

Proposed 2012-2013 Late Migratory Bird Regulations Approval

Committee: Regulations

Date: August 16, 2012

Explanation:

Staff presented the 2012-2013 late migratory bird regulations proposals for commission consideration. These proposals will be presented at the August meeting for approval.

Prepared by: Luke Naylor

Proposed 2012-2013 Late Migratory Bird Regulations Approval

Approved Changes - Red Ink

Approved Calendar Adjustments – Orange Ink

Approved Code Clarifications - Blue Ink

24.01 MIGRATORY WATERFOWL HUNTING ACCESS TIME RESTRICTIONS ON WMAs

08-12 It is unlawful to take or attempt to take migratory waterfowl on WMAs after noon or remain on water-inundated areas or water courses on WMAs after 1 p.m. from the first day of the first segment of regular duck season to the last day of the last segment of regular duck season.

EXCEPTIONS:

- (1) Migratory waterfowl hunting is allowed during the entire day (regular shooting hours) of the last three days of the last duck season in compliance with [Addenda B1.08; B1.13](#).
- (2) In compliance with [Codes 11.04; 24.02](#) and [Addendum B1.10](#).
- (3) All-day hunting is allowed on Beaver Lake, Dardanelle (except at the McKinnen Bottoms and Hartman waterfowl units), DeGray Lake, Fort Chaffee and Ozark Lake WMAs.
- (4) Navigational boating access is unrestricted on natural rivers on WMAs.
- (5) All migratory waterfowl hunting is closed on Maumelle River WMA.
- (6) **Nimrod WMA lands lying outside Lloyd Millwood Greentree Reservoir (“Duck Area”).**

PENALTY: Class 1

24.03 BOAT MOTOR RESTRICTIONS ON CERTAIN WMAs

08-12 Boats and boat motors shall comply with the following restrictions on certain WMAs:

- (1) Boats with **outboard** motors of more than 25 horsepower **or surface-drive motors of more than 36 horsepower** and air boats may not be operated on Bayou Meto, Dr. Lester Sitzes III Bois d’Arc (excluding Dr. Lester Sitzes III Bois d’Arc Lake), Shirey Bay Rainey Brake and Steve N. Wilson Raft Creek Bottoms WMAs.
- (2) No boats allowed on Dr. Lester Sitzes III Bois d’Arc greentree waterfowl area 14 days before the opening day of duck season until the opening of duck season.
- (3) No boats allowed on Bell Slough, Camp Robinson, Ed Gordon Point Remove, Harris Brake, Dr. Lester Sitzes III Bois d’Arc and Shirey Bay Rainey Brake WMAs greentree reservoirs from 1 p.m. until 4 a.m. during duck season, applies to any portion of any opening day of a duck segment, except during the last three days of the last duck season and during the special youth waterfowl hunt when boats may be used from 4 a.m. until 6:30 p.m. daily.
- (4) No boat motors allowed on Frog Bayou WMA.

- (5) Boat motors over 10 horsepower are prohibited on St. Francis National Forest WMA.
- (6) Boats are not allowed on Bayou Meto WMA from 1 p.m. until 4 a.m. during the duck season except as follows:
 - (a) During the last three days of the last duck season and during the special youth waterfowl hunts when boats may be used from 4 a.m. until 6:30 p.m. daily.
 - (b) Boating access during the duck season only from 1 p.m. until 6:30 p.m. at the following streams:
 - (a) Mulberry Access, to include all of the Salt Bayou Ditch to the confluence of Little Bayou Meto.
 - (b) Buckingham Flats Access to include Big Bayou Meto, and Cannon Brake Access to include Little Bayou Meto only on the Cannon Brake Impoundment.
- (7) Boats are not allowed on the Government Cypress Greentree Reservoir on Bayou Meto WMA.
- (8) Boats with motors greater than 50 horsepower and airboats may not be operated on waters on Henry Gray Hurricane Lake WMA during duck season ([Addendum B1.08](#)).
- (9) Airboats may not be operated on waters on Bell Slough, Beryl Anthony Lower Ouachita (excluding Ouachita River), Freddie Black Choctaw Island WMA and Deer Research Area (both units, excluding Mississippi River), Cut-Off Creek, Cypress Bayou, Ed Gordon Point Remove, Earl Buss Bayou DeView, Galla Creek, Harris Brake (excluding Harris Brake Lake), Holland Bottoms (excluding Tommy L. Sproles Lake Pickthorne), Mike Freeze Wattensaw, Petit Jean River (excluding Petit Jean River and Kingfisher Lake), Seven Devils, Sheffield Nelson Dagmar, Sulphur River (excluding Sulphur River and Mercer Bayou) and Trusten Holder (excluding Arkansas River, Arkansas Post Canal, Merrisach Lake, Moore Bayou and Post Lake) WMAs during duck season ([Addendum B1.08](#)).
- (10) On Maumelle River WMA all boating activities and trespassing is prohibited in the Restricted Area Zone 1 on the east end of Lake Maumelle as marked by buoy line. The Unrestricted Area Zone 2 covering the central and western portions of Lake Maumelle is open to boating and fishing during the hours of 4 a.m. until 8 p.m., Nov. 1-March 31 and 24 hours a day from April 1-Oct. 31. The use of air boats, aquaplanes, surfboards, motorized surfboards wind-powered surfboards, personal watercraft, water skis, rafts or other similar devices or vehicles on any part of Lake Maumelle is prohibited. Canoes and kayaks may only be launched from the Sleepy Hollow access area and only operated in that portion of Lake Maumelle west of the Arkansas Highway 10 bridge. Only boats with a 25 horsepower motor or less may launch from the Sleepy Hollow access area. That portion of Lake Maumelle lying east of Arkansas Highway 10 bridge and west of the Restricted Area Zone 1 buoy line is not open to boats less than 14 feet in length.

EXCEPTION:

Boating activities by Central Arkansas Water Utility and U.S. Geological Survey personnel engaged in the performance of their duties are allowed in the Restricted Area Zone 1 of Lake Maumelle.

PENALTY: Class 1

24.04 MIGRATORY WATERFOWL HUNTING ACCESS RESTRICTIONS ON WRAs

08-12 All Commission-owned or controlled WRAs are closed to access from Nov. 1-Feb. 15.

EXCEPTIONS:

- (1) Red Slough WRA on Dr. Lester Sitzes III Bois d'Arc WMA and Henry Moore WRA on Sulphur River WMA is open to archery deer hunting Oct. 1-Nov. 5.
- (2) ~~Pigeon Creek WRA on Cut-Off Creek WMA and~~ Steve Frick WRA on Ed Gordon Point Remove WMA close to access the day after the modern gun deer hunt and reopen Feb. 1.
- (3) Johnson County WRA on Dardanelle WMA closes to access the day after the modern gun mobility-impaired permit hunt and reopens February 1.
- (4) Dr. Lester Sitzes III Bois d'Arc Lake WRA on Dr. Lester Sitzes III Bois d'Arc WMA is open for fishing and non-hunting access.
- (5) Winchester WRA and the Brookings moist-soil units on Dave Donaldson Black River WMA are open to deer muzzleloader and modern gun youth hunt permit holders only.
- (6) The WRAs in the moist-soil units on Shirey Bay Rainey Brake WMA are open to deer muzzleloader permit holders only.

PENALTY: Class 1

24.05 LEAVING WATERFOWL DECOYS OVERNIGHT PROHIBITED ON WMAs AND WRAs

08-12 It is unlawful to leave waterfowl decoys overnight on WMAs and WRAs.

EXCEPTION:

~~Waterfowl decoys may be left overnight beginning the Saturday before the opening day of the first duck season and must be removed no later than the Sunday following the last day of the last duck season on St. Francis Sunken Lands, Big Lake and Dave Donaldson Black River WMAs.~~

PENALTY: Class 1

24.06 DUCK BLINDS PROHIBITED ON WMAs AND COMMISSION-OWNED OR CONTROLLED LAKES

08-12 It is unlawful ~~while on any commission-owned WMAs or controlled lakes~~ to build, erect, or take or attempt to take wildlife from duck blinds made from identifiable building materials, such as wire, nylon, metal or lumber, which are not removed at the end of each day's hunt or at the end of the WMA's shooting hours. Structures not in compliance with this code may be removed by Commission personnel and destroyed or otherwise disposed of in compliance with Commission policy.

EXCEPTIONS:

- (1) ~~Blinds on Big Lake WMA and St. Francis Sunken Lands WMA, which have been assigned an ID number on or before June 30,~~

~~2006, by the Commission and have been well constructed in the judgment of the regional wildlife supervisor, may be maintained in compliance with Commission guidelines. Blinds that have deteriorated beyond a safe, usable condition in the judgment of the regional wildlife supervisor cannot be rebuilt and may be destroyed by Commission personnel. Existing blinds, including floating structures, may not be moved.~~

~~(2) — Retrieving dog platforms attached to a tree by strap, cable, chain or other means that do not penetrate the tree bark and that do not exceed 900 square inches in floor dimension, and have the owner's name and home address, or vehicle license plate number legibly and permanently affixed, may be placed on Dave Donaldson Black River, Big Lake and St. Francis Sunken Lands WMAs beginning the Saturday before the opening day of duck season and must be removed no later than the Sunday following the last day of the last duck season.~~

(1) In compliance with [Code 19.13](#).

PENALTY: Class 1

B1.08 DUCK, COOT AND MERGANSER SEASON AND LIMITS

08-12 Nov. 17-25, Dec. 6-23 and Dec. 26, 2012-Jan. 27, 2013.

EXCEPTION:

Ducks, coots and mergansers may be taken during the Special Youth Waterfowl Hunt ([Code 11.04](#)).

LIMIT

COOT: Daily limit 15, possession limit 30.

DUCKS: Daily limit six. No more than four mallards (no more than two of which may be females), two pintails, one mottled duck, two scaup, three wood ducks, two redheads, one black duck and one canvasback.

Possession limit no more than two daily limits.

MERGANSERS: Daily limit of five (no more than two of which may be hooded mergansers).

Possession limit no more than two daily limits.

EXCEPTION:

Bayou Meto WMA daily duck limit: Daily limit of four ducks which may include no more than three mallards (no more than two of which may be females), two pintails, one mottled duck, ~~two~~ **four** scaup, three wood ducks, two redheads, one black duck and one canvasback.

Bayou Meto WMA Mergansers limits: Daily limit of four (no more than two of which may be hooded mergansers).

B1.09 WHITE-FRONTED GOOSE SEASON AND LIMITS

08-12 Nov. 17, 2012-Jan. 27, 2013 statewide.

LIMIT: Daily limit two, possession limit four.

B1.10 SNOW, BLUE AND ROSS' GOOSE SEASON AND LIMITS

08-12 Nov. 3, 2012-Jan. 27, 2013 statewide.

EXCEPTION:

In compliance with the [Addendum B1.14](#).

LIMIT: Daily limit 20, no possession limit.

B1.11 CANADA GOOSE SEASON AND LIMITS

08-12 Early Canada Goose Statewide Season: Sept.1-15, 2012.
 Northwest Canada Goose Zone Season: Sept. 22-Oct. 1, 2012.
 Late Canada Goose Statewide Season: Nov. 17, 2012-Jan. 27, 2013.
 Shooting hours are from one-half hour before sunrise to sunset statewide.

EXCEPTION:

Holla Bend NWR is closed.

LIMIT: Daily limit two. Possession limit four.

EXCEPTION:

The daily limit is five Canada geese from Sept. 1-15, 2012, possession limit 10.

B1.12 FALCONRY SEASON AND LIMITS

08-12 Feb.1-15, 2013 statewide.

LIMIT: No more than three migratory birds in any one day, possession limit six.

B1.13 SPECIAL YOUTH WATERFOWL HUNTING SEASON AND LIMITS

08-12 Feb. 2-3, 2013 statewide.

LIMIT: Same as statewide.

B1.14 SNOW, BLUE AND ROSS' GOOSE CONSERVATION ORDER SEASON AND LIMITS

08-12 Jan. 28-Feb. 1 and Feb. 4-April 25, 2013 statewide.

LIMIT: No limit.

D1.01 LICENSES, PERMITS, STAMPS, TAGS, COSTS AND EXPIRATION DATES

08-12

SPORT FISHING:

	CODE	COST	EXP. DATE
Alligator Gar Fishing Permit	AGP	Free	Dec. 31
Resident Fisheries Conservation License	FSH	\$10.50	**
Resident 3-Day Trip License	RT3	\$6.50	*
Resident Disabled Fishing 3-Yr License	RDF	\$10.50	+
Resident Disabled Combination 3-Yr License	RDC	\$35.50	+
Non-Resident Annual Fishing License	NRF	\$40.00	**
Non-Resident 14-Day Trip Fishing License	N14	\$22.00	*
Non-Resident 7-Day Trip Fishing License	NT7	\$17.00	*
Non-Resident 3-Day Trip Fishing License	NT3	\$11.00	*
Arkansas Trout Permit	TPR	\$5.00	**
Non-Resident Trout Permit	TPN	\$12.00	**
White River Border Lakes License	WRL	\$10.00	**
Resident Guide License/Fishing	GLF	\$25.00	**
Non-Resident Guide License/Fishing	GNF	\$150.00	**

SPECIAL AND COMMERCIAL FISHING:

Hoop Nets (with or w/o leads), Turtle Nets	HN	\$4.00	Dec. 31
Slat Traps & Fiddler Nets	FS	\$12.50	Dec. 31
Commercial Trotlines (inc. snaglines, throw-lines, limb lines, set hooks) per 100 ft	TL	\$5.00	Dec. 31

Box Traps Turtle Trap	TT	\$2.00	Dec. 31
Commercial Tackle (Seine, Trammel & Gill Nets) 100 yds. or fractional part thereof per tag	SNS	\$15.00	Dec. 31
Commercial Fisherman's Permit & Sportfishing License	CFS	\$25.00	Dec. 31
Commercial Fisherman's Helper Permit	CFH	\$25.00	Dec. 31
Junior/Senior Commercial Fishing Permit	JSC	\$14.50	Dec. 31
Alligator Farmer/Dealer Permit.	AFP	\$200.00	June 30
Alligator Tags		\$4.00	June 30
Alligator Snapping Turtle Breeder/ Dealer Permit	AST	\$100.00	June 30
Aquatic Turtle Harvest Permit	THP	\$100.00	Dec. 31
Aquatic Turtle Harvest Helper Permit	TH	\$50.00	Dec. 31
Junior Aquatic Turtle Harvest Permit	JTH	\$25.00	Dec. 31
Aquatic Turtle Dealer Permit	TDR	\$250.00	Dec. 31
Non-Resident Aquatic Turtle Dealer Permit	TDN	\$500.00	Dec. 31
Aquatic Turtle Farmer Permit	TBP	\$100.00	Dec. 31
Resident Shell Taker and Seller	STS	\$100.00	Dec. 31
Shell Taker Helper Permit	SH	\$100.00	Dec. 31
Shell Buyer	SBR	\$1,000.00	Dec. 31
Non-Resident Shell Buyer	SBN	\$2,000.00	Dec. 31
Shell Buyer's Agent Permit	SA	\$100.00	Dec. 31
Resident Fish Dealer	MD	\$10.00	Dec. 31
Non-Resident Fish Dealer	FDN	\$250.00	Dec. 31
Minnow Dealer Tackle (Minnow (Seine, Traps or Lifts)	MS	\$5.00	Dec. 31
Fish Farm Health Inspection Permit	VHS	\$200.00	+++
Fish Farmer (Aquaculturist) Permit	FF	\$25.00	Dec. 31++
Bull Frog Permit (Must have valid Fish Farmer Permit)	BP	\$25.00	Dec. 31
Resident Roe Taker/Seller Permit	RTS	\$500.00	Dec. 31
Resident Roe Taker/Helper Permit	RH	\$100.00	Dec. 31
Resident Roe Buyer/Exporter Permit	RBE	\$1,000.00	Dec. 31
Non-Resident Roe Buyer Permit	RBN	\$2,000.00	Dec. 31
Commercial Boat Dock Permit	BDN	\$25.00	Dec. 31
Commercial Boat Dock (User Fee)	BPL	\$150.00	Dec. 31
Private Boat House/Irrigation (Single)	BHS	\$10.00	Dec. 31
Private Pier/Irrigation	DPS	\$10.00	Dec. 31
Irrigation Permit	IP	\$10.00	Dec. 31
Put & Take Pay Lake	PLO	\$150.00	Dec. 31
HUNTING LICENSE AND PERMITS:			
Deferred Hunter Education	DHE	Free	*
Resident Wildlife Conservation License	HNT	\$10.50	June 30
Resident Sportsman's Permit	RS	\$25.00	June 30
Resident Disabled Hunting 3-Yr License	RDH	\$25.00	+
Resident Disabled Combination 3-Yr License	RDC	\$35.50	+
Non-Resident Annual All Game License	NBG	\$300.00	June 30
Non-Resident 5-Day All Game License	AG5	\$150.00	*
Non-Resident 3-Day All Game License	AG3	\$100.00	*
Non-Resident 1-Day All Game License	AG1	\$50.00	*

Non-Resident Annual Small Game License	NRH	\$80.00	June 30
Non-Resident 5-Day Small Game License	SG5	\$55.00	*
Non-Resident Trappers Permit	NFT	\$125.00	June 30
Private Lands Elk Permit	PLE	\$35.00	****
Arkansas Resident Waterfowl Stamp	DSR	\$7.00	June 30
Arkansas Non-Resident Waterfowl Stamp	DSN	\$20.00 35.00	June 30

WMA Hunter Use Permit

Bayou Meto WMA	UBM	Free	June 30
Dave Donaldson Black River WMA	UDD	Free	June 30
Dr. Lester Sitzes, III Bois d'Arc WMA	ULS	Free	June 30
Ed Gordon Point Remove WMA UEG		Free	June 30
Freddie Black Choctaw Island Deer Research Area WMA	UFB	Free	June 30
Harold E. Alexander Spring River WMA	UHA	Free	June 30
Henry Gray Hurricane Lake WMA	UHG	Free	June 30
Hope Upland WMA	UHU	Free	June 30
McIlroy Madison County WMA	UMM	Free	June 30
Mike Freeze Wattensaw WMA	UMF	Free	June 30
Moro Big Pine Natural Area WMA	UMB	Free	June 30
Rick Evans Grandview Prairie WMA	URE	Free	June 30
Scott Henderson Gulf Mountain WMA	USH	Free	June 30
Sheffield Nelson Dagmar WMA	USN	Free	June 30
Shirey Bay Rainey Brake WMA	USB	Free	June 30
Trusten Holder WMA	UTH	Free	June 30

AGFC Leased Lands Permit (Hunting, Trapping and Camping)

Casey Jones WMA.	LCJ	\$40.00	**
Big Timber WMA.	LBT	\$40.00	**
Cherokee WMA.	LCH	\$40.00	**
Gum Flats WMA	LGF	\$40.00	**
Provo WMA	LPR	\$40.00	**
Lafayette County WMA	LLC	\$40.00	**
Jim Kress WMA	LJK	\$40.00	**
Falconry Permit Apprentice	FPA	\$25.00	June 30
Falconry Permit General	FPG	\$25.00	June 30
Falconry Permit Master	FPM	\$25.00	June 30
Resident Guide License/Hunting	GLH	\$25.00	June 30
Non-Resident Guide License/Hunting	GNH	\$150.00	June 30
Resident Special Guide License	GLS	\$150.00	June 30
Non-Resident WMA Waterfowl Hunting Permit (5-day trip)	NW5	\$10.00 25.00	*
Non-Resident WMA Seasonal Waterfowl Hunting Permit	NWP	\$100.00	June 30

HUNTING COMMERCIALIZATION:

Resident Trappers Permit	TP	Free	June 30
Resident Fur Dealer	FD	\$50.00	June 30
Non-Resident Fur Dealer	NFD	\$100.00	June 30
Special Commercial Quail Permit	CQP	\$25.00	June 30
Game Bird Shooting Resort Permit	CSR	\$150.00	June 30

Commercial Wildlife Hunting Resort Permit.	CHR	\$500.00	June 30
Wildlife Breeder/Dealer Permit	WBD	\$50.00	June 30
Wildlife Importation Permit	WTP	\$25.00	June 30
Mountain Lion Permit	MLP	\$50.00	June 30
Live Fox and Coyote Permit	FCP	\$25.00	June 30
LIFETIME LICENSE:			
Resident Military Retiree Lifetime Fishing License	MRF	\$10.50	Non-Expiring
Resident Military Retiree Lifetime Hunting License	MRH	\$25.00	Non-Expiring
Resident Military Retiree Lifetime Combination License	MRC	\$35.50	Non-Expiring
Resident Military Retiree Lifetime Waterfowl Permit	MRD	\$ 7.00	Non-Expiring
Resident Military retiree Lifetime Trout Permit	MRT	\$ 5.00	Non-Expiring
Resident 65 Plus Lifetime Fishing License	PLF	\$10.50	Non-Expiring
Resident 65 Plus Lifetime Sportsman's Hunting License and Permit	PLH	\$25.00	Non-Expiring
Resident 65 Plus Lifetime Combination License	PLC	\$35.50	Non-Expiring
Resident 65 Plus Lifetime Waterfowl Permit	PLD	\$7.00	Non-Expiring
Resident 65 Plus Lifetime Trout Permit	PLT	\$5.00	Non-Expiring
Non-Expiring Lifetime Resident Hunting & Fishing Sportsman's Permit	LSP	\$1,000.00	Non-Expiring
Resident Disabled Military Veteran Lifetime Fishing License	VLF	\$10.50	Non-Expiring
Resident Disabled Military Veteran Lifetime Hunting License	VLH	\$25.00	Non-Expiring
Resident Disabled Military Veteran Lifetime Combination License	VLC	\$35.50	Non-Expiring
Resident Disabled Military Veteran Lifetime Waterfowl Permit	VLD	\$ 7.00	Non-Expiring
Resident Disabled Military Veteran Lifetime Trout Permit	VLT	\$ 5.00	Non-Expiring

*Good from requested day of issue for period of license.

**Good for 1 year from date of purchase.

****Expires when the zone quota has been reached ([Addendum A1.09](#)).

*****Good for that season only.

+ Good for 3 years from date of purchase.

++Fee applies to initial purchase. No fee for annual renewal.

~~09-03 — All lands within the St. Francis flood control main levees from Highway 412 east of Paragould south to Highway 63 South at Marked Tree.~~

F1.07 FALCONRY PERMIT REQUIREMENTS

- 08-12 A) Permits or legible copies of them must be in a falconer's immediate possession when trapping, transporting, working with or flying falconry raptors, both in and outside of Arkansas.

