

NOTICE OF PROPOSED RULEMAKING
TITLE 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|---|---------------------------------|
| R12-4-101 | Amend |
| R12-4-301 | Amend |
| R12-4-302 | Amend |
| R12-4-303 | Amend |
| R12-4-304 | Amend |
| R12-4-305 | Amend |
| R12-4-306 | Amend |
| R12-4-307 | Amend |
| R12-4-308 | Amend |
| R12-4-309 | Amend |
| R12-4-310 | Amend |
| R12-4-311 | Amend |
| R12-4-312 | Amend |
| R12-4-313 | Amend |
| R12-4-315 | Amend |
| R12-4-316 | Amend |
| R12-4-317 | Amend |
| R12-4-318 | Amend |
| R12-4-319 | Amend |
| R12-4-320 | Amend |
| R12-4-322 | New Section |
- 2. Citations to the agency’s statutory authority to include the authorizing statute (general) and the implementing statute (specific):**
- Authorizing statute: A.R.S. § 17-231(A)(1)
- Implementing statute: A.R.S. §§ 17-102, 17-211(D), 17-211(E)(4), 17-231(A)(2), 17-231(A)(3), 17-231(A)(4), 17-231(B)(8), 17-231(B)(5), 17-231(D), 17-232, 17-234, 17-235, 17-250(A)(4), 17-301, 17-306, 17-307, 17-309, 17-331, 17-332(D), 17-333, 17-333.02, 17-342, 17-343, 17-344, 17-346, 17-361, and 17-371
- 3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**

Notice of Rulemaking Docket Opening: ## A.A.R. (to be filled in by the Register Editor), <date>

4. The agency's contact person who can answer questions about the rulemaking:

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Please visit the AZGFD web site to track progress of this rule and any other agency rulemaking matters at http://www.azgfd.gov/inside_azgfd/rules/rulemaking_updates.shtml.

5. An agency's justification and reason why the rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:

The Arizona Game and Fish Commission proposes to amend its Article 3 rules, governing the taking and handling of wildlife, to enact amendments developed during the preceding Five-year Review Report and incorporate recently passed legislation. After evaluating the scope and effectiveness of the proposed amendments specified in the review, the Commission proposes additional amendments to further implement original proposals.

In addition to the nonsubstantive amendments made to ensure compliance with the Administrative Procedures Act, Secretary of State, and G.R.R.C. rulemaking format and style requirements and rewording of rule language to make rules clearer and more concise; the Commission proposes the following substantive amendments:

R12-4-101 is amended to transfer all definitions applicable to only Article 3 rules to R12-4-301 and to transfer "day-long" from R12-4-304 to R12-4-301. The rule is also amended to define "firearm" to ensure consistency between Game and Fish Commission rules. In addition, the rule is amended to remove requirements for the placement of a Department-issued stamp from the definition of "stamp" to make the rule more concise.

R12-4-301 is amended to add definitions for "cervid," "pneumatic weapon," and "pre-charged pneumatic weapon" to make rules within Article 3 more clear and concise. In addition, definitions included in R12-4-101 that are only applicable to Article 3 rules and definitions included throughout Article 3 were transferred to R12-4-301.

R12-4-302 is amended to describe the actual Carcass/Transportation/Shipping Permit, which does not have a perforated line to make the rule easier to understand. The Commission believes the intent of this subsection is to prohibit an individual from allowing another individual from using a tag issued to someone else while they hunt. Currently, the rule language prohibits an individual from allowing another individual to attach their tag to an animal they have taken. The rule is also amended to prohibit an individual from allowing another individual to possess their tag. In addition, the rule is amended to clarify that a the Transportation and Shipping Permit is no longer considered valid for possessing wildlife when either portion of the permit is sealed, mutilated, signed,

or filled out to formalize the Department's current practice.

R12-4-303 is amended to remove language that restricted the use of noise suppressors to comply with statutory amendments resulting Laws 2012, 2nd Regular Session, Ch. 128; remove language that prohibited the possession of certain weapons to comply with statutory amendments resulting Laws 2012, 2nd Regular Session, Ch. 225; and remove language that restricted magazine capacity to comply with statutory amendments resulting from Laws 2012, 2nd Regular Session, Ch. 75 with the exception of migratory game birds as 50 CFR Part 20 prohibits the take of migratory birds a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three shells. In addition, A.R.S. § 17-235 authorizes the Commission to modify other regulations on migratory birds as it deems necessary. The rule is amended to remove language that restricted the use of shotgun larger than 10-gauge for the take of wildlife to increase hunter opportunity with the exception of migratory game birds as 50 CFR Part 20 prohibits the take of migratory birds a shotgun larger than 10-gauge. The rule is amended to prohibit an individual from discharging a pneumatic weapon .25 caliber or greater within one-quarter mile of an occupied structure, unless permitted by the owner or resident to increase consistency between firearms and pre-charged pneumatic weapon regulations. The rule is amended to prohibit the use of scent lures containing any cervid urine to proactively address concerns that products containing cervid urine may facilitate the transmission of diseases among wildlife. The rule is amended to prohibit the use of electronic night vision equipment, electronically enhanced light-gathering devices, or thermal imaging devices to prevent the use of this type of equipment for the take of wildlife. This does not include devices such as laser range finders, scopes with self-illuminating reticles, and fiber optic sights that do not project a visible light onto an animal. Because recent amendments to R12-4-304 allow the take of coyotes and mountain lions at night, when authorized by Commission Order, it is necessary to restrict the use of night vision equipment as it provides an advantage to increase safety, protect the sport of hunting, and ensure fair chase. The rule is amended to prohibit holding wildlife at bay during daylight hours and injuring, confining, or placing a tracking device on wildlife to prevent "canned" and "will call" hunts. The rule is amended to prohibit an individual from placing any substance, device, or object in, on, or near a water source to intentionally restrict wildlife from using the water source to ensure wildlife have adequate access to water sources. The rule is amended to prohibit the use of edible or ingestible substances to attract big game for the purposes of hunting to proactively address concerns that baiting may facilitate the transmission of diseases among wildlife and placing substances in the wild that contain toxic contaminants and may also result in unnatural concentrations of wildlife. The rules is also amended to prohibit the use of dogs to pursue or hold at bay any bear or lion for another hunter unless the hunter is present for the entire pursuit to more closely regulate the pursuit of bears and lions with dogs and increase consistency within Commission rules. A continuing Department concern is the occurrence of "will call" hunts, where an individual hunting with the aid of dogs holds a lion or bear at bay during an open season and calls another hunter who has a tag for the species to make the kill. Because pursuit falls under the definition of take, it is considered a method of take and appropriately included in this rule. This rule amendment is consistent with the rule language contained in R12-4-208 and extends this requirement to all hunters, thus

