

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

Cole Jester

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published _____

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment _____

☐

Other _____

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council _____

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

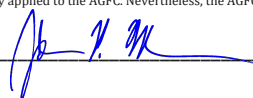
E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

In Substantial Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. Pursuant to 2011 decision rendered by the Pulaski County Circuit Court and 2000 opinion by the Arkansas Attorney General, the rulemaking requirements in the Arkansas Administrative Procedures Act cannot be constitutionally applied to the AGFC. Nevertheless, the AGFC does substantially comply with the rulemaking provisions under Ark. Code Ann. section 25-15-204 for public notice, opportunity for comment, and filing of all regulations adopted by the Commission.



Signature

Phone Number

E-mail Address

Title

Date

E1.12 – CWD MANAGEMENT ZONE

CWD MANAGEMENT ZONE: any county where a wild or captive cervid has tested positive for chronic wasting disease (CWD) and any county that encompasses any portion of a 10-mile radius buffer around any CWD positive sample collection site that the Commission has deemed high risk for CWD occurrence through the risk evaluation process set forth in CWD Management Strategy Plan. Zone includes all lands within Ashley, Benton, Boone, Carroll, Cleburne, Conway, Craighead, Crawford, Franklin, Independence, Jackson, Johnson, Logan, Madison, Marion, Mississippi, Newton, Pope, Searcy, Sebastian, Sharp, Van Buren, Washington, and Yell counties. Where any other county or a portion thereof is within a 10-mile radius of a CWD positive sample collection site and deemed to be high risk, the Director or his or her designee may add that entire county to the CWD Management Zone upon notice to the public through posting an updated description of the CWD Management Zone on the AGFC website, social media or other means reasonably calculated to inform the public.

The CWD Management Zone is further divided into the following tiers:

- A. **Tier 1 (Red) Counties:** Boone, Carroll, Madison, Newton, and Searcy counties.
- B. **Tier 2 (Orange) Counties:** Ashley, Benton, Bradley, Cleburne, Conway, Craighead, Crawford, Franklin, Independence, Jackson, Johnson, Logan, Marion, Mississippi, Pope, Randolph, Sebastian, Sharp, Union, Van Buren, Washington, and Yell counties, plus any county in the CWD Management Zone that is not in the list of Tier 1 counties.

ITEM NO. V.e

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER NO: 25-016 SUBJECT: 2025-26 Miscellaneous Hunting
DATE PASSED: March 20, 2025 Regulations
PAGE 1 of 2 PAGES LOCATION: Statewide

WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached package of Miscellaneous Hunting regulations for 2025-2026, including changes to game hunting seasons, bag limits, geographic zones, wildlife management areas, weapon restrictions, legal attractants used for deer hunting, and manner-of-taking-game requirements for deer and turkey; **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**

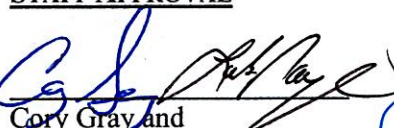
WHEREAS, after carefully considering the recommendations of the Interim Director, Commission staff, and the Regulations Committee, as well as comments received from the public, the Commission has determined that all of the attached regulations promote sound fish and wildlife conservation and management, are consistent with Amendment 35 of the Arkansas Constitution, and should now be approved for application statewide.

NOW, THEREFORE, BE IT ORDERED this 20th day of March 2025, that the Arkansas Game and Fish Commission hereby approves and adopts the attached package of 2025-2026 Miscellaneous Hunting regulations, which shall become effective immediately upon public filing or as soon thereafter as possible.

BE IT FURTHER ORDERED that the Commission staff is authorized to proceed with legally certifying and filing the attached regulations with the Secretary of State, State Library, and Bureau of Legislative Research, and incorporating them into the Commission Code Book and Addendum.

STAFF APPROVAL

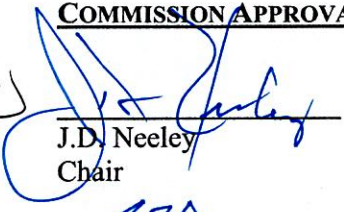
Submitted by:

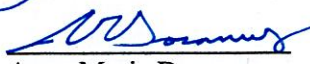

Cory Gray and
Luke Naylor, Chiefs

Division:

Research and Wildlife

COMMISSION APPROVAL

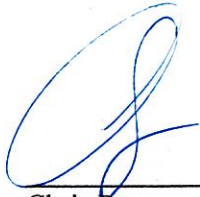

J.D. Neeley
Chair


Anne Marie Doramus
Vice Chair

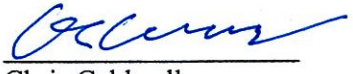

Bill Jones
Commissioner


Brandon Adams
Commissioner

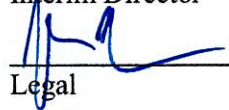
Approved:


Chris Racey
Interim Director


Rob Finley
Commissioner

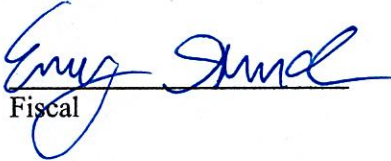

Chris Caldwell
Commissioner

Approved:


Legal


Philip Tappan
Commissioner

Approved:


Fiscal

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: E1.12 - CWD Management Zone

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

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



Chris Racey
Interim Director

Ben Batten
Deputy Director

Brad Carner
Deputy Director

Spencer Griffith
Deputy Director

Arkansas Game and Fish Commission

John P. Marks
General Counsel

James R. Brown
Assistant General Counsel

Christian N. Parks
Sr. Assistant General Counsel

Dalton B. Swindell
Assistant General Counsel

March 21, 2025

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

RE: Legal Notice for Approved Rules or Regulations – March 2025 meetings

Dear Arkansas Register:

Included are five (5) approved regulation changes that were published in the Legal Notice to the Arkansas Democrat Gazette on February 16-18, 2025. 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,

John P. Marks
General Counsel

JPM/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
Mr. Zane Rogers, Bureau of Legislative Research
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The Arkansas Game and Fish Commission's mission is to conserve and enhance Arkansas's fish and wildlife and their habitats while promoting sustainable use, public understanding and support.