

# **Arkansas Game and Fish Commission**

## **Code Book**

**The regulations in this Code Book are hereby adopted by the Arkansas State Game and Fish Commission under authority of Amendment 35 to the Constitution of the State of Arkansas. All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.**

## **34.00 Aquatic Turtle Regulations**

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Importation Of Alligator Snapping Turtles, Razorback Musk Turtles, And Chicken Turtles Prohibited

## 34.01 Aquatic Turtle Permit Requirements

- A. It is unlawful for a nonresident to harvest any aquatic turtles.
- B. It is unlawful for a resident/business to: 1) import for commercial propagation or sale of aquatic turtle species native to the state; or 2) operate tackle, harvest, propagate, purchase or sell any wild-caught aquatic turtles for commercial purposes without the following permits:
  - 1. A Commercial Fisherman Permit and Sportfishing License, and either an Aquatic Turtle Harvest Permit or a Junior Aquatic Turtle Harvest Permit (for resident youths) are required to harvest and sell wild aquatic turtles.
  - 2. The bearer of an Aquatic Turtle Harvest Helper Permit may assist in the harvest or operate the properly tagged tackle of a licensed aquatic turtle harvester or dealer.
  - 3. A Commercial Fisherman Permit and Sportfishing License, and an Aquatic Turtle Dealer Permit are required to engage in the: 1) importation of aquatic turtle species native to the state for commercial propagation or sale; or 2) the harvest, propagation, purchase, sale or export of wild-caught aquatic turtles.
  - 4. An Aquatic Turtle Farmer Permit is required to engage in the propagation, sale or export of propagated aquatic turtles. This permit does not allow for the purchase, barter, trade, exchange or sale of wild-caught turtles.
  - 5. An Alligator Snapping Turtle Breeder/Dealer Permit is required to possess, buy, sell or offer to sell alligator snapping turtles or their eggs. Alligator snapping turtles longer than 5 inches curved carapace length may not be sold, bartered, traded, or transferred without written approval of the Commission. An affidavit form provided by the Commission specifying the transaction type (transfer or sale), party type (individual or business), and number of turtles, shall be submitted to the Commission. All sales of wild-caught aquatic turtles shall follow all transaction and reporting requirements (Code [34.07](#)) in this chapter.
  - 6. A Wildlife Importation Permit (Code 9.10) is required for the importation of aquatic turtle species native to the state for commercial propagation or sale.

### EXCEPTIONS:

- A. Fish farmer permittees may harvest and sell turtles from their facilities with an Aquatic Turtle Harvest Permit.
- B. Fish markets selling only dressed turtles for human consumption in Arkansas are not required to have an Aquatic Turtle Dealer Permit.

### PENALTY: Class 3

## 34.02 Requirements For Issuing of Certain Aquatic Turtle Permits

The following conditions shall be met to qualify for and maintain an Aquatic Turtle Farmer Permit, Aquatic Turtle Dealer Permit, or Alligator Snapping Turtle Breeder/Dealer Permit. An Aquatic Turtle Dealer Permit is required if wild-caught turtles are held in captivity (e.g. in ponds, impoundments, tanks, etc.) for any length of time. From January 1, 2019 to December 31, 2021, no more than 150 permits total per year will be issued in combination between Aquatic Turtle Dealer and Aquatic Turtle Harvester permits.

- A. A site plan must be provided with the permit application, including legal and physical descriptions of all facilities, and a sketch map showing the location and approximate size of all facilities (ponds, impoundments, tanks, etc.) used to hold or propagate aquatic turtles.
- B. All sites shall be inspected and approved by Commission personnel prior to issuance of a permit.
- C. All facilities (ponds, impoundments, tanks, etc.) used to hold or propagate aquatic turtles shall be fenced and maintained in such a manner as to prevent the egress of captive turtles and ingress of wild stock.
- D. Facilities shall be subject to random inspection by Commission personnel.
- E. Permittees shall follow all transaction and reporting requirements for harvest of wild-caught turtles in compliance with Code [34.07](#).

**PENALTY:** Class 3

## 34.03 Nonresident Aquatic Turtle Dealer Permit Requirements

It is unlawful for a nonresident to purchase, sell, or offer to purchase or sell aquatic turtles in Arkansas unless the nonresident:

- A. possesses a Nonresident Aquatic Turtle Dealer Permit; and
- B. follows all transaction and reporting requirements in Code [34.07](#).

**EXCEPTION:** A nonresident may purchase aquatic turtles from a holder of an Aquatic Turtle Harvest Permit, Aquatic Turtle Dealer Permit, or Aquatic Turtle Farmer Permit without a Nonresident Aquatic Turtle Dealer Permit if the turtles are being shipped directly out of Arkansas to the buyer, or if the buyer is picking up and transporting a purchase out of Arkansas.

