

**Agenda Item \_\_\_\_\_**

**Arkansas Game and Fish Commission**

Wildlife Management Division

September 24, 2009

**Proposed 2009-2010 Boat and Boat Motor Restrictions on WMAs Code Approval**

Presented by David Goad

At the August Commission meeting, an alternative proposal was offered by Commissioner George Dunklin and subsequently amended by staff recommending changing the boat motor restrictions from the initially proposed 25 hp limit on Henry Gray Hurricane Lake and Rex Hancock Black Swamp WMAs to a 50 hp limit (Code 25.03, #9). Furthermore, the alternative proposal tabled the proposed restrictions of airboats on the remaining 16 waterfowl areas listed in code 25.03, #10. Both changes will be presented at this meeting for your approval.

**David Goad, Chief**  
Wildlife Management Division

# Proposed 2009-2010 Boat and Boat Motor Restrictions Code Approval

Approved Changes - Red Ink

25.03

## BOAT AND BOAT MOTOR RESTRICTIONS ON CERTAIN WMAs.

08-04/09-09

It shall be unlawful to fail to comply with the following list of boat and boat motor restrictions for certain WMAs.

- (1) Boats with motors of more than 25 horsepower and airboats may not be operated on waters within Bayou Meto, Dr. Lester Sitzes, III Bois d'Arc (excluding Dr. Lester Sitzes, III Bois d'Arc Lake), Shirey Bay Rainey Brake, Steve N. Wilson Raft Creek Bottoms WMAs.
- (2) No boats allowed on Dr. Lester Sitzes, III Bois d'Arc green tree 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 green tree reservoir from 12:00 p.m. until 4:00 a.m. during duck season, except during the last three days of the last duck season and during the special youth waterfowl hunt when boats may be used from 4:00 a.m. until 6:30 p.m. daily.
- (4) Commission personnel in performance of their duties.
- (5) No boat motors allowed on Frog Bayou WMA.
- (6) Boat motors over 10hp are prohibited on St. Francis Forest WMA.
- (7) No boats allowed on Bayou Meto WMA from 12:00 p.m. until 4:00 a.m. during the duck season except as follows: (1) during the last three days of the last duck season and during the special youth waterfowl hunts when boats may be used from 4:00 a.m. until 6:30 p.m. daily, (2) boating access during the duck season only from 12:00 p.m. until 6:30 p.m. at the following streams; (1) Mulberry Access to include all of the Salt Bayou Ditch to the confluence of Little Bayou Meto; (2) Buckingham Flats Access to include Big Bayou Meto, and Cannon Brake Access to include Little Bayou Meto only within the Cannon Brake Impoundment.
- (8) No boats allowed on the Government Cypress Greentree Reservoir within Bayou Meto WMA.
- (9) **Boats with motors of more than 50 horsepower and airboats may not be operated on waters within Henry Gray Hurricane Lake WMA during duck season (Ref. Code 12.15 Duck, Coot, Merganser Season Restrictions).**
- (10) **Airboats may not be operated on waters within 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 (Ref. Code 12.15 Duck, Coot, Merganser Season Restrictions).**

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

## FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

**DEPARTMENT:** Arkansas Game & Fish Commission

**DIVISION:** Wildlife Management

**PERSON COMPLETING THIS STATEMENT:** David Goad

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

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

**SHORT TITLE OF THIS RULE:** Proposed 2009-2010 Boat and Boat Motor Restrictions on WMAs Code Approval.

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: By placing a minimum boat motor horsepower limit during waterfowl season on these WMAs, some waterfowl hunters may have to purchase a smaller motor; however, we can't determine the total financial impact due to the fact that we don't know how many or if any hunters will have to do this.

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

**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:** \$ N/A

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

**Party Subject to Rule:** N/A

**Effect on Party Subject to Rule:** N/A

5. What is the total estimated cost by fiscal year to the **agency** to implement this

rule? Explain the financial benefit to the agency from implementing this rule.

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

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

**Financial Benefit to Agency:** N/A

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

Why were such alternatives not proposed:

7. Compare this rule with federal and state counterparts:

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

MINUTE ORDER NO: _____	SUBJECT: <u>Proposed 2009-2010 Boat and Boat</u>
DATE PASSED: <u>September 24, 2009</u>	<u>Motor Restrictions on WMAs Code Approval</u>
PAGE <u>1</u> of <u>1</u> PAGES	LOCATION: <u>Statewide</u>

---

**WHEREAS,** the Arkansas Game and Fish Commission, meeting in regular session on September 24, 2009, has carefully reviewed and approved the attached hunting regulation proposals for statewide application; **and**

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

**NOW, THEREFORE, BE IT ORDERED, THIS 24<sup>th</sup>** day of September the Arkansas Game and Fish Commission hereby approves and adopts the attached hunting regulations for the 2009-2010 hunting license year, and authorizes the Commission staff to proceed with making the appropriate AGFC Code Book revisions and legal certification.

	<u>STAFF APPROVAL</u>		<u>COMMISSION APPROVAL</u>
<b>Submitted by:</b>	_____	_____	_____
	David Goad	Chairman	Commissioner
<b>Division:</b>	_____	_____	_____
	Wildlife	Vice Chairman	Commissioner
<b>Approved:</b>	_____	_____	_____
	Director	Commissioner	Commissioner
<b>Approved:</b>	_____	_____	
	Legal	Commissioner	
<b>Approved:</b>	_____		

Fiscal