

ARKANSAS REGISTER

Transmittal Sheet

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For Office
Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Game and Fish Commission

Department Legal Division

Contact Jim Goodhart, Esq. E-mail james.goodhart@agfc.ar.gov Phone 501-223-6327

Statutory Authority for Promulgating Rules Amendment 35

Rule Title: Chronic wasting Disease Regulations

Intended Effective Date
(Check One)

Emergency (ACA 25-15-204)

10 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislatice Council

Adopted by State Agency

Date

May 22, 2016

June 24, 2016

June 24, 2016

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

April M. Soman

April.Soman@agfc.ar.gov

July 1, 2016

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

~~IN COMPLIANCE WITH THE ARKANSAS ADMINISTRATIVE PROCEDURES ACT, ACT 25-15-204~~

Substantial Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. Pursuant to 2011 decision rendered by the Pulaski County Circuit Court and 2000 opinion by the Arkansas Attorney General, the rulemaking requires the Arkansas Administrative Procedures Act cannot be constitutionally applied to the AGFC. Nevertheless, the AGFC does substantially comply with the rulemaking provisions under Ark. Code Ann. section 25-15-204 for public notice, opportunity, and filing of all regulations adopted by the Commission.

James F. Goodhart
Signature

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Title

July 1, 2016

Date

2016-2017 Chronic Wasting Disease Regulations Proposals

Committee: Regulations

Date: June 24, 2016

Explanation

A special packet of regulations considerations focused on chronic wasting disease (CWD) management will be discussed and proposed. Some of these considerations will be broad in scope, while others will be specific to individual WMAs. Additionally, best management practices to help slow the spread of CWD will be discussed. Included, with the backup material, is a summary of recommended changes and a color-coded copy of affected codes. These considerations have been reviewed and approved by the Director's regulations committee.

Prepared by: Dick Baxter

2016-2017

Summary of CWD Regulations Proposals

1. Establish CWD management zone in Arkansas

Code: New Code E1.12

Justification: To manage CWD prevalence and distribution in Arkansas, specific regulations should be implemented where the disease is known to occur. Amendment 35 states that the AGFC must manage by zone, therefore a CWD management zone will need to be created. Counties will be included in this zone if a wild or captive cervid has tested positive for CWD. In addition, portion of a county is within a 10-mile radius of a wild or captive cervid that has tested positive for CWD, the entire county is included in the CWD management zone. The 10-mile radius is based on research which examined dispersal of male fawn and yearling white-tailed deer from their natal home ranges. Research demonstrated movement distances of 1-15 miles on average is common; however, deer movements of distances greater than 50 miles have been documented.

2. Prohibit feeding of wildlife within the CWD management zone but allow an exception to use bait to hunt deer and elk September 1-December 31.

Code: 07.06

Justification: Staff recognizes that hunting wildlife, particularly deer, with the use of bait is common practice in Arkansas's hunting community and has been allowed for decades. However, the unnatural concentration or congregation of wildlife has been found to facilitate the accumulation of environmental contaminants and spread of infectious diseases. Staff initially considered a recommendation that would have totally prohibited all baiting and feeding of wildlife inside the CWD management zone, but recognized the need to limit the baiting timeframe due to concerns of reduced hunter participation if bait was removed. In the aspect of risk management, staff believes it very crucial that adequate numbers of deer are removed inside the CWD management zone, thus mitigating the risk of placing bait/feed for a limited amount of time. The beginning date for baiting has been modified from original proposal of October 1st to September 1st in an attempt to allow archery hunters participating in the urban deer hunts to utilize bait as a tool for deer harvest. Staff members also plan to develop best management practices to help educate the public and further offset the negative effects of baiting.

3. Prohibit the use of natural scents and lures that contain natural cervid urine or other cervid biofluids beginning January 1, 2017.

Code: New code in Chapter 05.00 (05.40)

Justification: Chronic Wasting Disease (CWD) has recently been found in Arkansas, and is a threat to Arkansas's cervid populations statewide. During the past several years, AGFC has taken proactive measures to limit the state's cervid populations' exposure to CWD. Management actions have included a moratorium on importation of live cervids, a moratorium on importation of intact cervid

carcasses, and special regulations related to commercial captive cervids in-state. Banning the use of lures that contain natural cervid urine or other cervid biofluids could help to slow the spread of CWD in Arkansas.

Research has demonstrated that prions, which are the infectious agent associated with CWD, are shed in the urine, feces, saliva and other mucosa of infected cervids. Also, the facilities that house the cervids who produce urine for the scent industry are primarily based in states that have CWD in captive and/ or free-ranging deer. Prions are extremely resilient, and there are no feasible strategies to deactivate prions in biofluids. Synthetic products are readily available and can be used as a suitable alternative.

4. Prohibit rehabilitation of deer statewide.

Addendum: F1.05

Justification: This would reduce potential disease vectors related to the artificial, long-distance transport of deer by humans, particularly to and from areas in the state with unknown CWD status. Currently, there are a limited number of deer rehabilitators in the state, and it is common practice for injured or “orphaned” deer to be transported from their county of origin to these licensed rehabilitators. Additionally, there are no regulations that dictate release sites of rehabilitated animals. The long incubation period associated with CWD further complicates the issue, especially when one considers that deer from multiple counties are often housed in the same facility.

5. Establish private land CWD management program

Code: 15.01, 05.17 **Addendum** A1.01

Justification: In an effort to reduce deer densities in areas of the state impacted by CWD, a private land CWD management program will be created. Primarily, this program will allow private landowners to harvest deer additive to their respective zone deer bag limits. This will allow for more precise management actions on the landscape in order to reduce deer densities close to known CWD positive sample collection sites.

6. Prohibit transport of certain portions of cervid carcasses from CWD management zone in Arkansas.

Code: 05.26

Justification: Infected carcasses are a CWD transmission risk, and the tissues where prions typically accumulate are of greatest concern. In 2005, AGFC implemented a carcass importation ban from CWD positive states and provinces in order to protect the state’s cervid populations from contact with infectious material. This recommendation is intended to help reduce introduction of prion-infected material to areas in the state where it is not currently known to occur and reduce the risk of disease establishment in those areas. This regulation will allow only cervid portions identified in Code 05.26 to be transported from the CWD management zone to other areas of Arkansas. Portions of cervids, harvested in CWD management zone, not listed in Code 05.26 must remain in a CWD positive county. Staff will develop best management practices for proper carcass disposal.

7. Establish core elk management zones and a statewide elk management zone for both, public and private lands.

Addendum: A1.09, E1.05, E1.10, E1.11

Justification: To better manage Arkansas's elk herd, establishment of a five county core elk management zone (Boone, Carroll, Madison, Newton, and Searcy counties) is necessary. Elk outside of this five county area will be managed differently than those within this area as part of AGFC's CWD surveillance and management strategy.

The statewide elk management zone will encompass all counties in the state except those in the core elk management zone. Allow any elk in the statewide elk management zone to be harvested, with any method legal for elk hunting (Code 06.10), statewide during open deer seasons, by a method legal during that deer season (ex. during archery deer season, hunters may not take elk with modern gun). Hunters must contact the AGFC immediately (phone hotline) after harvest to arrange biological sample collection (elk must be checked in accordance with Code 05.18). There have been multiple reports of elk in areas outside of the core elk zone, historically and recently. These elk are believed to be escaped captives, transients from others states or dispersing animals from the core elk management zone. This regulation will allow for the AGFC to test elk statewide for disease and origin, and effectively limit elk emigration from the core elk management zone. Due to dispersion, this strategy could help reduce the risk of CWD introduction into areas that currently do not have established disease.

8. Require harvested elk to be submitted for CWD testing.

Code: 05.18

Justification: Due to the recent discovery of CWD in the state's elk herd, it is imperative that staff collect as many CWD samples from elk as possible. The annual elk harvest is minimal, and each sample is vital for monitoring CWD distribution and estimating prevalence rates in the elk herd.

9. Increase private lands EMAP antlerless elk quota

Code: A1.09, C1.15

Justification: The most recent aerial elk survey data indicates that there are over 600 elk known alive in Arkansas. The elk management strategy has been to harvest approximately 10% of the standing crop, annually. The average harvest for the past two elk seasons has been 50 elk. Additionally, AGFC employees have collected over 25 elk for disease surveillance purposes, but this also has served as a management strategy. The herd can sustain additional antlerless harvest and population levels should be stabilized as more information is gathered regarding CWD in Arkansas.

10. Allow harvested button-bucks to be considered as antlerless deer in zones 1 and 2 with special CWD management regulations; these antlerless bucks will not count towards the hunter's buck bag limit.

Code: 1.00C; **Addendum** C1.14

Justification: In an effort to reduce the potential spread and stabilize prevalence of CWD, deer densities should be reduced. One strategy to help incentivize hunters to harvest more deer is to remove the requirement that button bucks count against hunters' buck bag limits. Additionally, young bucks (less than two years old) have the greatest dispersal potential of any segment of the deer population. This recommendation should also increase doe harvest since button bucks will not be counted towards the buck bag limit (button bucks are often mistaken for doe). To maintain harvest data continuity, button bucks will still be checked by the hunter as they have been in the past.

11. Liberalize deer season structure in deer zones 1 and 2

Addendum A1.01

Justification: In an effort to reduce the potential spread and stabilize prevalence of CWD, deer densities should be reduced. These zones encompass or are in close proximity to CWD-positive sample collection sites, and management actions are warranted to help curtail spread of the disease and reduce potential establishment in additional areas. There is a strong correlation between deer density and CWD prevalence, and one of AGFC's goals is to stabilize CWD prevalence within established areas.

Deer Zone 1: Increase bag limit from four to five deer (two antlered bucks, three antlerless with firearms (five antlerless with archery)); remove antler restrictions.

Deer Zone 2: Increase bag limit from four to five deer (two antlered bucks, three antlerless with firearms (five antlerless with archery)); remove antler restrictions.

12. Liberalize deer season on Bearcat Hollow, Buffalo National River, Gene Rush, Ozark National Forest, Piney Creeks, Sweden Creek Natural Area and White Rock WMAs

Code: 15.01 **Addendum:** C1.01

Justification: These WMAs are in close proximity to CWD-positive sample collection sites, and management actions are warranted to help curtail spread of the disease and reduce potential establishment in additional areas. There is a strong correlation between deer density and CWD prevalence, and one of AGFC's goals is to stabilize CWD prevalence within established areas.

