

NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

NOTICE OF EXEMPT RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

PREAMBLE

- 1. Sections Affected** **Rulemaking Action**
R12-4-802 Amend
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statutes: A.R.S. §§ 17-231(A)(1)(2) and (3), and 41-1005(A)(1)
Implementing statute: A.R.S. § 17-231(B)(2)(3) and (7).
- 3. The effective date for the rules:**
May 14, 2004
- 4. A list of all previous notices appearing in the Register addressing the exempt rules:**
Not applicable
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Mark Naugle, Rules and Risk Manager
Address: 2221 W. Greenway Rd.
Phoenix, AZ 85023
Telephone: (602) 789-3289
Fax: (602) 789-3266
E-mail: mnaugle@gf.state.az.us
- 6. An explanation of the rules, including the agency's reasons for initiating the rulemaking:**
The rule is being amended as part of the Department's annual recommendations for hunting and fishing in the state. The Department is restricting target and claybird shooting to restricted areas in order to improve management of these activities in Game Management Unit 39.
- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. The summary of the economic, small business, and consumer impact, if applicable:**
The Department does not anticipate that the rulemaking will create any substantial economic impact.
- 10. A description of the changes between the proposed rule, including supplemental notices, and final rule (if applicable):**
Not applicable
- 11. A summary of the comments made regarding the rule and the agency response to them, if applicable:**
The Department has received no comment on the rulemaking regarding the rule.
- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of**

rules:

Not applicable

13. Any material incorporated by reference and its location in the text:

Not applicable

14. Whether the rule was previously made as an emergency rule and, if so, whether the text was changed between making as an emergency and the making of the exempt rules:

Not applicable

15. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 8. WILDLIFE AREAS AND DEPARTMENT PROPERTY

Sections

R12-4-802. Wildlife Area Restrictions

ARTICLE 8. WILDLIFE AREAS AND DEPARTMENT PROPERTY

R12-4-802. Wildlife Area Restrictions

No person shall violate the following restrictions on Wildlife Areas:

1. Alamo Wildlife Area (located in Units 16A and 44A):
 - a. Wood collecting limited to dead and down material, for onsite noncommercial use only.
 - b. Overnight public camping in the wildlife area outside of Alamo State Park allowed for no more than 14 days within a 45-day period.
 - c. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - d. Open to hunting in season.
2. Allen Severson Wildlife Area (located in Unit 3B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Posted portions closed to discharge of all firearms from April 1 to July 31 annually.
 - e. Open to hunting in season, except posted portions closed to hunting from April 1 to July 31 annually.
3. Aravaipa Canyon Wildlife Area (located in Units 31 and 32):
 - a. Access to Aravaipa Canyon Wilderness Area is by permit only, available through the Safford Office of the Bureau of Land Management.
 - b. Closed to discharge of all firearms.
 - c. Open to hunting in season with bow and arrow only.
4. Arlington Wildlife Area (located in Unit 39):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Target or claybird shooting permitted in designated areas only.
 - e. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - f. Open to hunting in season.
5. Base and Meridan Wildlife Area (located in Units 39 M and 42M):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - e. Closed to discharge of rifled firearms.
 - f. Open to hunting in season.
6. Becker Lake Wildlife Area (located in Unit 1):
 - a. No open fires.
 - b. No overnight public camping.
 - c. Motorized vehicle travel permitted on designated roads only.
 - d. Posted portions closed to public entry from December 15 to July 31 annually.
 - e. Open to hunting in season, except posted portions. Legal weapons restricted to shotguns shooting shot and bow and arrow.

Notices of Exempt Rulemaking

7. Bog Hole Wildlife Area (located in Unit 35B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - e. Open to hunting in season.
8. Chevelon Canyon Ranches Wildlife Area (located in Unit 4A):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted by R12-4-110(G).
 - e. Open to hunting in season.
9. Chevelon Creek Wildlife Area (located in Unit 4B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted by R12-4-110(G).
 - e. Posted portions closed to public entry from October 1 to February 1 annually.
 - f. Open to hunting in season, except posted portions closed to hunting from October 1 to February 1 annually.
10. Clarence May and C.H.M. May Memorial Wildlife Area (located in Unit 29):
 - a. Closed to discharge of all firearms.
 - b. Closed to hunting.
11. Cluff Ranch Wildlife Area (located in Unit 31):
 - a. Open fires allowed in designated areas only.
 - b. Wood collecting limited to dead and down material, for onsite noncommercial use only.
 - c. Overnight public camping allowed in designated areas only, for no more than five days within a 14-day period.
 - d. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - e. Posted portions around Department housing closed to discharge of all firearms.
 - f. Closed to discharge of centerfire rifled firearms.
 - g. Open to hunting in season.
12. Colorado River Nature Center Wildlife Area (located in Unit 15D):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - e. Closed to hunting.
13. House Rock Wildlife Area (located in Unit 12A):
 - a. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - b. Open to hunting in season.
14. Jacques Marsh Wildlife Area (located in Unit 3B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Open to hunting in season. Legal weapons restricted to shotguns shooting shot and bow and arrow.
15. Lamar Haines Wildlife Area (located in Unit 7):
 - a. No firewood cutting or gathering.
 - b. No overnight public camping.
 - c. No motorized vehicles.
 - d. Open to hunting in season.
16. Luna Lake Wildlife Area (located in Unit 1):
 - a. Posted portions closed to public entry from April 1 to July 31 annually.
 - b. Open to hunting in season, except closed to hunting from April 1 to July 31 annually.
17. Mitty Lake Wildlife Area (located in Unit 43B):
 - a. Open fires allowed in designated areas only.
 - b. Overnight public camping allowed in designated areas only, for no more than 10 days per calendar year.
 - c. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - d. Posted portions closed to public entry from November 15 to February 15 annually.
 - e. Open to hunting in season, except posted portions closed to hunting from November 15 to February 15 annually.
18. Powers Butte (Mumme Farm) Wildlife Area (located in Unit 39):

