

**Arkansas Game and Fish Commission**  
Little Rock, Arkansas

MINUTE ORDER NO: 06-026 SUBJECT: 06-07 General Hunting Season  
 DATE PASSED: April 20, 2006 Regulations Approval  
 PAGE 1 of 1 PAGES LOCATION: Cherokee and Jim Kress WMAs

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**WHEREAS,** the Arkansas Game and Fish Commission, meeting in regular session on April 20, 2006, has carefully reviewed and approved the attached hunting regulation proposals for statewide application; **and**

**WHEREAS,** the various sections of the AGFC Code Book affected by the adoption of these regulations must be replaced or amended, and then legally certified to the Secretary of State, the Arkansas State Library and the Bureau of Legislative Research in accordance with applicable law;

**NOW, THEREFORE, BE IT ORDERED, THIS 20<sup>th</sup>** day of April that the Arkansas Game and Fish Commission hereby approves and adopts the attached hunting regulations for the 2006-2007 hunting license year, and authorizes the Commission staff to proceed with making the appropriate AGFC Code Book revisions and legal certification.

	<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>
Submitted by:	<u>Doyle Shook</u> Doyle Shook Wildlife	<u>Mike Free</u> <u>Bret May</u> Chairman Commissioner
Division:		<u>Debra Mills</u> Vice Chairman Commissioner
Approved:	<u>Scott Anderson</u> Director	<u>Steve Darvell</u> <u>Bill</u> Commissioner Commissioner
Approved:	<u>A. F. Nordhart</u> Legal	<u>Juddie Spivey</u> Commissioner
Approved:	<u>Lay Selva</u> Fiscal	

## FINANCIAL / ECONOMIC IMPACT STATEMENT

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

**DEPARTMENT:** Arkansas Game & Fish Commission

**DIVISION:** Wildlife Management

**PERSON COMPLETING THIS STATEMENT:** Doyle Shook

**TELEPHONE #:** 501-223-6362 **FAX #:** 501-223-6452

**EMAIL:** dlshook@agfc.state.ar.us

**SHORT TITLE OF THIS RULE:** 06-07 Regulations for Cherokee and Jim Kress WMAs

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?  
Yes: \_\_\_\_\_ No:

2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: \_\_\_\_\_ No:  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.

<u>Current Fiscal Year</u>		<u>Next Fiscal Year</u>	
General Revenue	\$ N/A	General Revenue	\$ N/A
Federal Funds	\$ N/A	Federal Funds	\$ N/A
Cash Funds	\$ N/A	Cash Funds	\$ N/A
Special Revenue	\$ N/A	Special Revenue	\$ N/A
Other (Identify)	\$ N/A	Other (Identify)	\$ N/A
Total	\$ N/A	Total	\$ N/A

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:** \$ N/A

**Next Fiscal Year:** \$ N/A

Party Subject to Rule: N/A

Effect on Party Subject to Rule: N/A

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:** \$ 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:

Why were such alternatives not proposed:

7. Compare this rule with federal and state counterparts:

**APPROVED 2006-2007 REGULATIONS  
FOR CHEROKEE AND JIM KRESS WMAs**

**Approved Changes - Red Ink**

**19.05**  
04-06

**LITTERING STREAMS AND PUBLIC HUNTING LANDS PROHIBITED.** It shall be unlawful to drop, discard or otherwise dispose of litter upon any public property in this state, **or upon any property leased or licensed by the Commission,** or into any river, pond, lake, stream or other body of water within this state.  
**PENALTY:** \$100.00 to \$1,000.00.

**20.11**  
04-04/04-06

**PERMIT REQUIREMENTS ON CERTAIN WMAs.** It shall be unlawful to take or attempt to take any wildlife during an open season on certain WMAs without first obtaining the required permit (Reference Code 20.25, Non-Compliance with Terms of Permit Hunts on WMAs Prohibited and Code 20.26, Season Restrictions During Permit Hunts on WMAs) as specified herein:

- (A) A permit is required on Bald Knob NWR, Big Lake NWR, Cache River NWR, Choctaw Island, Crossett Experimental Forest WMA, Felsenthal NWR, Holla Bend NWR, Overflow NWR, Pond Creek NWR, U of A Pine Tree Experimental Station WDA and Wapanocca NWR.
- (B) A lease land permit is required for persons 16 years and older to camp, hunt or trap any type of wildlife on Big Timber, Casey Jones, Cherokee, Gum Flats, **Jim Kress**, Lafayette County (except no permit is required to camp on Lafayette County) and Provo Leased Lands WMAs. **~~A Cherokee WMA Lease Land permit is also required for the operation of motorcycles, bicycles, ATVs and horseback riding from October 1—February 28 and during Spring Turkey seasons in Spring Turkey Zones 2, 6 and 7 on Cherokee and Jim Kress WMAs, except on state or county roads.~~**
- (C) A permit is required to camp, hunt, fish or for the operation of an ATV on White River NWR.