Bearcat Hollow: Extend modern gun season Nov. 12-Dec. 4 remove antler restrictions; increase bag limit from 2 to 4 deer (2 bucks and 2 antlerless (allow antlerless harvest season-long))

Buffalo National River WMA: Increase bag limit from 2 to 4 deer (2 bucks and 2 antlerless (allow antlerless harvest season-long)), remove antler restrictions

Gene Rush WMA: Extend modern gun season Nov. 12-Dec. 4; add late season muzzleloader hunt Dec. 10-12; remove antler restrictions; increase bag limit from 2 to 4 deer (2 bucks and 2 antlerless (allow antlerless harvest season-long))

Ozark National Forest WMA: Increase buck bag limit from one to two

Piney Creeks: Increase buck bag limit from one to two
Sweden Creek Natural Area WMA: Remove antler restrictions
White Rock WMA: Increase buck bag limit from one to two

01.00-C DEFINITION OF TERMS

01-16

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 **less than 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 Norrell Lock and Dam No. 1 to the Arkansas River and the Arkansas River from Wilbur D. Mills 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 [attractant](#) 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), paddlefish, shovelnose, sturgeon, and all species of buffalo, catfish, carp, drum, gar, and sucker family (except silver redhorse).

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.

DISABLED VETERAN:

- (a) any individual whom the United States Department of Veterans Affairs (VA) has rated 100% permanently and totally disabled as a result of his or her U.S. military service;
- (b) any individual whom the VA has rated permanently disabled as a result of his or her U.S. military service and who received the Purple Heart medal as a result of his or her service-connected disability.

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.

FEEDING WILDLIFE-The direct or indirect placing, exposing, depositing, distributing or scattering of salt, grain or other feed that serves or could serve as a lure, attractant, or supplemental food source for wildlife.

FERAL HOG – Any hog, including but not limited to Russian and European wild boar, any Old World swine, or the family Tayassuidae, including without limitation peccary, javelin, and New World swine, which is roaming freely and is living in a wild or feral state, and is not conspicuously identified as required under §§ 2-34-101 and §§ 2-34-102.

FIREARM – Any device designed, made, or adapted to expel a projectile through a barrel, including without limitation modern guns, air guns and muzzleloaders (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 Eurasian collared dove 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.

HAZARDOUS WAKE – Wash or wake upon an approaching, passing or stationary vessel, including but not limited to a wake that causes other vessels to take on water, or a wash or wake that is sufficient to toss occupants of other vessels about in a manner to cause injury or the risk of injury.

HARVEST/HARVESTING – To reduce to possession.

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 – A raptor produced from a cross-breeding birds of two different taxa, one or both of which are listed in 50 CFR 10.13, and any offspring of such raptors.

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) **Antlered Buck:** A male deer with two inches, or more, of hardened bone antler.
- (b) **Buck of Choice:** A male deer.
- (c) **Button Buck:** A male deer with less than 2 inches of ~~12 months old with no~~ hardened boned antler.

- (d) **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](#)).
- (e) **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](#)).
- (f) **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](#)).
- (g) **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, Eurasian collared dove, ducks, gallinules or moorhens, geese, rails, snipe and woodcock.

MILITARY RETIREE - Any individual at least 60 years old who is entitled to retired pay as a result of his or her United States military service.

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 at one time including but not limited to tripod stands, lean-to stands, lock-on stands, ladder stands, and climbing stands (Box stands are not portable hunting stands).

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).

PRIMATE – A live individual animal of the taxonomic order Primates, excluding humans.

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.

PUBLIC WATERS – Waters that members of the public have a legal right to access and use for recreational purposes, including all legally navigable waters.

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, Accipitriformes or the Order Strigiformes.

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.
 - (iv) Resident foreign exchange students attending school outside of Arkansas.
 - (v) Active-duty military personnel assigned to duty stations in Arkansas.

- (vi) Active-duty military personnel who were Arkansas residents at the time of entering service, regardless of where currently stationed.
- (vii) Members of the National Guard who are assigned to an Arkansas Guard Unit.
- (c) 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. Non-Expiring Lifetime Resident Hunting and Fishing License and Sportsman's Permit.
- (d) 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), drum and yellow bass.

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.

SIMULATED WING MOVEMENT DECOY – Any electric, mechanically-operated, wind-powered, or manually-powered apparatus or device that simulates wing movement, including any device that spins one or more fixed- or stationary-winged decoys around a central axis.

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, cutthroat trout, salmon and char.

VESSEL – Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation, including motorboats and personal watercraft.

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

WATERS OF THE STATE – All streams, lakes, ponds, sloughs, bayous, marshes or any other waters either permanent or intermittent located wholly or partially within Arkansas. Provided, however, “waters of the state” shall not include pay lakes and fish farms or any waters that are confined within a pond, tank, or lake, situated entirely on the premises of a single private owner and which, except under abnormal flood conditions, are not connected with any of other flowing stream or body of water that extends beyond the premises of such owner. **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 (crawdads and crayfish), 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.

05.17 ALLIGATOR, BEAR, DEER AND TURKEY TAGGING REQUIREMENTS

06-15

- (A) Immediately after harvesting a deer or turkey, and before moving the animal, each hunter must remove the appropriate deer or turkey tag from the hunter’s license and legibly fill out (in ink) the tag with all required information. The original tag must be securely fastened to the antler or ear of a deer, or to the leg of a turkey. **SPECIAL NOTE:** The original tag must remain as attached to the deer or turkey. Duplicate harvest information reflecting the name, address, species, sex, date taken and check confirmation number must remain with all other portions (if the head of the deer or leg of a turkey is removed) until reaching the point of final storage, including while the deer or turkey is in transit.
- (B) Immediately after harvesting a bear and before moving it, each hunter must legibly fill out (in ink) a game tag provided in the current Arkansas

Hunting Guidebook, or use a piece of paper to make a tag, and legibly print (in ink) hunter's name, date, WMA or zone number and time of harvest. The tag must be securely fastened to the leg or ear of the bear.

- (C) Immediately after harvesting an alligator and before moving it, each hunter must attach a Temporary Alligator Possession Tag to its leg.
- (D) All youth hunters, 65+ lifetime hunting license holders, disability hunting license holders, holders of any permanent license issued by the Commission and those hunting under the Reciprocal Hunting License Agreement must legibly fill out (in ink) a game tag provided in the current Commission guidebook, or use a piece of paper to make a tag and legibly print (in ink) hunter's name, date, WMA or zone number and time of harvest. The tag must be securely fastened to the antler or ear of a deer, or to the leg of a turkey.
- (E) Bonus deer with the Deer Management Assistance Program Management tags, **Private Land CWD Management Tags**, and special urban deer hunt tags, in accordance with Section A shall be used instead of license tags where applicable.

PENALTY: Class 2

05.18 BIG GAME CHECKING REQUIREMENTS

- (A) Upon harvesting each alligator, deer, turkey, bear, or elk hunters must ~~within 24 hours of harvest~~, check the game through a Commission approved checking method. The hunter shall provide accurate information to the Commission when checking game. Evidence of an animal's sex must remain attached to the animal until checked. Game may be field dressed and/or quartered to aid in the removal from the field but the head must remain within arms length (close proximity) of all four quarters until checked. After checking duplicate harvest information reflecting the name, address, species, sex, date taken, and check confirmation number must remain with all other portions (if the head of the deer or leg of the turkey is removed) until reaching the point of final storage, including while the deer or turkey is in transit. No big game animal may be transported across state lines before being properly checked unless normal travel routes require said hunter to cross a state line in direct route to check the animal.
- (B) Hunters must check each deer or turkey within 24 hours of harvest through a Commission-approved checking method.
- (C) Hunters must check each alligator within 12 hours of harvest by contacting the Commission and following all permit requirements furnished by the Commission before the hunt.
- (D) Hunters must check each elk within 12 hours of harvest by presenting the elk's head at a designated elk check station or to a designated AGFC employee. **During this checking process hunters are required to allow collection of viable samples from the elk's head for Chronic Wasting Disease testing.**
- (E) Hunters are required to submit a premolar from the harvested bear within seven days of harvest to the Wildlife Management Division.

05.26 IMPORTATION AND MOVEMENT OF CERVID CARCASSES,

PARTS AND PRODUCTS PROHIBITED

04-13 It is unlawful to import, transport or possess in Arkansas any portion of a cervid carcass originating from any area outside the boundaries of Arkansas. It is unlawful to transport or possess outside the CWD Management Zone (E1.13) any porting of a cervid carcass originating from within the CWD Management Zone.

EXCEPTIONS:

- (1) Antlers, antlers attached to cleaned skull plates, or cleaned skulls where no tissue is attached to the skull.
- (2) Cleaned teeth.
- (3) Finished taxidermy and antler products.
- (4) Hides and tanned products.
- (5) Land located between the Mississippi River levees in neighboring states of Tennessee and Mississippi ([Addenda H1.01](#) and [H1.03](#)).
- (6) Boneless meat.

PENALTY: Class 1

05.40 USE OF NATURAL CERVID URINE OR OTHER BIO FLUIDS PROHIBITED

06-16 Effective January 1, 2017, it is unlawful, while hunting, taking or attempting to take, attracting, or scouting any wildlife in Arkansas, to possess or use any substance or material that contains or purports to contain biofluid from a deer or other cervid, including feces, urine, blood, gland oil, or other bodily fluid..

PENALTY: Class 1

CHAPTER 07.00 – BAITING/FEEDING WILDLIFE REGULATIONS

- 07.01 Alligator Baiting and Feeding Prohibited**
- 07.02 Bear Baiting and Feeding Prohibited**
- 07.03 Hunting Bear Over Bait Prohibited**
- 07.04 Hunting Migratory Game Birds Over Bait Prohibited**
- 07.05 Hunting Turkey Over Bait Prohibited**
- 07.06 Baiting and Feeding Prohibited inside the CWD management zone**

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07.06 BAITING AND FEEDING PROHIBITED INSIDE THE CWD MANAGEMENT ZONE

It is unlawful to place or deposit foodstuffs, scents lures, grains, minerals, pelletized feed, or other materials for the purpose of hunting, attracting or enticing wildlife for any reason inside the CWD management zone.

EXCEPTION:

The following are not prohibited under this code:

- 1. Hunting deer with the use of bait on private land September 1-December 31 (15.00, A1.01, E1.01).
- 2. Hunting elk with the use of bait on private land September 1-December 31 (16.00, A1.09, E1.05).

3. Baiting bear on private land in Bear Zones 1, 2, 5 and 5A, 30 days before the opening day of the first bear season until the last day of the last bear season in each respective bear zone ([Code 07.03](#)) with the following bait only prior to September 1: dog food, cat food, pastries/bread, cooking oils, non-wildlife meat scraps, popped-popcorn, cooking grease, and fish or fish byproducts; after September 1, there are no restrictions on bear bait type.
4. Trapping or hunting furbearers with the use of bait during open furbearer trapping seasons and during open furbearer hunting seasons on private land (A1.00, C1.00).
5. Hunting quail with the use of bait on private land from the first day of quail season through December 31 (A1.03)
6. Control of nuisance wildlife in accordance with Code 5.10
7. Bait used for fishing
8. Incidental feeding of wildlife within active livestock operations
9. Attracting or feeding birds or squirrels with common bird and squirrel feeders, bird baths or grain completely submerged in water
10. Hand feeding of wildlife, except alligators, (ex. ducks at community pond), provided a reasonable attempt is made to clean up left-over or spilled foodstuffs
11. Crops planted as food plots for wildlife,
12. Normal agricultural, gardening or soil stabilization practices,
13. Bait and material placed for the purpose of AGFC-approved (by the Chief of Wildlife Management) management, research or control of wildlife

PENALTY: Class 2

11.02 SPECIAL YOUTH MODERN GUN DEER HUNT RESTRICTIONS

04-15

It is unlawful other than a youth six to 15 years of age to hunt deer during the special youth modern gun deer hunt ([Addendum A1.01](#)). During these hunts either sex may be taken. A doe may be taken without a WMA doe quota permit during designated youth deer hunts only. These are not bonus deer and will count toward the seasonal bag limit ([Codes 15.01](#); [21.02](#); [21.03](#)).