EXCEPTION:

- (1) When the falconer is at the location of his/her falconry facilities
A) Permits issued by the Commission will be at a level commensurate with the falconer's ability and experience as follows:

Apprentice Class Eligibility, and Application Conditions and Requirements:

- A) An Apprentice falconer applicant must be at least 14 years of age. If the apprentice is under 18 years of age, a parent or legal guardian must sign his/her application and be legally responsible for his/her activities.
- B) An Apprentice Class falconer applicant must have a letter from a Master or General Falconer who is at least 18 years old and has at least two years experience at the General Falconer level and a state falconry permit stating that he or she will sponsor the applicant and serve as his/her mentor.
- C) An Apprentice applicant will not be issued a permit until the applicant has demonstrated satisfactory compliance with the following requirements:
- 1) Must pass a written falconry examination administered by the Commission with a score of at least 80 percent.
 - 2) Must possess a Arkansas hunting license.
 - 3) Must have their falconry facilities and equipment pass inspection by an employee of AGFC.
- D) Apprentice falconers may possess no more than 1 raptor for use in falconry.
- E) Apprentice falconers may possess a wild-caught raptor of the following species: Red-tailed hawk, American kestrel, Red-shouldered hawk, Great horned owl, or Harris's hawk.
- F) Apprentice falconers are required to capture the hawk themselves; the raptor may not be transferred to them by another falconer.
- G) Apprentice falconers may not possess a raptor taken from the wild as a nestling and may not possess a bird that is imprinted on humans.

General Class Eligibility, and Application Conditions and Requirements:

- A) General Class Falconers must be at least 16 years of age. General Class falconers that are 16 or 17 years of age must have a parent or legal guardian sign their falconry application and be legally responsible for their activities.
- B) Apprentice Class falconers can move to General Class by submitting a document from a General Falconer or Master Falconer (preferably his/her sponsor) to the AGFC Falconry

Program Coordinator stating that the apprentice has practiced falconry with wild raptor(s) at the Apprentice Falconry level or equivalent for at least two years, including maintaining, training capture, release and flying and hunting the raptor(s) for at least four months each year. The letter must state the number of months and days that the Apprentice falconer possessed a falconry raptor.

- C) Apprentice class falconers may not substitute any falconry school program or education to shorten the period of two years at the Apprentice Level.
- D) General Class falconers may take and possess any species of Falconiform or Strigiform except a golden eagle, a bald eagle a white-tailed eagle or a Stellers sea-eagle. General falconers may possess captive bred individuals and hybrids of the species that General Class falconers are allowed to possess.
- E) General Class falconers may possess no more than 3 raptors.

Master Class Eligibility, and Application Conditions and Requirements:

Master Class falconers must have practiced falconry with their own raptors(s) at the General Falconer level for at least 5 years.

- A) General Class falconers can move to Master Class by submitting a document in writing to AGFC's Falconry Coordinator requesting to be moved to Master Class status. The request must include the species and number of months and years that the General Class falconer possessed each raptor during his/her General Class period.
- B) Master Class Falconers may take and possess any species of Falconiform or Strigiform except a bald eagle. Master Class falconers may take and possess a golden, eagle, a white-tailed eagle or a Steller's sea eagle only if he/she possesses a Falconry Eagle Permit. Master Class falconers may use captive bred individuals and hybrids of the species Master falconers are allowed to possess.
- C) Master Class falconers may possess no more than five wild raptors (including golden eagles if the master Class falconer has a Falconry Eagle Permit).
- D) Master Class falconers may possess any number if captive bred raptors, however the falconer must train them in the pursuit of wild game and use them in hunting.

Falconry Eagle Permit Eligibility, and Application Conditions and Requirements.

- A) Master Class falconers may take and possess golden, eagles, white-tailed eagles or a Steller's sea eagles when issued an Arkansas Falconry Eagle Permit. Master Class falconers will be issued an Arkansas Eagle Falconry Permit when the Master Class falconer has demonstrated satisfactory compliance with the following requirements.

- 1) A list of qualifications and experience in handling large raptors, including information about the species the applicant has handled and the type and duration of the activity in which the applicant gained the experience submitted in writing to the Commission's Falconry Coordinator.
 - 2) At least two letters of reference from people with experience handling and/or flying large raptors such as eagles, ferruginous hawks, goshawks, or great horned owls. Each must contain a concise history of the author's experience with large raptors, which can include, but is not limited to, handling of raptors held by zoos, rehabilitating large raptors, or scientific studies of involving large raptors. Each letter must also assess the applicant's ability to care for eagles and fly them in falconry and must be submitted to the Commission's Falconry Coordinator.
- B) A golden eagle, white-tailed sea eagle, or Steller's sea eagle possessed by a Master falconer with a Falconry Eagle permit will count as one of the raptors in that falconer's total wild bird possession limit as a master falconer.
 - C) Master Class falconers with a Falconry Eagle Permit may take one or two golden eagles from the wild according to both federal regulations and the regulations of the state in which the eagle is taken.
 - D) Master Class falconers with an Eagle Permit may take, transport or possess up to three eagle including golden eagles, white-tailed eagles and/or Steller's sea eagles. Each eagle a Master falconer possesses counts as a bird included under the Master falconer's wild bird possession limit. Master falconer's in possession of eagle(s) must follow all federal regulations and guidelines pertaining to eagles.

Eligibility Requirements to obtain falconry permit for individuals with falconry experience who are new residents in the United States.

- A) Applicant must pass a written falconry examination administered by the Commission with a score of at least 80 percent and must provide written documentation of falconry experience including species of raptors flown and game taken and must have their falconry facilities and equipment pass inspection by an employee of AGFC.
- B) The Arkansas Falconry Coordinator will assign a falconry Class level commensurate with the new resident falconer's experience.

Eligibility Requirements to obtain falconry permit for individuals with falconry experience who are Not U. S. Residents.

- A) A visitor to Arkansas from outside of the United States may qualify for a one year renewable Arkansas Non-U.S. Resident

Temporary Falconry Permit at level appropriate for his/her experience according to the following requirements:

- 1) The visitor must take the written test, Arkansas Falconry Examination, and pass with a score of 80 or higher; the visitor must provide a written letter detailing the visitor's falconry experience which the Commission's Falconry Coordinator will use to assign the level of Apprentice, General or Master falconer to the temporary falconry permit; and the visitor must have his facilities pass inspection in order to possess birds for falconry.
- B) Holders of an Arkansas Non-U.S. Resident Temporary Falconry Permit may not take a bird from the wild for use in falconry.
- C) Holders of an Arkansas Non-U.S. Resident Temporary Falconry Permit may fly raptors held for falconry by a permitted Arkansas falconer.
- D) Holders of an Arkansas Non-U.S. Resident Temporary Falconry Permit may use any bird for falconry that he/she possess legally in their country of origin for that purpose, provided that import of that species in the U.S. is not prohibited and provided that he/she has met all permitting requirements in their country of residence.
- E) Holders of a temporary falconry permit must also have a current Arkansas Non-Resident Annual Small Game Hunting License.
- F) A holder of an Arkansas Non-U.S. resident Temporary Falconry Permit may transport registered raptors and must follow federal regulations and possess the necessary federal permits to import or export raptors to and from the United States. Unless the permit holder has the necessary federal permits to bring a raptor into the United States and leave it in the U.S., he/she must take raptors brought into the country for falconry out of the country when he/she leaves.

EXCEPTION:

- (I) If a raptor brought into the United States and Arkansas dies or is lost in the state, the visitor must report the loss to the Commission's Falconry Coordinator before leaving the state or country.
- G) When flown free, any bird brought to this country temporarily must have two functioning radio transmitters attached to the bird which will enable the falconer to locate it.
- H) A holder of an Arkansas Non-U.S. Resident Falconry Permit must comply with all Commission regulations and the falconry regulation in the states where he/she wishes to conduct falconry or through which he/she will travel with the falconry bird.

Additional Requirements regarding falconry permits including Reinstatement of lapsed falconry permit and residency requirements.

- A) If a previously licensed falconer's permit has lapsed for fewer than five years, his/her permit may be reinstated at the level they held

previously if they provide the Commission's Falconry Coordinator with proof of their certification at that level and their facilities must pass inspection by an AGFC employee.

EXCEPTION:

- (1) If a previously licensed falconer's permit has lapsed for more than five years, they must pass the Arkansas Falconry written exam by correctly answering 80 percent of the questions and their facilities their facilities must pass inspection by an AGFC employee and they must provide written documentation of the class (Apprentice, General, Master) at which they were last permitted or licensed and for which they want their permit issued.
- B) If a permitted falconer resides for part of a year in another state, the falconer must contact that state to determine if they need to obtain a falconry permit from that state.
 - 1) If a falconer lives for more than 120 consecutive days in a state, territory of tribal land other than their Arkansas residence, their falconry facilities in that second state must meet Arkansas standards.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding facilities and care.

- A) Falconry Facility Requirements: Conditions for Facilities maintained on property owned or controlled by the falconer
 - 1) The Commission must be notified in five days of a change of location of a permittee's falconry facilities and a falconer must have new facilities inspected in 30 days of a change of location.
 - 2) Birds must be kept in humane and healthful conditions, protected from the environment, predators and domestic animals.
 - 3) An Indoor Facility must have a suitable perch for each raptor, at least one opening for sunlight and must provide a healthy environment.
 - 4) Untethered raptors may be housed together if they are compatible with each other.
 - 5) Each raptor must have an area large enough to allow it to fly if it is untethered or, if tethered, to fully extend its wings or bate (attempt to fly when tethered) without damaging its feathers or contacting other raptors. It must be large enough to insure that tethered birds cannot strike the enclosure when flying from the perch.
 - 6) Each raptor must have a pan of clean water available at all times.
 - 7) An indoor facility must be large enough to allow easy access for the care and feeding of raptors kept there and must have

flooring that allows drainage, does not retain moisture, and allows for sanitary maintenance activities.

- 8) If raptors housed in an indoor facility are not tethered, all walls that are not solid must be protected on the inside. Suitable materials may include vertical bars spaced narrower than the width of the smallest raptor housed in the enclosure or heavy duty netting.
 - 9) Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side. Other innovative housing systems are acceptable if they provide the enclosed raptors with protection and provide healthy feathers and fresh air.
 - 10) Falconry raptors may be kept inside the falconer's place of residence if a suitable perch or perches are provided. The residence's windows or other openings do not need to be modified. Raptors kept in a residence must be tethered when they are not being moved into or out of the location in which they are being kept.
 - 11) All falconers in possession of falconry raptors must have and maintain jesses or the materials and equipment to make jesses appropriate for the size raptor in their possession, leash and swivel, bath container, and scales or balances appropriate for weighing raptors in the falconer's possession (scales for kestrels must weigh in increments of one gram or less).
 - 12) Falconry raptors may be kept outside in the open if they are under watch, such as by the falconer or a family member at any location or, for example by a designated individual in a weathering yard at falconry meet.
 - 13) Permittees must keep all facilities and equipment at or above these standards at all times.
- B) Falconry Facility Requirements: Conditions for facilities maintained on property not owned or controlled by the falconer.
- 1) Regardless of location, a falconer's facilities must meet all the requirements listed for facilities on property own or controlled by the falconer.
 - 2) Falconer must submit a dated statement to the Commission's Falconry Coordinator showing that the falconer or the property owners (if the falconer's facilities are on property not owned or leased by the falconer) agrees that the falconry facilities, equipment and raptors may be inspected without advance notice by Commission personnel at any reasonable time of day.
- C) Transportation Facilities: Conditions for care and facilities for transporting raptors.
- 1) When transporting a raptor, using a raptor for hunting or for temporary housing when away from home a falconer is

required to have a suitable perch and protect the raptor from extreme temperatures, wind and excessive disturbance.

- 2) A "giant hood" or similar container is acceptable for transporting or housing a raptor when away from home.

D) Temporary Facilities: Conditions for temporary care and facilities for raptors.

- 1) A falconer may house a raptor in temporary facilities for no more than 120 consecutive calendar days if the bird has a suitable perch and is protected from predators, domestic animals, extreme temperatures, wind and excessive disturbance.

E) Conditions for Care of Falconry Raptors by Another Falconry Permittee.

- 1) Another falconry permittee may care for a falconer's raptor or raptors at the falconer's facilities or at the other permittee's facilities for up to 120 consecutive calendar days if:
 - a) The other person has a signed and dated statement from the falconer authorizing the other permittee the temporary possession of the falconry raptor(s). This written statement must include information about the time period for which the other permittee will keep the raptors(s) and state what he or she is allowed to do with the raptor(s).
 - b) Written authorization to the other falconry permittee from the falconer must be accompanied by a copy of FWS form 3-186A that shows the falconer as the authorized possessor of each of the falconry raptors.
 - c) The raptor(s) will remain on the falconer's permit and will not count against the possession limit of the other falconry permittee caring for the raptors.
 - d) If the falconry permittee caring for the raptor(s) hold the appropriate level falconry permit, he/she may fly the falconry's raptors in whatever way the falconer authorizes, including hunting.

F) Conditions for Care of Falconry Raptors by a Person who does not have a falconry permit.

- 1) A person who does not have a falconry permit may care for a falconer's raptor(s) at the falconer's facilities for up to 45 consecutive calendar days providing the following conditions are met:
 - a) The raptors remain on the falconers permit.
 - b) The raptors must remain in the falconer's approved facilities.
 - c) The person(s) caring for the raptors may not fly them for any reason.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding take and possession of raptors from the wild.

- A) Falconers may take no more than two raptors from the wild each year 365 consecutive day period beginning on the date of the first bird to use in falconry.
 - 1. If a falconer transfers a bird that he/she took from the wild to another falconer in the same year in which it was captured, the bird will count as one of the raptors the falconer is allowed to take from the wild that year; it will not count as a capture by the recipient, although it will always be considered a wild bird.
- B) Falconers may not intentionally capture a raptor species that their classification as a falconer does not allow them to possess for falconry. Raptors captured by falconers who are not allowed to possess that species or age group must be immediately released.
- C) Raptors must be taken only in a humane manner. Any device used to take birds of prey shall be labeled with the name, address and phone number of the falconer, and must be attended to continually by the falconer. No eggs may be taken from raptor nests.
- D) Falconers must immediately release any bird captured unintentionally.
- E) Falconers may recapture a lost falconry bird for which he/she has submitted a form 3-186A at any time the recapture will not count as taking a bird from the wild.
- F) Falconers may recapture a raptor wearing falconry equipment or a captive bred raptor at any time—even if that falconer is not allowed to possess that species of raptor. The bird will not count against the falconer’s possession limit nor their capture from the wild limit. The falconer must report the recapture of the bird to the Commission’s Falconry Coordinator no more than five working days after the recapture and return the recaptured falconry bird to the person who lost it, if that person legally possessed it. Disposition of a bird whose legal possession cannot be determined will be at the discretion of the Commission’s Falconry Coordinator.
- G) Peregrine falcons banded with a Federal Bird Banding Laboratory band may not be taken from the wild, however other raptors banded with a federal bird banding lab may be taken if the falconer is authorized to take that species.
- H) If a falconer captures a peregrine falcon that has a colored alphanumeric research band on it or a research marking attached to it, it must be immediately released.
- I) **Passage peregrines may be taken from Sept. 20-Oct 20 by an Arkansas resident falconer who has been issued an Arkansas Passage Peregrine Falcon Permit by the Commission in accordance with requirements stated on that permit.**

EXCEPTION:

- (I) If the falcon has a transmitter attached to it, the falconer has up to 30 days to contact the researcher to determine if he/she wishes to replace the transmitter or its batteries. If the researcher wishes to do so or to have the transmitter removed, the researcher or his/her designee can make the change or allow the falconer to do so before the falconer releases the falcon.
- J) If a falconer captures a raptor wearing a seamless metal band, a transmitter, or any other item identifying it as a falconry bird, the falconer must report the capture of the bird to the Commission's Falconry Coordinator no more than five working days after the capture. The falconer must return the bird to the person who lost it, however if that person cannot possess the bird or does not want to possess it, the falconer may keep it. Disposition of a bird who's legal possession cannot be determined will be at the discretion of the Commission's Falconry Coordinator. During the time period when a falconer keeps a bird for return to the person who lost it, the bird will not count toward the falconer's possession limit or his/her limit on take of birds from the wild, as long as the falconer reports the bird to the Commission in five working days of capture.
- K) If a falconer captures a raptor with a band other than the Federal Bird Banding Lab aluminum band, research marking or transmitter attached to it, the falconer must report the band numbers and all other relevant information to the Federal Bird Banding Laboratory in five working days. If the bird is wearing a transmitter, the falconer may contact the researcher to determine if he/she wishes to replace it. The falconer is authorized to possess the bird for up to 30 days until the researcher or his/her designee does so, or until the falconer replaces it himself. Disposition of the bird will be at the discretion of the Commission's Falconry Coordinator. Temporary possession will not count against the falconer's possession limit.
- L) General and/or Master Class falconers may remove nestlings from a nest or aerie in accordance with the following:
 - 1. Take of a raptors from the wild must be reported in five days from the date at which take occurred by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting a paper form 3-186A to the Commission's Falconry Coordinator.
 - 2. A falconer present at the capture site, even if another person captures the bird for him/her, is considered the person who removes the bird from the wild and is responsible for filing a 3-186A form.
 - 3. If the falconer is not at the immediate location where the bird is taken from the wild, the person who removes the bird from the

wild must be a General or Master Falconer and must report take of the bird. If that person then transfers the bird to the falconer, both must file 3-186A forms reporting the transaction no later than five days after the transfer. The bird will count as one of the two raptors the person who took it from the wild is allowed to capture in any year. The bird will not count as a bird the falconer took from the wild. The person who takes the bird from the wild must report the take even if he or she promptly transfers the bird to another falconer.

4. If a falconer has a long-term or permanent physical impairment that prevents him/her from attending the capture of a species for falconry, a General or Master Falconer may capture the bird for the impaired falconer. The impaired falconer must file a 3-186A reporting take of a wild bird and the bird counts against the impaired falconer's total take of wild raptors for the year.

M) Goshawks, Harris hawks, peregrine falcons, and gyrfalcons captured from the wild or acquired from a rehabilitator must be banded with a permanent non-reusable numbered U.S. Fish and Wildlife Service leg band provided to AGFC by the U.S. Fish and Wildlife Service; or implanted with an ISO--compliant microchip. Band numbers and/or microchip information must be reported to both AGFC's Falconry Coordinator and the U.S. Fish and Wildlife Service when acquisition of the bird is reported by the falconer no later than 10 days after acquisition.

EXCEPTION:

- (1) If a falconer documents that a raptor's health or injury problems are caused by the band, that documentation must be submitted to the Commission's Falconry Coordinator who will issue an exemption to the requirements for that raptor.
 - 1) The falconer must keep a copy of the exemption paperwork on his person when transporting or flying that raptor
 - 2) if that bird is wild caught goshawk, Harris's hawk, peregrine falcon or gyrfalcon, the band must be replaced with an ISO--compliant microchip provided to the falconer through the Commission by the U.S. Fish and Wildlife Service.
- N) A raptor captured from the wild may not be banded with a seamless numbered band.
- O) Falconry bands may not be altered defaced or counterfeited, however removal of the rear tab on a band on a raptor taken from the wild, and smoothing the surface without affecting the integrity of the band or the numbering on it is permissible.
- P) Take of eyas (nestling raptors incapable of flight) birds is allowed between Jan. 1 and Aug. 1 of each year.
- Q) Take of passage (raptors fledged from the nest but less than 1 year of age) is allowed from June 15--March 1.

- R) Take of a raptors from the wild must be reported in five days from the date at which take occurred by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting a paper form 3-186A to the Commission's Falconry Coordinator.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding possession of raptors bred in captivity.

- A. Falconry raptors bred in captivity must be banded with a U.S. Fish and Wildlife Service seamless band or be micro-chipped.
1. If the seamless band is removed or lost, the falconer must report it and request a replacement band from AGFC no less than 10 days after the band is removed or lost.
 - a) The required information must be reported electronically (<http://permits.fws.gov/186A>) immediately upon rebanding or microchipping or by submitted federal form 3-186-A to the AGFC Falconry Coordinator.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding possession of raptors transferred from migratory bird rehabilitators.

- A. Falconers may acquire a bird for falconry from a federally permitted migratory bird rehabilitator, if the falconer is permitted to possess that species of bird for falconry. Acquisition of a bird from a rehabilitator will count as one of the raptors the falconer is permitted to take from the wild. Transfer to the falconer is at the discretion of the permitted rehabilitator. Falconer must report acquisition of the bird using required reporting procedures.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding record keeping.

- A) Falconers must keep copies of all database submissions, including electronic and paper submissions, documenting take, transfer, loss, release, rebanding and/or microchipping of each falconry raptor until five years after the falconer has transferred or lost the bird, or the bird dies.
- B) All raptors acquired and disposed of must be reported in five days of the date when transaction or transition occurred by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting a paper form 3-186A to the Commission's Falconry Coordinator.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding theft of a falconry bird.

- A) If a raptor possessed under a falconry permit is stolen, the falconer must report the theft to the Commission's Falconry Coordinator and to the U.S. Fish and Wildlife Service Regional Law Enforcement office in five working days of the theft of the bird.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Selling or Trading Raptors held under a Falconry Permit.

- A) Falconers may sell, purchase, barter, trade, and/or offer for sale, or purchase captive-bred raptors marked with a seamless metal bands to other falconry permittees who are authorized to possess them.
- B) Falconers may not purchase, sell, trade or barter wild raptors; they can only transfer them to another falconer or to a recipient who possess the necessary federal and state permits for that activity.
- C) Wild-caught falconry raptors may be transferred to a raptor propagation permit only after the bird has been used in falconry for at least two years or for one year for sharp-shinned hawks, Cooper's hawks, merlins and American kestrels.

EXCEPTION:

- (1) Wild-caught raptors that are less than two years of age or for one year for sharp-shinned hawks, Cooper's hawks, merlins and American kestrels, may be transferred to another permit type if the bird has been injured and a veterinarian or permitted migratory bird rehabilitator has determined that the raptor can no longer be flown for falconry. Falconer must provide a copy of the 3--186A form documenting acquisition of the bird by the propagators to the Federal Migratory Bird Permit office that administers the other permit type.
- D) Falconers may transfer captive-bred falconry raptors to another type of permit if the holder of the other permit type is authorized to possess the bird. Falconers must report the transfer on a 186A form in five days of the transfer.
- E) A surviving spouse, executor, administrator or other legal representative of a deceased falconry permittee may transfer any bird held by the permittee to another authorized permittee in 90 days of the falconer's death. After 90 days, the disposition of a bird held under the permit is at the discretion of the Commission's Falconry Coordinator.
- F) Falconers may use raptors held under a falconry permit in raptor propagation if the falconer or the person overseeing the propagation has the necessary permits if the following requirements are met.
 - 1) If the bird will be used for propagation for fewer than eight months a year, the falconer does not need to transfer the raptor from his permit.

- 2) If the raptor is used for propagation for more than eight months per year, the bird must be transferred to a federal propagation permit and banded as required by federal raptor propagation regulations.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Take of Prey by Falconry Raptors.