increasing consistency among the current set of rules. In addition, the Commission believes that R12-4-303 exists to prohibit devices and methods that either compromise the spirit of fair chase or adversely impact hunter success rates. The recent increase in the use of baiting has resulted in disproportionately high harvest rates among those using this method of hunting. Consequently, the Commission is offering fewer hunting opportunities, which negatively impacts hunter recruitment and retention.

R12-4-304 is amended to allow the use of pre-charged pneumatic weapons, subject to certain caliber restrictions, for the take of all big game except, buffalo, elk, and turkey to recognize technological advances in pneumatic weaponry, increase hunter opportunity, and it was requested by members of the public. The rule is amended to require an individual using dogs to pursue bear or mountain lion to immediately kill or release the bear or mountain lion after it has been treed, cornered, or held at bay to prevent "canned" and "will call" hunts. The rule is amended to provide only those devices and methods that have been authorized by Commission Order for the take of turkey to make the rule more concise. While the current rule authorizes a number of devices and methods to take turkey, historically, the Commission by Order has only permitted the take of turkey with bow and arrow, crossbow, and shotgun shooting shot; devices and methods supported by the National Wild Turkey Federation. The rule is also amended to prohibit the use of shotguns larger than 10-gauge for the take of migratory birds to ensure compliance with Migratory Bird Treaty Act shotgun gauge restrictions. In addition, the rule is amended to transfer the definition for "day-long" to R12-4-101 as it is more appropriate for the definition to be included in Article 1. General Provisions.

R12-4-305 is amended to clarify the purpose and use of both the Carcass/Transportation/Shipping Permit and the Transportation and Shipping Permit to clarify permit language and make the rule more concise. The rule is amended to replace the term "bobcat permit tag" with the term "bobcat seal" to incorporate amendments made to R12-4-307. The rule is amended to establish bobcat seal requirements to ensure accurate biological and harvest data is maintained to better monitor bobcat populations within Arizona. The rule is also amended to establish requirements for the importation of a cervid, taken in another state and for the removal of a cervid lawfully killed or slaughtered at a game farm to prevent the introduction of chronic wasting disease from nonnative cervids. In addition, the rule is amended to prohibit the transport of live crayfish and allow the sale of crayfish carcasses to aid in the conservation of native aquatic species. Nonnative crayfish have a grave impact to the state's native aquatic wildlife population through competition, predation, or disease vector. Because they are a nonnative nuisance species and can be prepared for human consumption, the Commission intends to allow individuals to collect and transport and sell crayfish carcasses.

R12-4-306 is amended to require a buffalo hunter to provide a signed written acknowledgement that the hunter received, read, understands, and will comply with the requirements of this rule to ensure the hunter is aware of the Department's requirements, authorities, and penalty for failure to comply; and to establish the Commission's authority to invalidate a buffalo tag possessed by an individual who fails to comply with the requirements of R12-4-306 to promote compliance with Commission buffalo hunt requirements. These amendments are intended to provide additional direct oversight and control to make supplemental hunts more effective in achieving management objectives by prescribing the order of hunters who take buffalo and

designating which animal may be taken during a supplemental hunt that targets population reduction efforts. Because of the importance of supplemental hunts, regional personnel need greater flexibility and control when assisting hunters in taking buffalo to maximize harvest. The rule is amended to clarify a buffalo hunt applies to the wildlife area "herd," not the wildlife area "boundary" to make the rule more concise and easier to understand. The rule is amended to clarify that a non-permit tag is required for the Raymond Wildlife Area herd to clarify the type of permit required for a supplemental hunt. The rule is amended to extend the Department's ability to designate which animal may be taken during a supplemental hunt and prescribe the order in which a hunter shall participate in a supplemental hunt. The rule is also amended to allow a Department employee to assist in the taking of a buffalo to prevent the herd from being further stressed and reduce wounding loss. In addition, the rule is amended to clarify that a successful buffalo hunter shall report the taking of a buffalo from either wildlife area in individual or by phone to reduce the regulatory burden.

R12-4-307 is amended to exclude individuals who use confinement traps from possessing devices designed or manufactured to restrain trapped animals so they can be removed from a trap and released when required under rule. The confinement trap in itself is a restraining device. The rule is amended to establish requirements for powered cable devices to address advances made in trapping technology and make the rule consistent with the Best Management Practices (BMP) for trapping as recommended by the Association of Fish and Wildlife Agencies (AFWA). The rule is amended to remove language referencing a commercially manufactured jawed trap that does not exceed 5 1/2 inches in diameter as these types of traps are no longer commercially available, causing the language to be obsolete. The rule is amended to allow the use of specific foot snares as today's foot snares are both humane and effective; this amendment also makes the rule consistent with BMP for trapping as recommended by AFWA. Advances in trapping technology relating to foothold snares require new regulations for their use or restriction. A foot snare uses a spring-loaded steel cable loop suspended around the tripping pan to trap an animal by the leg or foot. When the animal compresses the pan in the center and springs the trap, the cable loop closes around the animal's leg or foot to a preset diameter. The preset diameter of the loop keeps the snare from closing to a small diameter so it does not cut off an animal's circulation. Because these foothold snares are both humane and effective, the Commission supports their use. Additionally, confusion exists because this rule inconsistently uses the term "leghold" trap in relation to other rules that refer to "foothold" traps. The proper term is "foothold" trap and all references to "leghold" are changed to "foothold." The rule is amended to replace the term "bobcat permit tag" with the term "bobcat seal" to make the rule more concise. The rule is amended to clarify the time and manner in which a bobcat seal must be attached to a bobcat's pelt or unskinned carcass to ensure accurate harvest and biological data is maintained to better monitor bobcat populations within Arizona. The rule is amended to allow the Department to offer bobcat seals year round. Historically, the bobcat seals were issued with the year stamped on the seal; the seal no longer displays the year of issuance so the Department does not need to restrict when these seals may be sold. The rule is also amended to remove references to the waiving of the April 10 deadline for bobcat pelts sealed under this section as the previous recommendation makes this practice obsolete. In addition, the rule is amended to establish the Department's authority to deny a trapping license to any individual who failed to submit an annual report until

the individual complies with reporting requirements to ensure accurate harvest data is maintained.