EXCEPTIONS:

- (1) WMAs requiring a WMA deer hunt permit are closed to the special youth modern gun deer hunt ([Codes 06.03](#); [21.02](#)).
- (2) In compliance with applicable regulations, hunters six to 15 years of age may harvest deer using archery tackle during archery and crossbow season ([Addendum A1.01 A](#)).
- (3) In compliance with [Addendum C1.01](#).
- (4) Commission-registered deer camps that participate in the Deer Management Assistance Program (DMAP) and receive deer management tags.
- (5) **Private Land CWD Management Tags.**

PENALTY: Class 1

15.01 LEGAL BUCK DEER REQUIREMENTS

04-15 It is unlawful to hunt or possess any buck deer other than a legal buck ([Code 01.00C Legal Buck](#)).

EXCEPTIONS:

- (1) Deer carcasses and parts legally harvested outside the state and accompanied by verification ([Code 05.26](#)).
- (2) In compliance with [Chapter 09.00](#).
- (3) Youths may take any buck.
- (4) On certain WMAs ([Code 21.03](#)).
- (5) Bucks taken with the Deer Management Assistance Program Management buck tags.
- (6) Bucks taken by hunters utilizing the Unrestricted Weapons Antlerless tags.
- (7) Bucks taken by hunters using archery equipment during the Antlerless Only Modern Gun Hunt.

(8) **Private Land CWD Management Tags.**

PENALTY: Class 1

15.02 HUNTING DOE DEER PROHIBITED

04-11 It is unlawful to hunt or possess doe deer.

EXCEPTIONS:

- (1) A doe legally taken in a zone or area declared open to doe harvest by the Commission ([Addendum A1.01](#)).
- (2) Deer carcasses and parts legally harvested outside the state and accompanied by legal verification required by state of origin ([Code 05.26](#)).
- (3) In compliance with [Chapter 09.00](#).
- (4) Commission registered deer camps that participate in the Deer Management Assistance Program Management receiving doe deer permits.

(5) **Private Land CWD Management Tags.**

PENALTY: Class 1

A1.01 DEER SEASON AND LIMITS

05-16 (A) ARCHERY AND CROSSBOW

Zones 1, 1A, 2, 3, 4, 4A, 4B, 5, 5A, 5B, 6, 6A, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 16A and 17: Sept. 24, 2016-Feb. 28, 2017 ([Codes 06.04-05](#)).

EXCEPTION:

In compliance with WMA regulations ([Addendum C1.01](#)).

(B) MODERN GUN

Zones 1, 1A, 2, 3, 6, 6A, 7, 8, 8A, 10 and 11: Nov. 12-Dec. 4, 2016.

Zone 4: Nov. 12-13, 2015.

Zone 5: Nov. 12-13 and Nov. 19-22, 2016.

Zones 4A, 5A, 14 and 15: Nov. 12-Dec. 11, 2016.

Zones 4B and 5B: Nov. 12-20, 2016.

Zones 9, 12 and 13: Nov. 12-Dec. 18, 2016.

Zones 16, 16A and 17: Nov. 12-Dec. 25, 2016.

EXCEPTIONS:

- (1) In compliance with WMA regulations ([Addendum C1.01](#)).

- (2) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (3) Private Land CWD Management Tags.

CHRISTMAS HOLIDAY MODERN GUN DEER HUNT

Zones 1, 1A, 2, 3, 4, 4A, 4B, 5, 5A, 5B, 6, 6A, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 16A and 17: Dec. 26-28, 2016.

EXCEPTIONS:

- (1) WMAs closed during modern gun deer season are excluded from the Christmas Holiday Deer Hunt ([Addendum C1.01](#)).
- (2) WMAs requiring a permit for the modern gun or muzzleloader deer season are excluded from the Christmas Holiday Deer Hunt ([Addendum C1.01](#)).
- (3) In compliance with applicable WMA regulations ([Addendum C1.01](#)).
- (4) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (5) Private Land CWD Management Tags.

SPECIAL YOUTH MODERN GUN DEER HUNT

All deer zones: Nov. 5-6, 2015 and Jan. 7-8, 2016.

EXCEPTIONS:

- (1) In compliance with WMA regulations ([Addendum C1.01](#)).
- (2) WMAs requiring a WMA deer permit are closed to the Special Modern Gun Deer Youth Hunt ([Addendum C1.01](#)).
- (3) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (4) Private Land CWD Management Tags.

**PRIVATE LAND ANTLERLESS (Ref. 01.00-C) ONLY
MODERN GUN DEER HUNT**

Zones 1, 1A, 2, 3, 4, 4A, 4B, 5, 5A, 6, 6A, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 16A and 17: Oct. 29-Nov. 2, 2016.

~~Zones 4, 4A, 4B, 5, 5A, 5B, 7 and 11: Closed.~~

EXCEPTIONS:

- (1) In compliance with regulations ([Code 11.02](#)).
- (2) In compliance with WMA regulations ([Addendum C1.01](#)).
- (3) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (4) Hunters using archery equipment may harvest bucks.
- (5) Private Land CWD Management Tags

(C) MUZZLELOADER

Zones 1, 1A, 2, 3, 6, 6A, 7, 8, 8A, 10 and 11: Oct. 15-23 and Dec. 10-12, 2016.

Zones 4A, 5A, 14 and 15: Oct. 15-23 and December 17-19, 2016.

Zones 9, 12, 13, 16, 16A and 17: Oct. 15-23 and Dec. 29-31, 2016.

Zones 4, 4B, 5 and 5B: Closed.

EXCEPTIONS:

- (1) In areas open during regular gun deer seasons.
- (2) In compliance with WMA regulations ([Addendum C1.01](#)).
- (3) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (4) **Private Land CWD Management Tags.**

LIMIT

Statewide seasonal limit of six deer, no more than two legal bucks using any legal method.

Zone 1 and 2: Seasonal bag limit of five deer, no more than two antlered bucks. No more than two antlered bucks or up to five antlerless may be taken with archery tackle. No more than two antlered bucks and three antlerless deer may be taken with firearms.

Zones 1, 1A, 2, 3, 6, 6A, 8, 8A, 9, 10, 14, 15, 16 and 16A: Seasonal bag limit of four deer, no more than two legal bucks. No more than two legal bucks or up to four does may be taken with archery tackle. No more than two legal bucks and two does may be taken with firearms.

Zone 7: Seasonal bag limit of four deer, no more than two legal bucks. No more than two legal bucks or up to four does may be taken with archery tackle. No more than two legal bucks and one doe may be taken with firearms.

Zones 4, 4B, 5, 5B and 11: Seasonal bag limit of three deer, no more than two legal bucks. No more than two legal bucks or up to three does may be taken with archery tackle. No more than two legal bucks and one doe may be taken with firearms.

Zones 4A and 5A: Seasonal bag limit of three deer, no more than two legal bucks. No more than two legal bucks or up to three does may be taken with archery tackle. No more than two legal bucks or up to two does may be taken with firearms.

Zones 12 and 17: Seasonal bag limit of six deer, no more than two legal bucks. No more than two legal bucks or up to six does may be taken with archery tackle. No more than two legal bucks or up to six does may be taken with firearms.

Zone 13: Seasonal bag limit of four deer, no more than two legal bucks. No more than two legal bucks or up to four does may be taken with archery tackle. No more than two legal bucks or up to four does may be taken with firearms.

Youths six to 15 years of age hunting during the Special Youth Modern Gun Deer Hunt may harvest does Nov. 7-8, 2015 and Jan. 2-3, 2016 in accordance with the zone firearm doe bag limits.

EXCEPTIONS:

- (1) Commission registered deer camps that participate in the Deer Management Assistance Program (DMAP) receiving deer management tags and bonus deer on certain WMAs

([Addendum C1.01](#)) do not apply toward an individual seasonal limit.

- (2) Subject to applicable limit restrictions on WMAs ([Addendum C1.01](#)).
- (3) **Private Land CWD Management Tags.**

A1.09 ELK SEASON AND LIMITS

04-15

Core Elk Management Zone

Public Lands

Zones 1, 2, 3 and 4: Oct. 3-~~9,7, 2016~~ by permit only (Oct. ~~3-4, 2015~~ 1-2, 2016 is youth only hunt).

Zones 1, 2, 3, 4: ~~Nov. 7-13, 2015~~ Oct. 31- Nov. 4, 2016 by permit only (~~Nov. 7-8, 2015~~ Oct. 29-30, 2016 is youth only hunt).

Private Lands

Boone, Carroll, Madison, Newton and Searcy Counties: ~~Nov. 7-13, 2015~~ Oct. 31-Nov. 4, 2016(~~Nov. 7-8, 2015~~ Oct. 29-30, 2016 is youth only hunt) by permit only. Permits will be issued in compliance with the Elk Management Assistance Program (EMAP) Standard Operating Procedure (SOP).

Statewide Elk Management Zone

Statewide except Boone, Carroll, Madison, Newton and Searcy counties: Elk season mirrors applicable deer season dates and methods.

ZONE QUOTA

Core Elk Management Zone

Public Land

Zone 1: two either-sex and three antlerless elk.

Zone 2: three either-sex and six antlerless elk.

Zone 3: three either-sex and six antlerless elk.

Zone 4: three either-sex and six antlerless elk.

Private Land

Boone, Carroll, Madison, Newton and Searcy Counties: 12 either-sex and ~~24~~ **40** antlerless elk (Nov. 7-8, 2015 youth hunt is antlerless only).

Statewide Elk Management Zone

No quota

EXCEPTION:

In compliance with [Chapter 09.00](#).

LIMIT: Individual seasonal limit of one elk.

BEARCAT HOLLOW WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23, 2016.

Modern Gun (special youth hunts): Nov. 5-6, Dec. 10-11, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-~~20~~ Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of ~~two~~ four deer; no more than ~~one~~ two legal buck. ([Codes 11.02; 21.02](#))

- ~~One~~ two legal bucks with archery, muzzleloader or modern gun; (no antler restrictions)
- ~~Four does~~ antlerless with archery;
- ~~One Two~~ antlerless doe with muzzleloader or modern gun (Oct. 15-23, 2016).
- Limit during the modern gun special youth hunt is ~~two~~ four deer, ~~one~~ two buck (no antler restrictions) and two antlerless ~~one doe~~.