- A) Falconers may take wildlife only within the specific seasons and bag limits, except that squirrels and rabbits may be taken outside of the specified hunting season by falconry birds with a daily limit of one game mammal per raptor per day.
- B) If a falconry bird kills a prey animal that was not the falconer's intended prey, and if that kill was outside of the animal's legal open hunting season, the falconers may allow their falconry raptor to feed on the incidental kill but the falconer may not take the animal into possession.
- C) Falconers must ensure that their activities do not cause the take of a federal listed threatened or endangered species. "Take" under the federal Endangered Species Act means "to harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct". "Harass in this Act means any act that may injure wildlife by disrupting normal behavior including breeding feeding or sheltering. "Harm" in this Act means an act that actually kills or injure wildlife.
 - 1) Falconers must report the location of the take of any federally listed threatened or endangered species to the state's U.S. Fish and Wildlife Service Ecological Services field office.
- D) Falconry take of bird species for which a federal depredation order is in place is permitted. Falconers may use their falconry raptors to take any species listed in parts 50 CFR 21.23, 44, 45 of the federal register at any time in accordance with the conditions of the depredation order, however the falconer may not be paid for doing so.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Release of Falconry Birds into the Wild and Falconry Training Techniques.

- A) The use of acceptable falconry training or conditioning practices includes but is not limited to, tame--hacking, the use of creance flying, lures, balloons or kites, flying falconry birds at pen-raised birds or birds not covered by the Migratory Treaty Act.
- B) Hacking of Falconry Raptors: General and Master Class falconers may condition raptors for falconry with the following requirements.

- 1) The raptor the falconer hacks must be a species the falconer is allowed to possess and counts against the falconer's possession limit.
 - 2) A hybrid raptor may be hacked if the raptor wearing two functioning radio transmitters.
 - 3) Hacking a raptor may not occur near a nesting area of a federally threatened or endangered bird species or in any location where the raptor is likely to harm a federally listed threatened or endangered species that might be disturbed or taken by the hacked falconry bird.
- C) Falconers may only release back to the wild in Arkansas, wild caught raptors native to the state. Non-native raptor species, hybrid raptor species and raptors bred in captivity may not be released back to the wild in Arkansas. Wild-caught raptors must be released at an appropriate time of year and an appropriate location and any and all bands and falconry equipment must be removed from the raptor prior to its release.
- D) When flown free, hybrid falcons must have at least two functioning radio transmitters attached to it to assist the falconer in locating the bird.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding migratory bird feather and carcass possession.

- A) A falconer may possess flight feathers for each species of raptor he or she currently and previously held on his/her permit for imping purposes.
- B) Falconers may give and/or receive feathers for imping from other permitted falconers, federally permitted wildlife rehabilitators, or federally permitted raptor propagators in the United States.
- C) Flight feathers for imping may not be purchased, sold or bartered.
- D) Falconers may donate feathers, except golden eagle feathers, to any person or institution with a permit to possess them or to anyone exempt from permit requirements under federal statute 21.12.
- E) If a falconer's permit expires or is revoked, the falconer must burn, bury or otherwise destroy imping feathers in their possession or donate the feathers to any person or institution with a permit to possess them or to anyone exempt from permit requirements under federal statute 21.12.
- F) Master Falconers in possession of a golden eagle must gather primary and secondary flight feathers and retrices from molted by their golden eagle(s) and store them for imping or send them to the National Eagle Repository.
- G) Carcasses of falconry birds that die while in the falconer's possession may be burned, buried or otherwise destroyed and

disposed of in 10 days of death or 10 days of necropsy by a veterinarian, or donated to any person or institution with a permit to possess them or donated to anyone exempt from permit requirements under federal statute 21.12.

- H) Carcasses of euthanized raptors must be disposed of in a manner that will prevent scavenger from feeding on them. Flight feathers may be retained for imping purposes.

EXCPETIONS:

- (1) Carcasses of golden eagles must be sent to the National Eagle Repository.
- (2) Banded or microchipped falconry birds that die while in the falconer's possession may be kept by the falconer so that the feathers are available for imping or the falconer may have the body mounted by a taxidermist and the mount used in educational programs. Bands must remain on the body and microchips must left in place.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Raptors Injured Due to a Falconer's Trapping Efforts.

- A) Falconers must do one of the following if a raptor is injured during trapping.
- 1) Falconer may put the bird injured during trapping on his/her falconry permit and follow procedures outlined for reporting take of a bird from the wild falconry. The bird will count towards the falconers possession limit. The falconer must have the injured bird treated by a veterinarian or a permitted migratory bird rehabilitator and the falconer is responsible for the costs of care and rehabilitation of the bird.
 - 2) Falconer must give the bird directly (no more than 24 hours) to a veterinarian or permitted migratory bird rehabilitator. The bird will not count against the falconer's take or possession limits however the falconer is responsible for the costs of care and rehabilitation of the bird.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding assistance in the rehabilitation of raptors to prepare them for release according to the following requirements.

- A) General and Master Class falconers may assist federally permitted migratory bird rehabilitators to condition raptors in preparation for their release to the wild in accordance with the following requirements:
- 1) The rehabilitator must provide the falconer with a letter or form that identifies the bird and explains that the falconer is assisting in its rehabilitation.

- B) The falconer does not have to meet the rehabilitator facility guidelines and may keep the rehabilitating raptor in his/her approved falconry facilities.
- C) The rehabilitating raptor will remain on the rehabilitator's permit and will not be added to the falconer's permit.
- D) The falconer must return any such bird that cannot be permanently released to the rehabilitator for placement in the 180 day timeframe in which the rehabilitator is federally authorized to possess this bird, unless the issuing office authorized the rehabilitator to retain the bird longer than 180 days.
- E) The falconer must coordinate with the rehabilitator and release all releasable raptors to the wild or return them to the rehabilitator for release in the 180 day timeframe in which the rehabilitator is federally authorized to possess this bird, unless the issuing office authorized the rehabilitator to retain the bird longer than 180 days, or unless the rehabilitator transfer the bird to the falconer you to hold under his/her falconry permit.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Use of Falconry Raptors in Abatement and Education Activities.

- A) Falconers may use raptors possessed on their falconry permits in conservation education program presented in public venues follow without first obtaining a federal Education Permit if they abide by the following requirements:
 1. Raptors used in the program must be on their falconry permit and used primarily for falconry.
 2. Apprentice falconers presenting educational programs must be under direct supervision of a General or Master Class falconer.
 3. If a fee is charged for presentation of a conservation education program, the fee may not exceed the amount required to recoup the falconer's cost of presenting the program.
 4. The presentation is required to address falconry and conservation education and may also include information about the biology, ecological roles, and conservation needs of raptors and other migratory birds.
 5. The falconer is responsible for all liability associated with his/her conservation education activities.
 6. Falconers may allow photography, filming or other such uses of his/her falconry raptors to make movies or other sources of information on the practice of falconry or on the biology, ecological roles, and conservation needs of raptors and/or migratory birds however the falconer may not be paid for doing so.

7. Falconers may not use their falconry raptors in movies commercials or other commercial ventures that are not related to falconry.
- B) A Master Class falconer may conduct abatement activities with his/her falconry birds if the falconer has first obtained a federal Special Purpose Abatement permit from the U.S. Fish and Wildlife Service.
 - C) General Class falconers may conduct abatement activities only as a subpermittees of the holder of the federal Abatement permit and both Master and General Class falconers must follow the conditions of said permit.

Permit Requirements: It shall be unlawful for falconers holding a permit issued by another state to fail to comply with the following requirements regarding Non-resident falconers hunting and taking raptors in Arkansas.

- A) Non-resident falconers with a Non-Resident Small Game Hunting License may take game in Arkansas according to state and federal regulations.
- B) Non-resident falconers with a non-resident Arkansas Small Game Hunting License may take one (1) legal raptor per year in Arkansas provided the state of their residence reciprocates such approval for Arkansas falconers and the taking of a legal raptor by a non-resident must comply with Arkansas regulations.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding taking falconry raptors to another country for use in falconry activities.

- A) An Arkansas falconry permit authorized the falconer to export and import to another country without additional migratory bird import/export permits, the raptors the falconer legally possesses for falconry. The falconer must meet any federal requirements in 50 CFR 14 Part B, and may need additional permits listed in 50 CFR 15, 17 and 23.
- B) Unless the falconer has the necessary permits to export raptors from the U.S. the falconer must bring any raptor taken out of the country for falconry back to the U.S. upon his/her return. Each raptor must be covered by a CITES certificate of ownership and the falconer must have full documentation of the lawful origin of each raptors and each raptors must be identifiable with a permanent non-reusable U.S. Fish and Wildlife Service leg band, seamless leg band or implanted microchip for identification.
- C) If the raptor dies or is lost, the falconer is not required to bring it back but it must be reported immediately upon the falconers return to the U.S. according to state and federal CITES regulations.

Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding facility inspection and permit revocation.

- A) Any person issued a Falconry Permit under this Code chapter shall allow entry, at any reasonable hour, to employees or agents of the Commission upon the premises where the permitted activity is conducted. Commission employees or agents may enter such premises to inspect the facility, any and all records associated with the activities relating to the permit, and any birds kept under authority of the permit.
- B) Permits may be revoked by this Agency for failure to comply with the terms of the permit or with the terms of this Commission Code Section.
- C) Persons in violation of the terms of this permit, violation of the Commission Code, or upon conviction of associated regulations of the U. S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have twenty days to respond with just cause as to why their permit should not be suspended or revoked.
- D) If, at the end of the twenty-day period, just cause has not been given, this Agency may suspend or revoke any existing permit held by the violator and may refuse to issue any future permit. Such suspension, revocation or refusal to issue a future permit shall be in addition to any criminal charges that may be filed.
- E) Upon revocation, permit holder must legally transfer or release all falconry raptors in the time designated in the revocation, not to exceed sixty days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

DEPARTMENT: Arkansas Game and Fish Commission

BUREAU: Wildlife Management

PERSON COMPLETING THIS STATEMENT: David Goad

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

EMAIL: cdgoad@agfc.state.ar.us

SHORT TITLE OF THIS RULE: Proposed 2011-2012 Late Migratory Bird Codes Approval.

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	\$ 576,300
Federal Funds	\$ 923,700
Cash Funds	\$ N/A
Special Revenue	\$ N/A
Other (Identify)	\$ N/A
Total	\$ 1,500,000

Next Fiscal Year

General Revenue	\$ N/A
Federal Funds	\$ N/A
Cash Funds	\$ N/A
Special Revenue	\$ N/A
Other (Identify)	\$ 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: \$ 47

Next Fiscal Year: \$ N/A

Party Subject to Rule: Migratory Bird Hunters

Effect on Party Subject to Rule: Cost of license and stamps

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: X

Why were such alternatives not proposed: N/A

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

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER NO: _____ SUBJECT: 2012-2013 Late Migratory Bird
 DATE PASSED: August 16, 2012 Seasons & Waterfowl Regulations
 PAGE 1 of 1 PAGES LOCATION: Statewide

WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached regulations for the 2012-2013 Late Migratory Bird Hunting seasons and for general waterfowl hunting; **and**

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

NOW, THEREFORE, BE IT ORDERED this 16th day of August, that the Arkansas Game and Fish Commission hereby approves and adopts the attached 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.

	<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>
Submitted by:	_____ David Goad	_____ Ron Pierce Chairman
		_____ Fred Brown Commissioner
Division:	_____ Wildlife Management	_____ Rick Watkins Vice Chairman
		_____ Steve Cook Commissioner
Approved:	_____ Director	_____ Ron Duncan Commissioner
		_____ Ford Overton Commissioner
Approved:	_____ Legal	_____ Emon Mahony Commissioner
Approved:	_____ Fiscal	

SUMMARY FOR COMMITTEE ITEM
2013 Fishing Regulations Considerations – Second Reading Summary

Committee: Regulations Committee

Date: August 15, 2012

Title: 2013 Fishing Regulations Considerations – Second Reading for Approval

Explanation: The Fisheries Division recommends the attached fishing regulation changes. The following pages include a listing and brief explanation of the changes followed by the recommended Code Book language to be adopted. A Minute Order is also attached for approval. All approved changes would go into effect 1 January 2013.

Prepared by: Mark Oliver
Chief of Fisheries

2013 Proposed Fishing Considerations

Miscellaneous (Clarifications)

Clarification on Code 30.12 on the width of slots on slat traps

During the Code Book revision process, minor mistakes were made while transferring this code. These are simply clarifications.

Clarification on Code 26.18: Adding language to include all game fish and their parts, dead or alive, are illegal to use as bait (with the exception of bream under 4-inches and bream caught by hook and line)

During the Code Book revision process, minor mistakes were made while transferring this code. These are simply clarifications.

Addition of 35.11 Viral Hemorrhagic Septicemia Virus (VHSV) Fish Importation Regulation under Code 1.00D, Confiscation and Seizure

When this regulation was first created in 2007, and added to the Official Code Book Language, it was not added under the confiscation and seizure section.

Change Hwy 313 to Hwy 360 in Code 31.07C, Mussel Harvest Restrictions

The Fisheries Division received this clarification from Enforcement because from Hwy 360 upstream to Hwy 313 is non-navigable and to alleviate problems with trespassing on private land, possibly during duck season.

Clarification on Code 35.10: Hyperlinks need to be changed and 35.10 should be listed under Code 1.00L, Denial, Suspension or Revocation of Licenses, Permits, Tags and Stamps

During the Code Book revision process, minor mistakes were made while transferring this code. These are simply clarifications.

Clarification of Code 30.15, relocating the sentence “All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat, from the main channel” to the bottom of “A”, thus encompassing all listed rivers.

During the Code Book revision process, minor mistakes were made while transferring this code. These are simply clarifications.

Clarification on Fishing below Dams Restrictions

The Enforcement Division has identified some confusion with fishing below dams (Code 26.07). There are exceptions that allow anglers to fish below dams, however under these exceptions, it needs to be clearly stated under exception 1, “Unless otherwise posted, fishing is allowed with one hand held pole or rod”, as well as under exception 2, “In waters not otherwise restricted (Code 26.06), rough fish may be taken with bow and arrow”. These changes will alleviate the confusion.

Clarification on which waters aquatic turtles can be commercially harvested

There has been confusion regarding waters open to commercial aquatic turtle harvest versus those of commercial fishing. The format of the code language was changed to break it down into discrete units for ease of understanding which counties and/or water bodies are specifically open to commercial harvest of aquatic turtles. The deletion of two counties is based on a lack of any harvest from those counties over the past seven years, yet several other counties which have had no reported harvest, in the same time period, remain open. Restrictions to specified portions of counties are based on ecoregion (Mississippi Delta and Coastal Plain) attributes where harvest has historically been most prevalent. In summary, over half of all counties, or portions thereof, in the state remain open to commercial aquatic turtle harvest.

Other 2013 Proposed Fisheries Considerations

Remove Lake Atalanta from Community Fishing regulations and make it open to fishing with rod or pole only with a catfish and trout daily limit of five.

When Lake Atalanta was added to the list of Community Fishing Lakes, the regulations covering them included catch and release only for largemouth bass. That restriction was counterproductive to the overcrowded bass population. Because of this, the lake was excluded from the Community Fishing Lake List and was no longer listed in the fishing regulations guidebook. Including the lake in the list of regulations for Arkansas Lakes will reinstate the original regulations that the lake has been under for several decades.

Allow the use of single, barbed hooks while fishing with bait outside of the Special Regulations Area on the Beaver Tailwater.

In 2006, anglers on the Beaver Tailwater were restricted to using single, barbless hooks while bait fishing on the Beaver Tailwater outside of the Special Regulations Area. This change was implemented in an attempt to reduce post-release mortality of trout. However, a thorough review of the scientific literature and monitoring efforts by AGFC suggest that this regulation has not improved overall survival of rainbow trout on Beaver Tailwater. Given that the current regulation exposes anglers to additional risk of being issued a citation and the lack of improvement in overall trout survival, we are recommending removing this restriction.

Allow use of artificial lures with multiple, barbless hooking points in the special regulation area on the Beaver Tailwater.

This change would allow the use of artificial lures with multiple, barbless hooking points in the special regulation (artificials-only) area on the Beaver Tailwater. A substantial amount of scientific literature supports that artificial lures with single, barbless hooks do not significantly improve post-release survival of fish over that observed for artificial lures with treble or barbed hooks. Allowing anglers to use artificial lures with barbless, treble hooks would expand the angling opportunities for anglers that fish with this type of tackle while still achieving management objectives. An

added benefit would be consistency in tackle restrictions in special regulations areas on all major tailwater trout fisheries throughout the state.

Remove 13 inch length limit on large-mouth bass on lower Ouachita & Saline Rivers. Maintain length limit at Felsenthal NWR

Recent fish population data and FAST modeling still support the use of a 13-inch minimum length limit for improving largemouth bass population dynamics in Felsenthal Reservoir. However, recent data do not support the continuation of the same regulation further upstream. From an enforcement and public comprehension view it would also be better to define the regulated area based on a static area (i.e. Felsenthal National Wildlife Refuge boundaries) instead of the fluctuating water levels of the Ouachita and Saline rivers and their backwaters.

Lower White Oak Lake “Catch and Release” Fishing Only

Fishing mortality needs to be minimized while the reservoir refills and fish populations are re-established following the Lower White Oak Lake renovation. Catch-and-release fishing should provide some fishing opportunities to area anglers without causing significant impacts to the newly stocked fish populations.

Remove catch and release only for largemouth bass and implement 5 fish per day limit for largemouth bass on Lake Sylvia

Lake Sylvia (USFS) is currently under a catch and release regulation for largemouth bass. This regulation was implemented in an effort to reestablish the bass population after draining the lake and renovation of the dam several years ago. Electrofishing sampling conducted by USFS fisheries biologists indicates ample bass with several year classes represented.

Include Mom’s Lake in the Family Fishing Program

Mom’s Lake is a 9 acre fishing reservoir in Clay County near Corning. The AGFC accepted ownership of the lake from a private contributor. The contributor requested that fishing be restricted to children, senior citizens and disabled anglers. The fish population is susceptible to overharvest without severe restrictions being in place.

Include Walnut Ridge City Lake in the Family Fishing Program

The Walnut Ridge City Lake is a city-owned, 1 acre fishing reservoir in Walnut Ridge in Lawrence County. Fishing restrictions are currently governed by city ordinance. These restrictions are similar to those included in the AGFC Family Fishing Program. The city has requested that the lake be included in the FFP list of lakes for enforcement and stocking purposes. A lake this small in an urban area is susceptible to overharvest without severe restrictions being in place.

Changing the minimum length limit of 34-inches to 35-inches on Paddlefish in the Mississippi River

From 2008 to 2011, paddlefish data was collected during ride alongs with commercial fishermen on the Mississippi River. Length, weight, gender, age, and fecundity information was collected. Based on the age and growth data, only 10% of the gravid

females are being protected under the 34-inch minimum length limit (MLL). Model estimates from Spawning Potential Ratio indicate an exploitation rate of just over 20% could make harvest unsustainable and an exploitation rate of 40% could result in recruitment overfishing with a 34-inch MLL. Changing the MLL to 35-inch would protect 20% of the gravid females. Model estimates from Spawning Potential Ratio indicate an exploitation rate of just over 35% could make harvest unsustainable and an exploitation rate of 70% could result in recruitment overfishing with a 35-inch MLL. Fisheries does not expect an exploitation rate of 70% to occur in the Mississippi River due to the difficulties of fishing in the river. It would also result in a 27% increase in the number of eggs that could be harvest from the area.

Allowing commercial harvest of aquatic turtles (by any method) on private property in areas closed to commercial fishing and turtling

The past several years the Fisheries Division has received requests to allow commercial of harvest aquatic turtles on private property, in counties closed to commercial fishing and turtling. Code language (34.04 Exception 5) was drafted to allow for the commercial harvest of aquatic turtles, via a no fee *Private Land Nuisance Aquatic Turtle Permit* issued to the landowner, in closed counties only from manmade lakes and ponds on private property by Commission licensed commercial turtle harvesters. Only three (3) aquatic turtle species will be permitted for commercial harvest, the Common Snapping Turtle, Redear Slider, and Spiny Softshell. These species are the most commonly (in terms of numbers) harvested commercial species, they are common inhabitants of manmade lakes and ponds, and are the most frequently caught (i.e., on hook and line, trot lines, limb lines, etc.) nuisance aquatic turtle species. This Code change was patterned after the AGFC Depredation Permit process. A triplicate *Private Land Nuisance Aquatic Turtle Permit* form will be provided by the Commission.

Ban commercial fishing on Old River Lake

This small oxbow lake simply doesn't have a large enough fishery to justify commercial harvest, therefore it should be closed to commercial fishing.

Alligator gar commercial harvest report requirements

Submission of current required alligator gar harvest report forms is unenforceable and the minimal data that is submitted is inadequate and often inaccurate. To aid evaluations of the geographic range, exploitation rates, and population stability of alligator gar stocks in Arkansas, it is necessary that sufficient data be collected from sport and commercial fishermen. All recent changes and additions to regulations and reporting requirements for alligator gar have focused on sport fishermen. Thus, measures are needed and warranted to obtain similar information from commercial fishermen.

Decrease minimum length limit on largemouth bass in the Arkansas River from 15-inches to 14-inches.

A 15-inch minimum length limit (MLL) was placed on largemouth bass in 1998 in an effort to increase abundance of harvestable sized bass. Since then numerous largemouth bass stock assessments have been conducted by both AGFC and UAPB to evaluate and monitor: age and size structure, growth, condition, and exploitation. In addition, angler

creel surveys were conducted on several pools of the river and most recently relationships between hydrology and bass population characteristics were examined. Study results indicate there are fewer harvestable-size bass in the Arkansas River and they are growing slower. Hydrology (high water/flows) during 2007-09 appears to have negatively affected both abundance and growth of the bass population. Furthermore, age and growth analysis indicates it taking an additional year for bass to reach the 15- inch MLL. Tag-reward and creel surveys indicate the Arkansas River as a high catch-and-release bass fishery. It is therefore recommended that the 15-inch MLL for largemouth bass in the Arkansas River be decreased to 14-inches, which should allow for higher yield and harvest rates without compromising size structure. With the population experiencing slower growth rates, decreasing the MLL to 14-inches should provide more harvestable-sized fish to anglers sooner. Lowering the MLL to 14-inches should also help offset some of the negative effects high water/flows will continue to have on the Arkansas River largemouth bass population.

Clarification in Codes 26.07 and 32.05 to allow only cast and throw nets to harvest shad below dams

The way the regulations are currently written, in Code 26.07 you can only use a hand held dip net for taking shad below dams. The regulation should only allow use of cast and throw nets for harvesting shad below dams, not hand held dip nets. Code 32.05 refers to “all” of Code 32.04, when it should only refer to Exception C.

Clarification in Code 9.10 to reflect Wildlife Importation Permits are not required for aquatic wildlife

There has been a lot of confusion on whether persons bringing certain aquatic species (crayfish and turtles) into the state need a Wildlife Importation Permit (Code 9.10). The Fisheries Division has never issued Wildlife Importation Permits for any aquatic species, and that is the overall consensus of AGFC staff. With this in mind, we recommend changing the code book language to reflect that Wildlife Importation Permits are not required for aquatic wildlife.

Clarification of the definition of wildlife and aquatic wildlife in Code 1.00-C

There is a need to clarify the definition of Wildlife and aquatic wildlife because there are two definitions that aquatic organisms fall under.

Clarification on Addendum R1.01 is needed correcting the code number for sale of fish

Clarification on Addendum R1.01 is required due to minor mistakes that were made while transferring this code during the code book revision process.