Notices of Exempt Rulemaking

- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on posted designated roads, on designated trails, or in designated areas only.
 - e. Open to hunting in season.
19. Quigley Wildlife Area (located in Unit 41):
- a. No open fires.
 - b. No overnight public camping.
 - c. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - d. Posted portions closed to public entry from September 1 to March 31 annually.
 - e. Open to hunting in season, except posted portions closed to hunting from September 1 to March 31 annually.
20. Raymond Ranch Wildlife Area (located in Unit 5B):
- a. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - b. Open to hunting in season.
21. Robbins Butte Wildlife Area (located in Unit 39):
- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only from one hour before sunrise to one hour after sunset daily.
 - e. Parking in designated areas only.
 - f. Target or claybird shooting permitted in designated areas only.
 - g. Posted portions around Department housing closed to discharge of all firearms.
 - h. Closed to discharge of centerfire rifled firearms.
 - i. Open to hunting in season.
22. Roosevelt Lake Wildlife Area (located in Units 22, 23, and 24B):
- a. Posted portions closed to public entry from November 15 to February 15 annually.
 - b. Open to hunting in season, except posted portions closed to hunting from November 15 to February 15 annually.
23. Sipe White Mountain Wildlife Area (located in Unit 1):
- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted by R12-4-110(G).
 - e. Posted portions around Department housing closed to discharge of all firearms.
 - f. Open to hunting in season.
24. Springerville Marsh Wildlife Area (located in Unit 2B):
- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Closed to discharge of all firearms.
 - e. Closed to hunting.
25. Sunflower Flat Wildlife Area (located in Unit 8):
- a. No overnight public camping.
 - b. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - c. Open to hunting in season.
26. Three Bar Wildlife Area (located in Unit 22):
- a. Portions within the fenced enclosure inside the loop formed by Tonto National Forest Road 647 closed to public entry.
 - b. Open to hunting in season, except portions within the fenced enclosure inside the loop formed by Tonto National Forest Road 647 closed to hunting.
27. Tucson Mountain Wildlife Area (located in Unit 37M):
- a. Closed to discharge of all firearms.
 - b. Open to hunting in season with bow and arrow only.
 - c. Archery deer and archery javelina hunters must check in with the Arizona Game and Fish Tucson Regional Office prior to going afield.
28. Upper Verde River Wildlife Area (located in Unit 19A):
- a. No firewood cutting or gathering.
 - b. Overnight public camping allowed in designated areas only.
 - c. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.

Notices of Exempt Rulemaking

- d. Open to hunting in season.
- 29. Wenima Wildlife Area (located in Unit 2B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted by R12-4-110(G).
 - e. Posted portions closed to discharge of all firearms.
 - f. Open to hunting in season.
- 30. White Mountain Grasslands Wildlife Area (located in Unit 1):
 - a. No open fires.
 - b. No overnight public camping
 - c. Motorized vehicle travel permitted on designated roads only, except as permitted by R12-4-110(G).
 - d. Posted portions closed to public entry.
 - e. Open to hunting in season.
- 31. Whitewater Draw Wildlife Area (located in Unit 30B):
 - a. Open fires allowed in designated areas only.
 - b. Overnight public camping allowed in designated areas only, for no more than three days within a seven-day period.
 - c. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - d. Closed to discharge of centerfire rifled firearms.
 - e. Posted portions closed to public entry from October 15 to March 15 annually.
 - f. Open to hunting in season, except posted portions closed to hunting from October 15 through March 15 annually.
- 32. Willcox Playa Wildlife Area (located in Unit 30A):
 - a. Open fires allowed in designated sites only.
 - b. No firewood cutting or gathering.
 - c. Overnight public camping allowed in designated areas only, for no more than five days within a 14-day period.
 - d. Motorized vehicle travel permitted on designated roads, on designated trails, or in designated areas only.
 - e. Posted portions closed to public entry from October 15 through March 15 annually.
 - f. Open to hunting in season, except posted portions closed to hunting from October 15 through March 15 annually.