BUFFALO NATIONAL RIVER WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of ~~two~~ four deer; no more than ~~one~~ two legal bucks. ([Code 11.02](#))

- ~~One Two~~ legal bucks with archery, muzzleloader or modern gun; (no antler restrictions)
- ~~Two does~~ Four antlerless with archery;
- ~~One Two~~ antlerless doe with muzzleloader or modern gun Oct. 15-23 or Dec. 10-12, 2016 only.
- Limit during the modern gun special youth hunt is ~~one~~ four deer, two bucks (no antler restrictions) and two antlerless or doe.

GENE RUSH WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-22 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-~~20~~ Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of ~~two~~ four deer; no more than ~~one~~ two legal bucks. ([Codes 11.02; 21.02](#))

- ~~One Two~~ legal bucks with archery, muzzleloader or modern gun;
- ~~Two Four~~ antlerless does with archery;
- ~~One Two~~ doe antlerless with muzzleloader or modern gun Oct. 15-23, 2015 or Dec. 10-12, 2016.
- Limit during the modern gun special youth hunt is ~~two~~ four deer, ~~one~~ two bucks (no antler restrictions) and ~~one~~ two antlerless doe.

PINEY CREEKS WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of three deer; no more than ~~one~~ two legal bucks.
([Code 11.02](#))

- ~~One~~ Two legal bucks with archery, muzzleloader or modern gun;
- Three ~~antlerless does~~ with archery;
- One ~~antlerless doe~~ with muzzleloader Oct. 15-23 or Dec. 10-12, 2016 only or one ~~antlerless doe~~ Nov. 12-13, 2016 with modern gun.
- Limit during the modern gun special youth hunt is ~~two~~ three deer, ~~one~~ two bucks (no antler restrictions) and one ~~doe~~ antlerless.

OZARK NATIONAL FOREST WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of three deer; no more than ~~one~~ two legal bucks.
([Code 11.02](#))

- ~~One~~ Two legal bucks with archery, muzzleloader or modern gun;
- Three ~~does antlerless~~ with archery;
- One ~~doe antlerless~~ with muzzleloader Oct. 15-23 or Dec. 10-12, 201 only, or one ~~antlerless doe~~ Nov. 12-13, 2016 with modern gun.
- Limit during the modern gun special youth hunt is two deer, one buck (no antler restrictions) and one doe.

SWEDEN CREEK NATURAL AREA WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Firearms: Closed.

Seasonal limit of four deer; no more than two legal bucks.

- Two legal bucks with archery;~~(no antler restrictions)~~
- Four ~~does antlerless~~ with archery.

WHITE ROCK WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (mobility impaired permit hunt): Oct. 1-2, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of ~~two~~ three deer; no more than ~~one~~ two legal bucks. ([Code 11.02 and Addendum C1.13](#))

- ~~One~~ Two legal bucks with archery, muzzleloader or modern gun;
- ~~Two~~ Three antlerless does with archery;
- One ~~doe antlerless~~ with muzzleloader Oct. 15-23 , Dec. 10-12, 2016 or Nov. 14-15 with modern gun.
- Limit during the modern gun mobility impaired permit is two deer, one buck (no antler restrictions) and one ~~doe antlerless~~.
- Limit during the modern gun special youth hunt is ~~two~~ three deer, one buck (no antler restrictions) and one ~~doe antlerless~~.

C1.14 BUCK DEER RESTRICTIONS ON CERTAIN WMAs

- 04-15
- (1) On Bayou Meto, Buck Island, Cut-Off Creek, Dave Donaldson Black River, Ed Gordon Point Remove, Freddie Black Choctaw Island WMA Deer Research Area East Unit, Henry Gray Hurricane Lake, Rick Evans Grandview Prairie, St. Francis National Forest, Sheffield Nelson Dagmar and Trusten Holder WMAs a buck must have:
 - (A) both antlers under 2 inches (button buck included); or
 - (B) an inside spread of 15 inches or more in width; or
 - (C) at least one main beam 18 inches or more in length.
 - (2) On Johnson County WRA on Dardanelle WMA any buck deer may be legally harvested during a firearm permit hunt.
 - (3) On Greers Ferry Lake and Lake Greeson WMAs, any buck deer may be legally harvested during the deer muzzleloader mobility-impaired hunt.
 - (4) On Hobbs SP-CA and J. Perry Mikles Blue Mountain SUA, any buck deer may be legally harvested during the deer modern gun mobility-impaired hunt.
 - (5) On Dr. Lester Sitzes III Bois d’ Arc, Harold E. Alexander Spring River, Hope Upland, Lafayette County, McIlroy Madison County, Mike Freeze Wattensaw and Moro Big Pine Natural Area, Scott Henderson Gulf Mountain, Shirey Bay Rainey Brake WMAs a buck must have:
 - (A) both antlers under 2 inches (button buck included); or
 - (B) an inside spread of 12 inches or more in width; or
 - (C) at least one main beam 15 inches or more in length.
 - (6) On Bald Knob, Big Lake, Dale Bumpers White River, Cache River, Felsenthal, Holla Bend, Overflow, Pond Creek and Wapanocca NWRs; Bearcat Hollow, Buffalo National River, Gene Rush, Piney Creeks, Ozark National Forest, Rex Hancock Black Swamp, Sweden Creek Natural Area and White Rock WMAs and U of A Pine Tree Experimental Station WDA WMAs any buck deer may be legally harvested during all deer hunts.
 - (7) In compliance with Code 11.02.

E1.05 CORE PRIVATE LAND ELK MANGEMENT ZONE DESCRIPTION

06-16

The Core Private Land Elk Management Zone includes all private lands within Boone, Carroll, Madison, Newton, and Searcy counties.

EXCEPTION:

Boxley Valley Elk Viewing Area: Intersection Arkansas Highway 74 and Highway 43; east on Arkansas Highway 74 to intersection of the National Park Service authorization boundary; south on the National Park Service authorization boundary to the intersection of the U. S. Forest Service authorization boundary, west on the U. S. Forest Service authorization boundary to the intersection of the National Park Service authorization boundary; north on the National Park Service authorization boundary to Highway 43; southeast on Highway 43 to intersection of Arkansas Highway 74.

E1.10 CORE PUBLIC LAND ELK MANAGEMENT ZONE DESCRIPTION

06-16

Zone 1 – The portion of the Buffalo National River Wildlife Management Area that lies between: downstream (east) of the Highway 74 bridge at the Ponca access to the Highway 123 bridge upstream (west) from the Carver access. Check with the National Park Service for no hunting zones established within the boundary of the Buffalo National River.

Zone 2 - Includes all portions of Gene Rush Wildlife Management Area excluding the Richland Valley Sonny Varnell Elk Conservation Area located in the Richland Valley bottoms. Also includes the portions of the Buffalo National River Wildlife Management Area that lies between the Highway 123 bridge at the Carver access downstream (east) to Searcy County Rd 14 upstream (west) from the Woolum access. Check with the National Park Service for no hunting zones established within the boundary within the Buffalo National River.

Zone 3 - Includes the Richland Valley Sonny Varnell Elk Conservation Area and the portion of the Buffalo National River Wildlife Management Area that lies between: downstream (east) from where Searcy County Road 14 crosses at the Woolum access to the Arkansas Highway 65 bridge. Check with the National Park Service for no hunting zones established within the boundary of the Buffalo National River.

Zone 4 - Bearcat Hollow Wildlife Management Area located in the boundary of the Ozark National Forest as established by the United States Forest Service (USFS). Check with the USFS for no hunting zones established within the boundary of the Bearcat Hollow WMA.

E1.11 STATEWIDE ELK MANAGEMENT ZONE

06-16

The Statewide Elk Management Zone includes all private and public lands within the State of Arkansas excluding Boone, Carroll, Madison, Newton, and Searcy counties.

E1.12 CWD MANAGEMENT ZONE

06-16

The CWD Management Zone includes any county where a

wild or captive cervid has tested positive for Chronic Wasting Disease (CWD) and any county that encompasses any portion of a 10-mile radius buffer around any CWD positive sample collection site. Zone includes all lands within Boone, Carroll, Johnson, Logan, Madison, Marion, Newton, Pope, Searcy and Yell counties. Where any other county or a portion thereof is within a 10-mile radius of a CWD positive sample collection site, the Director or his designee may add that entire county to the CWD Management Zone Upon notice to the public through posting an updated description of the CWD Management Zone on the AGFC web site, social media, or other means reasonably calculated to inform the public.

F1.05 WILDLIFE REHABILITATION PERMIT REQUIREMENTS

- 04-14 (A) Eligibility and Application Requirements:
- (1) A Wildlife Rehabilitation Permit applications must comply with the following:
 - (a) The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
 - (b) The applicant shall be a resident of Arkansas with a bona fide or actual residence within the state.
 - (c) The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's facility shall be in compliance with all local ordinances.
 - (d) An application for the permit shall be submitted on a form supplied by the Commission.
 - (e) Applications will include the signature, address and phone number of a licensed veterinarian who will assist the applicant by providing consulting and referral services regarding animal rehabilitation and treatment.
 - (2) General Class Wildlife Rehabilitation Permits may be issued based upon documented applicant experience in accordance with one of the following methods:
 - (a) Persons who submit written documentation (on a form supplied by the Commission) of at least two years of experience in the care of sick, injured, orphaned or otherwise impaired wildlife obtained in accordance with an Apprentice Class Wildlife Rehabilitation Permit. Such documentation must include a description of the specific training or experience acquired, and the dates and locations where acquired. The applicant also shall

submit a reference from a permitted rehabilitator based upon personal knowledge. Additional documentation may consist of records of prior permits for rehabilitation issued by other states or the U.S. Fish and Wildlife Service, employment records of wildlife rehabilitative facilities, training course certificates, or other documentation of experience.