Deletion of Western Chicken is needed in Addendum J1.01

Western chicken turtles should be deleted from the Aquaculture Clean List (J1.01) as they are not allowed for take or possession.

Change the penalty one ranked codes to penalty two ranked codes in code section 30.00

The Fisheries and Enforcement Divisions propose to change all commercial fishing codes (Code section 30.00) that have a penalty one ranking, to penalty two ranking.

Clarification of mesh size for fiddler nets is needed from mistakes made during the code book revision process

Clarification of mesh size for fiddler nets (Code 30.05) is required due to minor mistakes that were made while transferring this code during the code book revision process.

Proposed 2013 Fishing Regulation Considerations

~~Red strike throughs~~ are to be deleted. Red, bold, underlined fonts are additions.

01.00-C DEFINITION OF TERMS

01-13

For the purposes of the Arkansas State Game and Fish Code of Regulations, the following terms shall be construed, respectively, to mean and include:

ADULT GOBBLER – Male turkeys having at least one of the following characteristics: a) tail feathers which are the same length, b) wing feathers that have white barring all the way to the tip or c) a beard more than six (6) inches in length.

ALLIGATOR DEALER – Any person, firm or corporation engaging in the sale, purchase, barter or exchange of an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest or eggs thereof in Arkansas.

ALLIGATOR FARMER – Any person, firm or corporation possessing an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest or eggs thereof in Arkansas for the purpose of propagation, production or rearing.

ALLIGATOR SNAPPING TURTLE DEALER – Any person, firm or corporation engaged in the sale or purchase of alligator snapping turtles.

ALLIGATOR SNAPPING TURTLE BREEDER – Any person, firm or corporation possessing alligator snapping turtles for the purpose of propagation, production, rearing or sale.

ANIMAL – An organism of the animal kingdom, as distinguished from the plant kingdom, including any part, product, egg or offspring thereof.

ANTLERLESS DEER – A doe or a buck having 2 inches or less of hardened bone antler (this type of deer must be checked as a buck).

ANTLERLESS ELK – Any elk (male or female) not meeting requirements to be a legal bull elk.

AQUACULTURE SPECIES – Any species listed on the Approved Aquaculture Species List ([Addendum J1.00](#)) and species not listed but allowed under Unlisted or Restricted Species Possession Permits.

AQUATIC WILDLIFE – All aquatic species, including Aquatic snails, aquatic turtles, crayfish (crawfish and crawdads), fish (including minnows), frogs, mussels and salamanders.

ARKANSAS RIVER BOUNDARY (Sportfishing Only) – The Arkansas Post Canal from Lock and Dam No. 1 to the Arkansas River and the Arkansas River from Dam No. 2 upstream to the Oklahoma state line, including all lakes, bays and tributary streams accessible by boat from the main channel except:

- Big Bayou Meto upstream from Arkansas Highway 11;
- Plum Bayou upstream from U.S. Highway 79;
- Little Maumelle River upstream from Pinnacle Mountain State Park;
- Maumelle River upstream from Lake Maumelle Dam;
- Fourche LaFave upstream from Arkansas Highway 113;
- Palarm Creek upstream from Interstate 40;
- Cadron Creek upstream from the weir;
- Point Remove Creek upstream from Arkansas Highway 113;
- Petit Jean River upstream from Pontoon Boat Ramp at Arkansas Highway 154;
- Illinois Bayou upstream from Russellville Waterworks Dam;
- Big Piney and Little Piney creeks upstream from Arkansas Highway 359;
- Horsehead Creek upstream from Interstate 40;

- Mulberry River upstream from Interstate 40;
- Frog Bayou upstream from Arkansas Highway 162 and Lee Creek upstream from Lee Creek Dam,
- And from the first non-navigable shoal for streams entering the Arkansas River along the right bank descending from the Oklahoma state line to Lake Dardanelle Dam.

ARTIFICIAL LURE OR FLY – Terminal fishing tackle made entirely of rubber, wood, metal, glass, feathers, hair, synthetic fibers or plastic, with hook attached.

BAITFISH – Minnows, logperch, gizzard and threadfin shad, gar (other than alligator gar), bullhead catfish, crayfish, drum, bowfin under 6 inches, skipjack herring, brook and inland silversides, bigmouth, smallmouth and black buffalo, river carpsucker, banded and Ozark sculpin, bream 4 inches and under, and bream over 4 inches that are caught by hook and line.

BAITING – The direct or indirect placing, exposing, depositing, distributing or scattering of salt, grain or other feed that could serve as a lure or attraction for wildlife to, on or over any areas where hunters are attempting to take them.

BIG GAME – Alligator, black bear, deer, elk and turkey.

BLACK BASS – Largemouth bass, redeye bass, smallmouth bass and spotted bass.

BLOCKING OUT – The removal of the head and/or tail associated with the processing of a commercial fish. The blocked-out carcass (bullet) must be at least the minimum length required for the body of water where the commercial fish was harvested ([Code 30.11](#)).

BONUS DEER – A harvested deer that is not included in a hunter’s statewide bag limit.

BOX TYPE TURTLE TRAP – A floating trap designed to capture aquatic turtles, but does not permit capture of fish ([Code 34.07](#)).

BREAM – A species of the genus *Lepomis*, including bluegill, redear, warmouth and other sunfish.

BUCK – A male deer (see LEGAL BUCK definition).

BUCK DEER SEASON – A deer season in which no deer other than legal buck deer may be taken.

BUY – To purchase, barter, exchange or trade, including any offer to purchase, barter, exchange or trade.

CAPTIVITY OR HOLD CAPTIVE – The holding of living wildlife in a controlled environment that is manipulated by man for the purpose of exercising ownership, possession or control of the wildlife, and that has boundaries designed to prevent selected species from entering or leaving the controlled environment.

CARCASS – The body of a dead animal.

CASE – A container specifically designed to hold a firearm which completely encloses the firearm by being zipped, snapped, buckled, tied or otherwise fastened with no portion of the firearm exposed.

CATCH-AND-RELEASE – The requirement that fish of a designated species must be immediately released into the water where caught.

CERVID – A member of the Family Cervidae including without limitation deer, reindeer, moose, elk and caribou.

CHASE FOR PLEASURE – To search for, pursue or chase game animals or other wildlife with the use of dogs for recreational purposes only, with no intent of hunting such game animals or wildlife.

CHECKING WILDLIFE – The reporting of specific information to the Commission concerning harvest of alligator, bear, deer, elk and turkey by one of the following methods: phoning a designated number to report bear, deer or turkey harvests, electronically through the Commission’s on-line deer and turkey checking Web site or mobile applications, and in person to report harvest of elk and alligator at a designated check station.

CHRONIC WASTING DISEASE (CWD) – Fatal disease affecting the brain of cervids that belongs to a group of diseases called transmissible spongiform encephalopathies.

CHUMMING – To dislodge or deposit any substance not attached to a hook which may attract fish.

CITES TAG – a permit that allows shipping of certain animal pelts outside the State of Arkansas and assures compliance with the Convention on the International Trade of Endangered Species.

CLEAN – Having no meat matter or tissue attached to the carcass.

COMPUTER-ASSISTED HUNTING – The use of a computer or any other device, equipment or software to remotely control the aiming and discharge of a firearm, bow or crossbow to kill wildlife located in Arkansas.

COMMERCIAL FISH – Bowfin (over 6 inches), buffalo, catfish, carp, drum, gar, paddlefish, sucker family, white amur and sturgeon.

COMMERCIAL FISHERMAN – Any person who fishes with tackle designated as commercial tackle requiring a license and/or tag issued by the Commission.

COMMERCIAL TACKLE – Properly licensed tackle used to catch aquatic wildlife for commercial purposes.

COMMERCIAL WILDLIFE HUNTING RESORT – A facility, location, business, or operation that offers, for pay or other consideration, an opportunity to hunt native wildlife, other than pen-raised game birds, held in captivity. Includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for the hunting activities.

COMMERCIAL WILDLIFE PERMIT – Any or all of the following permits: Alligator Farmer/Dealer, Alligator Snapping Turtle Breeder/Dealer, Resident Shell Taker and Seller, Shell Buyer, Non-Resident Shell Buyer, Resident Roe Taker/Seller, Resident Roe Buyer/Exporter, Non-Resident Roe Buyer, Resident Fur Dealer, Non-Resident Fur Dealer, Special Commercial Quail, Game Bird Shooting Resort, Commercial Wildlife Hunting Resort, Wildlife Breeder/Dealer and Wildlife Importation.

COMMISSION – The Arkansas State Game and Fish Commission, unless otherwise designated.

DEFERRED HUNTER EDUCATION (DHE) – Designates a holder of a valid Arkansas hunting license/permit who has deferred completion of the hunter education program.

DISABLED – Any individual who is 100 percent permanently and totally disabled as declared by one or more of the following federal agencies: the U.S. Social Security Administration, the U.S. Department of Veteran's Affairs or the U.S. Railroad Retirement Board.

DOE – A female deer.

DOE DEER SEASON – A deer season in which a doe may be taken.

DROWNING SET – Any leg-hold trap that uses one or more of the following techniques to retain the target animal in water of suitable depth for drowning: a slide wire with lock, a tangle stake or a drowning weight.

DUCKS (includes the following species) – All species of teal, merganser, whistling duck and scaup; American wigeon, American black duck, bufflehead, canvasback, gadwall, common goldeneye, mallard, mottled duck, northern shoveler, redhead, ring-necked duck, ruddy duck, northern pintail and wood duck.

EDIBLE PORTIONS – portions of the following animals are considered edible as stated below:

- (a) **Game Mammals**: front quarters, hind quarters, loins and tenderloins.
- (b) **Game Fish**: fillets of fish.
- (c) **Game Birds**: breasts.
- (d) **Frogs**: hind legs.
- (e) **Alligators**: tails, legs, flanks, loins and tenderloins.

EITHER-SEX – A male or a female.

EITHER-SEX DEER SEASON – A deer season in which a doe or a legal buck may be taken.

EMERGENCY CONDITION – Any condition involving:

(a) imminent peril to the health, safety, or welfare of the public or the wildlife resources of the State; or

(b) immediate action mandated by federal law or regulation.

ENCLOSE – To surround wildlife using man-made barriers, including but not limited to fencing, walls, structures or other devices, so that the wildlife are not free to leave a particular environment.

ENCLOSURE – Any area surrounded by a man-made barrier, including but not limited to fencing, walls, structures or other devices that prevent wildlife from leaving a particular environment.

ENDANGERED SPECIES – A wildlife species or subspecies endangered or threatened with extinction listed, or proposed as a candidate for listing, by the U.S. Fish and Wildlife Service or any native species or subspecies listed as endangered by the Commission ([Addendum P1.00](#)).

FALCONRY – The caring for and training of raptors for pursuit of wild game, and hunting wild game with raptors. It includes the taking of raptors from the wild to use in the sport and caring for training and transporting raptors held for falconry.

FEDERAL WATERS – Waters designated by federal law as federally controlled or under the jurisdiction of a department or agency of the United States Government.

FEE LAKE – A lake in which there is a fee for fishing rights. All persons 16 years of age and older must possess an Arkansas fishing license. Daily limits apply.

FERAL HOG – Any hog, including but not limited to Russian and European wild boar, which is roaming freely and is living in a wild or feral state.

FIREARM – Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance, including without limitation muzzleloaders and modern guns (see LOADED FIREARM).

FISH OR FISHING – To lure, attract, collect or pursue fish species or aquatic wildlife for the purpose of taking or attempting to take such species by any method.

FISH DEALER – Any person who sells live fish, including baitfish.

FISH FARM – Waters and adjacent premises confined within a pond, tank or lake not connected with public waters, and under management of a fish farmer.

FISH FARMER (AQUACULTURIST) – A person, firm, partnership or corporation engaged in the propagation or rearing of aquaculture species for sale.

FREEFLOATING FISHING DEVICE – A floating fishing device unanchored or unattached to a stationary object.

FURBEARERS – Badger, beaver, bobcat, coyote, gray fox, red fox, mink, muskrat, nutria, opossum, raccoon, river otter, spotted skunk, striped skunk and weasel.

GAFF – To take or attempt to take fish with a hand-held or handled hook.

GAME ANIMALS – Alligator, black bear, bobcat, coyote, deer, elk, gray fox, red fox, mink, opossum, eastern cottontail rabbit, swamp rabbit, raccoon, gray squirrel and fox squirrel.

GAME BIRD SHOOTING RESORT – A facility, location, business, or operation that offers, for pay or other consideration, an opportunity to hunt captive-raised game birds. Includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for the hunting activities.

GAME BIRDS – Turkey, quail, pheasant, chukar and all birds classified by the U.S. Fish and Wildlife Service as migratory game birds.

GAME FISH – Alligator gar, black bass, white bass, striped bass, hybrid striped bass, crappie, catfish, trout, bream, goggle-eye, walleye, muskellunge, sauger, saugeye, paddlefish and pickerel.

GEOCACHE – Items in a container (cache) placed or hidden for individuals to subsequently find using a Global Positioning System (GPS) receiver.

GEOCACHING – An outdoor sport, similar to “high-tech treasure hunting,” involving use of a Global Positioning System (GPS) receiver to find a cache.

GUIDE – A person who provides, for monetary or any other compensation, that person’s personal services for the purpose of assisting others to locate, pursue, catch or hunt wildlife.

HACKING – The temporary release of a raptor held for falconry to the wild so that it must survive on its own.

HARASS – An intentional or negligent act which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral pattern which include but are not limited to, breeding, feeding, or sheltering.

HEN TURKEY – Female turkey with or without a beard.

HIGH-FENCE ENCLOSURE – An enclosure that contains an area of at least 500 contiguous acres, with at least 60 percent of the acreage in forested cover that has been classified as timberland by the local county tax assessor, that has a perimeter fence at least 8 feet high, with no cross-fencing that has the effect of reducing the size of the area to less than 500 contiguous acres with at least 60 percent of the acreage in forested cover as herein provided.

HOGGING – The taking of fish by the use of hands only in or under the water.

HUNT OR HUNTING – Taking or attempting to take wildlife by any method including but not limited to searching, pursuing, chasing, tracking, luring, or attracting.

HUNTING INCIDENT - When bodily injury above basic first aid or death occurs due to an activity directly related to a hunting excursion in the field. Examples of such activities would include discharge of a firearm, bow, or crossbow and falls from an elevated platform (tree stand, tower stand, or elevated duck blind).

HUNTING PARTY – Two or more persons hunting together.

HYBRID RAPTORS – Offspring of birds listed as two or more distinct species.

IMPORT OR IMPORTATION – To ship, convey, carry, transport, bring or introduce into Arkansas anything from outside its borders.

IMPRINT – A bird that is hand-raised in isolation from other raptors from two weeks of age until it has fledged and will be considered to be an imprinted bird for its entire life.

JAKE – Sub-adult male turkey having all these characteristics: longer central tail feathers, outermost one or two wing feathers lacking white barring all the way to the tip and a beard 6 inches or less in length.

KILLING DEVICE – Any firearm, bow and arrow, crossbow, compressed gas or spring-powered pistol or rifle, blowgun, speargun, hand-thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge a projectile capable of killing wildlife.

LARGE CARNIVORE – *Tigers (Panthera tigris), African Lions (Panthera leo),* or any hybrid thereof and all species of bears.

LEGAL BUCK – A male deer may be considered legal under the following rules as applied by this Code:

- (a) **Buck of Choice:** A male deer.
- (b) **Button Buck:** A male deer less than 12 months old with no hardened boned antler.
- (c) **Three-point Rule:** A male deer having both antlers under two inches (including button buck) or at least one antler with at least three points, each a minimum of one inch long, including the tip of the main beam. ([Code 21.03](#)).
- (d) **12/15 Rule:** 1) A male deer having both antlers under two inches (including button buck) or 2) a male deer having an inside spread of at least 12 inches or more in width, 3) a male deer having at least one main beam 15 inches or more in length ([Code 21.03](#)).
- (e) **15/18 Rule:** 1) A male deer having both antlers under two inches (including button buck) or 2) a male deer having an inside spread of at least 15 inches or

more in width 3) a male deer having at least one main beam 18 inches or more in length ([Code 21.03](#)).

- (f) **WMA Special Restrictions**: Special restrictions may apply on certain WMAs ([Code 21.03](#)).

LEGAL BULL ELK – An elk having at least one antler visible above the hair line.

LEGAL TURKEY – A turkey may be considered legal under the following rules as applied by this Code:

- (a) Hunters 16 years and older a legal turkey is an adult gobbler or bearded hen.
(b) Hunters 6 to 15 years of age is an adult gobbler, bearded hen or jake.

LENGTH LIMITS –

- (a) **Minimum Length Limit**: The shortest length of a fish of a designated species that can be kept.
(b) **Maximum Length Limit**: The maximum length of a fish of a designated species that can be kept.
(c) **Protected Length**: A species/size limit that prohibits anglers from keeping fish within a designated size group. Unless otherwise specified, all fish are measured from the front of the lower jaw with the mouth closed to the tip of the tail with tail lobes pressed together when laid flat on a rule, on its side. All fish not meeting the length limit requirements for a particular water or species must be immediately released into the water where caught.

LIMITS –

- (a) **Daily Limit**: the maximum number of a species allowed to be taken during a specific 24-hour time period (midnight to midnight, unless otherwise specified).
(b) **Seasonal Limit**: the maximum number of a species allowed to be taken during a specific season.
(c) **Possession Limit**: the maximum number of species allowed to be possessed at any time. Any fish or wildlife, excluding migratory game birds, legally taken for personal consumption and stored in processed form within a residence of the possessor shall not count toward the possession limit.

LITTER – All waste which has been discarded or otherwise disposed of, including, but not limited to, convenience food and beverage packages or containers, trash, garbage, all other product packages or containers, and other post consumer solid wastes as referenced in State Law, or discarded game animal carcasses.

LOADED FIREARMS – Firearms are considered loaded if shells or cartridges are in the chamber, magazine or cylinder. Percussion cap muzzleloading firearms are considered loaded if the percussion cap is on the nipple. Flintlock muzzleloading firearms are considered loaded if there is powder in the flashpan. Electronic pulse ignition muzzleloaders are considered loaded if the ignition circuit is charged.

MIGRATORY BIRDS – All birds protected by the Federal Migratory Bird Treaty Act of 1918 and subsequent amendments.

MIGRATORY GAME BIRDS – Coots, crows, doves, ducks, gallinules or moorhens, geese, rails, snipe and woodcock.

MINNOWS – Small nongame fish commonly used for bait including bluntnose minnows, bullhead minnows, chubs, dace, fatheads, common carp under 6 inches, goldfish, shiners and stonerollers.

MOBILITY IMPAIRED – A designation made by the Commission based upon a satisfactory showing that a person has a permanent physical condition, verified by a physician duly licensed to practice medicine by a state medical board, which severely impairs the person's mobility and prevents him or her from being able to engage in hunting or fishing activities without the use of an ATV or similar specialized device for transportation.

NATIVE WILDLIFE – Those species and sub-species of wildlife that have established, naturally reproducing, free-ranging, wild populations within Arkansas.

NIGHT – The time period 30 minutes after sunset to 30 minutes before sunrise.

NOODLING – The taking of fish by the use of a pole-mounted breakaway hook that detaches at the time of the strike or catch, or snare type device, with an attached line manipulated by hand when a person is in or under the water.

NONGAME WILDLIFE – All wildlife other than furbearing or game animals, game birds and game fish.

NON-NATIVE WILDLIFE – Any wildlife not defined as native wildlife.

NONRESIDENT – A person not defined as a resident.

NUISANCE WILDLIFE – Any wildlife creating a problem by committing damage to personal property or crops.

OPEN SEASON – A time frame established by the Commission during which a designated species may be lawfully taken.

PEN-RAISED QUAIL – Quail raised or hatched in captivity.

PERSON – Any individual, firm, corporation, association, partnership or other legal entity in singular or plural as the context requires. All pronouns shall include the masculine, feminine and neuter.

PORTABLE HUNTING STAND – Any device or structure used for the purpose of hunting that can be carried in its entirety by one person.

PORTABLE POP-UP BLIND – A structure used to conceal a person that can be collapsed and carried in its entirety by one person.

POSSESS OR POSSESSION – Having or holding wildlife, or any property in one's power; the exercise of dominion over property. Possession includes actual possession (physical occupancy or control over property) and constructive possession (control or dominion over property without actual possession or custody of the property).

PROPAGATE OR PROPAGATION – To allow plants or animals to breed or multiply.

PUBLIC ROAD – The traveled portion and the shoulders on each side of any road maintained for public travel by a city, county, state, or federal government and includes all structures within the limits of the right-of-way of any such road.

PUT-AND-TAKE PAY LAKE – Private waters open to public fishing for a fee, after being licensed by the Commission and where no fishing license or daily limit of fish is imposed.

RAPTOR – Migratory bird of the Order Falconiformes or the Order Strigiformes including bald eagles and golden eagles.

REAR OR REARING – To maintain plants or animals to increase their size or development.

REHABILITATION – Providing medical treatment or other care to orphaned, sick or injured wild animals that have come into human possession with the goal of returning the animal to the wild.

RESIDENCE – Any dwelling such as a house, manufactured home, or apartment that is permanently fixed in place and is owned, leased, or rented fully or in part by an individual. This term does not include tents; temporary lodging or rental units such as hotels, motels, resorts, or commercial campgrounds; recreational vehicles; mobile travel trailers; or, motor vehicles.

RESIDENT –

- (a) A person who physically inhabits a bona fide residence in Arkansas for at least 60 days and declares full-time residency. Possession of Arkansas real estate and/or proof of payment of associated services or utilities do not qualify the owner/renter as a resident if he lives out of state. Additional facts considered in establishing proof of current Arkansas residency are:

- (i) Possession of a valid Arkansas driver's license or Arkansas identification card.

- (ii) Possession of a valid Arkansas vehicle registration in his name and display of current Arkansas license tags on his vehicle.
- (iii) Other documentation may be considered.
- (b) The following persons are considered residents for purposes of this Code:
 - (i) Residents of Arkansas enrolled as full-time students in colleges and universities outside of Arkansas.
 - (ii) Nonresidents enrolled as full-time students in colleges and universities in Arkansas.
 - (iii) Nonresident foreign exchange students attending school in Arkansas.
- (c) Resident foreign exchange students attending school outside of Arkansas.
 - (iv) Active-duty military personnel assigned to duty stations in Arkansas.
 - (v) Active-duty military personnel who were Arkansas residents at the time of entering service, regardless of where currently stationed.
- (d) Proof of at least one year residency must be provided when applying for the following licenses/permits:
 Special Guide, Alligator Farmer/Dealer, Alligator Snapping Turtle Breeder/Dealer, Commercial Fisherman's and Sportfishing, Commercial Fisherman's Helper, Junior/Senior Commercial Fishing, Resident Shell Taker/Seller, Shell Taker Helper, Shell Buyer, Resident Fish Dealer, Resident Roe Taker/Seller, Resident Roe Taker Helper and Resident Roe Buyer/Exporter.
- (e) The director or his representative shall make the final determination as to the resident status of any license applicant.