**PENALTY:** \$100.00 to \$1,000.00.

20.28  
04-06

**MOTORIZED VEHICLE RESTRICTIONS ON COMMISSION OWNED, LEASED, LICENSED AND COOPERATIVE WMAs.** It shall be unlawful to operate any motorized vehicle off any open access road and parking area, behind gated, cabled, or earthen barriers, where no road exists, on trails, levees, dams, on any food plot/wildlife opening, firelane, or road which has been disked, seeded, developed for wildlife, or in a direction of travel contrary to posted signs. The use of two-wheeled, three-wheeled or four-wheeled ATV's (all terrain vehicles), dune buggies and amphibious vehicles is prohibited.

**EXCEPTIONS:**

- (1) For authorized uses only.
- (2) Motorized vehicles or ATVs may be used on Commission owned lands only by persons having a valid Mobility Impaired Program Card, to the extent allowed by the Commission's Mobility Impaired Access Policy.
- (3) Persons participating in the Choctaw Island WMA Special Mobility Impaired deer hunt.
- (4) Motorized vehicles, except for ATVs on main access roads, may not be used on Big Timber Upland WDA.
- (5) ATV's allowed on existing open access roads and trailways on Gum Flats, Provo, Lake Greeson, Howard County, Lafayette County, Casey Jones, ~~Cherokee~~, and Big Timber lease land areas.
- (6) Motorized vehicles and ATVs allowed on Muddy Creek, Caney Creek and Winona, except on a road, temporary trailway or other areas posted as closed by an earthen mound, gate, sign or other object. Note: Same as U.S. Forest Service forest-wide regulations – Ouachita National Forest.
- (7) **ATV's allowed on open, maintained roads within Cherokee and Jim Kress WMA's by hunters in possession of a valid leased lands permit for the purposes of ingress and egress to hunting locations and/or camping sites only.**
- ~~(7-8)~~ Motorized vehicles and ATVs on Ozark National Forest, White Rock, Piney Creeks, Mt. Magazine, Sylamore, St. Francis WMAs allowed only on established access roads and trailways and prohibited on roads and trailways closed by an earthen mound, gate, sign or other object or where no road or trailway exists. Note: Same as U.S. Forest Service forest-wide regulations – Ozark-St. Francis National Forest.
- ~~(8-9)~~ Motorized vehicles and ATVs prohibited within the Hope Upland WMA.
- ~~(9-10)~~ Motorized vehicles and ATVs prohibited from entering the Henry Gray WMA from the north boundary, except persons are exempt to the extent allowed by the Commission's Mobility Impaired Access Policy.

**PENALTY:** \$100.00 to \$1,000.00.

20.29  
04-06

**HORSE AND MULE RESTRICTIONS ON CERTAIN**

**COMMISSION-OWNED WMAs.** Organized events similar to trail rides and horse riding for pleasure are prohibited on Commission-owned, **Cherokee and Jim Kress** WMAs during the months of October - January, April and May. Permits are required for organized events of more than ten horses or mules per party during the remainder of the year, and a condition of the permit shall stipulate that riders are restricted to established trails or roads. Permits are available at the area headquarters and must be requested 14 days in advance of the event. Horses and mules are allowed only in camping areas that are designated for equestrian use. Horses in camping areas may only be tied to trailers or to a highline using tree saver straps. It shall be unlawful to allow horses or mules to damage trees or other woody vegetation. Soil disturbance must be restored, manure must be scattered and excess feed, hay and any trash must be removed.

**EXCEPTIONS:**

- (1) Participants in legal hunting activities may use horses and mules during specified hunting seasons.
- (2) At night during furbearing season
- (3) Horses and mules are prohibited on the Jardis Point (Desha County) portion of the Trusten Holder WMA.
- (4) Horses and mules are prohibited on the Choctaw Island WMA during any open deer season.

**PENALTY:** \$100.00 to \$1,000.00

22.01  
04-06

**DOG RESTRICTIONS ON WMAs.** It shall be unlawful to take, attempt to take, or pursue wildlife or feral hogs by the use of dogs on any Wildlife Management Area.