R12-4-308 is amended to remove the requirement that an individual who takes a deer, elk, antelope, or buffalo under a special big game permit to submit the skull or skullcap for inspection and photographing as the Department believes it is no longer necessary to capture this biological data. The rule is amended to establish bobcat seal requirements to ensure accurate harvest and biological data is maintained to better monitor bobcat populations within Arizona. The rule is also amended to allow the Department to establish harvest objectives for other species to improve flexibility for increasing hunter opportunities while regulating harvest and to allow an unlimited number of individuals to participate in a hunt. In addition, the rule is amended to allow the Department to conduct inspections of all lawfully taken wildlife to check all wildlife for which a harvest objective is established. Harvest objectives specify a designated number of animals to be taken during a hunt. This allows an unlimited number of individuals to participate in a hunt, and the hunt closes when the designated number of animals is taken. Currently, the Department must estimate the number of hunters and their predicted hunt success rate in order to determine how many individuals may participate in a hunt. If hunter success is higher or lower than anticipated, the designated number of animals to be taken is not achieved.

R12-4-309 is amended to clarify that the rule does not apply to aquaculture facilities administered by the US Fish and Wildlife Service, commercial facilities operating under a valid license from the Department of Agriculture, and the use of supplements as part of conventional livestock operations to ensure that the rule does not negatively affect operations where the use of drugs on domestic animals or wildlife is regulated by another agency.

R12-4-310 is amended to remove the time-frame in which an instructor shall provide instruction on fish identification; the time spent on instruction should be left to the judgment of the instructor as more or less time may be required depending on the individuals receiving the instruction. In addition, the rule is amended to establish the Department's authority to deny future fishing permits to a permit holder who fails to submit the required report until the individual complies with reporting requirements to ensure accurate sport fishing data is maintained.

R12-4-311 is amended to clarifying the meaning of "private waters" to ensure language is consistent with that outlined in statute. The rule is amended to clarify the taking of live terrestrial mollusks or crustaceans from private property to aid in the conservation of native aquatic species. The rule is amended to include any Saturday during National Fishing and Boating Week in response to changes by the Recreational Boating and Fishing Foundation (RBFF), which determines the dates for National Fishing and Boating Week. When National Fishing Week was first implemented, the event spanned a 7 day period. The event was changed to the National Fishing and Boating Week, and now spans a 10 day period, which includes two Saturdays. The rule amendment allows free fishing on any Saturday that occurs during this event. The rule is amended to clarify that free fishing opportunities do not apply to waters of the Colorado River and portions of Lake Powell to make the rule more concise and understandable. The rule is also amended to establish clarify sanctioned fishing program and authorized volunteer instructor requirements to ensure fishing education programs are conducted in the manner approved by the Department. In addition, the rule is amended to establish a hunting license exemption

for individuals participating in an introductory hunting event organized, sponsored or sanctioned by the Department to increase hunter recruitment. The Commission recognizes hunting as a fundamental requirement of wildlife conservation in Arizona and introductory hunting events actively promote participation in a variety of hunting opportunities, including an appropriate mix of weapon types and season offerings.

R12-4-312 is amended to remove language requiring the Colorado River Special Use permit/stamp to be "affixed" to a fishing license as the new hard copy licenses make this requirement difficult to comply with.

R12-4-313 is also amended to allow the use of bow and arrow or crossbow for the take of catfish, where designated by Commission Order, to allow the Commission to open seasons that are limited to specific locations and specific times for the take of catfish with bow and arrow or crossbow and this was requested by the public. In addition, the rule is amended to allow the use of pneumatic weapons for the take of bullfrogs to better address invasive aquatic species and to provide more opportunities for hunters and anglers. As nonnative amphibians, bullfrogs are a competitive species that threaten the state's native biological diversity, so much so that they are listed as restrictive live wildlife. Both agency personnel and external members of the scientific community encourage the Commission to authorize additional methods of take for bullfrog to allow individuals preferring these methods to take advantage of more recreational opportunities for hunters and anglers.

R12-4-316 is amended to remove "red shiner" from the list of live bait minnows that can be lawfully possessed, transported, or imported by licensed anglers to address emerging concerns about the interactions between red shine and native aquatic wildlife as it is beneficial to restrict the use of red shiner to minimize impacts on aquatic wildlife. In addition, the rule is amended to allow anglers to collect red shiner in the wild to possess and use them as bait only on the body of water where they are captured to aid in the conservation of native aquatic species. Scientific research has identified emerging concerns about the interactions between red shiner, which is currently a legal baitfish, and native aquatic wildlife. These concerns suggest it would be beneficial to restrict the use of red shiner to minimize impacts on aquatic wildlife. The proposed amendment provides the opportunity for anglers to collect red shiner in the wild and possess and use them as bait on the body of water where they are captured.

R12-4-318 is amended to remove language referencing the possession of a personal protection handgun to comply with statutory amendments resulting Laws 2012, 2nd Regular Session, Ch. 225.