ROUGH FISH – Gars, bowfin, bullhead catfish, common carp, Asian carp (grass carp, bighead carp, silver carp), suckers (including buffalo) and drum.

SEINE – A fishing net that hangs vertically in the water where the ends can be drawn together to entrap fish.

SEINING – The act of moving a seine by boat or human power to capture fish.

SELL OR SALE – To exchange or deliver for money or its equivalent; to offer for sale, barter, exchange or trade or the act of selling, bartering, consigning, exchanging or trading.

SHELL BUYER – Anyone who buys mussels or mussel parts from a Taker. An agent purchasing for a licensed buyer is not a buyer.

SMALL GAME – Furbearers, migratory game birds, quail, rabbit and squirrel.

SNAG – to take fish using conventional rod-and-reel tackle where the fish is impaled by the forceful retrieval of one or more hooks.

SNAGLINE – Commercial tackle consisting of a horizontal line with hooks or drops less than 24 inches apart.

SPORTFISH – See GAME FISH for definition.

TACKLE – An apparatus or device used to take wildlife.

TAKE – To shoot, kill, injure, trap, net, snare, spear, catch, capture or reduce to possession.

TAXIDERMY – The art of preparing, stuffing and/or mounting wildlife and parts thereof.

TRAP OR TRAPPING – A device to catch and hold wildlife.

TROUT – Any members of the Salmonidae family including rainbow trout, brown trout, brook trout, lake trout and cutthroat trout.

WATERFOWL – All species of coots, ducks, geese and swans.

WATERS OF THE STATE – All streams, lakes, sloughs, bayous, marshes or any other waterbodies either permanent or intermittent located wholly or partially within Arkansas, with the exception of pay lakes and fish farms.

WILD – To be living in a state of nature and not domesticated.

WILDLIFE – All wild birds, mammals, fish, reptiles, amphibians and other wild aquatic forms, and all other wild animals, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include any and every part of any individual species of wildlife, including animals living in a captive state and which lack a genetic distinction from members of the same species living in the wild. **Aquatic wildlife includes all aquatic species, including aquatic snails, aquatic turtles, crayfish (crawfish and crawdads), fish (including minnows), frogs, mussels and salamanders.**

WILDLIFE CHECK METHODS – The following are the official wildlife check methods:

- (a) a designated elk check station;
- (b) the Commission on-line deer and turkey checking Web site and mobile applications;
- (c) a designated alligator check station; and,
- (d) the designated bear checking telephone number or the designated deer and turkey checking telephone number.

WILDLIFE MANAGEMENT AREA (WMA) – Designated areas owned or controlled by the Commission and distinguished by certain markers and considered a separate zone with regard to wildlife regulations including: wildlife management area (WMA), waterfowl rest area (WRA), wildlife demonstration area (WDA), special use area (SUA) and state park-conservation area (SP-CA).

YOUTH –

- (a) for sections of this Code pertaining to big game, “youth” means any individual not less than 6 years old or more than 15 years old.
- (b) for all other sections of this Code, “youth” means an individual less than 16 years of age.

ZONE – An area defined by the Commission where hunting and/or fishing activities are regulated.

01.00-D CONFISCATION AND SEIZURE

01-13

- (A) Any wildlife, including but not limited to game animals, birds and fish, that is taken, transported or sold in violation of any Code regulation is declared to be contraband and may be seized. Upon conviction of the offender, or sooner if the court having jurisdiction so orders, title to the wildlife shall be forfeited to the Commission and such wildlife released or disposed of in compliance with Commission policy.
- (B) Any equipment, including but not limited to firearms, archery equipment, traps, tackle, nets, boats, lights, motors, vehicles and other fishing or hunting gear or devices, used in connection with a violation of any of the following Code regulations is declared to be contraband and may be seized:
 - 03.15 Non-Resident Guide License Requirements
 - 05.01 Hunting Wildlife in Closed Season Prohibited (Reference [Addendum Chapter A](#))
 - 05.02 Night Hunting Prohibited
 - 05.04 Selling Wildlife Restrictions
 - 05.05 Hunting from Road Prohibited
 - 05.06 Taking Wildlife at Night from a Boat Prohibited
 - 05.27 Endangered Species Protected
 - 05.33 Hunting or Fishing while Privileges are Suspended or Revoked Prohibited
 - 05.34 Suspension of Commercial Wildlife Permit Privileges
 - 06.11 Modern Firearms Prohibited During Muzzleloading Deer Seasons
 - 06.12 Possession of Firearms While Archery and Crossbow Hunting Prohibited

- 07.05 Hunting Wild Turkey Over Bait Prohibited
- 09.10 Wildlife Importation
- 09.11 Importation of Certain Wildlife Prohibited
- 12.01 Taking of Alligator Prohibited
- 12.03 Restrictions on Method of Taking Alligator
- 14.04 Taking of Raptors Prohibited
- 15.02 Taking of Doe Deer Prohibited
- 16.01 Legal Bull Elk Requirements
- 16.02 Taking of Antlerless Elk Prohibited
- 18.02 Wild Turkey Hen Restrictions
- 20.04 Cutting Devices Prohibited on Commission-Owned WMAs
- 24.08 Guiding Prohibited on All Commissioned-Owned or Controlled WMAs, WDAs and WRAs.
- 26.01 Taking Fish with Electrical Devices, Firearms, Explosives, Toxic, Stupefying or Killing Substances Prohibited
- 26.02 Trapping Fish Prohibited
- 30.02 Commercial Fishing by Non-Resident Prohibited
- 30.05 Illegal Commercial Tackle Prohibited
- 30.17 Resident Roe Taker/Seller Permit Requirements
- 30.18 Resident Roe Buyer/Exporter and Non-Resident Roe Buyer/Exporter Permit Requirements
- 30.19 Roe Buyer/Exporter Reporting Requirements
- 30.23 Paddlefish and Sturgeon Harvest Restrictions
- 34.01 Aquatic Turtle Permit Requirements
- 34.02 Qualifications for Certain Aquatic Turtle Permits
- 34.03 Non-Resident Aquatic Turtle Dealer Permit Requirements
- 34.04 Commercial Aquatic Turtle Harvest Restrictions
- 34.05 Aquatic Turtle Tackle Restrictions
- 34.06 Aquatic Turtle Tackle Tagging
- 34.09 Taking or Possession of Alligator Snapping Turtles Prohibited
- 34.10 Take of Chicken Turtles Prohibited
- 34.11 Importation of Alligator Snapping Turtles and Chicken Turtles Prohibited

35.11 Viral Hemorrhagic Septicemia Virus (VHSV) Fish Importation Regulation

Upon conviction of the offender, the court having jurisdiction may order title to the equipment forfeited to the Commission and such equipment disposed of in compliance with Commission policy. Equipment confiscated may be advertised and sold at public auction with the proceeds of the sale to be deposited in the Game Protection Fund.

- (C) Procedural matters regarding seizure and forfeiture of contraband not otherwise addressed herein shall be governed by the provisions of Rule 15 (Disposition of Seized Things) of the Arkansas Rules of Criminal Procedure, as amended.

09.10 WILDLIFE IMPORTATION PERMIT REQUIRED

01-13

- (A) It is unlawful to import live wildlife into Arkansas without a valid Wildlife Importation Permit issued by the Commission. This permit shall be required regardless of the final destination of the wildlife, whether in Arkansas or points beyond. It also is unlawful for any person to receive, acquire, purchase or possess any wildlife imported into Arkansas in violation of this regulation.

- (B) It is unlawful for the holder of a Wildlife Importation Permit to cause or permit any wild animal or bird to be imported into Arkansas under inhumane or unhealthy conditions ([Addendum F1.04](#)).

EXCEPTIONS:

- (1) ~~Fish and aquatic turtles as allowed for aquaculture under Code 35.09, other than those prohibited by Code 26.13~~ **Aquatic wildlife (as described under definition of wildlife), other than those species prohibited by Code 26.13. Imports for aquaculture must comply with Code 35.09. Refer to the Approved Aquaculture Species List in Addendum J1.01. Aquatic wildlife may not be released, Code 26.12.**
- (2) Wildlife exchanged with other states by the Commission.
- (3) Accredited members of the American Zoo and Aquarium Association.
- (4) A Wildlife Importation Permit is not required for a nonresident falconer with a valid Non-Resident Arkansas Hunting License, and possessing a valid falconry permit from another state, to import legally possessed raptors into Arkansas for the purposes of hunting, provided the birds will not stay in Arkansas longer than 30 consecutive days and are in compliance with Arkansas Livestock and Poultry Commission regulations relating to the entry of birds into the state.
- (5) A Wildlife Importation Permit is not required for a resident falconer with a valid Arkansas Hunting License, and a valid Arkansas falconry permit to import legally possessed raptors into Arkansas, provided they are in compliance with Arkansas Livestock and Poultry Commission regulations relating to the entry of birds into the state.
- (6) Circuses and others possessing U.S. Department of Agriculture Wildlife Exhibition Permits may import wildlife into or through Arkansas temporarily for the limited purposes of performance or display under terms of a special permit issued by the Chief of Wildlife Management.
- (7) Wildlife listed in [Code 09.01, Exception 8](#).
- (8) Up to six box turtles (Genus *Terrapene*) may be brought into Arkansas as pets without a permit.

PENALTY: Class 3

- (1) All equipment, including any form of legal tender, and all wildlife imported in violation of this regulation may be seized by Enforcement Officers, confiscated by the court, forfeited to the State and disposed of according to law ([Code 01.00D](#)).
- (2) Any person convicted of violating this regulation shall be liable for the costs incurred in the storage, care and maintenance of any equipment, wildlife and/or fish seized in connection with the violation.
- (3) Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegally imported wildlife, and also shall be liable for the costs of destruction and/or disposal of the illegally imported wildlife, as deemed necessary by the Commission for the protection of native wildlife.

26.07

FISHING BELOW DAM RESTRICTED

01-13

It is unlawful to take or attempt to take fish within 100 yards below dams or within the outlet channels of Arkansas Valley Electric Cooperative Hydroelectric Plant at Barling and the Murray Hydroelectric Plant at North Little Rock.

EXCEPTIONS:

- (1) **Unless otherwise posted, fishing is allowed with** ~~When only~~ one pole or rod held in hand ~~is used~~.
- (2) **In waters not otherwise restricted (Code 26.08),** ~~When taking~~ rough fish with a bow and arrow **may be taken.**

- (3) When taking shad with a ~~hand-held dip net~~ **throw net or cast net** for personal use only.

PENALTY: Class 1

32.05 TAKING BAITFISH IMMEDIATELY BELOW DAMS PROHIBITED

11-08 It is unlawful to take or attempt to take baitfish within 100 yards below dams or similar constructions.

EXCEPTION:

Shad may be taken in compliance with [Code 32.04, Exception C](#).

PENALTY: Class 1

26.18 SALE, POSSESSION OR USE OF LIVE BAIT RESTRICTED

01-13 It is unlawful to sell as bait, possess while fishing, or use as bait ~~live~~ aquatic animals other than insects, freshwater shrimp, worms and baitfish as defined in [Code 01.00C Baitfish](#). **Game fish and their parts, dead or alive, may not be used as bait, except for bream under 4 inches. Bream over 4 inches must first be caught by hook and line to be used as bait.**

PENALTY: Class 1

26.25 FAMILY AND COMMUNITY FISHING PROGRAM RESTRICTIONS

01-13

(A) FAMILY FISHING PROGRAM RESTRICTIONS

The restrictions in this subsection shall apply to the following waters:

Chicot County -- Lake Village Community Fishing Pond

Clay County – Mom’s Lake

Columbia County -- Armory Pond

Craighead County -- Craighead Forest Park Youth Fishing Pond

Faulkner County -- Dr. James E. Moore Jr. Camp Robinson Firing Range

Fulton County -- Salem City Lake

Hempstead County -- Mike and Janet Huckabee Youth Fishing Pond

Jefferson County -- Pine Bluff Regional Park Youth Fishing Pond

Lawrence County – Walnut Ridge City Lake

Pulaski County -- Landers Lake, War Memorial Park Pond

Union County -- Mattox Park Lake

RESTRICTIONS:

- (1) Fishing is open only to youths or persons 65 years of age or older. All other properly licensed persons may fish if accompanied by a youth who is actively fishing. Fishing is also open to holders of a disabled fishing license (either a three-year or combination disability license). One licensed person may assist and fish with an actively fishing disabled fishing license holder.
- (2) Only hand-held rod or pole allowed.
- (3) Largemouth bass: catch and release only.
- (4) Catfish daily limit: 3
- (5) Bream daily limit: 25
- (6) Trout daily limit: 5
- (7) Hybrid striped bass: 3
- (8) Lakes open to electric trolling motors only.
- (9) All other sportfishing daily limit: same as statewide.

(B) COMMUNITY FISHING PROGRAM RESTRICTIONS

The restrictions in this subsection shall apply to the following waters:

Baxter County -- Amon’s Lake

Benton County -- Lake Springdale

Clark County -- Clear Lake
 Crittenden County -- Tilden Rodgers Park Pond
 Garland County -- Family Park Pond, Entergy Park Pond
 Jefferson County -- Martin Luther King Jr. Park Pond in Pine Bluff
 Lonoke County -- Cabot Community Pond, Mike Freeze England Community Pond
 Miller County -- Lake Dieffenbacher
 Pike County -- John Benjamin Glenwood Community Pond
 Pope County -- Pleasant View Park Pond
 Pulaski County -- all lakes, ponds and streams managed by the City of Little Rock Parks and Recreation Department within the city limits of Little Rock, Cherrywood Lake, Lake Valencia, Little Rock Air Force Base Pond, North Little Rock City Park waters, Pinnacle Mountain State Park Pond, Sherwood
 Municipal City Pond, Willow Beach Park Pond
 White County -- Searcy City Lake
 Saline County -- Sunset Lake
 Sebastian County -- Carol Ann Cross Pond
 Sebastian County -- Wells Lake, Fort Chaffee
 Yell County -- Dardanelle City Park Ponds, Yell County Wildlife Federation Pond
 Washington County -- Murphy Park Pond

RESTRICTIONS:

- (1) Only hand held rod or pole allowed.
- (2) Largemouth bass: catch and release only.
- (3) Catfish daily limit: 3
- (4) Bream daily limit: 25
- (5) Trout daily limit: 5
- (6) Hybrid striped bass: 3
- (7) Lakes open to electric trolling motors only.
- (8) All other sportfish daily limit: same as statewide.

PENALTY: Class 1

30.01 COMMERCIAL FISHERMAN'S PERMIT AND REPORTING REQUIREMENTS

01-13

It is unlawful to purchase commercial tackle tags or to operate commercial tackle, or sell or attempt to sell wild-caught commercial aquatic wildlife without a current commercial fisherman's permit and sportfishing license. A bill of sale or receipt of transfer with a commercial fisherman's permit number must accompany all sales to fish markets, processors or retailers of fish or fish parts in each transaction. Bills of sale must be retained by the purchaser for a period of 12 months and made available for inspection by the Commission.

EXCEPTIONS:

- (1) Applies only to the sale of commercial fish or fish parts from a commercial fisherman to a fish market, processor or retailer.
- (2) Youths or individuals 65 years of age or older are required to purchase a Junior/Senior commercial fishing permit if they plan to sell commercial species of fish.
- (3) A person with a commercial fisherman helper's permit in his immediate possession may operate the properly tagged tackle of a licensed commercial fisherman. The holder of a commercial fishermen's permit and sportfishing license shall be fully responsible for supervising the actions of the person using the commercial fisherman helper's permit.

PENALTY: Class ~~2~~ 1

30.02 COMMERCIAL FISHING BY NON-RESIDENTS PROHIBITED

01-13

It is unlawful for nonresidents to assist or participate in commercial harvest operations or to possess commercial fish, mussels, crayfish, aquatic turtles or commercial tackle associated with commercial harvest on Arkansas waters.

EXCEPTION:

In compliance with [Addenda H1.01-03](#).

PENALTY: Class ~~2~~**1**

30.03 COMMERCIAL TACKLE LICENSE REQUIREMENTS

01-13

It is unlawful to fail to obtain the appropriate commercial tackle license for each gill net, trammel net, fish seine, hoop net, slat trap, fiddler net, snag line, trotline, limblines, throw line, set hook, or turtle tackle (hoop nets and box type traps) used in Arkansas waters. Commercial fishermen may not use commercial tackle for sport-fishing in waters open to commercial fishing.

EXCEPTIONS:

- (1) Fish caught with trotlines, limblines, throw lines and set hooks while sport-fishing may be kept for personal use only.
- (2) In compliance with [Code 35.01](#).

PENALTY: Class ~~2~~**1**

30.04 COMMERCIAL TACKLE TAG REQUIREMENTS

01-13

Metal tags issued with commercial tackle licenses must be attached to the tackle as specified:

- (A) Gill net, trammel net and fish seine tags must be attached to one end of the float line. If over 100 yards, an additional tag is required for each additional 100 yards or fractional part.
- (B) Hoop net and fiddler net tags must be attached to first hoop at the opening of the net.
- (C) Slat trap tags must be attached to the first rib nearest the front opening of each trap.
- (D) Trotline, snagline, throw line, limblines and set hook tags (same tag used for each of these tackles) must be attached to each line at the bank end. If over 100 feet, an additional tag is required for each additional 100 feet or fractional part.

PENALTY: Class ~~2~~**1**

30.05 ILLEGAL COMMERCIAL TACKLE PROHIBITED

01-13

It is unlawful to use any tackle for commercial purposes other than as specified below: properly licensed drag seines; hoop nets, with or without wings or leads; where permitted, fiddler nets with or without wings or leads; where permitted, slat traps; trammel nets; gill nets; limb lines; set lines; trotlines; and, snag lines in waters open to commercial fishing.

- (A) Hoop nets, leads, heart and leads or wings minimum square bar mesh size -- 2½ inches when wet and with thread not less than 15 gauge.
- (B) Fiddler nets (where permitted by [Code 30.13](#)) minimum square bar mesh size ~~one~~ **and** 1½ inches when wet. Thread size not less than 15 gauge. Wings or leads prohibited.
- (C) Commercial fish seines, minimum square bar mesh size -- 3½ inches.
- (D) Commercial gill and trammel nets, minimum square bar mesh size -- 3½ inches.
- (E) Trotlines and snaglines must be run daily and catch removed.

EXCEPTIONS:

- (1) In compliance with [Code 35.01](#); [35.04](#).

- (2) For purposes of taking paddlefish in the Arkansas River above Dam 2 during the paddlefish season, it is unlawful to fish or possess any nets other than 3½-inch mesh or 6-inch or larger mesh in the same waters while fishing for paddlefish.

PENALTY: Class ~~2~~4

30.06 NET LEAD OR WING LENGTH REQUIREMENTS

01-13

It is unlawful to use any lead or wing of any type connection with hoop, barrel or pond nets in excess of 100 yards.

PENALTY: Class ~~2~~4

30.07 NET LEAD OR WING PROXIMITY REQUIREMENTS

01-13

It is unlawful for any lead or wing of any type to be set within 100 yards of another lead or wing.

PENALTY: Class ~~2~~4

30.08 BLOCKING STREAMS WITH NETS PROHIBITED

01-13

It is unlawful to block horizontally from water's edge to water's edge more than half of the width of any stream with nets, leads, wings or seines.

PENALTY: Class ~~2~~4

30.09 SEINING AT NIGHT PROHIBITED

01-13

It is unlawful to use fish seines at night in waters of the state.

EXCEPTION:

Between the main levees of the Mississippi River.

PENALTY: Class ~~2~~4

30.10 POSSESSION OF GAME FISH BY COMMERCIAL FISHERMEN PROHIBITED

01-13

It is unlawful for commercial fishermen to possess game fish while engaged in commercial fishing or while possessing commercial tackle or commercial fish.

EXCEPTIONS:

- (1) Catfish 16 inches or longer.
- (2) Alligator gar.
- (3) In compliance with [Codes 30.11](#); [30.14](#); [35.01](#).
- (4) Bream for bait.

PENALTY: Class ~~2~~4

30.11 UNDERSIZED COMMERCIAL FISH PROHIBITED

01-13

It is unlawful for commercial fishermen to possess catfish or buffalo less than 16 inches or paddlefish and sturgeon of any size taken from waters of the state.

EXCEPTIONS:

- (1) Only 12-inch or larger blue and channel catfish may be taken in waters specified in [Code 30.13](#).
- (2) Holders of a current resident roe taker/seller permit or resident roe buyer/exporter permit in compliance with [Codes 30.17-18](#) may possess paddlefish 37 inches or longer in Dardanelle and Ozark lakes of the Arkansas River; 36 inches or longer in the open portion of the Arkansas River below Dardanelle Lock and Dam, downstream to the Yancopin railroad bridge on the Arkansas River and downstream to Norrell Lock and Dam on the Arkansas Navigation Canal; 32 inches or longer in the open portion of the White River; **35 inches or longer in the Mississippi River** and, 34 inches or longer for all other waters open to paddlefish harvest or sturgeon when in season. Paddlefish shall be measured from the front of the eye to

the fork of the tail with the fish laid flat on a rule. Catfish and sturgeon harvest in the Mississippi River must be in compliance with [Code 30.22](#).

- (3) Flathead catfish must be 20 inches or longer on the Ouachita River from Sandy Beach Access in Ouachita County to the confluence of the Caddo River.
- (4) Sturgeon harvested from the waters legal for harvest must be at least 21 inches from the tip of the snout to the fork of the tail.
- (5) Sixteen-inch minimum size limit on blue catfish taken by commercial gear in the Arkansas River from the Arkansas Highway 7 bridge in Yell County to the Oklahoma state line.

PENALTY: Class 2 ~~4~~

30.12 SLAT TYPE FISH TRAP AND FIDDLER SIZE HOOP NET RESTRICTIONS

01-13

It is unlawful to use any slat type fish trap or fiddler size net in public waters listed in [Code 30.13](#) other than as specified below:

- (A) Maximum slat trap length -- 6 feet.
- (B) Maximum round slat trap diameter -- 24 inches.
- (C) Maximum square trap width and height -- 24 inches.
- (D) Minimum of **seven, 7 1/2**-inch (width) by 3 1/2-inch (length) unobstructed slots evenly spaced around perimeter of the rear portion of catch area. Slat material must be wood or plastic.
- (E) Fiddler net mesh of any nonmetallic thread or filament material of nylon or cotton with minimum square bar mesh size 1 1/2-inches with thread size not less than 15 gauge and wings or leads are prohibited.
- (F) In compliance with [Code 30.04](#).

