

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State

Cole Jester

500 Woodlane Street, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

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: Create new turkey zones and dates (including youth start dates) for- inside the Mississippi levee (Zone 3) with a start date of the Monday closest to April 3 for a 21-day season, and no associated youth season. A second zone, using county lines to incorporate the Gulf Coastal Plain and southern Delta ecoregions with a start date of the Monday closest to April 10 for a 21-day season (zone 2) or 9-day season (Zone 2A) based on current turkey zones (currently Zone 1 and 2). Zone 2 and 2A will have an associated special youth season the Saturday and Sunday prior to the Monday closest to April 10. A third zone, using county lines to incorporate the Ouachita, Ozark, and northern Delta ecoregions with a start date of the Monday closest to April 17 for a 21-day season (zone 1) or 9-day season (Zone 1A) current turkey zones (currently Zone 1 and 2). Zone 1 and 1A will have an associated special youth season that is concurrent with Zone 2 and 2A, for the Saturday and Sunday prior to the Monday closest to April 10.

Justification: In an effort to offer more and earlier opportunity for turkey hunters, a motion was made to bring forth recommendations that delineates turkey zones for inside the Mississippi levee that would have a harvest season start date for the Monday closest to April 3rd, for the Gulf Coastal Plain and southern Delta ecoregions that would have a harvest season start date for the Monday closest to April 10th, and for the Ouachita, Ozark and northern Delta ecoregions, that would have a harvest season start date for the Monday closest to April 17th.

Codes affected: *A1.02, C1.04, and E1.02*

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

DEPARTMENT: Arkansas Game & Fish Commission

DIVISION: Wildlife Management Division

PERSON COMPLETING THIS STATEMENT: David Moscicki

TELEPHONE #: 501-554-5728 **FAX #:** **EMAIL:** david.moscicki@agfc.ar.gov

SHORT TITLE OF THIS RULE: E1.02 Turkey Zone Descriptions

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: N/A If "Yes", please explain:

3. If the purpose of this rule is to implement a **federal** rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

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

Next Fiscal Year

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

4. What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

Current Fiscal Year: \$ 0

Next Fiscal Year: \$ 0

Party Subject to Rule: Veterans and active duty military duck hunters

Effect on Party Subject to Rule: Adding an additional opportunity for waterfowl hunting.

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.

There is no additional cost to implement the rule.

Current Fiscal Year: \$ 0

Next Fiscal Year: \$ 0

Financial Benefit to Agency: None

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

Why were such alternatives not proposed:

7. Compare this rule with federal and state counterparts: N/A

E1.02 -- Turkey Zone Descriptions

Zone 1 ~~A~~ – Benton, Clay, Craighead, Crittenden, Cross, Greene, Jackson, Lee, ~~Little River,~~ Lonoke, ~~Miller,~~ Mississippi, Monroe, Phillips, Poinsett, Prairie, St. Francis, Washington, and Woodruff counties.

~~EXCEPT: Arkansas lands within Zone 3. the Mississippi River levee (See Zone 2). All Arkansas lands lying between the Arkansas-Tennessee state line, the Arkansas-Mississippi state line and the Mississippi River levee and other lands described as follows: from the Mississippi River levee at the Arkansas-Missouri state line, south to Arkansas Highway 131 at Seyppel; north to Arkansas Highway 147; south to Arkansas Highway 38; west on Arkansas Highway 38 to County Line Road; south to the Mississippi River levee to its end near the St. Francis River; on a line due west from this point to the St. Francis River; along the St. Francis River to the Mississippi River to the southeast boundary of the St. Francis National Forest; west and south along the St. Francis National Forest boundary to the intersection of FDR 1901 (low road); south along FDR 1901 to its intersection of the Mississippi River levee in Helena-West Helena; south on the Mississippi River levee to the Missouri-Pacific Railroad south of Snow Lake; southwesterly along the railroad to the intersection with the North line of Section 1, T8S, R1W; west along the Township line to the Northwest corner of Section 4, T8S, R1W; south to the Missouri-Pacific Railroad; southwesterly along the railroad to the White River; northwest on the Arkansas-Desha County line following the White River to the intersection of the Arkansas River-White River shipping canal; west on the shipping canal to the Arkansas River; southwest on the Arkansas River to U.S. Highway 165 at the Pendleton Bridge; south and west on U.S. Highway 165 to the Arkansas-Mississippi River levee; south on the levee to the Arkansas state line.~~

Zone ~~21~~ – ~~Arkansas, Ashley, Baxter, Boone, Bradley, Calhoun, Carroll, Chicot, Clark,~~ Cleburne, ~~Cleveland, Columbia, Conway, Crawford, Dallas, Desha, Drew, Faulkner, Franklin,~~ Fulton, Garland, ~~Grant, Hempstead,~~ Hot Spring, Howard, Independence, Izard, ~~Jefferson,~~ Johnson, ~~Lafayette, Lawrence, Lincoln, Logan, Madison, Marion, Montgomery, Nevada,~~ Newton, ~~Quachita,~~ Perry, Pike, Polk, Pope, Pulaski, Randolph, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, ~~Union,~~ Van Buren, White, and Yell counties.