R12-4-322 is promulgated to allow individuals to pick up and possess naturally shed antlers, horns or other wildlife parts that are not fresh without a permit or Department inspection. In addition, the rule allows individuals to pick up and possess a fresh wildlife carcass or its parts if, upon finding the carcass or its parts, the individual voluntarily notifies the Department of the find, a Department officer is able to observe the carcass or its parts at the site where the animal was found, and the officer can determine the animal died of natural causes. The proposed rule does authorize the possession of any threatened or endangered species carcasses or its parts. This is proposed to provide the public with a method to pick up and possess wildlife carcasses and parts without having to purchase a tag. Outdoor activities provide a multitude of wildlife experiences, including the discovery of wildlife parts such as skulls, bones, or shed antlers and there is some confusion regarding when an individual may collect wildlife parts. Current rule does not adequately address the legality of picking up fresh wildlife

parts. Recently, the Commission addressed the situation where an individual picked up the remains of deceased wildlife; according to current law, possession of wildlife parts is only allowable when there is some evidence of legality, such as a permit-tag or special license. There is no exception for an individual who, for example, would like to keep the antlers of a deer or elk that died from causes other than unlawful activity. The Commission recognizes the role that wildlife parts play in fostering interest and future participation in outdoor activities and would like to be more permissive by allowing this activity with the appropriate oversight that the new rule provides.

R12-4-315, R12-4-317, R12-4-319, and R12-4-320 are only amended to ensure compliance with the Administrative Procedures Act, Secretary of State, and Governor's Regulatory Review Council rulemaking format and style requirements and rewording of rule language to make rules clearer and more concise.

6. A reference to any study relevant to the rule that the agency reviewed and proposes to either rely on or 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:

The following studies may be viewed at the Arizona Game and Fish Department, 5000 W. Carefree Hwy, Phoenix, AZ 85086:

"Brucellosis in Greater Yellowstone Area: Disease Management at the Wildlife-Livestock Interface" Brant A. Schumaker, Danelle E. Peck, Mandy E. Kauffman: Review of the current status of bovine brucellosis in the Greater Yellowstone Area; describes the suite of management activities currently being implemented; and discusses a few economic principles that can help society identify the optimal level of brucellosis control and achieve it at least cost.

"Bovine Tuberculosis in Free-ranging White-tailed Deer from Michigan" Stephen M. Schmitt, Scott D. Fitzgerald, Thomas M. Cooley, Colleen S. Bruning-Fann, Larry Sullivan, Dale Berry, Thomas Carlson, Richard B. Minnis, Janet B. Payeur, James Sikarskie: Review of occurrence of bovine tuberculosis in free-ranging cervids in North America where the disease is being maintained in the deer population without infected livestock involvement.

"Disease and Winter Feeding of Elk and Bison: A Review and Recommendations Pertinent to the Jackson Bison and Elk Management Plan and Environmental Impact Statement" Bruce L. Smith: Review exploring the relationships between winter feeding of elk and bison and certain existing and potential diseases of those populations; how winter feeding of elk and bison affects transmission, prevalence, and impacts of brucellosis and potentially chronic wasting disease (CWD) National Elk Refuge and Grand Teton National Park elk and bison.

"Dynamics of Bovine Tuberculosis in Wild White-tailed Deer in Michigan" Graham J. Hickling: Analysis of data on bovine tuberculosis infection of wild white-tailed deer in the Lower Peninsula of Michigan to quantify the geographic spread of tuberculosis in deer in Michigan; investigate key factors influencing the prevalence of disease in the core of the infected area; and interpret the results in light of overseas experience with wildlife tuberculosis, with a view to recommending how current management of the disease might be enhanced.

"Evaluation of New Strategy for Control of Bovine Tuberculosis in Michigan White-tailed Deer: Progress Report - Year 1" Stephen Schmitt, Daniel O'Brien, Brent Rudolph, Elaine Carlson, Dave Smith, Zachary Cooley, Graham Hickling, Graham Nugent, Peter Buchko: Summary of results of a one-year pilot trial of strategy to eliminate bovine tuberculosis in free-ranging deer through increased hunting pressure and to restrict supplemental feeding and baiting activities that encourage deer to congregate undertaken by Michigan Department of Natural Resources.

"Movement Patterns and Behavior at Winter Feeding and Fall Baiting Stations in a Population of White-tailed Deer Infected with Bovine Tuberculosis in the Northeastern Lower Peninsula of Michigan": Mark Stephen Garner: Dissertation to analyze the effect winter feeding and baiting have on face to face (F2F) contact for white-tailed deer populations and make recommendations for managing the bovine tuberculosis outbreak for white-tailed deer in Michigan.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The Commission's intent in proposing these amendments is to address the ethical taking and handling of wildlife, increase hunter opportunity, and encourage hunter recruitment and retention. These areas include the use of tags, lawful and unlawful methods of taking and possessing wildlife and wildlife parts, seasons, and wildlife check and reporting requirements. The majority of the rulemaking is intended to benefit the regulated community as well as the Department, by clarifying rule language to ease enforcement, creating consistency among existing Commission rules, providing greater opportunities for hunting and fishing, reducing the burden on the regulated community where possible and practical, allowing the Department additional oversight to handle advances in trapping technology, population management, and protecting the spirit of fair chase. The Commission has determined that the benefits of the rulemaking outweigh any costs.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

See item #4.

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: January 11, 2013
Time: 8:00 a.m. to 5:00 p.m.
Location: 5000 W Carefree Highway
Phoenix, Arizona 85086
Close of record: January 11, 2013

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052

and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used, and if not, the reason why a general permit is not used:

The rule does not require a general permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law, and if so, citation to the statutory authority to exceed the requirements of federal law:

50 CFR Part 20 is applicable to the subject of the rule as it regulates the take of migratory birds; the rule is not more stringent than federal law.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No person has submitted an analysis to the agency that compares the rule's impact on the competitiveness of business in this state to the impact on business in other states.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

50 CFR 20.21, revised June 14, 2001, referenced under R12-4-303(B)(7) and R12-4-304(B)(3)(e)(ii).

13. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Section

R12-4-101. Definitions

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

Section

R12-4-301. Definitions

R12-4-302. Use of Tags

R12-4-303. Unlawful Devices, Methods, and Ammunition

R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife

R12-4-306. Buffalo Hunt Requirements

R12-4-307. Trapping Regulations; Licensing; Methods; Tagging of Bobcat Pelts

R12-4-308. Wildlife Inspections, Check Stations, and Roadblocks

R12-4-309. Authorization for Use of Drugs on Wildlife

R12-4-310. Fishing Permits

R12-4-311. Exemptions from Requirement to Possess an Arizona Fishing License or Hunting License ~~While~~

~~Taking Aquatic Wildlife~~

R12-4-312. Special Use Permits and Stamps for Fishing on Waters with Shared Jurisdiction