PENALTY: Class 2~~4~~

30.13 POSSESSION AND USE OF FIDDLER SIZE HOOP NETS AND SLAT TYPE FISH TRAPS RESTRICTED TO CERTAIN PUBLIC WATERS

01-13

It is unlawful to use or possess fiddler size hoop nets or slat type fish traps in any waters of the state other than those specified below:

- (A) Arkansas River, including all impoundments, from the mouth of the Mississippi River to Arkansas/Oklahoma state line.
- (B) L'Anguille River from the mouth of the St. Francis River to the point of origin.
- (C) Little River from its mouth to the Corps of Engineers boat ramp on the west side of Little River below Millwood Dam.
- (D) All waters of the Mississippi River bounding Arkansas.
- (E) Red River from the Louisiana state line to the Oklahoma state line.
- (F) St. Francis River from the mouth at the Mississippi River to the Missouri state line in Clay County.
- (G) Old Town Lake, Phillips County.
- (H) Only slat traps may be used in the White River from the Interstate 40 bridge to its mouth. Fiddler size hoop nets are prohibited in the White River from Interstate 40 bridge to its mouth; and all lakes, bays or other bodies of water connected to White River as specified, whether or not accessible by boat from the main channel.
- (I) All lakes, bays or other bodies of water, other than tributary streams, connected to waters specified, when accessible by boat from the main channel.
- (J) Bay Ditch, (Cross, Poinsett and Craighead counties) from its mouth upstream to U.S. Highway 63 in Craighead County.
- (K) St. Francis Floodway Diversion Ditch from its mouth upstream to U.S. Highway 63 in Poinsett County.
- (L) Cypress Bayou (Whiskey Chute) in Phillips County (slat traps only).
- (M) Sulphur River from the mouth of the Red River to the Texas state line.

EXCEPTIONS:

- (1) Fiddler size hoop nets prohibited in the Arkansas River from the Arkansas Highway 7 bridge in Yell County to the Arkansas/Oklahoma state line; and in Old Town Lake, Phillips County.
- (2) Slat traps may be fished from noon Sept. 30-noon June 1 in Millwood Lake and year-round in Little River above Millwood Lake to the Oklahoma state line.

PENALTY: Class ~~21~~

30.14 COMBINING COMMERCIAL FISHING AND SPORT FISHING PROHIBITED

01-13

It is unlawful for a commercial fisherman to sport-fish in the same waters where he is engaged in commercial fishing.

EXCEPTION:

When fishing slat traps only.

PENALTY: Class ~~21~~

30.15 COMMERCIAL FISHING SEASON RESTRICTIONS

01-13

- (A) The following waters are open year-round to legal commercial tackle as defined in [Code 30.05](#):

ARKANSAS RIVER from its mouth to the Arkansas/Oklahoma state line including that part of the Arkansas River from the Ozark Dam to the Arkansas/Oklahoma state line, bounded on the north by the Union Pacific Railroad and on the south by Arkansas Highway 22 in compliance with [Codes 30.24-25](#);

ARKANSAS WATERS between the main levees of the Mississippi River. ~~All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat, from the main channel except as limited by Addendum Chapter H1.00;~~

BLACK RIVER from its mouth to the Missouri state line;

CACHE RIVER and lakes accessible by boat from the river;

FOURCHE La FAVE RIVER from its mouth to the Arkansas Highway 7 bridge in Perry County;

LITTLE RIVER from its mouth in Hempstead and Little River counties upstream to the Corps of Engineers boat ramp on west bank of river below Millwood Lake Dam;

OUACHITA RIVER from the Louisiana state line to the confluence of the Caddo River;

PETIT JEAN RIVER from its mouth to the Arkansas Highway 10 bridge in Yell County;

RED RIVER in Hempstead, Lafayette, Little River and Miller counties;

ST. FRANCIS RIVER upstream to the mouth of the Left Hand Chute of Little River in Poinsett County;

SALINE RIVER from its confluence with the Ouachita River upstream to the Stillion railroad bridge in Ashley and Bradley Counties;

SULPHUR RIVER from its mouth to the Texas state line;

WHITE RIVER upstream from its mouth to 100 yards below Dam No. 1 at Batesville in Independence County;

~~**All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat, from the main channel except as limited by Addendum Chapter H1.00;**~~

EXCEPTIONS:

- (1) Emergency Closures listed in [Chapter 38.00](#).

- (2) Flathead catfish, bowfin, drum, and gar may not be taken or possessed by commercial fishermen on the Ouachita River from Smackover Creek to the northern boundary of Felsenthal NWR.
- (3) Blue catfish, flathead catfish, bowfin, drum and gar may not be taken or possessed by commercial fishermen on the Ouachita River from the northern boundary of Felsenthal NWR to the Louisiana state line, all waters within Felsenthal NWR, and from the Saline River from its mouth within Felsenthal NWR upstream to the Stillion railroad bridge.
- (4) Island 40 Chute in Crittenden County is closed to commercial fishing except noon, Nov. 1-noon, March 30, or when accessible by boat from the Mississippi River.
- (5) The section of the Ouachita River between the confluence of the Little Missouri River and the confluence of the Caddo River shall be closed to all commercial fishing from Jan. 1-March 31.
- (B) The following waters are closed year-round to commercial fishing:
 Lake Erling, including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway 313 in Lafayette County; All lakes owned and/or operated by Arkansas State Parks, USDA Forest Service, AGFC (excluding all natural lakes on Commission WMAs within counties not designated as closed); Columbia County Lake in Columbia County; Dorcheat Bayou from its headwaters in Nevada County to the Arkansas/Louisiana state line; Horseshoe Lake in Crittenden County; Saline River above the Arkansas Highway 278 in Bradley County; Lake Wallace in Drew and Chicot counties; Lake Chicot (from Connerly Bayou Dam to the Ditch Bayou Dam, inclusive) in Chicot County; Hensley Lake in Jefferson County; Lake Maumelle in Pulaski County; White Oak Bay (Ozark Lake/Arkansas River); Morgan Point Bendway Lake in Desha County; Little Missouri River and all lakes in the Hot Springs Village Area of Saline County.

EXCEPTION:

Hoop nets shall not be used on Grand Lake (Chicot County).

- (C) The following counties or other parts are open year-round to legal commercial fishing unless noted closed in Section B or other Chapter 30 Commission Codes. Legal gill and trammel nets may be fished in the following counties only from noon, Sept. 30 to noon, May 1:
 Arkansas (Emergency Closure [Code 38.01](#)), Ashley (Emergency Closure [Codes 38.04-06](#)), Bradley (Emergency Closure [Codes 38.03; 38.06](#)), Calhoun (Emergency Closure [Codes 38.03-04; 38.06](#)), Chicot, Clay, Columbia (Dorcheat Bayou closed in (B) above; also see Emergency Closure [Code 38.02](#)), Craighead, Crittenden, Cross, Dallas, Desha, Drew (see Emergency Closure [Codes 38.04-05](#)), Greene, Hempstead, Independence, Jackson, Jefferson (see Emergency Closure [Code 38.01](#)), Lafayette, Lawrence, Lee, Lincoln, Little River, Lonoke (see Emergency Closure [Code 38.01](#)), Miller, Mississippi, Monroe, Nevada (Dorcheat Bayou closed in (B) above), Ouachita, Phillips, Poinsett, Prairie (see Emergency Closure [Code 38.01](#)), Pulaski (see Emergency Closure [Code 38.01](#)), Randolph, St. Francis, White, Woodruff and Union (see Emergency Closure [Code 38.06](#)) counties.

EXCEPTIONS:

- (1) For waters in the above counties located within the White River NWR below Arkansas Highway 1, gill and trammel net season is from noon, Sept. 30-noon, Nov. 30 and from noon, March 1-noon, Sept. 30 when accessible by boat from the White River and the White River is above 23.5 feet on the St. Charles gauge. All commercial fishermen must obtain a special use permit from the White River NWR manager prior to fishing refuge waters.

- (2) Saline River and backwaters from Stillion railroad bridge in Ashley and Bradley Counties to the Arkansas Highway 278 bridge in Bradley County are closed all year to gill and trammel nets.
- (3) Open waters in Independence County include White River, Black River and oxbow lakes that are north of Arkansas Highway 14 and east of Arkansas Highway 122 and Arkansas Highway 25. Landowner permission will be required for oxbow lakes that are not accessible from the Black River.
- (D) The following counties are closed year-round to commercial fishing unless open in Section A or other 3 Commission Codes: Baxter, Benton, Boone, Carroll, Clark, Cleburne, Cleveland, Conway, Crawford, Faulkner, Franklin, Fulton, Garland, Grant, Hot Spring, Howard, IZard, Logan, Johnson, Madison, Marion, Montgomery, Newton, Perry, Pike, Polk, Pope, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Van Buren, Washington and Yell counties. When a river or stream forms the boundary between opened and closed counties, that boundary segment shall be open to tackle legal in the open county, unless closed in other Codes.

EXCEPTION:

That part of Saline River south of Arkansas Highway 371 (old Arkansas Highway 24) in Howard and Sevier counties is open year around to hoop nets.

PENALTY: Class ~~2~~ 4

30.16 COMMERCIAL FISHERMAN REPORTING REQUIREMENTS

01-13 It is unlawful for a commercial fisherman to fail to report annually, on forms supplied by the Commission, his or her harvest of alligator gar or other such species for which harvest information may be required, in compliance with Code 1.00 L.

PENALTY: Class ~~2~~ 4

30.22 HARVEST RESTRICTION STURGEON IN THE MISSISSIPPI RIVER

01-13 It is unlawful to commercially take, attempt to take, or possess any sturgeon from the Mississippi River, including the Arkansas River to Dam 2, St. Francis River to the Huxtable Pumping Station and the White River to Montgomery Point Lock and Dam.

PENALTY: Class ~~2~~ 4

30.24 RESTRICTED COMMERCIAL FISHING IN ARKANSAS RIVER NAVIGATION SYSTEM

01-13 It is unlawful to fish with gill nets, trammel nets, trotlines, snaglines and hoop nets in waters between arrival point signs and any lock and dam.

EXCEPTION:

Hoop nets may be fished below Dam 2 only when fished from the launching ramp below the dam on the Arkansas County side to the mid-point of the river, downstream to the boat ramp on the Desha County side and the entire river downstream to Morgan Cut-Off.

PENALTY: Class ~~2~~ 4

30.25 COMMERCIAL FISHING RESTRICTIONS IN CERTAIN WATERS

- (A) **Corning Lake or Long Lake in Clay County:** trotlines, throw line, limblines or snag lines are prohibited.
- (B) **Lake Dardanelle:** Commercial tackle of any type prohibited from noon, March 1-noon, Nov. 30 in the waters of Dardanelle Lake north of the Missouri Pacific Railroad in Pope, Johnson and Franklin counties, Dardanelle Bay in Yell County, and south of signs posted on Shoal Bay, Cane Creek Bay, Six Mile Creek at O-

Kane Island Access, and south of Arkansas Highway 22 in Delaware Bay in Logan County.

- (C) **Lake Dardanelle:** Gill and trammel nets must be anchored so they are not within 3 feet of the water surface except noon, Dec. 1-noon, April 1.
- ~~(D) **Steel Bend – Old River Lake (Pulaski County):** From noon, Oct. 1-noon, March 1, only legal size gill and trammel nets may be used. Participants must register with the district fisheries biologist and provide monthly landing records.~~
- (ED) **Big Lake National Wildlife Refuge:** March 1-Oct. 31 with 3 inch or larger square bar mesh gill and trammel nets.
- (FE) **Lake Millwood** with legal gill and trammel nets noon, Sept. 30–noon, May 1, and slat traps other than noon, Sept. 30-noon, June 1. Lake Millwood is open year-round to other legal commercial fishing.
- (GF) **Nimrod Lake and Blue Mountain Lake:** Other than noon, Oct. 1-noon, March 1. All common carp caught must be removed from these lakes. Commercial fishermen must register prior to fishing with the local district fisheries biologist and must submit monthly catch records to the local district fisheries biologist by the 15th of the following month. Only legal-sized gill and trammel nets or larger.
- (HG) **Entergy Nuclear Power Plant:** No commercial fishing in the discharge bay Nov. 1-March 1.
- (IH) **Cadron Creek and Point Remove Creek:** Legal commercial tackle during the commercial fishing season noon, Sept. 30-noon, May 1 on Cadron Creek -- from its mouth to Arkansas Highway 287 on its east fork in Faulkner County, North Cadron Creek -- from its mouth to Arkansas Highway 285 in Faulkner County; Point Remove Creek -- from its mouth up the east fork to Arkansas Highway 95 and the Kissire Bridge on the west fork in Conway County.
- (JI) **Sheffield Nelson Dagmar WMA:** Open to commercial fishing noon, Jan. 1 until the last day of February.
- (KJ) **First Old River Lake (Miller County):** Open noon, Nov. 1 until noon the last day of February, with legal gill and trammel nets. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Hope Regional Office and report their catch to the Hope Regional Office by March 15.
- (LK) **Grand Lake (Chicot County):** Commercial fishing with slat traps noon, Nov. 1-noon, March 1.
- (ML) **Ouachita River between the confluences of the Little Missouri River and the confluence of the Caddo River:** Daily possession limit is 10 catfish (combination of channel, blue, flathead) while using commercial tackle. Nets must be run daily and catch removed ([Code 30.05](#)).
- (NM) **Dr. Lester Sitzes III Bois d'Arc Lake (Hempstead County):** Open noon, Jan. 1 until noon February 28, with legal gill and trammel nets. Commercial fishermen must obtain, and have in their possession while fishing, a commercial permit from the district biologist at the Hope Regional Office and report their catch to the Hope Regional Office by March 15.

PENALTY: Class ~~2~~ **4**

31.07

MUSSEL HARVEST RESTRICTIONS

01-13

- (A) Waters in the following counties (including Arkansas waters between the main levees of the Mississippi River) are open year-round to commercial musseling: Arkansas, Bradley, Calhoun, Chicot, Cleveland, Clay, Columbia, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Grant, Greene, Hempstead, Jackson, Jefferson, Lafayette, Lawrence, Lee, Lincoln, Little River, Lonoke, Miller, Mississippi, Monroe, Nevada, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph, St. Francis, Union, White and

Woodruff, unless closed in (C) below.

- (B) The following counties are closed to commercial musseling: Baxter, Benton, Boone, Carroll, Clark, Cleburne, Conway, Crawford, Faulkner, Franklin, Fulton, Garland, Hot Spring, Howard, Independence, Izard, Logan, Johnson, Madison, Marion, Montgomery, Newton, Perry, Pike, Polk, Pope, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Van Buren, Washington and Yell.

EXCEPTION:

In the counties closed above, mussels may be taken year-round for commercial purposes in the following river/stream segments:

ARKANSAS RIVER from the Pulaski County line upstream to the Oklahoma state line (including all waters of Dardanelle Lake, Ozark Lake and Pool 13);

PETIT JEAN RIVER from its mouth upstream (including Blue Mountain Lake) to Arkansas Highway 217;

FOURCHE LA FAVE RIVER from its mouth (including Nimrod Lake) upstream to the Arkansas Highway 27 bridge;

CADRON CREEK from its mouth upstream to Arkansas Highway 287 on its east fork in Faulkner County;

NORTH CADRON CREEK from its mouth upstream to Arkansas Highway 285 in Faulkner County;

POINT REMOVE CREEK from its mouth upstream to Kissire Bridge in Conway County;

WHITE RIVER from the Jackson/Independence County line upstream to 100 yards below Dam No. 1 at Batesville;

STRAWBERRY RIVER from the Lawrence/Sharp County line upstream to the Arkansas Highway 58 bridge in Sharp County; and, all lakes, bays or other bodies of water, other than tributary streams, connected to waters specified above, when accessible by boat from the main channel. When a river or stream forms the boundary between open and closed counties, that boundary segment shall be open.

- (C) The following waters are closed to commercial musseling:

Lake Erling including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway ~~343~~ **360** in Lafayette County;

All lakes owned and/or operated by the Arkansas Department of Parks and Tourism, the USDA Forest Service, Commission-owned waters (excluding Grand Lake and all natural channel scar lakes on WMAs in open counties);

Bayou Meto Bayou, in compliance with [Code 38.01](#);

Columbia County Lake in Columbia County;

Horseshoe Lake in Crittenden County;

Lake Wallace in Drew and Chicot County;

Upper and Lower Lake Chicot (from Connerly Bayou Dam to the Ditch Bayou Dam) in Chicot County;

Lake Maumelle in Pulaski County;

Black River in Randolph County closed from 100 yards above Old Davidsonville State Park downstream to 100 yards below the park's lower boundary, and

All lakes in Hot Springs Village in Saline County.

- (D) NWRs may have further restrictions. Check with the refuge manager.

PENALTY: Class 1

34.04

COMMERCIAL AQUATIC TURTLE HARVEST RESTRICTIONS

01-13

- (A) It is unlawful to take or attempt to take aquatic turtle eggs from the wild.
(B) It is unlawful to take or attempt to take aquatic turtles for commercial purposes by any means other than hoop nets or box type turtle

traps. ~~Hoop nets are only allowed~~ **Commercial aquatic turtle harvest is allowed in waters of** the following counties **or specified portions thereof,** and/or bodies of water **as specified:**

~~Arkansas, Ashley, Bradley, Calhoun, Chicot (Exception 2), Cleveland, Clay, Columbia (Exception 2), Craighead, Crittenden (Exception 2), Cross, Dallas, Desha, Drew (Exception 2), Grant, Greene, Hempstead, Jackson, Jefferson, Lafayette (Exception 2), Lawrence (Exception 2), Lee, Lincoln, Little River, Lonoke, Miller, Mississippi, Monroe, Nevada, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph (Exception 2), St. Francis, Saline, Union, White and Woodruff counties; and the Arkansas River, from its mouth to the Arkansas/Oklahoma state line, including that part of the Arkansas River from the Ozark Dam to the Arkansas/Oklahoma state line, bounded on the north by the Union Pacific Railroad and on the south by Arkansas Highway 22 in compliance with Code 30.25. Arkansas waters between the main levees of the Mississippi River. All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat, from the main channel except as limited by Addendum Chapter H1.00.~~

~~When a river or stream forms the boundary between opened and closed counties, that boundary segment shall be open to tackle legal in the open county.~~

EXCEPTIONS:

- ~~(1) — Bayou Meto Bayou in compliance with Code 38.01.~~
 - ~~(2) — The following waters are closed to hoop net traps:
Eleven Point River (Randolph County);
Spring River (Lawrence and Randolph counties);
Lake Erling, including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway 313 (Lafayette County);
All Commission owned lakes (excluding all natural lakes on WMAs in counties listed above);
Lake Columbia (Columbia County);
Horseshoe Lake (Crittenden County);
Lake Wallace (Drew and Chicot Counties);
Upper and Lower Lake Chicot (Connerly Bayou to Ditch Bayou Dam inclusive) (Chicot County);
and Grand Lake (Chicot County).~~
 - ~~(3) — USDA Forest Service lakes, State Park lakes and lakes owned by municipalities or property owner associations are closed to commercial turtle trapping, unless specifically opened.~~
 - ~~(4) — Turtles caught with commercial fishing gear, in waters open to commercial fishing, may be kept by those in possession of an aquatic turtle harvest or aquatic turtle dealer permit.~~
- (1) Arkansas, Ashley, Bradley, Calhoun, Chicot (Exception 2), Cleveland, Clay, Columbia (Exception 2), Craighead, Crittenden (Exception 2), Cross, Dallas, Desha, Drew (Exception 2), Grant, Greene, ~~Hempstead~~, Jackson, Jefferson, Lafayette (Exception 2), **Lawrence (east of the Black River)**, Lee, Lincoln, ~~Little River~~, Lonoke, Miller, Mississippi, Monroe, Nevada, Ouachita, Phillips, Poinsett, Prairie, **Pulaski (south of I-30 and east of I-440 and Arkansas highway 67)**, **Randolph (east of the Black River)**, St.

- Francis, Saline (east of I-30), Union, White (east of Arkansas highway 67) and Woodruff counties;
- (2) ~~and the~~ ARKANSAS RIVER, from its mouth to the Arkansas/Oklahoma state line, including that part of the Arkansas River from the Ozark Dam to the Arkansas/Oklahoma state line, bounded on the north by the Union Pacific Railroad and on the south by Arkansas Highway 22 in compliance with [Code 30.25](#);
 - (3) BLACK RIVER from its mouth to the Missouri state line;
 - (4) LITTLE RIVER from its mouth to the Corps of Engineers boat ramp on west bank of river below Millwood Lake Dam;
 - (5) OUACHITA RIVER from the Louisiana state line to the confluence of the Caddo River;
 - (6) RED RIVER from the Louisiana state line to the Oklahoma/ Texas state line;
 - (7) SULPHUR RIVER from its mouth to the Texas state line;
 - (8) WHITE RIVER from its mouth to 100 yards below Dam No. 1 at Batesville, Independence County;
 - (9) Arkansas waters between the main levees of the Mississippi River.
 - (10) All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat from the main channel except as limited by [Addendum Chapter H1.00](#).
- (C)** When a river or stream forms the boundary between opened and closed counties, that boundary segment shall be open to tackle legal in the open county.

EXCEPTIONS:

- (1) Bayou Meto Bayou in compliance with [Code 38.01](#).
- (2) The following waters are closed to ~~hoop net traps~~ commercial aquatic turtle harvest:
~~Eleven Point River (Randolph County);
 Spring River (Lawrence and Randolph counties);~~
 - (a) Lake Erling, including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway 313 (Lafayette County);
 - (b) All Commission-owned lakes (excluding all natural lakes when accessible by boat from river or stream channel on WMAs in counties listed above);
 - (c) Lake Columbia (Columbia County);
 - (d) Horseshoe Lake (Crittenden County);
 - (e) Lake Wallace (Drew and Chicot Counties);
 - (f) Upper and Lower Lake Chicot (Connerly Bayou to Ditch Bayou Dam inclusive) (Chicot County);
 - (g) ~~and~~ Grand Lake (Chicot County).
- (3) USDA Forest Service lakes, State Park lakes and lakes owned by municipalities or property-owner associations ~~are closed to commercial turtle trapping, unless specifically opened.~~
- (4) ~~Turtles caught with commercial fishing gear, in waters open to commercial fishing, may be kept by those in possession of an aquatic turtle harvest or aquatic turtle dealer permit.~~
- (54) Private landowners, in closed counties, can obtain from the Commission, a Private Land Nuisance Aquatic Turtle Permit. This permit allows the harvest of Common Snapping Turtles (*Chelydra serpentina*), Redear Sliders (*Trachemys scripta*), and Spiny Softshells (*Apalone spinifera*) for commercial purposes on private property under the following conditions:
 - (a) Only from manmade lakes and ponds

- (b) Only by a licensed commercial aquatic turtle harvest or dealer permittee**
- (c) Only with legal commercial turtle harvest gear as defined above**
- (d) All harvested turtles shall be reported on aquatic turtle harvest report forms as specified in Code 34.07.**

PENALTY: Class

35.10 PADDLEFISH AND STURGEON ROE REGULATIONS

01-13 It is unlawful for a fish farmer to sell, offer to sell, or buy paddlefish, sturgeon or their parts, including eggs (roe), without a resident roe taker/seller permit, resident roe buyer/exporter permit, or a non-resident roe buyer permit in compliance with ~~Code 30.16~~ **Codes 30.17, 30.18 and 1.00 L**. Fish farmers in possession of a resident roe buyer/exporter permit, or a non-resident roe buyer permit will be required to follow the reporting requirements as stated in [Code 30.16 \(Reference Code 1.00 L\)](#).
PENALTY: Class 3

N1.01 GAME FISH DAILY LIMITS **01-13**

Alligator Gar	1
Black Basses (including not more than four Smallmouth)	10
Bream (over 4 inches length)	50
Catfish (exc. Bullhead)	10
Crappie	20
Rock Bass	10
Muskellunge	6
Paddlefish	2
Pickerel	6
Sauger	6
Saugeye	6
Shovelnose Sturgeon	No Limit
Striped Bass or Hybrid (Combination)	6
Trout (including not more than: 2 brown trout, 2 cutthroat trout, 2 brook trout)	5
Walleye	6
White Bass	25
Yellow Bass	No Limit
Daily Aggregate Limit	75

Daily Limit for all sportfish on Dr. Lester Sitzes III Bois d’Arc Lake, Horseshoe Bend Pool of the Strawberry River in Izard County and Lake 1 on Rick Evans Grandview Prairie WMA ½ daily limit. ~~Daily limit for a A~~ All sportfish on Lower White Oak Lake ~~double the daily limit from January 1, 2012 to April 30, 2012~~ **must be released immediately.**

EXCEPTIONS:

(1) **BLACK BASS (LARGEMOUTH, SPOTTED, SMALLMOUTH):**

(A) **Smallmouth bass:**

Ozark Zone (Baxter, Benton, Boone, Carroll, **Clay**, Cleburne, Fulton, Independence, Izard, Lawrence, Madison, Marion, Newton, Randolph, Searcy, Sharp, Stone, Van Buren, and Washington counties) – smallmouth bass minimum length limit of 12 inches with a daily limit of four, except Bull Shoals, Beaver, **Greers Ferry**, Table Rock Lakes and Lake Norfolk (see Ex. 1(B) below).