**EXCEPTIONS:**

- (1) Permitted AKC, UKC and ACHA field trials when approved by the Commission.
- (2) Quail and Rabbit Dog Training: September 1-April 1, except during firearms deer hunts where dogs are not allowed.
- (3) Training dogs on Camp Robinson WDA, Wylie Cox Field Trial Area and J. Perry Mikles Blue Mountain WDA requires a current Arkansas hunting license and these areas are closed to dog training during organized field trials.
- (4) Dogs required to hunt bobcat, opossum, and raccoon at night in accordance with Commission Code 24.07 (Furbearer Seasons and Bag Limits on WMAs).
- (5) J. Perry Mikles Blue Mountain WDA is open for training raccoon dogs at night only and rabbit dogs year-round except during field trials. Quail Dog Training from October 1-April 1 except during firearms deer hunts where dogs are not allowed.
- (6) Waterfowl retrievers during open migratory bird seasons.

- (7) Dogs allowed for fall squirrel and rabbit hunting where no modern gun or muzzleloader deer season is open or where dogs are allowed for modern gun deer hunting.
  - (8) Dogs allowed for spring squirrel hunting, except on White River NWR.
  - (9) Quail hunting with bird dog breeds only, during open season.
  - (10) Modern gun deer hunting ~~November 12-20 and November 24-December 4, 2005 on Cherokee WMA,~~ November 25-December 10, 2006 on Gum Flats, Lake Greeson and Provo WMAs November 23-December 3, 2006 on Mt. Magazine WMA.
  - (11) Dogs allowed for coyote, fox and bobcat hunting on Casey Jones ~~and Cherokee~~ WMAs during the declared furbearer season when a firearms deer season is closed (Ref. Commission Codes 21.01 and 24.07).
  - (12) Dogs allowed for modern gun deer season on Blue Mountain, Lloyd Millwood Nimrod, Dardanelle and Ozark Lake WMAs, except no dogs on islands except waterfowl retrievers during waterfowl season and hunting furbearers at night.
  - (13) Dogs allowed for fall squirrel hunting on the Casey Jones, Big Timber, Ozark National Forest, Piney Creeks and White Rock WMAs.
  - (14) Dogs allowed for training and/or hunting under the conditions and during the seasons provided by the required annual refuge hunting permit on all NWRs. Field trials prohibited unless authorized by refuge Special Use Permit.
  - (15) Quail and Rabbit Dog Training on Camp Robinson WDA from September 15-April 1, except during firearms deer hunts where dogs are not allowed.
  - (16) Employees of the Arkansas Game and Fish Commission, the National Park Service or their designees engaged in official duties.
- PENALTY:** \$100.00 to 1,000.00.

#### 24.07

04-03/04-06

**FURBEARER SEASONS AND BAG LIMITS ON WMAs.** It shall be unlawful to take, attempt to take or possess furbearers on any WMA other than as specified herein:

- (A) Gray Fox, Mink, Red Fox and Striped Skunk Hunting: September 1, 2006 – February 28, 2007. Limit two per day per species.
- (B) Opossum Hunting: Sunrise, September 1, 2006 – Sunset, February 28, 2007. Day or night hunting. Dogs are required for hunting at night. Limit two per day.
- (C) Bobcat and Coyote Hunting: Sunrise, October 1, 2006 – Sunset February 28, 2007 (Dogs not allowed to hunt Coyote. Dogs required to hunt bobcat at night.). From the first day of Spring Turkey season through the last day of Spring Squirrel Season (Day hunting only. No dogs allowed. Closed on WMAs without Spring Turkey or Spring Squirrel Seasons). Limit two per day per species.

- (1) During youth turkey hunts, only youths may take bobcat or coyote.
  - (2) Bell Slough and Ethel WMAs: Bobcat and coyote may not be hunted with firearms.
  - (3) Ed Gordon Point Remove WMA: Closed to bobcat and coyote hunting unless other hunting seasons are open.
  - (4) Hope Upland and Rick Evans Grandview Prairie WMA: Closed to bobcat and coyote hunting except open on Tuesdays during daylight hours only.
- (D) River Otter Hunting: November 17, 2006 – February 28, 2007.  
Limit two per day.
- (E) Raccoon Hunting: Sunset, July 1 – Sunrise, August 31, 2006 (Night hunting only. Dogs are required. Limit one). Sunrise, September 1, 2006 – Sunset, February 28, 2007. (Day or night hunting. Dogs are required for hunting at night. Limit two per day.) March 1 – March 31, 2007 (Day or night hunting. Dogs are required for hunting at night. Limit one).
- (F) Muskrat, Nutria and Beaver Hunting: September 1, 2006 – March 31, 2007. No limit.
- (G) Badger, Spotted Skunk (Civet Cat), and Weasel Hunting: Closed.
- (H) Furbearer Trapping (Other than Beaver, Coyote, Muskrat, and Nutria): Sunrise, November 17, 2006 – Sunset, February 17, 2007. No limit.
- (I) Muskrat, Nutria and Beaver Trapping: Sunrise, November 17, 2006 – Sunset, March 31, 2007. No limit.
- (J) Coyote Trapping: August 1, 2006 – March 31, 2007. No limit.