R12-4-313. Lawful Methods of Taking Aquatic Wildlife

R12-4-315. Possession of Live Fish; Unattended Live Boxes and Stringers

R12-4-316. Possession, Transportation, or Importation of Live Baitfish, Crayfish, or Waterdogs

R12-4-317. Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles

R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

R12-4-319. Use of Aircraft to Take Wildlife

R12-4-320. Harassment of Wildlife

R12-4-322. Pickup and Possession of Wildlife Parts

R12-4-101. Definitions

A. In addition to the definitions provided in under A.R.S. § 17-101, R12-4-301, R12-4-401, and R12-4-501, the following definitions apply to this Chapter, unless ~~the context~~ otherwise ~~requires~~ specified:

- ~~1.~~ "Artificial lures and flies" means ~~man made devices intended as visual attractants for fish and does not include living or dead organisms or edible parts of those organisms, natural or prepared food stuffs, artificial salmon eggs, artificial corn, or artificial marshmallows.~~
- ~~2.~~ "Bonus point" means a credit that authorizes the Department to issue an applicant an additional computer-generated random number.
- ~~3.~~ "Commission Order" means a document adopted by the Commission that does ~~any or all~~ one or more of the following: ~~open, close, or alter seasons and open areas for taking wildlife; specify wildlife that may or may not be taken; set bag or possession limits for wildlife; or set the number of permits available for limited hunts~~
 - Open, close, or alter seasons and open areas for taking wildlife;
 - Set bag or possession limits for wildlife;
 - Set the number of permits available for limited hunts; or
 - Specify wildlife that may or may not be taken.
- ~~4.~~ "Crayfish net" means ~~a net that does not exceed 36 inches on a side or in diameter and is retrieved by means of a hand held line.~~
 - "Day-long" means the 24-hour period from midnight to midnight.
 - "Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will discharge, is designed to discharge or may readily be converted to discharge a projectile by the action of an explosion caused by the burning of smokeless powder, black powder, or black powder substitute.
- ~~5.~~ "Hunt area" means a game management unit, portion of a unit, ~~or~~ group of units, or any portion of Arizona described in a Commission Order and not included in a game management unit opened to hunting by a particular hunt number.
- ~~6.~~ "Hunt number" means the number assigned by Commission Order to any hunt area where a limited number of hunt permits is available.
- ~~7.~~ "Hunt permits" means the number of hunt permit-tags made available to the public as a result of a Commission Order.
- ~~8.~~ "Hunt permit-tag" means a tag for a hunt for which a Commission Order has assigned a hunt number.
- ~~9.~~ "Identification number" means a number assigned to each applicant or license holder by the Department, ~~as prescribed in~~ established under R12-4-111.
- ~~10.~~ "License dealer" means a business authorized to sell hunting, fishing, and other licenses as established under ~~to~~ R12-4-105.
- ~~11.~~ "Live baitfish" means any species of live freshwater fish designated by Commission Order as lawful for use in taking aquatic wildlife under R12-4-317.
- ~~12.~~ "Management unit" means an area established by the Commission for management purposes.

13. ~~"Minnow trap" means a trap with dimensions that do not exceed 12 inches in depth, 12 inches in width and 24 inches in length.~~
 14. ~~"Muzzle loading handgun" means a firearm intended to be fired from the hand, incapable of firing fixed ammunition, having a single barrel and single chamber, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.~~
 15. ~~"Muzzle loading rifle" means a firearm intended to be fired from the shoulder, incapable of firing fixed ammunition, having a single barrel and single chamber, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.~~
 16. "Nonpermit-tag" means a tag for a hunt for which a Commission Order does not assign a hunt number and the number of tags is not limited.
 17. "Restricted nonpermit-tag" means a tag issued for a supplemental hunt as established under R12-4-115.
 18. ~~"Simultaneous fishing" means taking fish by using two lines and not more than two hooks or two artificial lures or flies per line.~~
 19. ~~"Sink box" means a low floating device with a depression that affords a hunter a means of concealment beneath the surface of the water.~~
 20. "Stamp" means a form of authorization in addition to a license that allows the license holder to take wildlife specified by the stamp. ~~The Department shall issue a stamp by one of the following methods:~~
 - a. ~~Print the name of the stamp on the applicable license;~~
 - b. ~~Print the name of the stamp on a separate license form that the license holder shall attach to or carry with the applicable license; or~~
 - c. ~~Provide an actual stamp with an adhesive backing that the license holder shall affix to the back of the applicable license and signs across the face of the stamp.~~
 21. "Tag" means the Department authorization ~~that~~ an individual is required to obtain ~~from the Department under A.R.S. Title 17 and 12 A.A.C. 4~~ before taking certain wildlife as established under A.R.S. Title 17 and 12 A.A.C. 4.
 22. "Waterdog" means the larval or metamorphosing stage of salamanders.
 23. "Wildlife area" means an area established under 12 A.A.C. 4, Article 8.
- B.** If the following terms are used in a Commission Order, the following definitions apply:
1. "Antlered" means having an antler fully erupted through the skin and capable of being shed.
 2. "Antlerless" means not having an antler, antlers, or any part thereof erupted through the skin.
 3. "Bearded turkey" means a turkey with a beard that extends beyond the contour feathers of the breast.
 4. "Buck antelope" means a male pronghorn antelope.
 5. "Bull elk" means an antlered elk.
 6. "Designated" means the gender, age, or species of an animal or the specifically identified animal the Department authorizes to be taken and possessed with a valid tag.
 7. "Ram" means any male bighorn sheep, excluding male lambs.

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

R12-4-301. Definitions

In addition to the definitions provided under A.R.S. § 17-101, the following definitions apply to this Article unless otherwise specified:

"Administer" means to pursue, capture, or otherwise restrain wildlife in order to apply directly a drug to wildlife by injection, inhalation, ingestion or any other means.

"Aircraft" means any contrivance used for flight in the air or any lighter-than-air contrivance.

"Artificial lures and flies" means man-made devices intended as visual attractants for fish and does not include living or dead organisms or edible parts of those organisms, natural or prepared food stuffs, artificial salmon eggs, artificial corn, or artificial marshmallows.