- (b) Persons who held a General Class (or equivalent) rehabilitation permit issued by the Commission or any other state within the last five years.
 - (c) Wildlife rehabilitators certified by the International Wildlife Rehabilitation Council who submit a reference from a permitted General Class rehabilitator based upon personal knowledge.
- (3) Apprentice Class Wildlife Rehabilitation Permit applicants shall meet all the eligibility and application requirements of sub-chapter A (1) of this code and shall have a sponsor with a current General Class Wildlife Rehabilitation Permit.
- (B) Permit Requirements:
- (1) Wildlife shall be cared for at the location listed in the Wildlife Rehabilitation Permit.
 - (2) Apprentice class wildlife rehabilitators under the supervision of a general class wildlife rehabilitator may possess or care for no more than 20 baby opossums or six other individual animals at a time.
 - (3) Wildlife undergoing rehabilitation or medical treatment shall not be hunted, bred or displayed to the public.
 - (4) Rehabilitated native wildlife shall be released at a time and into a habitat suitable to sustain it in, or adjacent to, the county in which it was captured. Wildlife shall not be released within the limits of any incorporated city or town and shall be released in compliance with any local regulations.
 - (5) When necessary, euthanasia shall be by an acceptable method set forth by the International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's current "Minimum Standards for Wildlife Rehabilitation."
 - (6) Wildlife with permanent physical impairments may be kept for educational use upon approval of the chief of the Wildlife Management Division and in compliance with U.S. Department of Agriculture regulations regarding display of wild animals. Permittee shall not transfer permanently impaired wildlife to unauthorized individuals.
 - (7) Animals that die from causes other than disease while in the custody of the permittee shall be disposed of in accordance with local or state laws or be offered to a museum, university, or other educational facility.
 - (8) Animals that die of disease must be destroyed in a manner that does not allow the spread of the disease to other animals or humans and must be reported to the Commission within 48 hours.
 - (9) Permittees receiving any species classified as endangered or threatened shall notify the Little Rock office of the Commission's Wildlife Management Division within 48 hours of the receipt of the animal.

- (10) Permittees shall not require a fee associated with wildlife rehabilitation services or for the pick-up, delivery or acceptance of sick, injured, orphaned or otherwise impaired wildlife. This limitation shall not apply to professional fees charged by a licensed veterinarian for treatment or other services requested by a permitted wildlife rehabilitator. This regulation does not in any way prohibit nor discourage the public from making voluntary donations to rehabilitators for animal care and facility maintenance.
 - (11) Permittees are not agents of the Commission and may not represent themselves as such.
 - (12) Rehabilitation facilities shall comply with International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's "Minimum Standards for Wildlife Rehabilitation."
 - (13) Permittees who care for foxes, skunks or bats, must maintain records of pre-exposure rabies vaccination treatment.
 - (14) Permittees shall not maintain other native wild animals as personal pets except for those kept in accordance with F1.05(B)(6) or without specific authorization from the Chief of Wildlife Management.
 - (15) **No Wildlife Rehabilitation Permit will be issued for the rehabilitation of cervid species (i.e. white tailed deer or elk) or black bears.**
- (C) **Reporting and Record Keeping:**
- (1) All permit holders shall maintain a log of each animal taken into custody. The log shall include date the animal was received, county of origin, treatment, condition and disposition, and shall be subject to inspection by Commission personnel at any reasonable time.
 - (2) Permit holders shall submit annual reports (Jan. 1-Dec. 31) on a form provided by the Commission. Annual reports shall be due Jan. 31.
- (D) **Facility and Caging Requirements:**
- (1) All wildlife shall be kept in pens/cages that meet the "Basic Requirements for Housing Wild Animals and Minimum Housing Guidelines" set forth by the current International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's "Minimum Standards for Wildlife Rehabilitation" unless otherwise authorized by the Commission.
 - (2) Wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are strong enough to prevent escape and protect them from injury.
 - (3) Cages, fencing, and guardrails shall be kept in good repair at all times and gates shall be secured with latches or locks. Enclosures, pens, or cages considered unsafe by Commission personnel must be repaired within 10 days of inspection or as specified by the Commission.
 - (4) Permit holders whose facilities, including enclosures, pens and cages, are not in compliance with this Addendum Chapter shall be notified in writing and shall have 10 days to correct the violation.
 - (5) If the violation has not been corrected in 10 days, the Commission may revoke any permit and refuse to issue future permits. Permit

revocation or refusal shall be in addition to any criminal charges that may be filed.

- (E) Inspection:
- (1) Holders of a Wildlife Rehabilitation Permit shall allow entry, at reasonable hours, to Commission employees or agents to inspect the wildlife, facilities, books, records, or permits required by the permit.
 - (2) Permit holders shall hold the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by Commission employees or agents.
 - (3) Commission employees may immediately relocate wildlife that is being given improper care or being kept in inhumane or unhealthy conditions.
- (F) Renewal, Transfer, Suspension and Revocation:
- (1) Wildlife Rehabilitation Permits shall expire Jan. 31 each year. Permits may be renewed following receipt and approval by the Commission of a permit renewal application, and an annual report for the previous calendar year in accordance with [Addendum F1.05\(C\)\(2\)](#).
 - (2) Permits may be revoked for 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.
 - (3) Permit holders shall be notified in writing of such violations and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
 - (4) If just cause has not been given in 20 days, the Commission may suspend or revoke any permit held by the violator and refuse to issue future permits. Additionally, criminal charges may be filed.
 - (5) Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 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 & Fish Commission

DIVISION: Wildlife Divisions

PERSONS COMPLETING THIS STATEMENT: Brad Carner

TELEPHONE #: 501-223-6300 **FAX #:** 501-223-6463

EMAIL: brad.carner@agfc.ar.gov

SHORT TITLE OF THIS RULE: Regulations focused on chronic wasting disease (CWD), in attempt to reduce introduction into new areas and amplification in established areas.

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:

The financial impact cannot be determined with accuracy because due to dependency on external factors that could not be quantified.

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.
N/A

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

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: \$ 0 **Next Fiscal Year:** \$ Unknown

Financial Benefit to Agency: None, however Arkansas wildlife resources will be better protected from CWD.

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: N/A

7. Compare this rule with federal and state counterparts:

INSTRUCTIONS FOR COMPLETING THIS FORM:

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

ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

MINUTE ORDER NO:	16-056	SUBJECT:	Chronic Wasting Disease Regulations
DATE PASSED:	June 24, 2016		
PAGE	1	of	2 PAGES
		LOCATION:	Statewide

- WHEREAS,** on February 23, 2016, following confirmation of Chronic Wasting Disease (CWD) in an elk harvested in Newton County, the Arkansas Game and Fish Commission adopted Minute Order No. 16-021 approving, on an emergency basis, a revised Chronic Wasting Disease Response Management Plan to provide increased measures and guidelines for monitoring and managing CWD in white-tailed deer, elk, and other cervids in Arkansas, and impeding as much as practical the spread of the disease; **and**
- WHEREAS,** on June 16, 2016, after additional public notice and opportunity for comment, the Commission adopted Minute Order No. 16-055, which re-approved, on a permanent basis, the CWD Response Management Plan; **and**
- WHEREAS,** during the past few months, the Arkansas Game and Fish Commission and its staff have proposed the attached regulations to implement disease management measures and practices outlined in the CWD Response Management Plan; **and**
- WHEREAS,** for at least the past 30 days, the attached regulations have been communicated through a variety of media avenues (including: newspaper notice; news releases to print and broadcast media; television and radio announcements; computer online notifications, surveys, and social media communications; public meetings; etc.) to sportsmen and the general public throughout the state for review and comment; **and**
- WHEREAS,** after carefully considering the recommendations of AGFC staff and the Regulations Committee, as well as comments received from the public and conservation partners, the Commission has determined that the attached Chronic Wasting Disease 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 24th day of June 2016 that the Arkansas Game and Fish Commission hereby approves and adopts the attached Chronic Wasting Disease 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.

STAFF APPROVAL
Submitted by: Brad Carner
Brad Carner
Chief

Division: Wildlife Management

Approved: [Signature] W.A.D.
Director

Approved: A.F. Hoodhart
Legal

Approved: Carol Hughson
Fiscal

COMMISSION APPROVAL
[Signature] Ken Reeves
Emon Mahony
Chairman
Ken Reeves
Commissioner

Fred Brown Andrew Parker
Fred Brown
Vice Chairman
Andrew Parker
Commissioner

Steve Cook [Signature]
Steve Cook
Commissioner
Joe Morgan
Commissioner

Ford Overton
Ford Overton
Commissioner

01.00-C DEFINITION OF TERMS

01-16 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 less than 2 inches of hardened bone antler.

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 Norrell Lock and Dam No. 1 to the Arkansas River and the Arkansas River from Wilbur D. Mills 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 attractant 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), paddlefish, shovelnose, sturgeon, and all species of buffalo, catfish, carp, drum, gar, and sucker family (except silver redhorse).

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.

DISABLED VETERAN:

(a) any individual whom the United States Department of Veterans Affairs (VA) has rated 100% permanently and totally disabled as a result of his or her U.S. military service;

(b) any individual whom the VA has rated permanently disabled as a result of his or her U.S. military service and who received the Purple Heart medal as a result of his or her service-connected disability.

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.

FEEDING WILDLIFE – The direct or indirect placing, exposing, depositing, distributing or scattering of salt, grain or other feed that serves or could serve as a lure, attractant, or supplemental food source for wildlife.

FERAL HOG – Any hog, including but not limited to Russian and European wild boar, any Old World swine, or the family Tayassuidae, including without limitation peccary, javelin, and New World swine, which is roaming freely and is living in a wild or feral state, and is not conspicuously identified as required under §§ 2-34-101 and §§ 2-34-102.

FIREARM – Any device designed, made, or adapted to expel a projectile through a barrel, including without limitation modern guns, air guns and muzzleloaders (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 Eurasian collared dove 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.

HAZARDOUS WAKE – Wash or wake upon an approaching, passing or stationary vessel, including but not limited to a wake that causes other vessels to take on water, or a wash or wake that is sufficient to toss occupants of other vessels about in a manner to cause injury or the risk of injury.

HARVEST/HARVESTING – To reduce to possession.

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.

HYBIRD RAPTORS – A raptor produced from a cross-breeding birds of two different taxa, one or both of which are listed in 50 CFR 10.13, and any offspring of such raptors.

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) **Antlered Buck:** A male deer with two inches, or more, of hardened bone antler.
- (b) **Buck of Choice:** A male deer.
- (c) **Button Buck:** A male deer with less than 2 inches of hardened boned antler.

(d) **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](#)).

(e) **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](#)).

(f) **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](#)).

(g) **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, Eurasian collared dove, ducks, gallinules or moorhens, geese, rails, snipe and woodcock.

MILITARY RETIREE - Any individual at least 60 years old who is entitled to retired pay as a result of his or her United States military service.

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 at one time including but not limited to tripod stands, lean-to stands, lock-on stands, ladder stands, and climbing stands (Box stands are not portable hunting stands).

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).

PRIMATE – A live individual animal of the taxonomic order Primates, excluding humans.

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.

PUBLIC WATERS – Waters that members of the public have a legal right to access and use for recreational purposes, including all legally navigable waters.

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, Accipitriformes or the Order Strigiformes.

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.

(iv) Resident foreign exchange students attending school outside of Arkansas.

(v) Active-duty military personnel assigned to duty stations in Arkansas.

(vi) Active-duty military personnel who were Arkansas residents at the time of entering service, regardless of where currently stationed.

(vii) Members of the National Guard who are assigned to an Arkansas Guard Unit.

(c) 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. Non-Expiring Lifetime Resident Hunting and Fishing License and Sportsman’s Permit.