**PENALTY:** Class 3

## 34.04 Commercial Aquatic Turtle Harvest Conditions

- A. It is unlawful to take or attempt to take aquatic turtle eggs from the wild.
- B. It is unlawful to take or attempt to take aquatic turtles for commercial purposes by any means other than hoop nets or box type (basking) turtle traps.
- C. It is unlawful to possess commercial aquatic turtle harvest gear in closed waters.  
Commercial aquatic turtle harvest is closed in all waters other than in the following counties and/or bodies of water, which are open except as specified in Exception A:
  - 1. Counties:
    - i. Arkansas,
    - ii. Ashley,
    - iii. Chicot (Exception A),
    - iv. Clay (Exception A),
    - v. Craighead,
    - vi. Crittenden (Exception A),
    - vii. Cross,
    - viii. Desha,
    - ix. Drew (Exception A),
    - x. Greene (Exception A),
    - xi. Independence (Exception A),
    - xii. Jackson,
    - xiii. Jefferson,
    - xiv. Lawrence (Exception A),
    - xv. Lee,
    - xvi. Lincoln,
    - xvii. Lonoke,
    - xviii. Mississippi,
    - xix. Monroe,
    - xx. Phillips,
    - xxi. Poinsett,
    - xxii. Prairie,
    - xxiii. Pulaski,
    - xxiv. Randolph (Exception A),
    - xxv. St. Francis,
    - xxvi. White, and
    - xxvii. Woodruff counties.
  - 2. Bodies of water:
    - i. Arkansas River, from its mouth to the Arkansas/Oklahoma state line, excluding the following waters within Lake Dardanelle: north of the Union Pacific Railroad in Franklin, Johnson, and Pope counties; Dardanelle Bay in Yell County; Delaware Bay south of Arkansas Highway 22; and south of signs posted on Shoal Bay, Cane Creek Bay, and Six Mile Creek at O'Kane Island access in Logan County, and
    - ii. Arkansas waters between the main levees of the Mississippi River.
- D. When a river or stream forms the boundary between opened and closed areas, that boundary segment shall be closed to commercial aquatic turtle harvest.

### EXCEPTIONS:

- A. The following waters are closed to commercial aquatic turtle harvest:
  - 1. Bayou Meto Bayou in compliance with Code [38.01](#),
  - 2. All waters owned by Arkansas Game and Fish Commission, U.S. Forest Service, Arkansas State Parks, or Arkansas Natural Heritage Commission,

3. Horseshoe Lake (Crittenden County),
  4. Lake Wallace (Drew and Chicot counties),
  5. Upper and Lower Lake Chicot (Connerly Bayou to Ditch Bayou Dam inclusive) (Chicot County),
  6. St. Francis River (Clay and Greene counties),
  7. Eleven Point River (Randolph County),
  8. Spring River (Lawrence and Randolph counties),
  9. Strawberry River (Lawrence County),
  10. White River above Dam 1 at Batesville (Independence County), and
  11. Property-owner association and municipally-owned lakes, except with written approval from owner.
- B. Private landowners in closed counties can obtain from the Commission a Private Land Commercial Aquatic Turtle Permit. This permit allows the harvest of Common Snapping Turtles (*Chelydra serpentina*), Redear Sliders (*Trachemys scripta*), and Spiny Softshells (*Apalone spinifera*) for commercial purposes on private property under the following conditions:
1. Only from manmade lakes and ponds,
  2. Only by a licensed commercial aquatic turtle harvest or dealer permittee,
  3. Only with legal commercial turtle harvest gear as defined above, and
  4. All harvested turtles shall be reported on aquatic turtle harvest report forms as specified in Code [34.07](#).

**PENALTY:** Class 2; Second offense shall result in the revocation of the permit.

## 34.05 Aquatic Turtle Tackle Restrictions

It is unlawful to take or attempt to take aquatic turtles other than as specified below:

- A. Hoop nets with ramp netting attached to the first hoop and throat opening restricted by parallel lines attached to the second hoop. Maximum throat opening 1 inch by 3 feet (where throat lines attach to hoop). Minimum mesh size 1½ inches square bar mesh. Wings or leads may not be used. Nets to be set with throat horizontal and in such a manner that a portion of the enclosure remains above water surface at all times.
- B. Box type traps (basking traps) with an open top that is above the water surface. All other trap surfaces must be fully closed and incapable of taking fish. Box type turtle traps may not exceed 4x4x4 feet in dimension.
- C. Turtle trappers must check and remove catch from all hoop nets at least once during each 24-hour period and from all box traps at least once every 72 hours.

