

Requirements for Obtaining Scientific Collection Permits

The Arkansas Game & Fish Commission (AGFC) is the State Agency charged by State Constitution Amendment No. 35 with "The control, management, restoration, conservation and regulation of birds, fish, game, and wildlife resources of the State." The Commission has adopted all Federal Regulations on migratory birds, songbirds, and birds of prey and has established seasons, bag limits and the manner of taking resident game, fish, and fur-bearing animals. Although various laws protect many species, the Commission does grant scientific collecting permits (pursuant to Commission Code 15.36) to qualified personnel of other State and Federal Agencies, biological consulting firms, educators, college students, and other individuals (on a case-by-case basis). A permit is not necessary for collection of insects unless collection involves threatened, endangered, or special concern species.

Collection of species designated as threatened or endangered under the Endangered Species Act of 1973, as amended, require a permit from the U.S. Fish and Wildlife Service. Permits for collection or handling of threatened or endangered species or those designated by AGFC as "Species of Special Concern" will be granted only if the need is well justified. Note that "scientific collection" includes any research that involves capture of the animals, even if the animals are subsequently released.

I. Licenses / Permits and Fees Required

Scientific Collection Permits previously required a current Arkansas hunting or fishing license in possession. This requirement has been eliminated, but note that such a license is still required to employ recreational fishing / hunting methods.

Copies of any federal permits necessary for the collections should be carried along with Scientific Collection Permits.

There is no longer a fee for Scientific Collection Permits.

II. Permit Conditions

(A) **Qualified Personnel of Other State and Federal Agencies or local governments:** Such permits will be issued in the name of the agency's principal officer, a section leader, or the individual who will conduct the activity. If more than one individual in a department will be conducting the same type of collections, a single permit will be issued in the name of the section leader or administrator who supervises those collectors, and include each of the collectors as sub-permittees. It is imperative that the individual named on the permit understands that they are responsible for all collecting activities conducted under their permit by sub-permittees, and that they are responsible for all related reporting.

(B) **Biological Consulting Firms:** Such permits will be issued in the name of the firm's principal officer, a section leader, or the individual who will conduct collection activities. If more than one individual in a department will be conducting the same type of collections, a single permit will be issued in the

name of the section leader or administrator who supervises those collectors, and include each of the collectors as sub-permitees. It is imperative that the actual permit holder understands that they are responsible for all collecting activities conducted under their permit by sub-permitees, and that they are responsible for all related reporting.

- (C) **Educators:** Such permits will be issued in the name of the professor / instructor. The primary permit will be issued to the professor / instructor. Graduate students (or other researchers working independently under the auspices of the primary permittee) will be listed by AGFC on the permit as sub-permitees. Professors / instructors may allow class members to collect under a copy of their permit, clearly assigned by notation to a specific student for a specific time interval, specifying the name of the class, and bearing the original signature of the primary permittee. Collection by class members in the presence of their instructor will not require permit copies assigned to each student. It is imperative that the professor / instructor is clear that they are responsible for all collecting activities conducted under their permit by sub-permitees and students, and that they are responsible for all related reporting.
- (D) **College Students:** Graduate students may opt to apply for independent permits if they are to assume their own reporting responsibility, rather than working as a sub-permittee under their major professor. Permit applications by students must be accompanied by a letter of reference by their major professor.
- (E) **Museum Curators:** Curators of taxonomic collections will not be required to hold a permit in order to accept specimens collected by permitted Scientific Collectors, but shall maintain record of the permit number under which said specimens were collected.
- (F) **Others:** Requests by individuals not covered by the categories above will be considered on a case-by-case basis.

III. **General Permit Procedures**

- (A) Complete an *Application for Scientific Collecting Permit* form and submit it to the Arkansas Game & Fish Commission. Please allow 4 to 6 weeks for processing.
- (B) The expiration date of the permit will be twelve (12) months from the date of issue.
- (C) Upon expiration of the permit, but no later than thirty (30) days after the expiration date, the permittee shall submit to the Arkansas Game & Fish Commission a complete written or electronic report of all collections in a format provided by AGFC.