(d) 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), drum and yellow bass.

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.

SIMULATED WING MOVEMENT DECOY – Any electric, mechanically-operated, wind-powered, or manually-powered apparatus or device that simulates wing movement, including any device that spins one or more fixed- or stationary-winged decoys around a central axis.

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, cutthroat trout, salmon and char.

VESSEL – Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation, including motorboats and personal watercraft.

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

WATERS OF THE STATE – All streams, lakes, ponds, sloughs, bayous, marshes or any other waters either permanent or intermittent located wholly or partially within Arkansas. Provided, however, “waters of the state” shall not include pay lakes and fish farms or any waters that are confined within a pond, tank, or lake, situated entirely on the premises of a single private owner and which, except under abnormal flood conditions, are not connected with any of other flowing stream or body of water that extends beyond the premises of such owner. **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 (crawdads and crayfish), 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.

05.17 ALLIGATOR, BEAR, DEER AND TURKEY TAGGING REQUIREMENTS

- 06-15 (A) Immediately after harvesting a deer or turkey, and before moving the animal, each hunter must remove the appropriate deer or turkey tag from the hunter’s license and legibly fill out (in ink) the tag with all required information. The original tag must be securely fastened to the antler or ear of a deer, or to the leg of a turkey. **SPECIAL NOTE:** The original tag must remain as attached to the deer or turkey. Duplicate harvest information reflecting the name, address, species, sex, date taken and check confirmation number must remain with all other portions (if the head of the deer or leg of a turkey is removed) until reaching the point of final storage, including while the deer or turkey is in transit.

(B) Immediately after harvesting a bear and before moving it, each hunter must legibly fill out (in ink) a game tag provided in the current Arkansas Hunting Guidebook, or use a piece of paper to make a tag, and legibly print (in ink) hunter's name, date, WMA or zone number and time of harvest. The tag must be securely fastened to the leg or ear of the bear.

(C) Immediately after harvesting an alligator and before moving it, each hunter must attach a Temporary Alligator Possession Tag to its leg.

(D) All youth hunters, 65+ lifetime hunting license holders, disability hunting license holders, holders of any permanent license issued by the Commission and those hunting under the Reciprocal Hunting License Agreement must legibly fill out (in ink) a game tag provided in the current Commission guidebook, or use a piece of paper to make a tag and legibly print (in ink) hunter's name, date, WMA or zone number and time of harvest. The tag must be securely fastened to the antler or ear of a deer, or to the leg of a turkey.

(E) Bonus deer with the Deer Management Assistance Program Management tags, Private Land CWD Management Tags, and special urban deer hunt tags, in accordance with Section A shall be used instead of license tags where applicable.

PENALTY: Class 2

05.18 BIG GAME CHECKING REQUIREMENTS

(A) Upon harvesting each alligator, deer, turkey, bear, or elk hunters must check the game through a Commission approved checking method. The hunter shall provide accurate information to the Commission when checking game. Evidence of an animal's sex must remain attached to the animal until checked. Game may be field dressed and/or quartered to aid in the removal from the field but the head must remain within arm's length (close proximity) of all four quarters until checked. After checking duplicate harvest information reflecting the name, address, species, sex, date taken, and check confirmation number must remain with all other portions (if the head of the deer or leg of the turkey is removed) until reaching the point of final storage, including while the deer or turkey is in transit. No big game animal may be transported across state lines before being properly checked unless normal travel routes require said hunter to cross a state line in direct route to check the animal.

(B) Hunters must check each deer or turkey within 24 hours of harvest through a Commission-approved checking method.

(C) Hunters must check each alligator within 12 hours of harvest by contacting the Commission and following all permit requirements furnished by the Commission before the hunt.

(D) Hunters must check each elk within 12 hours of harvest by presenting the elk's head at a designated elk check station or to a designated AGFC employee. During this checking process hunters are required to allow collection of viable samples from the elk's head for Chronic Wasting Disease testing.

(E) Hunters are required to submit a premolar from the harvested bear within seven days of harvest to the Wildlife Management Division.

05.26 IMPORTATION AND MOVEMENT OF CERVID CARCASSES, PARTS AND PRODUCTS PROHIBITED

04-13 It is unlawful to import, transport or possess in Arkansas any portion of a cervid carcass originating from any area outside the boundaries of Arkansas. It is unlawful to transport or possess outside the CWD

Management Zone (E1.13) any porting of a cervid carcass originating from within the CWD Management Zone.

EXCEPTIONS:

- (1) Antlers, antlers attached to cleaned skull plates, or cleaned skulls where no tissue is attached to the skull.
- (2) Cleaned teeth.
- (3) Finished taxidermy and antler products.
- (4) Hides and tanned products.
- (5) Land located between the Mississippi River levees in neighboring states of Tennessee and Mississippi (Addenda H1.01 and H1.03).
- (6) Boneless meat.

PENALTY: Class 1

05.40 USE OF NATURAL CERVID URINE OR OTHER BIO FLUIDS PROHIBITED

06-16 Effective January 1, 2017, it is unlawful, while hunting, taking or attempting to take, attracting, or scouting any wildlife in Arkansas, to possess or use any substance or material that contains or purports to contain biofluid from a deer or other cervid, including feces, urine, blood, gland oil, or other bodily fluid..

PENALTY: Class 1

CHAPTER 07.00 – BAITING/FEEDING WILDLIFE REGULATIONS

- 07.01 Alligator Baiting and Feeding Prohibited**
- 07.02 Bear Baiting and Feeding Prohibited**
- 07.03 Hunting Bear Over Bait Prohibited**
- 07.04 Hunting Migratory Game Birds Over Bait Prohibited**
- 07.05 Hunting Turkey Over Bait Prohibited**
- 07.06 Baiting and Feeding Prohibited inside the CWD management zone**

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07.06 BAITING AND FEEDING PROHIBITED INSIDE THE CWD MANAGEMENT ZONE

It is unlawful to place or deposit foodstuffs, scents lures, grains, minerals, pelletized feed, or other materials for the purpose of hunting, attracting or enticing wildlife for any reason inside the CWD management zone.

EXCEPTION:

The following are not prohibited under this code:

- 1. Hunting deer with the use of bait on private land September 1-December 31 (15.00, A1.01, E1.01).
- 2. Hunting elk with the use of bait on private land September 1-December 31 (16.00, A1.09, E1.05).
- 3. Baiting bear on private land in Bear Zones 1, 2, 5 and 5A, 30 days before the opening day of the first bear season until the last day of the last bear season in each respective bear zone (Code 07.03) with the following bait only prior to September 1: dog food, cat food, pastries/bread, cooking oils, non-wildlife meat scraps, popped-popcorn, cooking grease, and fish or fish byproducts; after September 1, there

- are no restrictions on bear bait type.
4. Trapping or hunting furbearers with the use of bait during open furbearer trapping seasons and during open furbearer hunting seasons on private land (A1.00, C1.00).
 5. Hunting quail with the use of bait on private land from the first day of quail season through December 31 (A1.03)
 6. Control of nuisance wildlife in accordance with Code 5.10
 7. Bait used for fishing
 8. Incidental feeding of wildlife within active livestock operations
 9. Attracting or feeding birds or squirrels with common bird and squirrel feeders, bird baths or grain completely submerged in water
 10. Hand feeding of wildlife, except alligators, (ex. ducks at community pond), provided a reasonable attempt is made to clean up left-over or spilled foodstuffs
 11. Crops planted as food plots for wildlife,
 12. Normal agricultural, gardening or soil stabilization practices,
 13. Bait and material placed for the purpose of AGFC-approved (by the Chief of Wildlife Management) management, research or control of wildlife

PENALTY: Class 2

11.02 SPECIAL YOUTH MODERN GUN DEER HUNT RESTRICTIONS

04-15 It is unlawful other than a youth six to 15 years of age to hunt deer during the special youth modern gun deer hunt ([Addendum A1.01](#)). During these hunts either sex may be taken. A doe may be taken without a WMA doe quota permit during designated youth deer hunts only. These are not bonus deer and will count toward the seasonal bag limit ([Codes 15.01](#); [21.02](#); [21.03](#)).

EXCEPTIONS:

- (1) WMAs requiring a WMA deer hunt permit are closed to the special youth modern gun deer hunt ([Codes 06.03](#); [21.02](#)).
- (2) In compliance with applicable regulations, hunters six to 15 years of age may harvest deer using archery tackle during archery and crossbow season ([Addendum A1.01 A](#)).
- (3) In compliance with [Addendum C1.01](#).
- (4) Commission-registered deer camps that participate in the Deer Management Assistance Program (DMAP) and receive deer management tags.
- (5) Private Land CWD Management Tags.

PENALTY: Class 1

15.01 LEGAL BUCK DEER REQUIREMENTS

04-15 It is unlawful to hunt or possess any buck deer other than a legal buck ([Code 01.00C Legal Buck](#)).

EXCEPTIONS:

- (1) Deer carcasses and parts legally harvested outside the state and accompanied by verification ([Code 05.26](#)).
- (2) In compliance with [Chapter 09.00](#).
- (3) Youths may take any buck.

- (4) On certain WMAs ([Code 21.03](#)).
- (5) Bucks taken with the Deer Management Assistance Program Management buck tags.
- (6) Bucks taken by hunters utilizing the Unrestricted Weapons Antlerless tags.
- (7) Bucks taken by hunters using archery equipment during the Antlerless Only Modern Gun Hunt.
- (8) Private Land CWD Management Tags.

PENALTY: Class 1

15.02 HUNTING DOE DEER PROHIBITED

04-11 It is unlawful to hunt or possess doe deer.

EXCEPTIONS:

- (1) A doe legally taken in a zone or area declared open to doe harvest by the Commission ([Addendum A1.01](#)).
- (2) Deer carcasses and parts legally harvested outside the state and accompanied by legal verification required by state of origin ([Code 05.26](#)).
- (3) In compliance with [Chapter 09.00](#).
- (4) Commission registered deer camps that participate in the Deer Management Assistance Program Management receiving doe deer permits.
- (5) Private Land CWD Management Tags.

PENALTY: Class 1

A1.01 DEER SEASON AND LIMITS

05-16 (A) ARCHERY AND CROSSBOW

Zones 1, 1A, 2, 3, 4, 4A, 4B, 5, 5A, 5B, 6, 6A, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 16A and 17: Sept. 24, 2016-Feb. 28, 2017 ([Codes 06.04-05](#)).

EXCEPTION:

In compliance with WMA regulations ([Addendum C1.01](#)).

(B) MODERN GUN

Zones 1, 1A, 2, 3, 6, 6A, 7, 8, 8A, 10 and 11: Nov. 12-Dec. 4, 2016.

Zone 4: Nov. 12-13, 2015.

Zone 5: Nov. 12-13 and Nov. 19-22, 2016.

Zones 4A, 5A, 14 and 15: Nov. 12-Dec. 11, 2016.

