

Arkansas Game and Fish Commission

Wildlife Management Division

November 16, 2006

Approval of 2006-2007 Waterfowl Rest Area and Duck Season Codes

Presented by Doyle Shook

Code 25.04 was revised in August 2006 to reflect the approval of access restrictions on Commission owned Waterfowl Rest Areas during the waterfowl hunting season. This effectively eliminated the youth hunts and hunting during the last three days of the last waterfowl season on these rest areas. Three waterfowl rest areas which are Commission controlled but not Commission owned (Fort Chaffee, Horsehead Creek and Bob Young) were no longer covered by the code as revised. Additionally the Johnson County, Dr. Lester Sitzes, III Bois D'Arc and Nimrod Lloyd Millwood rest areas required exceptions to the code as revised.

Also code 12.15 included two exceptions referring to canvasback season dates and pintails that should have been deleted.

Therefore, a proposal was presented at the October meeting and is submitted at this meeting for approval to add the words "or controlled" and two exceptions to code 25.04 to correctly describe the access restrictions on these six waterfowl rest areas and delete exceptions 2 and 3 from code 12.15.

Doyle Shook, Chief
Wildlife Management Division

2006-2007 WATERFOWL REST AREA CODE APPROVALS

Proposed Changes - Red Ink

Proposed Change

12.15 **DUCK, COOT AND MERGANSER SEASON RESTRICTIONS.** It
11-06 shall be unlawful to take or attempt to take ducks or coots other than from
November 18-December 18, 2006, December 26, 2006-January 7, 2007 and
January 13-January 28, 2007.

EXCEPTIONS:

- (1) Ducks, coots and mergansers may be taken during the Special Youth Waterfowl Hunt on December 23-24, 2006 (Ref. Code 12.25 Special Youth Waterfowl Hunt Restrictions).
- ~~(2) Canvasbacks may only be taken from November 18-December 18, 2006, December 26, 2006-January 7, 2007 and January 13-January 28, 2007.~~
- ~~(3) Pintails may be taken during the Youth Waterfowl Hunt (dates).~~

PENALTY: \$200.00 to \$1,000.00.

Proposed Change

25.04 **MIGRATORY WATERFOWL HUNTING ACCESS RESTRICTIONS**
11-06 **WITHIN WATERFOWL REST AREAS.** All **state Commission** owned
or controlled waterfowl rest areas are closed to access beginning
November 1 of each year and will reopen to access the day after duck
season ends.

EXCEPTIONS:

- (1) Red Slough WRA within Dr. Lester Sitzes, III Bois D'Arc WMA and Henry Moore WRA within Sulphur River WMA are open to archery hunting from October 1 – November 11.
- (2) Pigeon Creek WRA within Cut Off Creek WMA and Steve Frick WRA within Ed Gordon Point Remove WMA closes to access the day after the modern gun deer hunt and will reopen to access the day after duck season ends.
- ~~(3) **Johnson County WRA within Dardanelle WMA closes to access the day after the modern gun mobility impaired permit hunt and will reopen to access the day after duck season ends.**~~
- ~~(4) **Dr. Lester Sitzes, III Bois D'Arc Lake WRA within Dr. Lester Sitzes, III Bois D'Arc WMA and the Nimrod Lloyd Millwood WRA within Nimrod WMA are open for fishing and non-hunting access.**~~

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

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: 2006-2007 Waterfowl Rest Area and Duck Season Codes Approval.

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.

<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:

ITEM NO. _____

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER NO: _____	SUBJECT: <u>2006-2007 Waterfowl Rest Areas</u>
DATE PASSED: <u>November 16, 2006</u>	<u>And Duck Season Codes Approval</u>
PAGE <u>1</u> of <u>1</u> PAGES	LOCATION: <u>Statewide</u>

WHEREAS, the Arkansas Game and Fish Commission, meeting in regular session on November 16, 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 16th day of November 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:	_____	_____	_____
	Doyle Shook	Chairman	Commissioner
Division:	_____	_____	_____
	Wildlife Management	Vice Chairman	Commissioner
Approved:	_____	_____	_____
	Director	Commissioner	Commissioner
Approved:	_____	_____	
	Legal	Commissioner	
Approved:	_____		
	Fiscal		