

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State

Cole Jester

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Little Rock, Arkansas 72201-1094
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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 _____

Proposal: Clarification of Tournament Exemption Permit for Lake Barnett, Lake Brewer, and Poinsett Lake.

Justification: When Regulation N1.02–A17 was approved for 2025, it established a daily limit of 10 Largemouth Bass with a length restriction of only one fish that may exceed 16 inches in length for Lakes Barnett, Brewer, and Poinsett. We planned to use tournament exemption permits to allow tournaments to be exempt from this regulation and continue as usual on these lakes, similar to practices in Oklahoma and Florida. Our intentions were communicated to the angling community. In fact, during the regulation survey process, the following wording was included for Lake Barnett and Brewer: “Note – Creel limit remains at the current statewide limit of 10 fish, and in time, tournaments will be able to obtain a regulation waiver.” However, we have since discovered that there is currently no legal means to implement exemption permits.

The proposed exemption aims to clarify the existing code, similar to the drain plug exemption found in 37.10–Exemption A. That particular exemption allows fishing tournament officials to request written permission from the AGFC Fisheries Division to transport fish to an offsite weigh station without removing their drain plug. We are proposing a similar exemption permitting tournament officials to request written permission from the AGFC Fisheries Division to be exempt from the 16-inch length restriction for Lakes Barnett, Brewer, and Poinsett. Implementing this tournament exemption permit will allow tournaments to operate on these reservoirs as they have for many years before the regulation change, provided they adhere to the stipulations received in the exemption permit.

Code Change: N1.02

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

DEPARTMENT: Arkansas Game & Fish Commission

DIVISION: Fisheries Division

PERSON COMPLETING THIS STATEMENT: Jeremy Risley

TELEPHONE #: (870) 425-7577 **FAX #:** **EMAIL:** jeremy.risley@agfc.ar.gov

SHORT TITLE OF THIS RULE: N1.02 Length and Protected Length Limits on Certain Lakes and Rivers

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?

Yes: **X**

No:

2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: **X** If "Yes", please explain:

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

Current Fiscal Year

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

Next Fiscal Year

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

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

Current Fiscal Year: \$ 0

Next Fiscal Year: \$ 0

Party Subject to Rule: Tournament Directors holding fishing tournaments in Arkansas.

Effect on Party Subject to Rule: This exemption for existing regulation N01.02 – 17 would require tournament directors to obtain a free permit from the AGFC Fisheries Division to be exempt from the current Largemouth Bass length restriction on Lake Barnett, Brewer, and Poinsett as long as they follow the stipulations listed with the permit.

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: \$ N/A

Next Fiscal Year: \$ N/A

Financial Benefit to Agency: N/A

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

Why were such alternatives not proposed:

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

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

- A. **BLACK BASS:** It is unlawful to possess black bass as follows:
1. Largemouth bass less than 12 inches on Lake Frierson and Greers Ferry Lake.
 2. Spotted bass (Kentucky bass) less than 12 inches on Bull Shoals and Table Rock lakes.
 3. All black bass less than 12 inches in Horseshoe Bend Pool on the Strawberry River.
 4. Largemouth less than 13 inches on Norfolk and Ouachita lakes.
 5. Largemouth bass 13-16 inches on lakes Wilhelmina (Polk County), Bear Creek Lake, Bob Kidd, and Lee Creek.
 6. Largemouth bass less than 13 inches on DeGray Lake and within the boundaries of Felsenthal NWR.
 - i. **EXCEPTION:** No restriction in Woodland Trail Pond – located at the Felsenthal NWR Headquarters on U.S. Highway 82 (Ashley County); Locust Ridge Pond – located at Locust Ridge on U.S. Highway 82 (Union County); Eagle Lake Pond– located north of Eagle Lake on Bradley County Road 53 (Bradley County); and Shallow Lake Field Pond located west of Shallow Lake (Union County). Person(s) keeping largemouth bass less than 13 inches from these waters must exit the NWR boundaries immediately upon leaving these ponds and may not enter NWR campgrounds or fish other NWR waters with largemouth bass less than 13 inches from these 4 ponds in their possession.
 7. Largemouth bass less than 14 inches on the Arkansas River and its tributaries.
 8. Smallmouth bass less than 15 inches on Beaver, Bull Shoals, and Table Rock lakes.
 9. Largemouth bass less than 15 inches on Beaver Lake, Blue Mountain, Bull Shoals, Cane Creek Lake, Georgia Pacific, Kingfisher, and Table Rock lakes; Upper and Lower Lake Chicot (including Connerly Bayou downstream from Connerly Dam to the bayou's mouth and Ditch Bayou from the inlet on Lake Chicot to Ditch Bayou Dam); and Moss Creek Pond.
 10. Black bass greater than 16 inches in Lake Winona.
 11. Largemouth bass 16-21 inches on Lake Atkins. Daily limit 10 (only 1 of which may be longer than 21 inches).
 12. Largemouth bass less than 16 inches on Lake June.
 13. Largemouth bass daily limit 10 (only 1 of which may be longer than 20 inches) on Lake Columbia, Lake Austell (Cross County), Lake Dunn (Cross County), and Lower White Oak Lake.
 14. Largemouth bass daily limit 10 (only 1 of which may be longer than 18 inches) on Lake SWEPCO.
 15. Smallmouth bass less than 18 inches on the lower Little Missouri River from Narrows Dam to its mouth. Daily limit 1.
 16. Largemouth bass 14-17 inches on Mallard Lake. Daily limit 10, only 1 of which may be larger than 17 inches.
 17. Largemouth bass daily limit 10 (only 1 of which may be longer than 16 inches) on Lakes Barnett, Brewer, and Poinsett.
- EXEMPTION:**
- A. Fishing tournament officials may submit a request to the AGFC Fisheries Division for written permission to exempt participants from the 16 inch length restriction. All participants must be given a copy of the permit.
18. Largemouth bass daily limit two (only 1 of which may be longer than 21 inches) on Lake Pickthorne.
- B. **CRAPPIE:** It is unlawful to possess crappie as follows:
1. Less than 10 inches in Beaver, Table Rock, Bull Shoals, and Norfolk reservoirs; Cane Creek Lake in Lincoln County; Lake Chicot (including Connerly Bayou downstream from Connerly Dam to the bayou's mouth and Ditch Bayou from the inlet on Lake Chicot to Ditch Bayou Dam); Lake Erling (including Bodcau Creek downstream of Arkansas Highway 360 Bridge), Lake Overcup, Harris Brake Lake, Lake Dardanelle, and Lake Atkins.
 2. Less than 9 inches on Blue Mountain Lake.
- C. **CATFISH (channel, blue and flathead):** It is unlawful to possess flathead catfish less than 20 inches on the Ouachita River from Sandy Beach Access (Ouachita County) to Remmel Dam.
- D. **PADDLEFISH:** It is unlawful to possess paddlefish less than 34 inches (Eye to Fork Length) on the White River in the special snagging area below Beaver Dam and from the Houseman Access Boat Ramp downstream to the Missouri state line.

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

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

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.

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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
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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.