"Barbless hook" means any fishhook manufactured without barbs or on which the barbs have been completely closed or removed.

"Body-gripping trap" means a device designed to capture an animal by gripping the animal's body.

"Cervid" means any member of the deer family (*Cervidae*); which includes caribou, elk, moose, mule deer, reindeer, wapiti, and whitetail deer.

"Confinement trap" means a device designed to capture wildlife alive and hold it without harm.

"Crayfish net" means a net that does not exceed 36 inches on a side or in diameter and is retrieved by means of a hand-held line.

"Dip net" means any net, excluding the handle, that is no greater than 3 feet in the greatest dimension that is hand-held, non-motorized, and the motion of the net is caused by the physical effort of the individual.

"Drug" means any chemical substance, other than food or mineral supplements, which affects the structure or biological function of wildlife.

"Evidence of legality" means the wildlife is accompanied by the applicable license, tag, stamp, or permit required by law and is identifiable as the "legal wildlife" prescribed by Commission Order, which may include evidence of species, gender, antler or horn growth, maturity and size.

"Foothold trap" means a device designed to capture an animal by the leg or foot.

"Instant kill trap" means a device designed to render an animal unconscious and insensitive to pain quickly with inevitable subsidence into death without recovery of consciousness.

"Land set" means any trap used on land rather than in water.

"Minnow trap" means a trap with dimensions that do not exceed 12 inches in depth, 12 inches in width and 24 inches in length.

"Muzzle-loading handgun" means a firearm intended to be fired from the hand, incapable of firing fixed ammunition, having a single barrel and single chamber, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.

"Muzzle-loading rifle" means a firearm intended to be fired from the shoulder, incapable of firing fixed ammunition, having a single barrel and single chamber, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.

"Nonprofit organization" means an organization that is recognized as nonprofit under Section 501(c) of the U.S. Internal Revenue Code.

"Paste-type bait" means a partially liquefied substance used as a lure for animals.

"Person" means any individual, corporation, partnership, limited liability company, non-governmental organization or club, licensed animal shelter, government entity other than the Department, and any officer, employee, volunteer, member or agent of a person.

"Pre-charged pneumatic weapon" means an air gun or pneumatic weapon that is charged from an external high compression source such as an air compressor, air tank, or external hand pump.

"Simultaneous fishing" means taking fish by using two lines and not more than two hooks or two artificial lures or flies per line.

"Sink box" means a low floating device with a depression that affords a hunter a means of concealment beneath the surface of the water.

"Sight-exposed bait" means a carcass or parts of a carcass lying openly on the ground or suspended in a manner so that it can be seen from above by a bird. This does not include a trap flag, dried or bleached bone with no attached tissue, or less than two ounces of paste-type bait.

"Trap flag" means an attractant made from materials other than animal parts that is suspended at least three feet above the ground.

"Water set" means any trap used and anchored in water rather than on land.

R12-4-302. Use of Tags

- A.** In addition to meeting ~~the~~ requirements ~~of~~ prescribed under A.R.S. § 17-331, an individual who takes wildlife shall have in possession any tag required for the particular season or hunt area.
- B.** A tag obtained in violation of statute or rule is invalid and shall not be used to take, transport, or possess wildlife.
- C.** ~~An individual who takes wildlife shall not possess a tag issued to anyone else, except as provided in this Section and R12-4-305, or attach to wildlife a tag issued to anyone else, except as provided in R12-4-217.~~
- D.** ~~An individual shall not allow a tag issued to that individual to be attached to wildlife killed by anyone else, except as provided in R12-4-217.~~
- E.** ~~An individual shall not attach a tag issued to that individual to wildlife killed by anyone else, except as provided in R12-4-217.~~
- F.** ~~An individual shall take and tag only the wildlife identified on the tag.~~
- G.** ~~An individual shall use a tag only in the season and hunt area for which the tag is valid.~~
- H.C.** An individual who lawfully possesses both a nonpermit-tag and a hunt permit-tag shall not take a genus or species in excess of the bag limit established by Commission Order for that genus or species.

D. An individual shall:

1. Take and tag only the wildlife identified on the tag; and
2. Use a tag only in the season and hunt for which the tag is valid, as specified by Commission Order.

E. Except as permitted under R12-4-217, an individual shall not:

1. Allow their tag to be attached to wildlife killed by another individual,
2. Allow their tag to be possessed by another individual,
3. Attach their tag to wildlife killed by another individual,
4. Attach a tag issued to another individual to wildlife, or
5. Possess a tag issued to another individual.

I.F. Immediately Except as permitted under R12-4-217, immediately after an individual kills wildlife, unless exempted under R12-4-217 or the individual who took the wildlife wishes to divide the carcass under R12-4-305, the individual shall attach his or her valid the tag to the wildlife carcass in the following manner:

1. Remove all of the detachable paper covering from the adhesive back of the tag;
2. Seal the exposed adhesive portions of the tag around the wildlife so the tag cannot be removed or reused and all printing on the face of the tag is visible, and
 - a. For a antelope, deer, or elk, ~~or antelope~~; seal the tag around the antler or horn, or through the gambrel of a hind leg;
 - b. For a javelina, ~~bighorn sheep~~, ~~mountain lion~~, ~~buffalo~~, ~~or bear~~, buffalo, bighorn sheep, javelina, or mountain lion; seal the tag through the gambrel of a hind leg; and
 - c. For a ~~turkey~~, ~~sandhill crane~~, ~~or pheasant~~, sandhill crane, or turkey; seal the tag around the neck or a leg.

J. ~~An individual who lawfully takes wildlife under a tag and wishes to authorize another individual to possess, transport, or ship any portion of a carcass under R12-4-305 shall, at the time the portions are to be possessed, transported, or shipped independent from the original tag holder:~~

1. ~~Tear and separate the tag portions along the perforated line,~~
2. ~~Legibly complete and sign the Carcass/Transportation/Shipping Permit portion in accordance with R12-4-305(D), and~~
3. ~~Provide to the individual who will possess and transport the portions of the carcass the completed Carcass/Transportation/Shipping permit.~~

K.G. ~~An individual who possesses, transports, or ships a carcass or any part or parts of a carcass and is not the original tag holder shall possess the completed Carcass/Transportation/Shipping permit issued as part of the original permit authorizing the take of that animal~~ An individual who lawfully takes wildlife with a valid tag and authorizes another individual to possess, transport, or ship the tagged portion of the carcass shall complete the Transportation and Shipping Permit portion of the original tag authorizing the take of that animal.