**EXCEPTIONS:**

- (1) Camp Robinson WDA is closed to all trapping.
- (2) Cedar Creek and Electric Island WMAs – are closed to all furbearer hunting and trapping.
- (3) J. Perry Mikles Blue Mountain WDA – is closed to all trapping, and raccoon hunting. Chase for pleasure or training purposes only is permitted year-round. Closed during field trails.
- (4) Furbearer hunting and trapping allowed under the conditions, seasons and bag limits provided by the required annual refuge hunting permit or refuge trapping permit on all NWRs.
- (5) Buffalo National River WMA is closed to all trapping.
- (6) Ditch 28 on Big Lake WMA is closed to all trapping.
- (7) Bell Slough and Ethel WMAs: Firearms is closed.
- (8) Bobcat, coyote and fox hunting with dogs allowed on Casey Jones **and Cherokee** WMAs in accordance with Commission Code 22.01 (Dog Restrictions on WMAs).

**ARKANSAS GAME AND FISH COMMISSION**  
Little Rock, Arkansas

MINUTE ORDER NO: 06-033 SUBJECT: Carol Ann Fishing Pond - Emergency  
DATE PASSED: April 20, 2006 Suspension of Daily Fish Limits  
PAGE 1 of 1 PAGES LOCATION: Sebastian County

**WHEREAS,** Carol Ann Cross Pond is a public fishing water owned by the City of Fort Smith and operated by the Fort Smith Parks and Recreation Department. The pond is managed under the Arkansas Game and Fish Commission Community Fishing Management Program and is subject to the harvest limit restrictions in AGFC Codes 31.20 and 32.08; and

**WHEREAS,** The Fort Smith Parks and Recreation Department has notified the Commission that the City is planning to remove the existing dam for Carol Ann Cross Pond and construct a new dam during this summer; and

**WHEREAS,** In order to permit the public to utilize all fish currently stocked in the pond before it is drained and construction on the new dam begins, and to protect the public welfare and prevent unnecessary waste of a valuable resource, it is important that the Commission now temporarily suspend the daily limits for harvesting sportfish for this pond

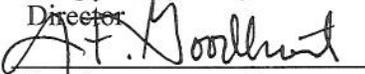
**NOW, THEREFORE, BE IT RESOLVED,** this 20<sup>th</sup> day of April, 2006 that the Arkansas Game and Fish Commission hereby declares that an emergency exists and, effective immediately, suspends the daily fish limit restrictions in AGFC Code 31.20 (Community Fishing Management Program Restrictions) for Carol Ann Cross Pond only.

**BE IT FURTHER RESOLVED** that this emergency order shall remain in effect for a period of one-hundred twenty (120) days and then shall terminate.

**STAFF APPROVAL**

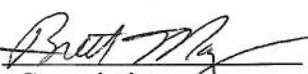
Submitted by:   
Mike Armstrong  
Division: Fisheries

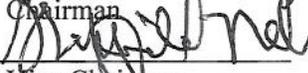
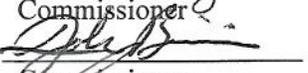
Approved:   
Director

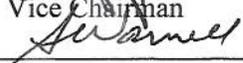
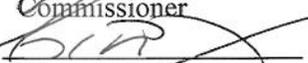
Approved:   
Legal

Approved:   
Fiscal

**COMMISSION APPROVAL**

 Chairman  
 Commissioner

 Vice Chairman  
 Commissioner

 Commissioner  
 Commissioner

 Commissioner



**INSTRUCTIONS FOR COMPLETING THIS FORM:**

The Division responsible for a regulation proposal must complete this form and include it as the last page(s) of a regulation proposal that is submitted to the Commission for review, and again when the proposal is submitted to the Commission for a vote. After regulation adoption, Legal Division will submit the form to the appropriate State offices.