

## 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

[R07-141]

#### PREAMBLE

- 1. Sections Affected**  
R12-4-802
- Rulemaking Action**  
Amend
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**  
Authorizing statute: A.R.S. §§ 17-231 and 41-1005(A)(1)  
Implementing statute: A.R.S. § 17-231(B)(2)(3) and (7)
- 3. The effective date for the rules:**  
Immediately upon publication in the *Arizona Administrative Register*. Under A.R.S. § 41-1032(A)(1) an agency may request immediate effectiveness if the rulemaking will preserve the public peace, health, and safety. Amendments to the restrictions on the wildlife areas are generally intended to maintain public safety and prevent vandalism and littering.
- 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: Carlos Ramirez, Rules Analyst  
Address: 2221 W. Greenway Rd.  
Phoenix, AZ 85023  
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- 6. An explanation of the rules, including the agency's reasons for initiating the rulemaking:**  
The Arizona Game and Fish Commission is amending R12-4-802 to add restrictions on Commission-owned wildlife areas as part of its annual hunt recommendation process.  
The Commission will add use restrictions at the Arlington Wildlife Area to prohibit the discharge of rifled firearms. Given its present location, relatively small area, increasing urbanization, and habitat constraints have resulted in virtually no rifled firearms opportunities. Management emphasis of this area is for waterfowl and nongame management, watchable wildlife viewing opportunities, and shotgun-only hunting for small game and migratory birds.  
The Commission is also amending restrictions at the Base and Meridian Wildlife Area near Phoenix International Raceway. Due to expanding urban development and the relatively small size of this Wildlife Area, public opportunities are primarily watchable wildlife viewing and migratory bird hunting immediately adjacent to the Gila River. The Commission will amend the rule to prohibit target clay bird shooting.  
The Commission will amend the use restrictions at the Powers Butte (Mumme Farm) Wildlife Areas. Restrictions will be amended to allow target or claybird shooting only in designated areas. The Department will designate appropriate sites for clay target shooting to facilitate the needs of multiple user groups for more opportunities for use of shotguns such as clay target shooting. This is consistent with the Commission's desire to encourage hunter recruitment and retention efforts, as well as additional outdoor recreational opportunities.

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Lastly, the Commission will also amend the name of the Raymond Ranch Wildlife Area to the currently used "Raymond Wildlife Area" and update the GMU boundaries on which some wildlife areas lie.

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 a 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.
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. No change
2. No change
3. No change
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. Closed to discharge of rifled firearms.
  - g. Open to hunting in season.
5. Base and Meridan Wildlife Area (located in Units 39 ~~M~~ and 42~~M~~, 26~~M~~, and 47~~M~~):
  - 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.

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- g. No target or clay bird shooting
- 6. No change
- 7. No change
- 8. No change
- 9. No change
- 10. No change
- 11. No change
- 12. No change
- 13. No change
- 14. No change
- 15. No change
- 16. No change
- 17. No change
- 18. Powers Butte (Mumme Farm) 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 posted designated roads, on designated trails, or in designated areas only.
  - e. Closed to discharge of centerfire rifled firearms.
  - f. Open to hunting in season.
  - g. If conducted during an event approved under R12-4-804, target or clay bird shooting in permitted designated areas only.
- 19. No change
- 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~~ If conducted during an event approved under R12-4-804, 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. No change
- 23. No change
- 24. No change
- 25. No change
- 26. No change
- 27. No change
- 28. Tucson Mountain Wildlife Area (located in Unit ~~37M~~ 38M):
  - 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.
- 29. Upper Verde River Wildlife Area (located in Unit 8 and 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.
  - d. Open to hunting in season.
  - e. Closed to discharge of firearms within mile radius of visitor parking area.
- 30. No change
- 31. No change
- 32. No change
- 33. No change