L.H. ~~If a tag or a separated portion of a tag has been sealed or mutilated, or the Carcass/Transportation/Shipping permit portion of the tag is signed or filled out, the tag is no longer valid for taking wildlife~~ If a tag is sealed or mutilated or the Transportation and Shipping Permit portion of the tag is signed or filled out, the tag is no

longer valid for the take of wildlife.

R12-4-303. Unlawful Devices, Methods, and Ammunition

A. In addition to the prohibitions prescribed ~~in~~ under A.R.S. §§ 17-301 and 17-309, the following devices, methods, and ammunition are unlawful for taking any wildlife in this state. An individual shall not use ~~or possess~~ any of the following ~~while taking~~ to take wildlife:

1. Fully automatic firearms, including firearms capable of selective automatic fire;
2. Tracer, armor-piercing, or full-jacketed ammunition designed for military use; or
3. ~~Shotguns larger than 10 gauge or shotguns capable of holding more than five shells in the magazine, unless plugged with a one piece filler that cannot be removed without disassembling the gun, and that limits the magazine capacity to five shells;~~
4. ~~Semiautomatic centerfire rifles with a magazine capacity of more than five cartridges, unless the magazine is modified with a filler or stop that cannot be removed without disassembling the magazine;~~
5. ~~Contrivances designed to silence, muffle, or minimize the report of a firearm;~~
6. ~~Poisoned projectiles, or projectiles that contain explosives; or~~
7. ~~Pitfalls of greater than 5 gallon size, explosives, poisons, or stupefying substances, except as permitted in A.R.S. § 17-239, or as allowed by a scientific collecting permit issued under A.R.S. § 17-238~~
3. Any lure, attractant, or cover scent containing any cervid urine.

B. An individual shall not use or possess any of the following while taking wildlife:

1. Poisoned projectiles or projectiles that contain explosives;
2. Pitfalls of greater than 5-gallon size, explosives, poisons, or stupefying substances; or
3. Electronic night vision equipment, electronically enhanced light-gathering devices, or thermal imaging devices; except for devices such as laser range finders, scopes with self-illuminating reticles, and fiber optic sights with self-illuminating sights or pins that do not project a visible light onto an animal, except as permitted under A.R.S. § 17-239 or as allowed by a scientific collecting permit issued under A.R.S. § 17-238.

C. An individual shall not:

1. Hold wildlife at bay other than during daylight hours, unless authorized by Commission Order.
2. Injure, confine, or place a tracking device on wildlife for the purpose of aiding another individual to take wildlife.
3. Place any substance, device, or object in, on, or by any water source to prevent wildlife from using that water source.
4. Place any substance in a manner intended to attract bears.
5. Use a manual or powered jacking or prying device to take reptiles or amphibians.
6. Use dogs to pursue, tree, corner or hold at bay any wildlife for a hunter unless that hunter is present for the entire hunt.
7. Take migratory game birds, except Eurasian Collared-doves, using shotguns larger than 10 gauge, shotguns

of any description capable of holding more than three shells unless it is plugged with a one-piece filler that cannot be removed without disassembling the gun so that its total capacity does not exceed three shells, electronically amplified bird calls, or baits, as prohibited under 50 CFR 20.21, revised October 1, 2009. The material incorporated by reference in this Section and does not include any later amendments or editions. The incorporated material is available at any Department office, online from the Government Printing Office web site www.gpoaccess.gov, or may be ordered from the Superintendent of Documents, U.S. Government Printing Office, 732 N. Capitol St. N.W., Washington, D.C. 20401.

8. Discharge a pneumatic weapon .25 caliber or larger while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident.

D. The use of edible or ingestible substances to aid in taking big game is unlawful when:

1. An individual places edible or ingestible substances for the purpose of attracting or taking big game.
2. An individual knowingly takes big game with the aid of edible or ingestible substances placed for the purpose of attracting wildlife to a specific location.
3. This subsection does not limit Department employees or Department agents in the performance of their official duties.
4. For the purposes of this subsection, edible or ingestible substances does not include:
 - a. Water,
 - b. Salt or salt-based materials produced and manufactured for the livestock industry, or
 - c. Nutritional supplements produced and manufactured for the livestock industry and placed during the course of livestock or agricultural operations.

B. ~~An individual shall not place any substance in a manner intended to attract bears.~~

C. ~~An individual shall not use manual or powered jacking or prying devices to take reptiles or amphibians.~~

D. ~~An individual shall not use live decoys, recorded bird calls, electronically amplified bird calls, or baits to take migratory game birds, as prohibited by 50 CFR 20.21, revised June 14, 2001. This material is incorporated by reference in this Section, but does not include any later amendments or editions. A copy is available from any Department office, or it may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.~~

E. Wildlife taken in violation of this Section is unlawfully taken.

F. This Section does not apply to any activity allowed under A.R.S. § 17-302, to an individual acting within the scope of their official duties as an employee of the state or United States, or as authorized by the Department.

R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

A. An individual may only use the following methods to take big game; when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318.

1. To take antelope:
 - a. Centerfire rifles;

- b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .40 caliber or larger;
 - ~~g.h.~~ Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - ~~h.i.~~ Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection ~~(A)(1)(g)~~ (A)(1)(h) to be drawn and held with an assisting device.
2. To take bear:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .40 caliber or larger;
 - ~~g.h.~~ Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
 - ~~h.i.~~ Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection ~~(A)(2)(g)~~ (A)(2)(h) to be drawn and held with an assisting device; and
 - ~~i.j.~~ Pursuit with dogs only between August 1 and December 31, ~~only~~ provided the individual shall immediately kill or release the bear after it is treed, cornered, or held at bay.
3. To take bighorn sheep:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .40 caliber or larger;
 - ~~g.h.~~ Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - ~~h.i.~~ Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches

and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection ~~(A)(3)(g)~~ (A)(3)(h) to be drawn and held with an assisting device.