Note:

- a. No report is required for terrestrial insect collections unless they involve a species designated as endangered, threatened, or special concern.
- b. Aquatic Insect collections should be reported to the lowest practical taxonomic level and the report dues date can be extended upon request.
- c. Bird banders can provide a copy of their federal report in lieu of these reporting requirements.

(D) The permittee shall provide copies of all articles and publications arising from collections in Arkansas.

(E) Permit holders will allow AGFC staff the opportunity to accompany them during collecting trips.

(F) Permit Renewal: Permits are not technically renewable, as they must be reviewed by staff for each period. However, consecutive permits can be requested with a completed application form noting the number of the previous permit. Every effort will be made to process applications to maintain continuous coverage, provided reapplication is made at least thirty (30) days prior to permit expiration. A report of collections up to that point must accompany the request. Collections during the remaining 30-day period should be included in the following year's report, if "renewal" is granted, or as an addendum submitted within sixty (60) days if permit is not "renewed."

IV. Electronic Communication and Reporting:

(A) We encourage submission of annual reports in electronic format and will provide a template for such.

(B) We also encourage permit holders to provide an email address so AGFC can communicate with you rapidly regarding your permit.

V. Additional Conditions

(A) AGFC's scientific collecting permits are not transferable and can be revoked in writing by the Director. Activity conducted under authority of these permits must be for official business only. Permittee must have a manually signed copy of a scientific collecting permit(s) while conducting the activity authorized.

(B) AGFC's scientific collecting permits do not authorize:

- 1. Permittee to trespass.
- 2. The taking of migratory birds or nests and eggs thereof, unless accompanied by a permit to take the same, issued by the U S Fish & Wildlife Service.
- 3. Any act which is a violation of 16 USC 1531-1534 *The Endangered Species Act of 1973* — or 50 CFR 17.117.52 — *Federal Regulations governing Endangered and Threatened Wildlife and Plants.*

- (C) Any activity conducted under authority of an AGFC Scientific Collecting Permit involving an endangered or threatened species is a violation of the Federal Law unless an appropriate permit has been issued by the U S Fish and Wildlife Service pursuant to 50 CFR 17.
- (D) Nets, traps, or other capture devices which are left unattended must be clearly marked with the name and permit number of the permittee.
- (E) No collections or samples may be taken by the use of chemicals, other substances, electro-shocking devices, or explosives unless specific exemptions are noted in the permit.
- (G) Exemptions from the electro-shocking device restriction may be made at the discretion of the Chief of Fisheries. If an exemption is granted, the permittee must notify the Fisheries Division Office, in writing, at least two weeks prior to using electro-shocking devices of the date (and alternate dates) and exact location of use.
- (H) Any Arkansas state agency involved in the collection of fishes for purposes of detecting the presence of hazardous materials, contaminants, or pollutants, or for purposes involving public health, may be exempted from the electro-shocking device restriction. Such exemptions may also be given to scientific researchers for specific projects requiring such collection. The permit holder must notify the Enforcement Supervisor in the nearest Regional Office to where the electro-shocking is to be done (at least 48 hours prior to the collection) of the date (and alternate dates) and exact location of collection.
- (I) The use of any lighting devices to aid in the taking of wildlife collections or samples is prohibited, unless specific exemptions are noted in the permit.
- (J) It is incumbent upon the individual collector to obtain appropriate permission to collect from the landowner, whether private or state/federal government. This includes approval of AGFC's Regional Wildlife Supervisor or District Fisheries Biologist prior to collection on Wildlife Management Areas or Commission-Owned Lakes, respectively.

Failure to comply with any of the above shall be grounds for revocation of the Scientific Collection Permit and/or for refusing renewal of the permit. If specimens are killed, we encourage archiving them as preserved specimens in a recognized taxonomic collection.