Ozark Zone Blue Ribbon Streams – Crooked Creek from Arkansas Highway 101 bridge downstream to the confluence with

the White River; between the U.S. Highway 62-412 and U.S. Highway 62 Spur bridges at Pyatt – smallmouth bass minimum length limit 18 inches, daily limit of one. Buffalo River from confluence with Clabber Creek downstream to the confluence with the White River – smallmouth bass minimum length limit 18 inches, daily limit of one. All other water of Crooked Creek and Buffalo River – smallmouth bass minimum length limit of 14 inches, daily limit of two.

Ozark Zone Catch-and-Release Area – Crooked Creek, along boundary of Arkansas Game and Fish Foundation property near Kelley’s Slab Access.

Ozark Zone Quality Streams – Kings River from Trigger Gap to U.S. Highway 62 bridge smallmouth bass minimum length limit of 18 inches, daily limit of one.

All other water of the Kings, Illinois, Spring, South Fork of the Spring and Eleven Point rivers and War Eagle Creek – smallmouth bass minimum length limit of 14 inches, daily limit of two.

Ouachita/Boston Zone (all Arkansas counties not included in the Ozark Zone) – smallmouth bass minimum length limit of 10 inches, daily limit of four.

Ouachita/Boston Zone Quality Streams – (Mulberry, Caddo above DeGray Lake, DeGray Lake, Cossatot River, Ouachita River upstream from Lake Ouachita, Ouachita River downstream from Remmel Dam, Saline River, including its four headwater forks in Saline, Perry and Garland counties, South Fork/Ouachita, Little Missouri above and below Lake Greeson) – smallmouth bass minimum length limit of 12 inches, daily limit of two.

Ouachita/Boston Zone Catch-and-Release Area – all smallmouth bass caught in Lake Ouachita including the Ouachita River upstream to the River Bluff access and the South Fork of the Ouachita River upstream to Hovel Branch must be immediately returned to the stream.

Greers Ferry Lake – daily limit six.

(B) **Largemouth bass:**

Grandview Lake 2 **and Lake Sylvia** – daily limit five.

Lake Millwood – daily limit six.

Lower White Oak Lake and Lake Columbia – daily limit eight.

Mallard Lake and Little Missouri River – daily limit one.

Marion McCollum Lake, Lake Sylvia and Lake Hindsville – Largemouth bass caught must be immediately returned to the water.

(C) **Black Bass (all species combined):**

Beaver, Bull Shoals, DeQueen, Norfork, Table Rock lakes, Lakes Jack Nolen, Ouachita, Ashbaugh – daily limit six. Lake Lou Emma – daily

limit five.

Lake Atkins – daily limit four.

(2) **BREAM:**

No limit on bream 4 inches or shorter.

(3) **CATFISH:**

- (A) No limit on catfish on Grand Lake - Chicot County, Lake Chicot (including that portion of 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 between the main levees of the Mississippi River, from the confluence of the Mississippi/White Rivers upstream to the Benzal Railroad Bridge, and from the confluence of the Mississippi/Arkansas Rivers upstream to the Yancopin Railroad Bridge. No limit on blue and channel catfish from Little River (below Millwood Dam) Red and Sulphur Rivers.
 - (B) Catfish daily limit five on: DeWitt City Park Lake (Arkansas County); Lake Bentonville **and Lake Atalanta** (Benton County); Hidden Lake (Carroll County); Big Timber Lake and Gurdon Lake (Clark County); Hubble Lake (Clay County); Lake Bailey (Conway County); Lake Cambadelle and Lake Lou Emma (Crawford County); Marion City Park Lake (Crittenden County); Village Creek State Park Lakes (Cross and St. Francis Counties); Lake Bennett (Faulkner County); Lake Clearfork (Garland County); Crowley Ridge State Park Lake and Reynolds Park Lake (Greene County); Newark City Lake (Independence County); Lake June (Lafayette County); Ward City Park Lake (Lonoke County); Hindsville Lake (Madison County); Blytheville City Park Lake (Mississippi County); Donald Branch Fishing Pond (Monroe County); Lake Sylvia (Perry County); Shady Lake (Polk County); Twin Lakes A and B, Camp Ferncliff, Paradise Lake (Pulaski County); Old Davidsonville State Park Lake (Randolph County); Forrest City Park Lake (St. Francis County); Truman Baker Lake (Scott County); Cave City's Lakes (Sharp County); Gunner Pool and Hayden Bend Pond (Stone County); Devils Den State Park (Washington County); Spring Lake, Kingfisher, Clubhouse Lakes in Petit Jean WMA (Yell County) and posted USDA Forest Service ponds and lakes.
 - (C) In addition to daily limit, 10 channel catfish under 16 inches may be taken on the Arkansas River.
 - (D) In addition to daily limit, 10 channel catfish and 10 blue catfish any size may be taken in Lake Erling and Millwood Lake.
- (4) **CRAPPIE:**
- (A) Crappie daily limit – 15 in Beaver, Table Rock, Bull Shoals, Norfork reservoirs, Cane Creek Lake (Lincoln County) and Gurdon Lake (Clark County).
 - (B) Crappie daily limit – 30 east of a line beginning at the Arkansas–Missouri State Line on U.S. Highway 63 and described as follows: following U.S. Highway 63 south to Hardy, continuing on U.S. Highway 62 west to Ash Flat, continuing on U.S. Highway 167 south to Little Rock, continuing on U.S. Highway 67 south to Texarkana to Arkansas/Texas state line.
 - (C) Crappie daily limit – 50 between the main levees of the Mississippi River, from the confluence of the Mississippi/White Rivers upstream to the Benzal Railroad Bridge, from the confluence of the Mississippi/Arkansas Rivers upstream to the Yancopin Railroad Bridge and on Horseshoe Lake (Crittenden County).

- (D) Crappie daily limit – 20 in Lake Chicot and Lake Monticello.
- (5) **WALLEYE:**
- (A) Beaver Lake and its tributaries; Table Rock Lake and its tributaries to Beaver Dam; Bull Shoals Lake, and Norfolk Lake – minimum length limit of 18 inches, daily limit four.
- (B) Greers Ferry Lake and its tributaries – protected slot limit of 20-28 inches, daily limit of six (only one of which may be longer than 28 inches).
- (C) In compliance with [Addendum N1.02](#) and [Code Chapter 28.00](#).
- (6) **WHITE BASS, STRIPED BASS, HYBRID STRIPED BASS:**
- (A) White bass:
Between the main levees of the Mississippi river, from the confluence of the Mississippi and White rivers upstream to the Benzal Railroad Bridge, and from the confluence of the Mississippi and Arkansas rivers upstream to the Yancopin Railroad Bridge – daily limit of 50, possession limit of 100. Beaver Lake and its tributaries; lakes Ashbaugh, Sequoyah and Monticello – no limit.
- (B) Striped bass and hybrid striped bass (combined): Beaver, Bull Shoals and Norfolk lakes; lakes Greeson, Maumelle, and Ouachita – daily limit three. Arkansas River and connecting lakes – daily limit 10. Lake Monticello – no limit.
- (7) **ALLIGATOR GAR:**
Alligator gar longer than 36 inches may not be harvested from noon, May 1-noon, July 1, statewide. Alligator Gar Permit is required to harvest alligator gar ([Code 26.28](#)).
- (8) **TROUT (BROOK, BROWN, CUTTHROAT, RAINBOW):**
- (A) **Brown trout:**
White River (Bull Shoals Tailwater) and North Fork White River (Norfolk Tailwater) – minimum length 24 inches, daily limit one. Spavinaw Creek (Benton County) west of Arkansas Highway 59 and Spring River – minimum length 16 inches, daily limit two. Little Red River (Greers Ferry Tailwater) from Greers Ferry Dam to Arkansas Highway 305 Bridge – protected slot limit of 16-24 inches, daily limit of five (only one of which may be longer than 24 inches).
White River (Beaver Tailwater) from Beaver Dam to boundary signs at Houseman Access – protected slot limit of 13-16 inches, daily limit of five (only one of which may be longer than 16 inches). Little Missouri River, from Narrows Dam to Arkansas Highway 27 Bridge – all brown trout must be released immediately.
- (B) **Cutthroat trout:**
White River (Bull Shoals Lake Tailwater), North Fork White River (Norfolk Tailwater), Spavinaw Creek (Benton County) west of Arkansas Highway 59, Spring River – minimum length 16 inches, daily limit of two.
- (C) **Brook trout:**
White River (Bull Shoals Lake Tailwater), North Fork White River (Norfolk Tailwater), Spavinaw Creek (Benton County) west of

Arkansas Highway 59, Spring River – minimum length 14 inches, daily limit two.

- (D) **Rainbow Trout:**
Lake Atalanta (Benton County) – daily limit five.

All fish measurements must follow procedures listed in [Code 01.00-C Length Limit](#) definition.

N1.02 LENGTH AND PROTECTED LENGTH LIMITS ON CERTAIN LAKES AND RIVERS **01-13**

- (A) **BLACK BASS** – It is unlawful to possess black bass as follows:
- (1) Largemouth bass less than 12 inches on Lake Frierson.
 - (2) Spotted bass less than 12 inches on Beaver, Bull Shoals, Norfolk and Table Rock lakes.
 - (3) All black bass less than 12 inches in Horseshoe Bend Pool on the Strawberry River.
 - (4) Largemouth and spotted bass less than 13 inches on Lake Ouachita.
 - (5) Largemouth bass 13-16 inches on lakes Austell (Cross County), Barnett (White County), Brewer, DeGray, Wilhelmina (Polk County), Bear Creek, Bob Kidd; Lee Creek; Sugar Loaf Lake, and Dierks Reservoir (Howard and Sevier counties).
 - (6) Largemouth bass less than 13 inches **within boundaries of Felsenthal NWR, on the Ouachita River from Tate’s Bluff Bridge (Ouachita County) to Felsenthal Lock and Dam (Union and Ashley counties), including all waters accessible by boat from the main channel at normal water levels (65.0 ft. MSL at Felsenthal Lock and Dam and 77.0 ft. MSL at Thatcher Lock and Dam). Persons fishing oxbow lakes that are exempt from this regulation should access those waters directly and not from the river channel during higher water levels.**
 - ~~(7) Largemouth bass less than 13 inches on the Saline River from Stillion Bridge (Ashley and Bradley counties) to its mouth, including all waters accessible by boat from the main channel at normal water levels (65.0 ft. MSL at Felsenthal Lock and Dam and 77.0 ft. MSL at Thatcher Lock and Dam). Persons fishing oxbow lakes that are exempt from this regulation should access those waters directly and not from the river channel during higher water levels.~~
 - (7) **Largemouth bass less than 14 inches on Arkansas River.**
 - (8) Smallmouth bass less than 15 inches on Beaver, Bull Shoals, Norfolk and Table Rock lakes.
 - (9) Largemouth bass less than 15 inches on Beaver Lake, Big Lake NWR, Blue Mountain, Bull Shoals, Georgia Pacific, Greens Ferry, Kingfisher, Norfolk, Shady and Table Rock lakes; Caddo Fishing Pond; 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); Lake Greenlee, Mercer Bayou (Sulphur River WMA); Moss Creek Pond, and the Arkansas River.
 - (10) Black bass greater than 16 inches in Lake Winona.

- (11) Largemouth bass 16-21 inches on Lake Atkins. Daily limit four (only one of which may be longer than 21 inches).
 - (12) Largemouth bass 16-21 inches on Tommy L. Sproles Lake Pickthorne. Daily limit two (only one of which may be longer than 21 inches).
 - (13) Largemouth bass 16-21 inches in Lake 1 in Rick Evans Grandview Prairie WMA. Daily limit two largemouth bass (only one of which may be longer than 21 inches).
 - (14) Largemouth bass 16-18 inches on Lake Columbia. Daily limit eight (three of which may be longer than 18 inches) on Lake Columbia. ~~Lower White Oak Lake daily limit eight.~~
 - (15) Largemouth bass daily limit 10 (only one of which may be longer than 18 inches) on Lake SWEPCO.
 - (16) Smallmouth bass less than 18 inches on the lower Little Missouri River.
 - (17) Largemouth bass less than 21 inches on Mallard Lake. Daily limit one.
 - (18) Largemouth bass 19-22 inches on Lake Monticello. Daily limit eight, only one of which may be longer than 22 inches.
- (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 Charles, and Lake Monticello.
 - (2) Less than 9 inches on Blue Mountain and Harris Brake lakes.
- EXCEPTION:**
- (1) From December-February, the minimum length limit is waived on Lake Monticello and the harvest is regulated by a 20-fish daily limit. The first 20 crappie caught, regardless of size, must be kept. Culling is not permitted. From March-November, harvest is controlled by a 10-inch minimum length, daily limit of 20.
- (C) **CATFISH** (channel, blue and flathead):
- (1) It is unlawful to possess flathead catfish less than 20 inches on the Ouachita River from Sandy Beach Access (Ouachita County) to Rimmel Dam.
- (D) **STRIPED BASS:** It is unlawful to possess striped bass less than 20 inches on Lake Norfolk and Beaver Lake.
- (E) **SHOVELNOSE STURGEON:** It is unlawful to possess shovelnose sturgeon less than 21 inches. Shovelnose sturgeon may not be taken from the Mississippi River.

EXCEPTION:

- (1) Sportfish may be snagged (except in catch-and-release areas) in compliance with Codes 26.05; 26.17 and within the restrictive size limits in this

N1.03 SPECIFIC TROUT WATER REGULATIONS 01-13

- (A) **Beaver Tailwater** (White River from 100 yards below Beaver Dam to boundary signs at Houseman Access).
 - (1) No fishing, boating or wading within 100 yards of Beaver Dam.

- (2) An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish other than as specified for the paddlefish-snagging season.
 - (3) Bait fishing allowed only with a single, **barbless** hooking point (~~barbed shaft bait holder hooks allowed~~).
 - (4) From April 15-June 15, snagging game fish is legal only from 100 yards below Beaver Dam from the Corps of Engineers “No Fishing Beyond This Point” sign downstream to the first Corps of Engineers boat ramp on the left descending bank to the first boat-launching ramp. Snagging must cease after half the daily limit of any game fish has been snagged. Snagged fish of any species shall not be released.
 - (5) Special Regulation Area:
Artificial Lures Only Area/No Bait Zone from approximately 0.5 mile below Beaver Dam to approximately 100 yards upstream of Parker Bend Access, as indicated by signs.
 - (a) Only artificial lures ~~or flies with a single, barbless hooking point~~ shall be used. **All hooking points must be barbless.** Natural or scented baits are prohibited.
 - (b) Chumming is prohibited.
- (B) **Bull Shoals Tailwater** (White River from 100 yards below Bull Shoals Dam to Arkansas Highway 58 Bridge at Guion).
- (1) No fishing, boating or wading within 100 yards of Bull Shoals Dam.
 - (2) An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
 - (3) Special Regulation Areas:
 - (a) Bull Shoals Dam Catch-and-Release Area – Open to fishing from Feb. 1-Oct. 31 from 100 yards below Bull Shoals Dam to the upstream boundary of Bull Shoals/White River State Park, as indicated by signs.
 - (1) All trout caught must be immediately released.
 - (2) Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
 - (b) Bull Shoals Dam Closed Area – the area 100 yards below Bull Shoals Dam to the wing dike at the Bull Shoals/White River State Park Trout Dock. This area is closed to fishing or wading Nov. 1-Jan. 31.
 - (c) Bull Shoals Dam Seasonal Brown Trout Catch-and-Release Area, Nov. 1-Jan. 31. From the wing dike at Bull Shoals/White River State Park Trout Dock to the downstream boundary of the Bull Shoals/White River State Park.
 - (1) All brown trout must be immediately released.
 - (2) Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.

- (4) No fishing 30 minutes after sunset-30 minutes before sunrise.
- (d) Rim Shoals Catch-and-Release Area (near Cotter). From sign immediately above mouth of Jenkins Creek to the first electric power line downstream, as indicated by signs.
 - (1) All trout caught must be immediately released.
 - (2) Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
- (e) Monkey Island Catch-and-Release Area (between Reds Landing Access and Chesmond Ferry Access), from the upstream end of Monkey Island to mouth of Moccasin Creek, as indicated by signs.
 - (1) All trout caught must be immediately released.
 - (2) Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
- (C) **Norfolk Tailwater** (North Fork of the White River from 100 yards below Norfolk Dam to the confluence of the White River).
 - (1) No fishing, boating or wading within 100 yards below Norfolk Dam.
 - (2) An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
 - (3) Chain dragging is prohibited. It is unlawful to drag chains or other objects from boats, capable of destroying aquatic vegetation.
 - (4) Special Regulation Areas:
 - (a) Norfolk Catch-and-Release Area – from the downstream end of Long Hole to the Bill Ackerman River Ridge Walk-in Access (about 1-2 miles), as indicated by signs.
 - (1) All trout caught must be immediately released.
 - (2) Only artificial lures or flies shall be used. All hooking points must be barbless. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
- (D) **Greers Ferry Tailwater** (Little Red River from 100 yards below Greers Ferry Dam to the Arkansas Highway 305 Bridge).
 - (1) No fishing, boating or wading within 100 yards of Greers Ferry Dam.
 - (2) An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish. Only a single hooking point per pole may be used for bait-fishing.
 - (3) Special Regulation Areas:
 - (a) JFK Special Regulations Area (at John F. Kennedy Park below Greers Ferry Dam) – from 100 yards downstream from Greers Ferry Dam to approximately 0.5 miles downstream to the last Greer’s Ferry National Fish Hatchery effluent outfall in John F. Kennedy Park, as indicated by signs.

- (1) Only artificial lures with barbless hooks shall be used.
 - (2) Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
 - (b) Cow Shoals Seasonal Catch-and-Release Area, Oct. 1- Dec. 31. From the head of Cow Shoals to the mouth of Canoe Creek, as indicated by signs.
 - (1) All trout caught must be immediately released.
 - (2) Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
 - (4) Closed to night fishing (half hour before sunset to half hour before sunrise).
 - (c) Mossy Shoals Special Regulations Area – from the head of Dunham Shoals downstream to the end of Mossy Shoals, as indicated by signs.
 - (1) Only artificial lures with barbless hooks shall be used.
 - (2) Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
- (E) **Collins Creek** (from its source in John F. Kennedy Park below Greers Ferry Dam to the confluence of the Little Red River).
 - (1) An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
 - (2) Catch-and-Release Stream. All trout caught must be immediately released.
 - (3) Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
 - (4) Chumming is prohibited.
 - (5) Fishing is limited to youths upstream of the wooden vehicle bridge in John F. Kennedy Park.
 - (6) Fishing is allowed from sunrise to sunset.
 - (7) Downstream of the wooden vehicle road bridge in John F. Kennedy Park, anglers with a fishing license and a trout permit may fish when accompanying a youth under age 16 in the act of fishing.
- (F) **Dry Run Creek** (from its source on the east side of Norfolk National Fish Hatchery below Norfolk Dam to the confluence with the North Fork of the White River).
 - (1) An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
 - (2) Catch-and-Release Stream. All trout caught must be immediately released.
 - (3) Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
 - (4) Chumming is prohibited.
 - (5) Fishing is limited to youths **and mobility impaired anglers.**
 - (6) Fishing is allowed from sunrise to sunset.
 - (7) **Mobility impaired anglers shall fish from the mobility impaired access pier or boardwalk only.**

- (8) Mobility-impaired card is required for mobility-impaired anglers in compliance with [Addendum C1.11](#).
- (G) **Blanchard Spring Mirror Lake** (in Ozark National Forest Blanchard Spring, from its source to the confluence with North Sylamore Creek, including Mirror Lake).
 - (1) An angler shall use no more than two fishing rods or poles and must attend them at all times. No other devices shall be used to catch fish.
- (H) **Spring River**, from 100 yards below Dam No. 1 at Mammoth Spring State Park to the mouth of Myatt Creek.
 - (1) An angler shall use no more than two fishing rods or poles and must attend them at all times. No other devices shall be used to catch fish.
- (I) **Spavinaw Creek (Benton County)**, from its source downstream to the Arkansas Highway 59 bridge.
 - (1) An angler shall use no more than one fishing rod or pole and must attend it at all times. No other devices shall be used to catch fish.
 - (2) Catch and Release Stream. All trout caught must be immediately released.
 - (3) Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
 - (4) Chumming is prohibited.
- (J) **Narrows Tailwater – Little Missouri River** from 100 yards below Narrows Dam (Lake Greeson) downstream to the low-water bridge (Arkansas Highway 27 Bridge).
 - (1) An angler shall use no more than two fishing rods or poles and must attend them at all times. No other devices shall be used to catch fish.
 - (2) Special Regulation Areas:
 - (a) Narrows Catch-and-Release Area – from 100 yards below Narrows Dam downstream to the upstream boundary of Riverside Park Access.
 - (1) All trout caught must be immediately released.
 - (2) Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
 - (b) Narrows Summer Catch-and-Release Area – May 1-Oct. 15. Downstream from the upstream boundary of the Riverside Park Access to the gas line crossing above River Ridge Pool.
 - (1) All trout caught must be immediately released.
 - (2) Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are not allowed.
 - (3) Chumming is not allowed.
 - (c) Narrows Winter Catch-and-Release Area – Oct. 16-April 30. From approximately 300 yards downstream of Hinds Bluff Access to approximately 300 yards upstream of Old Factory Site (Weir 2), as indicated by signs.
 - (1) All trout caught must be immediately released.