Zones 4B and 5B: Nov. 12-20, 2016.

Zones 9, 12 and 13: Nov. 12-Dec. 18, 2016.

Zones 16, 16A and 17: Nov. 12-Dec. 25, 2016.

EXCEPTIONS:

- (1) In compliance with WMA regulations ([Addendum C1.01](#)).
- (2) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (3) Private Land CWD Management Tags.

CHRISTMAS HOLIDAY MODERN GUN DEER HUNT

Zones 1, 1A, 2, 3, 4, 4A, 4B, 5, 5A, 5B, 6, 6A, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 16A and 17: Dec. 26-28, 2016.

EXCEPTIONS:

- (1) WMAs closed during modern gun deer season are excluded from the Christmas Holiday Deer Hunt ([Addendum C1.01](#)).
- (2) WMAs requiring a permit for the modern gun or muzzleloader deer season are excluded from the Christmas Holiday Deer Hunt ([Addendum C1.01](#)).

- (3) In compliance with applicable WMA regulations ([Addendum C1.01](#)).
- (4) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (5) Private Land CWD Management Tags.

SPECIAL YOUTH MODERN GUN DEER HUNT

All deer zones: Nov. 5-6, 2015 and Jan. 7-8, 2016.

EXCEPTIONS:

- (1) In compliance with WMA regulations ([Addendum C1.01](#)).
- (2) WMAs requiring a WMA deer permit are closed to the Special Modern Gun Deer Youth Hunt ([Addendum C1.01](#)).
- (3) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (4) Private Land CWD Management Tags.

PRIVATE LAND ANTLERLESS (Ref. 01.00-C) ONLY MODERN GUN DEER HUNT

Zones 1, 1A, 2, 3, 4, 4A, 4B, 5, 5A 6, 6A, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 16A and 17: Oct. 29-Nov. 2, 2016.

EXCEPTIONS:

- (1) In compliance with regulations ([Code 11.02](#)).
- (2) In compliance with WMA regulations ([Addendum C1.01](#)).
- (3) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (4) Hunters using archery equipment may harvest bucks.
- (5) Private Land CWD Management Tags

(C) MUZZLELOADER

Zones 1, 1A, 2, 3, 6, 6A, 7, 8, 8A, 10 and 11: Oct. 15-23 and Dec. 10-12, 2016.

Zones 4A, 5A, 14 and 15: Oct. 15-23 and December 17-19, 2016.

Zones 9, 12, 13, 16, 16A and 17: Oct. 15-23 and Dec. 29-31, 2016.

Zones 4, 4B, 5 and 5B: Closed.

EXCEPTIONS:

- (1) In areas open during regular gun deer seasons.
- (2) In compliance with WMA regulations ([Addendum C1.01](#)).
- (3) Deer Management Assistance Program (DMAP) Deer Management Tags.
- (4) Private Land CWD Management Tags.

LIMIT

Statewide seasonal limit of six deer, no more than two legal bucks using any legal method. with firearms.

Zone 1 and 2: Seasonal bag limit of five deer, no more than two antlered bucks.

No more than two antlered bucks or up to five antlerless may be taken with archery tackle. No more than two antlered bucks and three antlerless deer may be taken

Zones 1A, 3, 6, 6A, 8, 8A, 9, 10, 14, 15, 16 and 16A: Seasonal bag limit of four deer, no more than two legal bucks. No more than two legal bucks or up to four does may be taken with archery tackle. No more than two legal bucks and two does may be taken with firearms.

Zone 7: Seasonal bag limit of four deer, no more than two legal bucks. No more than two legal bucks or up to four does may be taken with archery tackle. No more than two legal bucks and one doe may be taken with firearms.

Zones 4, 4B, 5, 5B and 11: Seasonal bag limit of three deer, no more than two legal bucks. No more than two legal bucks or up to three does may be taken with archery tackle. No more than two legal bucks and one doe may be taken with firearms.

Zones 4A and 5A: Seasonal bag limit of three deer, no more than two legal bucks. No more than two legal bucks or up to three does may be taken with archery tackle. No more than two legal bucks or up to two does may be taken with firearms.

Zones 12 and 17: Seasonal bag limit of six deer, no more than two legal bucks. No more than two legal bucks or up to six does may be taken with archery tackle. No more than two legal bucks or up to six does may be taken with firearms.

Zone 13: Seasonal bag limit of four deer, no more than two legal bucks. No more than two legal bucks or up to four does may be taken with archery tackle. No more than two legal bucks or up to four does may be taken with firearms.

Youths six to 15 years of age hunting during the Special Youth Modern Gun Deer Hunt may harvest does Nov. 7-8, 2015 and Jan. 2-3, 2016 in accordance with the zone firearm doe bag limits.

EXCEPTIONS:

- (1) Commission registered deer camps that participate in the Deer Management Assistance Program (DMAP) receiving deer management tags and bonus deer on certain WMAs ([Addendum C1.01](#)) do not apply toward an individual seasonal limit.
- (2) Subject to applicable limit restrictions on WMAs ([Addendum C1.01](#)).
- (3) Private Land CWD Management Tags.

A1.09 ELK SEASON AND LIMITS

04-15 **Core Elk Management Zone**

Public Lands

Zones 1, 2, 3 and 4: Oct. 3-7, 2016 by permit only (Oct. 1-2, 2016 is youth only hunt).

Zones 1, 2, 3, 4: Oct. 31- Nov. 4, 2016 by permit only (Oct. 29-30, 2016 is youth only hunt).

Private Lands

Boone, Carroll, Madison, Newton and Searcy Counties: Oct. 31-Nov. 4, 2016, (Oct. 29-30, 2016) is youth only hunt) by permit only. Permits will be issued in compliance with the Elk Management Assistance Program (EMAP) Standard Operating Procedure (SOP).

Statewide Elk Management Zone

Statewide except Boone, Carroll, Madison, Newton and Searcy counties: Elk season mirrors applicable deer season dates and methods.

ZONE QUOTA

Core Elk Management Zone

Public Land

Zone 1: two either-sex and three antlerless elk.

Zone 2: three either-sex and six antlerless elk.

Zone 3: three either-sex and six antlerless elk.

Zone 4: three either-sex and six antlerless elk.

Private Land

Boone, Carroll, Madison, Newton and Searcy Counties: 12 either-sex and 24 40 antlerless elk (Nov. 7-8, 2015 youth hunt is antlerless only).

Statewide Elk Management Zone

No quota

EXCEPTION:

In compliance with [Chapter 09.00](#).

LIMIT: Individual seasonal limit of one elk.

C1.01 DEER SEASON AND LIMIT RESTRICTIONS ON WMAs

BEARCAT HOLLOW WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23, 2016.

Modern Gun (special youth hunts): Nov. 5-6, Dec. 10-11, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12- Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of four deer; no more than two legal buck. (Codes 11.02; 21.02)

- Two legal bucks with archery, muzzleloader or modern gun,(no antler restrictions)
- Four antlerless with archery;
- Two antlerless with muzzleloader or modern gun.
- Limit during the modern gun special youth hunt is ~~two~~ four deer, two buck (no antler restrictions) and two antlerless.

BUFFALO NATIONAL RIVER WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of four deer; no more than two legal bucks. (Code 11.02)

- Two legal bucks with archery, muzzleloader or modern gun;(no antler restrictions)
- Four antlerless with archery;
- Two antlerless with muzzleloader or modern.
- Limit during the modern gun special youth hunt is four deer, two bucks (no antler restrictions) and two antlerless.

GENE RUSH WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-22 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12- Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of four deer; no more than two legal bucks. (Codes 11.02; 21.02)

- Two legal bucks with archery, muzzleloader or modern gun;
- Four antlerless with archery;
- Two antlerless with muzzleloader or modern gun.
- Limit during the modern gun special youth hunt is four deer, two bucks (no antler restrictions) and two antlerless.

PINEY CREEKS WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of three deer; no more than two legal bucks. (Code 11.02)

- Two legal bucks with archery, muzzleloader or modern gun;
- Three antlerless with archery;
- One antlerless with muzzleloader Oct. 15-23 or Dec. 10-12, 2016 only or one antlerless ~~doe~~ Nov. 12-13, 2016 with modern gun.
- Limit during the modern gun special youth hunt is three deer, two bucks (no antler restrictions) and one antlerless.

OZARK NATIONAL FOREST WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of three deer; no more than two legal bucks. (Code 11.02)

- Two legal bucks with archery, muzzleloader or modern gun;
- Three antlerless with archery;
- One antlerless with muzzleloader Oct. 15-23 or Dec. 10-12, 201 only, or one antlerless Nov. 12-13, 2016 with modern gun.
- Limit during the modern gun special youth hunt is three deer, two buck (no antler restrictions) and one antlerless.

SWEDEN CREEK NATURAL AREA WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Firearms: Closed.

Seasonal limit of four deer; no more than two legal bucks.

- Two legal bucks with archery;(no antler restrictions)
- Four antlerless with archery.

WHITE ROCK WMA

Archery: Sept. 24, 2016-Feb. 28, 2017.

Muzzleloader: Oct. 15-23 and Dec. 10-12, 2016.

Modern Gun (mobility impaired permit hunt): Oct. 1-2, 2016.

Modern Gun (special youth hunts): Nov. 5-6, 2016 and Jan. 7-8, 2017.

Modern Gun: Nov. 12-Dec. 4 and Dec. 26-28, 2016.

Seasonal limit of three deer; no more than two legal bucks. (Code 11.02 and Addendum C1.13)

- Two legal bucks with archery, muzzleloader or modern gun;
- Three antlerless with archery;
- One antlerless with muzzleloader Oct. 15-23 , Dec. 10-12, 2016 or Nov. 14-15 with modern gun.
- Limit during the modern gun mobility impaired permit is three deer, two bucks (no antler restrictions) and one antlerless.
- Limit during the modern gun special youth hunt is three deer, one buck (no antler restrictions) and one antlerless.

C1.14 BUCK DEER RESTRICTIONS ON CERTAIN WMAs

04-15 (1) On Bayou Meto, Buck Island, Cut-Off Creek, Dave Donaldson Black River, Ed Gordon Point Remove, Freddie Black Choctaw Island WMA Deer Research Area East Unit, Henry Gray Hurricane Lake, Rick Evans Grandview Prairie, St. Francis National Forest, Sheffield Nelson Dagmar and Trusten Holder WMAs a buck must have:

- (A) both antlers under 2 inches (button buck included); or
- (B) an inside spread of 15 inches or more in width; or
- (C) at least one main beam 18 inches or more in length.

(2) On Johnson County WRA on Dardanelle WMA any buck deer may be legally harvested during a firearm permit hunt.

(3) On Greers Ferry Lake and Lake Greeson WMAs, any buck deer may be legally harvested during the deer muzzleloader mobility-impaired hunt.

