulations pertaining to the Enforcement Division of the AGFC, including but not limited to:

- Remove the prohibition on the use of natural deer urine and other biofluids while hunting (Code 05.40).
- Add language to the prohibition on hunting wild turkey over bait to indicate that an area is considered baited for 10 days following removal of the bait. This change is a correction of the previous inadvertent removal of such language (Code 18.01).
- Replace the term “legal buck” with “antlered buck” and “doe” with “antlerless deer” in the harvest definitions for Ed Gordon Point Remove WMA, Cove Creek Natural Area WMA, Lake Overcup WMA, and Norfork Lake WMA. Remove the requirement that an antlerless deer be harvested and checked prior to harvesting an antlered buck on Ed Gordon Point Remove WMA (Addendum C1.01).
- Remove the antler size restrictions on harvesting buck deer from Ed Gordon Point Remove WMA (Addendum C1.14).
- Add Conway County to the Chronic Wasting Disease (CWD) Management Zone as a Tier 2 County (Addendum E1.12).

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the March 20, 2025 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 March 10, 2025. Copies of any proposed rules or regulations may be obtained at the AGFC main office and at 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.

CHRIS RACEY, INTERIM DIRECTOR
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