- (2) Only artificial lures with a single, barbless hooking point shall be used. Natural or scented baits are prohibited.
 - (3) Chumming is prohibited.
- (K) **Big Spring** (at Cotter) from its source to the confluence with the White River.
- (1) Fishing is limited to youths and disabled anglers. Youths must be accompanied by an adult when fishing. Adult disabled anglers must carry proof they are 100 percent permanently and totally disabled ([Code 01.00-C Disabled](#)) and possess a sport fishing, lifetime fishing, or combination hunting and fishing license, plus a trout permit.
 - (2) An angler may use no more than one fishing rod or pole and must attend it at all times. No other devices may be used to catch fish.
 - (3) All fish caught must be released.
 - (4) Only artificial lures with barbless hook(s) may be used. Natural or scented baits are prohibited.
 - (5) Chumming is prohibited.
 - (6) Fishing is allowed from sunrise to sunset.
 - (7) No fishing in the swimming hole at the upstream end of Big Spring, as indicated by signs.
 - (8) No motorized boats allowed in Big Spring.
 - (9) Fishing derbies must be requested, and permitted in writing by AGFC District 2 fisheries biologist, and can include fishing with natural or scented baits, and harvest of trout.

J1.01 APPROVED AQUACULTURE SPECIES LIST 01-13

Class Crustacea

Family Cambaridae

Procambarus acutus (White River Crayfish)

Procambarus clarkii (Red Swamp Crayfish)

Family Palaemonidae

**Macrobrachium rosenbergii* (Malaysian Prawn) – certified disease-free (certification must be posted on-site)

Class Osteichthyes

Family Polyodontidae

Polyodon spathula (Paddlefish)

Family Lepisosteidae

Lepisosteus oculatus (Spotted Gar)

Lepisosteus osseus (Longnose Gar)

Lepisosteus platostomus (Shortnose Gar)

Family Amiidae

Amia calva (Bowfin)

Family Anguillidae

Anguilla rostrata (American Eel)

Family Clupeidae

Alosa chrysochloris (Skipjack Herring)

Dorosoma cepedianum (Gizzard Shad)

Dorosoma petenense (Threadfin Shad)

Family Salmonidae

- * *Oncorhynchus clarki* (Cutthroat Trout)
- * *Oncorhynchus mykiss* (Rainbow Trout)
- * *Salmo trutta* (Brown Trout)
- * *Salvelinus fontinalis* (Brook Trout)
- * *Salvelinus namaycush* (Lake Trout)

Family Esocidae

- Esox americanus* (Grass Pickerel)
- Esox niger* (Chain Pickerel)

Family Cyprinidae

- * *Carassius auratus* (Goldfish, including ornamentals)
- * *Ctenopharyngodon idella* (Grass Carp)
- * *Mylopharyngodon piceus* (Black Carp) – TRIPLOIDS ONLY
- Cyprinella venusta* (Blacktail Shiner)
- * *Cyprinus carpio* (Common Carp, including koi)
- Hybognathus nuchalis* (Miss. Silvery Minnow)
- Luxilus chrysocephalus* (Striped Shiner)
- Lythrurus umbratilis* (Redfin Shiner)
- Notemigonus crysoleucas* (Golden Shiner)
- Notropis atherinoides* (Emerald Shiner)
- Notropis boops* (Bigeye Shiner)
- Notropis buchanani* (Ghost Shiner)
- Notropis volucellus* (Mimic Shiner)
- Opsopoeodus emiliae* (Pugnose Minnow)
- Pimephales notatus* (Bluntnose Minnow)
- Pimephales promelas* (Fathead Minnow)
- Pimephales vigilax* (Bullhead Minnow)
- Semotilus atromaculatus* (Creek Chub)

Family Catostomidae

- Erimyzon oblongus* (Creek Chubsucker)
- Erimyzon sucetta* (Lake Chubsucker)
- Hypentelium nigricans* (Northern Hogsucker)
- Ictiobus bubalus* (Smallmouth Buffalo)
- Ictiobus cyprinellus* (Bigmouth Buffalo)
- Ictiobus niger* (Black Buffalo)
- Minytrema melanops* (Spotted Sucker)
- Moxostoma erythrurum* (Golden Redhorse)
- Catostomus commersoni* (White Sucker)

Family Ictaluridae

- Ictalurus furcatus* (Blue Catfish)
- Ameiurus melas* (Black Bullhead)
- Ameiurus natalis* (Yellow Bullhead)
- Ameiurus nebulosus* (Brown Bullhead)
- Ictalurus punctatus* (Channel Catfish)
- Noturus gyrinus* (Tadpole Madtom)
- Noturus nocturnus* (Freckled Madtom)
- Pylodictis olivaris* (Flathead Catfish)

Family Aphredoderidae

- Aphredoderus sayanus* (Pirate Perch)

Family Cyprinodontidae

- Fundulus notatus* (Blackstripe Topminnow)
- Fundulus olivaceus* (Blackspotted Topminnow)

Family Poeciliidae

Gambusia affinis (Mosquitofish)

Family Atherinidae

Labidesthes sicculus (Brook Silverside)

Family Percichthyidae

Morone chrysops (White Bass)

Morone mississippiensis (Yellow Bass)

* *Morone saxatilis* (Striped Bass)

Family Centrarchidae

Centrarchus macropterus (Flier)

Lepomis cyanellus (Green Sunfish)

Lepomis gulosus (Warmouth)

Lepomis humilis (Orangespotted Sunfish)

Lepomis macrochirus (Bluegill)

Lepomis marginatus (Dollar Sunfish)

Lepomis megalotis (Longear Sunfish)

Lepomis microlophus (Redear Sunfish)

Lepomis punctatus (Spotted Sunfish)

Micropterus dolomieu (Smallmouth Bass)

Micropterus punctulatus (Spotted Bass)

Micropterus salmoides (Largemouth Bass)

Pomoxis annularis (White Crappie) – < 6 inches

Pomoxis nigromaculatus (Black Crappie)

Elassoma zonatum (Banded Pygmy Sunfish)

Family Percidae

Percina caprodes (Logperch)

Stizostedion canadense (Sauger)

Stizostedion vitreum (Walleye)

Family Sciaenidae

Aplodinotus grunniens (Freshwater Drum)

Family Cichlidae

* *Oreochromis aureus* (Blue Tilapia)

* *Oreochromis mossambicus* (Mozambique Tilapia)

* *Oreochromis niloticus* (Nile Tilapia)

Class Amphibia

Family Ranidae

Rana catesbeiana (Bullfrog)

Rana sphenocephala (Southern Leopard Frog)

* Denotes nonnative species

VHS Fish Farm Health Inspection Permit

It shall be unlawful for any person to import, transport or otherwise receive into the state of Arkansas live fish and/or fertilized eggs from any VHSV-positive state (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, Wisconsin, and Ontario and Quebec) without first obtaining a valid Fish Farm Health Inspection Permit issued by the Arkansas Game and Fish Commission and complying with the provisions of said permit. All persons wishing to ship live fish or fish eggs into Arkansas from VHSV-positive States must first obtain the Fish Farm Health Inspection Permit and a copy of the permit must accompany all shipments into the state, even if the fish are transported by a third party.

Furthermore, any person hauling live fish through Arkansas from VHS positive states are prohibited from discharging water from fish hauling tanks while within the state. All shipments of live fish or eggs coming into Arkansas must be accompanied by an invoice or bill of lading that clearly describes the origin(s) of all fish and/or eggs in the shipment. Additionally, the fish health inspection report must be no more than 60 days old from date of reported test results at time of application for Fish Farm Health Inspection Permit from Commission. A Fish Farm Health Inspection Permit shall be an annual permit that is issued in two (2) six-month intervals (refer to [Addendum D1.01](#)). The first interval will cover the period of January 1 to June 30, and the second interval will cover the period of July 1 to December 31. The second interval of the permit will be issued only after new semi-annual testing results are submitted to the Commission. For additional information, please refer to [Addendum D1.01](#), [I1.01](#) and [Code 35.11](#).

Hybrids

It is our intent that production or sale of any hybrid is permissible if both parent species are included on the Approved Aquaculture Species List.

Wild Crayfish

The harvest and sale of native Arkansas crayfish species that naturally colonize aquaculture ponds and are cultured incidental to production of other aquaculture species is allowed.

Wild Turtles

The harvest and sale of native Arkansas turtle species that naturally colonize aquaculture ponds and are cultured incidental to production of other aquaculture species is allowed, unless the species is protected by other codes see [Code Chapter 34.00](#).

Aquarium Species

It is not the intent of this policy to constrain aquarium trade. Marine and tropical aquatic species commonly distributed in the aquarium trade may be sold without special permit, as long as they are held only in closed aquarium systems and are not prohibited by other codes (e.g. [Code 26.13](#)).

Restricted Species

Some species are well established in Arkansas aquaculture but under criticism at regional and/or national levels. While we do not currently restrict the trade in these species, persons possessing or desiring to possess these species are required to apply to AGFC for a Restricted Species Possession Permit. This permit will detail the location of their facilities, measures taken to eliminate the possibility of escape, and the numbers and species to be held (these numbers are best estimates and will only be updated when permit is renewed for the next year). The permitted culture of any restricted aquaculture species shall be conducted in a responsible manner that minimizes the possibility of escape. Permitted aquaculturists are required to construct a barrier that prevents escape of juvenile and adult fishes from culture

ponds. Pond drainpipes should be double screened prior to any pond drainage with at least one screen being of a mesh size small enough to prevent the passage of any permitted fish present in the pond. These and any other measures listed on the application to eliminate the possibility of escape will be considered the “best management practices” that the applicant agrees to implement. AGFC will maintain records of the number and location of these species in the state, and determine if sufficient precautions are taken to prevent escape into the waters of the state. AGFC will review applications based on the best information available to evaluate the potential for escape. If this potential is acceptably low, AGFC will grant a no-cost special holding permit for these species, renewable annually. In the event that restricted aquatic organisms are released or escape from a permitted facility into waters of the state, the permittee shall notify the AGFC immediately. The permittee shall not be responsible for unforeseen occurrences such as floods, lightning or sabotage. Facilities with ponds prone to flooding shall limit culture of Restricted Species to areas least likely to become inundated. Holders of Restricted Species Possession Permits are expected to assure that buyers of these species in Arkansas also have an approved permit. Failure to comply with permit terms or inability to show adequate measures of escape prevention may result in permit denial or revocation.

The species covered by these permits include the following:

Family Cyprinidae

Hypophthalmichthys molitrix (Silver Carp)

Hypophthalmichthys nobilis (Bighead Carp)

Diploid *Mylopharyngodon piceus* (Black Carp)

Scardinius erythrophthalmus (European Rudd)

*****NOTE*** THE BELOW ARE NOW LISTED AS INJURIOUS SPECIES**

Hypophthalmichthys molitrix (Silver Carp)

Hypophthalmichthys nobilis (Bighead Carp)

The injurious wildlife listing means that under the Lacey Act it is illegal to import or to transport live bighead carp, including viable eggs or hybrids of the species, across state lines, except by permit for zoological, education, medical, or scientific purposes.

EXAMPLE 1: A producer maintains diploid black carp to produce triploid black carp for sale to catfish farmers to control snails in their ponds. The individual has previously applied for a Restricted Species Possession Permit for diploid black carp, documenting sufficient measures to prevent escape and been issued a no-cost permit. The individual may sell triploid black carp to his customers and may sell diploid black carp to other black carp producers after ensuring that they also have Restricted Species Possession Permits to possess diploid black carp.

EXAMPLE 2: A food fish producer purchases bighead carp, holds them in raceways for a few days, then ships them to an out-of-state fish market. The individual has previously applied for a Restricted Species Possession Permit for bighead carp, easily documenting sufficient measures to prevent escape (held in raceways with blocked egress) and been issued a no-cost permit. The individual

is then able to purchase the fish, hold them, and ship them to other markets (assuming it is in compliance with regulations of the destination state).

Turtles

The turtle species listed below are native to Arkansas and may be cultured by those who obtain a Commercial Turtle Dealer/Breeder Permit from the Commission and report production by species (Commission Chapter 34.00).

Family Chelydridae

Chelydra serpentina (Common Snapping Turtle)

Family Emydidae

Chrysemys picta dorsalis (Southern Painted Turtle)

~~*Deirochelys reticularia miaria* (Western Chicken Turtle)~~

Graptemys geographica (Common Map Turtle)

Graptemys ouachitensis (Ouachita Map Turtle)

Graptemys pseudogeographica kohnii (Mississippi Map Turtle)

Pseudemys concinna (River Cooter)

Trachemys scripta elegans (Redeared Slider)

Family Kinosternidae

Kinosternon subrubrum hippocrepis (Mississippi Mud Turtle)

Sternotherus carinatus (Razorback Musk Turtle)

Sternotherus oderatus (Common Musk Turtle)

Family Trionychidae

Apolone spinifera (Spiny Softshell)

Trionyx muticus muticus (Midland Smooth Softshell)

Other Species Covered under Separate Permits

The following species are governed by separate code and have their own permit requirements. This policy does not seek to add any further permitting requirements for these species.

Family Alligatoridae

Alligator mississippiensis (American Alligator) – Federal Permit Required

Family Chelydridae

Macrochelys temminckii (Alligator Snapping Turtle) – AST Farmer/Dealer Permit Required

Permits to Culture Unlisted Species

Requests to import and culture species not listed in this policy will be evaluated on a case-by-case basis. The burden of proof will rest with the applicant to show measures in place to prevent the possibility of escape will have no significant ecological impact (i.e. species can not survive in waters of Arkansas due to temperature, salinity, or other environmental factor). The permitted culture of any unlisted aquaculture species shall be conducted in a responsible manner that excludes the possibility of escape from culture ponds. Permitted aquaculturists are required to construct a barrier that prevents escape of juvenile and adult fishes from culture facilities. The applicant will also need to provide justification as to the need to import the species into the state and why species listed in this policy will not fill the need. In the event that unlisted aquatic organisms are released or escape from a permitted facility into waters of the state, the permittee shall notify the AGFC immediately.

EXAMPLE 1: A producer in southern Arkansas wishes to raise yellow perch. This species is not native to Arkansas and has begun to show up in reservoirs in the north part of the state. Since the habitat in the producer's area is hostile to yellow perch (water chemistry and summer temperatures), AGFC issues an Unlisted Aquaculture Species Permit.

EXAMPLE 2: A producer wants to grow Australian redclaw crayfish. This species is not native to Arkansas (or the U.S.) but is found in comparable latitudes in Australia. The producer's plans are to raise them inside in heated raceways and have no discharge. This is found to eliminate the chance of escape and AGFC issues an Unlisted Aquaculture Species Permit.

PERMIT PROCESSING PROCEDURES

Permit Renewal

Restricted Species Possession Permits and Unlisted Aquaculture Species Permits will be issued on an annual basis to correspond with expiration dates of Fish Farmer Permits. The Arkansas Game and Fish Commission is responsible for providing renewal notices to permit holders six weeks in advance of permit expiration date. Existing permits will remain in effect past listed expiration date if a renewal application is pending.

Permit Review

Restricted Species Possession Permits and Unlisted Aquaculture Species Permits are granted at the approval of the AGFC. The AGFC may solicit input as needed in the review of individual applications.

Modification of Lists

Any individual may petition AGFC to add or remove species on the *Approved Aquaculture Species List* or the *Restricted Aquaculture Species List*. The petition must provide thorough documentation of why a species should or should not be included on a list. Petitions should address the biological threat of the species, including native range, habitats utilized, movement patterns, spawning requirements, reproductive rate, food habits, and temperature and water quality limitations. They should include documentation of any introductions or escapes outside the species native range. They should also evaluate the potential impacts to native species through predation, competition, disease transmission, and displacement. Petitions should include copies of all pertinent reference material.

Petitions to add or remove species on the *Approved Aquaculture Species List* or the *Restricted Aquaculture Species List* will be responded to by the Chief of Fisheries after consultation with an advisory board representing: Arkansas State Aquaculture Coordinator, Stuttgart National Aquaculture Research Center, Aquaculture / Fisheries Center at UAPB, U S Fish & Wildlife Service, Arkansas Natural Heritage Commission, and Arkansas Game and Fish Commission staff.

R1.01 Points for Hunting and Fishing Violations

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R1.01 POINTS FOR HUNTING AND FISHING VIOLATIONS		
04-12 CODE NUMBER	TYPE OF VIOLATION	POINTS
03.09	Counterfeiting License	18
03.15	Special Guide License Requirements	18
05.01	Hunting Wildlife in Closed Season – Big Game	30
05.01	Hunting Wildlife in Closed Season – Small Game	12
05.02	Night Hunting	30
05.04	Selling Wildlife Restrictions	**
	**A conviction for violating this regulation may result in lifetime revocation of all hunting and/or fishing privileges.	
05.05	Hunting from Road Prohibited	18
05.17	Alligator, Bear, Deer, and Turkey Tagging Requirements	12
05.18	Big Game Checking Requirements	12
05.27	Endangered Species	30
05.33	Hunting or Fishing after Revocation of License Prohibited	30
05.35	Hunting, Fishing, Trapping, Releasing Hunting Dogs or Pursuing Wildlife with Dogs without Landowner/Lessee Permission Prohibited	9
05.36	Hunting/Fishing Endangerment Prohibited	12
	Assessment of additional points dependent upon severity of violation. A conviction for violating this regulation may result in the assessment of additional violation points up to and including lifetime revocation of privileges when associated with the following occurrences:	
	With Property Damage	18
	With Personal Injury	30
	With Human Fatality	Lifetime
07.03	Hunting Bear Over Bait	9
07.05	Hunting Wild Turkey Over Bait Prohibited	18
08.04	Dogs Prohibited During Deer Season	12
12.01	Taking of Alligators Prohibited	18
13.01	Disturbing/Shooting Bears in Dens Prohibited	18
14.04	Taking of Raptors Prohibited	18
16.01	<u>Taking or Possessing Elk Restricted</u>	18
20.24(B)	Feral Hog Restrictions on WMAs	30
20.24(C)	Releasing Feral Hogs – Restrictions on WMAs	30
24.08	Guiding Prohibited on all AGFC-owned or controlled WMAs (Guides)	18
24.08	Guiding Prohibited on all AGFC-owned or controlled WMAs	9

04-12 CODE NUMBER	TYPE OF VIOLATION	POINTS
	(Guided Hunters)	
26.01	Taking Fish with Electrical Devices, Firearms, Explosives, Toxic or Killing Substances	30
26.20 2	Sale of Game Fish	18
29.03	Sale of Bull Frogs	18
30.17	Resident Roe Taker/Seller Permit Requirements	18
30.18	Resident Roe Buyer/Exporter and Non-Resident Roe Buyer/Exporter Permit Requirements	18
30.19	Roe Buyer/Exporter Reporting Requirements	18
30.02	Commercial Fishing by Non-Resident Prohibited	18
30.20	Paddlefish and Sturgeon Possession Restrictions on White River, Arkansas River and Border Waters	18
30.21	Cutting or Mutilations of Paddlefish and Sturgeon Prohibited	30
30.23	Paddlefish and Sturgeon Harvest Restrictions	18
31.01	Mussel Shell Taker, Buyer and Seller License and Reporting Requirements	18
34.01	Aquatic Turtle Permit Requirements	18
34.03	Aquatic Non-Resident Turtle Dealer Permit	18
34.04	Commercial Aquatic Turtle Harvest Restrictions	9
34.05	Aquatic Turtle Tackle Restrictions	9
34.07	Aquatic Turtle Transaction and Reporting Requirements	9
34.08	Possession of Sportfish by Aquatic Turtle Harvesters Prohibited	9
34.09	Take or Possession of Alligator Snapping Turtles Prohibited	18
34.10	Take of Chicken Turtles Prohibited	9
34.11	Importation of Alligator Snapping Turtles and Chicken Turtles Prohibited	18
38.06	Commercial Fishing for Certain Fish Prohibited in Lower Ouachita River	18
All others	All other violations	6

INSTRUCTIONS FOR COMPLETING THIS FORM:

1. ECONOMIC IMPACT - In compliance with Governor's Proclamation EO 05-04, this form must be completed for **commercial licenses and permits** and submitted at the time a regulation is proposed to the Commission. The form will be forwarded to the Chief of Fiscal Services Division for review. After review, the form will be submitted to:

Director
Arkansas Department of Economic Development
One Capitol Mall
Little Rock, AR 72201

2. FINANCIAL IMPACT - After passage of any regulation changes which have a financial impact (including all sport, lifetime, and commercial licenses) this form must be completed and submitted to the Chief of the Legal Division. The form is required for filing regulation changes with the Secretary of State.

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

DEPARTMENT: Arkansas Game & Fish Commission

BUREAU: Fisheries

PERSON COMPLETING THIS STATEMENT: Andrea Daniel

TELEPHONE #: 223-6409

FAX #: 223-6461

EMAIL: acdaniel@agfc.state.ar.us

SHORT TITLE OF THIS RULE: Allowing commercial harvest of aquatic turtles (by any method) on private property in areas closed to commercial fishing and turtling

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	\$ 10,000	General Revenue	\$
Federal Funds	\$	Federal Funds	\$
Cash Funds	\$	Cash Funds	\$ N/A
Special Revenue	\$	Special Revenue	\$
Other (Identify)	\$	Other (Identify)	\$
Total	\$ 10,000	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: \$ N/A Next Fiscal Year: \$ N/A

Party Subject to Rule: **Commercial turtlers and private pond owners**

Effect on Party Subject to Rule: Positive for the public and the agency

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:

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ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

MINUTE ORDER NO:	SUBJECT: 2013 Fishing Regulation Considerations
DATE PASSED: August 16, 2012	
PAGE 1 of 1 PAGES	LOCATION: Statewide

- WHEREAS,** Fisheries Division has identified fishing regulation changes for optimal management of the state's fisheries; **and**
- WHEREAS,** these regulation changes have been communicated, through a variety of media avenues, to anglers and the general public throughout the state for review and comment; **and**
- WHEREAS,** having carefully considered all comments received, Fisheries Division now recommends the adoption of the regulation changes specified in the document "2013 Fishing Regulation Consideration List."
- WHEREAS,** after carefully considering these matters, and comments and recommendations from AGFC staff and committee members, the Regulation Committees gave approval for implementing the "2013 Fishing Regulation Consideration List".

NOW, THEREFORE, BE IT ORDERED, THAT THE ARKANSAS GAME AND FISH COMMISSION HEREBY APPROVES AND ADOPTS THE CHANGES AS RECOMMENDED IN THE ATTACHED FISHING REGULATIONS FOR 2013, AND AUTHORIZES THE COMMISSION STAFF TO PROCEED WITH MAKING THE APPROPRIATE AGFC CODE BOOK REVISIONS AND LEGAL CERTIFICATION. ALL REGULATION CHANGES SHALL TAKE EFFECT BEGINNING JANUARY 1, 2013.

	<u>STAFF APPROVAL</u>		<u>COMMISSION APPROVAL</u>
Submitted by:	_____	_____	_____
	Mark Oliver	Chairman	Commissioner
Division:	_____	_____	_____
	Fisheries	Vice Chairman	Commissioner
Approved:	_____	_____	_____
	Director	Commissioner	Commissioner
Approved:	_____	_____	
	Legal	Commissioner	
Approved:	_____		
	Fiscal		