Zone 2A –Little River and Miller counties.

Zone 2 – Arkansas, Ashley, Bradley, Calhoun, Chicot, Clark, Cleveland, Columbia, Dallas, Desha, Drew, Grant, Hempstead, Jefferson, Lafayette, Lincoln, Nevada, Ouachita, and Union counties.

EXCEPT: Arkansas lands within Zone 3.

~~ALSO~~Zone 3: Arkansas lands within the Mississippi River levee. All Arkansas lands lying between the Arkansas-Tennessee state line, the Arkansas-Mississippi state line and the Mississippi River levee and other lands described as follows: from the Mississippi River levee at the Arkansas-Missouri state line, south to Arkansas Highway 131 at Seyppel; north to Arkansas Highway 147; south to Arkansas Highway 38; west on Arkansas Highway 38 to County Line Road; south to the Mississippi River levee to its end near the St. Francis River; on a line due west from this point to the St. Francis River; along the St. Francis River to the Mississippi River to the southeast boundary of the St. Francis National Forest; west and south along the St. Francis National Forest boundary to the intersection of FDR 1901 (low road); south along FDR 1901 to its intersection of the Mississippi River levee in Helena-West Helena; south on the Mississippi River levee to the Missouri-Pacific

Railroad south of Snow Lake; southwesterly along the railroad to the intersection with the North line of Section 1, T8S, R1W; west along the Township line to the Northwest corner of Section 4, T8S, R1W; south to the Missouri-Pacific Railroad; southwesterly along the railroad to the White River; northwest on the Arkansas-Desha County line following the White River to the intersection of the Arkansas River-White River shipping canal; west on the shipping canal to the Arkansas River; southwest on the Arkansas River to U.S. Highway 165 at the Pendleton Bridge; south and west on U.S. Highway 165 to the Arkansas-Mississippi River levee; south on the levee to the Arkansas state line.

Each Wildlife Management Area is its own zone and has its own season dates and bag limits (see Code 02.02 and Addendum C1.04).

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 8:00 a.m. Thursday, June 19, 2025, at the Golden Glo Studio located at 1238 Country Club Road, Camden, AR 71701. 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, June 18, 2025, beginning at 12:00 p.m. at the Golden Glo Studio located at 1238 Country Club Road, Camden, AR 71701. All interested persons are invited to attend these meetings.

The Commission meeting on June 19th 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 June 19, 2025 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the May 14-15, 2025 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:

- Provide that persons convicted of violating Code 05.37 (regarding disorderly conduct while hunting, fishing or trapping) shall not be eligible to have their license suspension term reduced by the Administrative Hearing Officer (Code 01.00-R).
- Permit the Administrative Hearing Officer to modify a person's license suspension to allow hunting if there were no hunting-related offenses, or fishing if there were no fishing-related offenses, provided that the person's hunting and fishing licenses, rights, and privileges have not been suspended or revoked within the previous 15 years (Code 01.00-R).
- Create a resident combination hunting/fishing guide license for \$350 (Code 03.14 & Addendum D1.01).
- Prohibit and penalize harassment and public disorder of hunting, fishing or trapping activities (Code 05.37).
- Modify boating restrictions on certain WMAs and NWRs by increasing the penalties for negligent operation from Class 2 to Class 3 & for reckless or intentional operation from Class 3 to Class 4 (Code 20.27).
- Modify wild turkey season dates (Addendum A1.02).
- Modify wild turkey season dates and limits on WMAs (Addendum C1.04).
- Modify Turkey Zone Descriptions (Addendum E1.02).
- Create an exemption from the 16-inch length restriction for largemouth bass on Lakes Barnett, Brewer, and Poinsett during agency-approved fishing tournaments (Addendum N1.02).
- Discussion of access restrictions during duck season on WMAs.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the June 19, 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 June 9, 2025. Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office and at www.agfc.com, or through a written request mailed to the address below.

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.

DOUG SCHOENROCK, 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

Christian N. Parks
Sr. Assistant General Counsel

James R. Brown
Assistant General Counsel

Dalton B. Swindell
Assistant General Counsel

May 16, 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 Proposed Rules or Regulations – May 2025 meetings

Dear Arkansas Register:

Included are nine (9) proposed regulation changes that will be published in the Legal Notice to the Arkansas Democrat Gazette on May 18-20, 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
rogersz@blr.arkansas.gov
Ms. Gina Seaton, Bureau of Legislative Research
seatong@blr.arkansas.gov
aslib-govdocs@ade.arkansas.gov

2 Natural Resources Drive, Little Rock, AR 72205
833-345-0325 | 501-207-0326 | agfc.com

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.