### EXCEPTIONS:

- A. Legal commercial fishing hoop nets (fingered throats) when appropriately tagged and commercially fished in waters open to their use.
- B. Fish farmers when removing aquatic turtles from their permitted facilities.
- C. Private pond owners when removing aquatic turtles from their ponds for non-commercial purposes.

**PENALTY:** Class 2

## 34.06 Aquatic Turtle Tackle Tagging

It is unlawful to fail to attach the proper tag to each turtle trap net or box type trap as specified below:

- A. Turtle net tags must be attached to the first hoop at the opening of the net.
- B. Box-type trap tags must be attached to the side of the trap and be visible above the waterline.

### EXCEPTIONS:

- A. Fish farmers when removing aquatic turtles from their permitted facilities.
- B. Private pond owners when removing aquatic turtles from their ponds for non-commercial purposes.

**PENALTY:** Class 1

## 34.07 Aquatic Turtle Transaction And Reporting Requirements

- A. It is unlawful for aquatic turtle harvest, junior aquatic turtle harvest, and aquatic turtle dealer permittees to fail to mail or deliver to the Commission on or before the 10th of each month a legibly completed and itemized aquatic turtle harvest form provided by the Commission for all wild-caught aquatic turtles harvested during the prior month. A copy of this form shall be retained by the permittee for a period of 12 months and made available for inspection by any agent of the Commission.
- B. Aquatic turtle harvest, aquatic turtle dealer, nonresident turtle dealer, aquatic turtle farmer, and alligator snapping turtle breeder/dealer permittees must comply with the following:
  - 1. An invoice, bill of sale, or true bill of lading must accompany all turtle sales shipped or transported in intrastate or interstate commerce to the final destination and must contain the following information:
    - i. Name, address, and telephone number of buyer and seller;
    - ii. Permit number of seller; and
    - iii. Number and species of turtles in shipment.
  - 2. Permittees may have turtles transported by their authorized representatives if accompanied with a true bill of lading or bill of sale as described above.
- C. It is unlawful for alligator snapping turtle breeder/dealer permittees to fail to mail or deliver to the Commission by the 10th of each month a legibly completed, itemized transaction record of all alligator snapping turtles purchased, sold, bartered, traded, or transferred during the prior month transactions were made. This transaction record shall include the names, addresses and phone numbers of all persons involved in the sale, purchase, barter, trade, or transfer of alligator snapping turtles. Transaction records shall be recorded on a form provided by the Commission.
- D. To be eligible to renew commercial aquatic turtle harvester and dealer permits, all permittees must submit a minimum of one harvest report form annually even if it shows zero take for the year.

**PENALTY:** Class 2; Second offense shall result in the revocation of the permit.

## 34.08 Possession Of Sport Fish By Aquatic Turtle Harvesters Prohibited

It is unlawful for permitted aquatic turtle harvesters to sport fish or possess game fish in the same waters where the permittee is engaged in turtle trapping.

### **EXCEPTIONS:**

- A. Rough fish caught in turtle traps may be retained for use as bait.
- B. If hoop nets or box-type traps are baited with fish, only rough fish may be used.
- C. Fish farmers on their permitted facilities.

**PENALTY:** Class 2; Second offense shall result in revocation of the Aquatic Turtle Harvest Permit or Aquatic Turtle Dealer Permit.



## 34.09 Taking Or Possession Of Alligator Snapping Turtles Prohibited

It is unlawful to kill, take, attempt to take, or possess alligator snapping turtles, their eggs, or other parts from the wild.

### EXCEPTIONS:

- A. A legally-acquired alligator snapping turtle may be possessed for display and educational purposes by written authorization approved by the Commission. Such authorizations specifically do not allow for the propagation, sale, or exchange of these turtles in any form without written authorization from the Commission.
- B. In compliance with Code [34.11](#).
- C. Fish farmers for immediate relocation and release of alligator snapping turtles removed from their permitted facilities.

**PENALTY:** Class 3

## 34.10 Take Of Chicken Turtles And Razorback Musk Turtles Prohibited

It is unlawful to kill, take, or attempt to take chicken turtles (*Deirochelys reticularia*) and razorback musk turtles (*Sternotherus carinatus*), their eggs or other parts from the wild.

**EXCEPTION:** Chicken turtles in legal possession as of January 1, 2006, and their progeny thereafter in compliance with Codes [34.02](#), [34.04](#).

**PENALTY:** Class 2

## 34.11 Importation Of Alligator Snapping Turtles, Razorback Musk Turtles, And Chicken Turtles Prohibited

It is unlawful to import alligator snapping turtles, razorback musk turtles, or chicken turtles into Arkansas.

**PENALTY:** Class 3