(4) On Hobbs SP-CA and J. Perry Mikles Blue Mountain SUA, any buck deer may be legally harvested during the deer modern gun mobility-impaired hunt.

(5) On Dr. Lester Sitzes III Bois d' Arc, Harold E. Alexander Spring River, Hope Upland, Lafayette County, McIlroy Madison County, Mike Freeze Wattensaw and Moro Big Pine Natural Area, Scott Henderson Gulf Mountain, Shirey Bay Rainey Brake WMAs a buck must have:

- (A) both antlers under 2 inches (button buck included); or
- (B) an inside spread of 12 inches or more in width; or
- (C) at least one main beam 15 inches or more in length.

(6) On Bald Knob, Big Lake, Dale Bumpers White River, Cache River, Felsenthal, Holla Bend, Overflow, Pond Creek and Wapanocca NWRs; Bearcat Hollow, Buffalo National River, Gene Rush, Piney Creeks, Ozark National Forest, Rex Hancock Black Swamp, Sweden Creek Natural Area and White Rock WMAs and U of A Pine Tree Experimental Station WDA WMAs any buck deer may be legally harvested during all deer hunts.

(7) In compliance with Code 11.02.

E1.05 CORE PRIVATE LAND ELK MANGEMENT ZONE DESCRIPTION

06-16 **The Core Private Land Elk Management Zone includes all private lands within Boone, Carroll, Madison, Newton, and Searcy counties.**

EXCEPTION:

Boxley Valley Elk Viewing Area: Intersection Arkansas Highway 74 and Highway 43; east on Arkansas Highway 74 to intersection of the National Park Service authorization boundary; south on the National Park Service authorization boundary to the intersection of the U. S. Forest Service authorization boundary, west on the U. S. Forest Service authorization boundary to the intersection of the National Park Service authorization boundary; north on the National Park Service authorization boundary to Highway 43; southeast on Highway 43 to intersection of Arkansas Highway 74.

E1.10 CORE PUBLIC LAND ELK MANAGEMENT ZONE DESCRIPTION

06-16 **Zone 1** – The portion of the Buffalo National River Wildlife Management Area that lies between: downstream (east) of the Highway 74 bridge at the Ponca access to the Highway 123 bridge upstream (west) from the Carver access. Check with the National Park Service for no hunting zones established within the boundary of the Buffalo National River.

Zone 2 - Includes all portions of Gene Rush Wildlife Management Area excluding the Richland Valley Sonny Varnell Elk Conservation Area located in the Richland Valley bottoms. Also includes the portions of the Buffalo National River Wildlife Management Area that lies between the Highway 123 bridge at the Carver access downstream (east) to Searcy County Rd 14 upstream (west) from the Woolum access. Check with the National Park Service for no hunting zones established within the boundary within the Buffalo National River.

Zone 3 - Includes the Richland Valley Sonny Varnell Elk Conservation Area and the portion of the Buffalo National River Wildlife Management Area that lies between: downstream (east) from where Searcy County Road 14 crosses at the Woolum access to the Arkansas Highway 65 bridge. Check with the National Park Service for no hunting zones established within the boundary of the Buffalo National River.

Zone 4 - Bearcat Hollow Wildlife Management Area located in the boundary of the Ozark National Forest as established by the United States Forest Service (USFS). Check with the USFS for no hunting zones established within the boundary of the Bearcat Hollow WMA.

E1.11 STATEWIDE ELK MANAGEMENT ZONE

06-16 **The Statewide Elk Management Zone includes all private and public lands within the State of Arkansas excluding Boone, Carroll, Madison, Newton, and Searcy counties.**

E1.12 CWD MANAGEMENT ZONE

06-16 **The CWD Management Zone includes any county where a wild or captive cervid has tested positive for Chronic Wasting Disease (CWD) and any county that encompasses any portion of a 10-mile radius buffer around any CWD positive sample collection site. Zone includes all lands within Boone, Carroll, Johnson, Logan, Madison, Marion, Newton, Pope, Searcy and Yell counties. Where any other county or a portion thereof is within a 10-mile radius of a CWD positive sample collection site, the Director or his designee may add that entire**

county to the CWD Management Zone Upon notice to the public through posting an updated description of the CWD Management Zone on the AGFC web site, social media, or other means reasonably calculated to inform the public.

F1.05 WILDLIFE REHABILITATION PERMIT REQUIREMENTS

- 04-14 (A) Eligibility and Application Requirements:
- (1) A Wildlife Rehabilitation Permit applications must comply with the following:
 - (a) The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
 - (b) The applicant shall be a resident of Arkansas with a bona fide or actual residence within the state.
 - (c) The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's facility shall be in compliance with all local ordinances.
 - (d) An application for the permit shall be submitted on a form supplied by the Commission.
 - (e) Applications will include the signature, address and phone number of a licensed veterinarian who will assist the applicant by providing consulting and referral services regarding animal rehabilitation and treatment.
 - (2) General Class Wildlife Rehabilitation Permits may be issued based upon documented applicant experience in accordance with one of the following methods:
 - (a) Persons who submit written documentation (on a form supplied by the Commission) of at least two years of experience in the care of sick, injured, orphaned or otherwise impaired wildlife obtained in accordance with an Apprentice Class Wildlife Rehabilitation Permit. Such documentation must include a description of the specific training or experience acquired, and the dates and locations where acquired. The applicant also shall submit a reference from a permitted rehabilitator based upon personal knowledge. Additional documentation may consist of records of prior permits for rehabilitation issued by other states or the U.S. Fish and Wildlife Service, employment records of wildlife rehabilitative facilities, training course certificates, or other documentation of experience.
 - (b) Persons who held a General Class (or equivalent) rehabilitation permit issued by the Commission or any other state within the last five years.
 - (c) Wildlife rehabilitators certified by the International Wildlife Rehabilitation Council who submit a reference from a permitted General Class rehabilitator based upon personal knowledge.
 - (3) Apprentice Class Wildlife Rehabilitation Permit applicants shall meet all the eligibility and application requirements of sub-chapter A (1) of this code and shall have a sponsor with a current General Class Wildlife Rehabilitation Permit.
 - (B) Permit Requirements:
 - (1) Wildlife shall be cared for at the location listed in the Wildlife Rehabilitation Permit.
 - (2) Apprentice class wildlife rehabilitators under the supervision of a general class wildlife rehabilitator may possess or care for no more than 20 baby opossums or six other individual animals at a time.

- (3) Wildlife undergoing rehabilitation or medical treatment shall not be hunted, bred or displayed to the public.
 - (4) Rehabilitated native wildlife shall be released at a time and into a habitat suitable to sustain it in, or adjacent to, the county in which it was captured. Wildlife shall not be released within the limits of any incorporated city or town and shall be released in compliance with any local regulations.
 - (5) When necessary, euthanasia shall be by an acceptable method set forth by the International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's current "Minimum Standards for Wildlife Rehabilitation."
 - (6) Wildlife with permanent physical impairments may be kept for educational use upon approval of the chief of the Wildlife Management Division and in compliance with U.S. Department of Agriculture regulations regarding display of wild animals. Permittee shall not transfer permanently impaired wildlife to unauthorized individuals.
 - (7) Animals that die from causes other than disease while in the custody of the permittee shall be disposed of in accordance with local or state laws or be offered to a museum, university, or other educational facility.
 - (8) Animals that die of disease must be destroyed in a manner that does not allow the spread of the disease to other animals or humans and must be reported to the Commission within 48 hours.
 - (9) Permittees receiving any species classified as endangered or threatened shall notify the Little Rock office of the Commission's Wildlife Management Division within 48 hours of the receipt of the animal.
 - (10) Permittees shall not require a fee associated with wildlife rehabilitation services or for the pick-up, delivery or acceptance of sick, injured, orphaned or otherwise impaired wildlife. This limitation shall not apply to professional fees charged by a licensed veterinarian for treatment or other services requested by a permitted wildlife rehabilitator. This regulation does not in any way prohibit nor discourage the public from making voluntary donations to rehabilitators for animal care and facility maintenance.
 - (11) Permittees are not agents of the Commission and may not represent themselves as such.
 - (12) Rehabilitation facilities shall comply with International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's "Minimum Standards for Wildlife Rehabilitation."
 - (13) Permittees who care for foxes, skunks or bats, must maintain records of pre-exposure rabies vaccination treatment.
 - (14) Permittees shall not maintain other native wild animals as personal pets except for those kept in accordance with F1.05(B)(6) or without specific authorization from the Chief of Wildlife Management.
 - (15) No Wildlife Rehabilitation Permit will be issued for the rehabilitation of cervid species (i.e. white tailed deer or elk) or black bears.
- (C) Reporting and Record Keeping:
- (1) All permit holders shall maintain a log of each animal taken into custody. The log shall include date the animal was received, county of origin, treatment, condition and disposition, and shall be subject to inspection by Commission personnel at any reasonable time.
 - (2) Permit holders shall submit annual reports (Jan. 1-Dec. 31) on a form provided by the Commission. Annual reports shall be due Jan. 31.
- (D) Facility and Caging Requirements:
- (1) All wildlife shall be kept in pens/cages that meet the "Basic Requirements for Housing Wild Animals and Minimum Housing Guidelines" set forth by the current International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's "Minimum Standards for Wildlife Rehabilitation" unless otherwise authorized by the Commission.

- (2) Wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are strong enough to prevent escape and protect them from injury.
 - (3) Cages, fencing, and guardrails shall be kept in good repair at all times and gates shall be secured with latches or locks. Enclosures, pens, or cages considered unsafe by Commission personnel must be repaired within 10 days of inspection or as specified by the Commission.
 - (4) Permit holders whose facilities, including enclosures, pens and cages, are not in compliance with this Addendum Chapter shall be notified in writing and shall have 10 days to correct the violation.
 - (5) If the violation has not been corrected in 10 days, the Commission may revoke any permit and refuse to issue future permits. Permit revocation or refusal shall be in addition to any criminal charges that may be filed.
- (E) Inspection:
- (1) Holders of a Wildlife Rehabilitation Permit shall allow entry, at reasonable hours, to Commission employees or agents to inspect the wildlife, facilities, books, records, or permits required by the permit.
 - (2) Permit holders shall hold the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by Commission employees or agents.
 - (3) Commission employees may immediately relocate wildlife that is being given improper care or being kept in inhumane or unhealthy conditions.
- (F) Renewal, Transfer, Suspension and Revocation:
- (1) Wildlife Rehabilitation Permits shall expire Jan. 31 each year. Permits may be renewed following receipt and approval by the Commission of a permit renewal application, and an annual report for the previous calendar year in accordance with [Addendum F1.05\(C\)\(2\)](#).
 - (2) Permits may be revoked for 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.
 - (3) Permit holders shall be notified in writing of such violations and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
 - (4) If just cause has not been given in 20 days, the Commission may suspend or revoke any permit held by the violator and refuse to issue future permits. Additionally, criminal charges may be filed.
 - (5) Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.