4. To take buffalo:
 - a. State-wide, except for the game management units identified under subsection (A)(4)(b):
 - i. Centerfire rifles;
 - ii. Muzzleloading rifles;
 - iii. All other rifles using black powder or synthetic black powder;
 - iv. Centerfire handguns no less than .41 Magnum or centerfire handguns with an overall cartridge length of no less than two inches;
 - v. Bows with a standard pull of 40 or more lbs, using arrows with broadheads of no less than 7/8 inch in width with metal cutting edges; and
 - vi. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(4)(a)(v) to be drawn and held with an assisting device.
 - b. In game management units 5A and 5B:
 - i. Centerfire rifles;
 - ii. Muzzleloading rifles; and
 - iii. All other rifles using black powder or synthetic black powder.
5. To take deer:
 - a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .40 caliber or larger;
 - ~~g.h.~~ Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - ~~h.i.~~ Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection ~~(A)(5)(g)~~ (A)(5)(h) to be drawn and held with an assisting device.
6. To take elk:
 - a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;

- f. Shotguns shooting slugs, only;
 - g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(6)(g) to be drawn and held with an assisting device.
7. To take javelina:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .40 caliber or larger;
 - ~~g-h~~ Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
 - ~~h-i~~ Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection ~~(A)(7)(g)~~ (A)(7)(h) to be drawn and held with an assisting device;
 - ~~i-j~~ .22 rimfire magnum rifles; and
 - ~~j-k~~ 5 mm rimfire magnum rifles.
8. To take mountain lion:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs or shot;
 - g. Pre-charged pneumatic weapons .40 caliber or larger;
 - ~~g-h~~ Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
 - ~~h-i~~ Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection ~~(A)(8)(g)~~ (A)(8)(h) to be drawn and held with an assisting device;
 - ~~i-j~~ Artificial light, during seasons with ~~day-long~~ day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and

~~j-k.~~ Pursuit with dogs, provided the individual shall immediately kill or release the mountain lion after it is treed, cornered, or held at bay.

9. To take turkey:

~~a.~~ Centerfire rifles;

~~b.~~ Muzzleloading rifles;

~~c.~~ All other rifles using black powder or synthetic black powder;

~~d.~~ Centerfire handguns;

~~e.~~ Handguns using black powder or synthetic black powder;

~~f.a.~~ Shotguns shooting slugs or shot;

~~g.b.~~ Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; ~~and~~

~~h.c.~~ Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection ~~(A)(9)(g)~~ (A)(9)(b) to be drawn and held with an assisting device;

~~i.~~ .22 rimfire magnum rifles;

~~j.~~ 5 mm rimfire magnum rifles; and

~~k.~~ .17 rimfire magnum rifles.

B. An individual may only use the following methods to take small game, when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318.

1. To take cottontail rabbits and tree squirrels:

a. Firearms,

b. Bow and arrow,

c. Crossbow,

d. Pneumatic weapons,

e. Slingshots,

f. Hand-held projectiles,

g. Falconry, and

h. Dogs.

2. To take all upland game birds and Eurasian Collared-doves:

a. Bow and arrow;

b. Falconry;

c. Pneumatic weapons;

d. Shotguns shooting shot, only;

e. Handguns shooting shot, only;

f. Crossbow;

~~g.~~ Slingshot;

~~g.h.~~ Hand-held projectiles; and

- ~~h.i.~~ Dogs.
- 3. To take migratory game birds, except Eurasian Collared-doves:
 - a. Bow and arrow;
 - b. Crossbow;
 - c. Falconry;
 - d. Dogs;
 - e. Shotguns shooting shot:
 - i. Ten gauge or smaller, except that lead shot shall not be used or possessed while taking ducks, geese, swans, mergansers, common moorhens, or coots; and
 - ~~e.ii. Shotguns shooting shot and incapable~~ Incapable of holding more than ~~two~~ a total of three shells ~~in the magazine, unless plugged with a one piece filler that cannot be removed without disassembling the gun that limits the magazine it's capacity to two shells; and, as prescribed under 50 CFR 20.21, published October 1, 2009. The material incorporated by reference in this subsection does not include any later amendments or editions. The material is available at any Department office, online from the Government Printing Office web site www.gpoaccess.gov, or may be ordered from the Superintendent of Documents, U.S. Government Printing Office, 732 N. Capitol St. N.W., Washington, D.C. 20401.~~
 - f. ~~Dogs.~~
- C. An individual may take waterfowl from a any watercraft, except a sinkbox, subject to the following conditions:
 - 1. The motor is shut off, if any, is shut off, and the sail is furled, if any as applicable, is furled, and any progress from a motor or sail has ceased;
 - 2. The watercraft may be ~~drifting as a result of current or wind action; may be beached, moored, or resting at anchor; or may be propelled by paddle, oars, or pole; and;~~
 - a. Adrift as a result of current or wind action;
 - b. Beached;
 - c. Moored;
 - d. Resting at anchor; or
 - e. Propelled by paddle, oars, or pole; and
 - 3. The individual may only use the watercraft under power to retrieve dead or crippled waterfowl, ~~but no;~~ however, shooting is ~~permitted~~ prohibited while the watercraft is underway.
- D. An individual may take predatory and furbearing animals by using the following methods, when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318:
 - 1. Firearms;
 - 2. Pre-charged pneumatic weapons .22 caliber or larger;
 - ~~2.3.~~ 3. Bow and arrow;
 - ~~3.4.~~ 4. Crossbow;
 - ~~4.5.~~ 5. Traps not prohibited under R12-4-307;

~~5.6.~~ Artificial light while taking raccoon provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and

~~6.7.~~ Artificial light while taking coyote during seasons with ~~day-long~~ day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and

~~7.8.~~ Dogs.

E. An individual may take nongame mammals and birds by any method authorized by Commission Order and not prohibited under R12-4-303 or R12-4-318, subject to the following restrictions. An individual:

1. Shall not take nongame mammals and birds using foothold traps;
2. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
3. Shall not use firearms at night; and
4. May use artificial light while taking nongame mammals and birds, if the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.

F. An individual may take reptiles by any method not prohibited under R12-4-303 or R12-4-318 subject to the following restrictions. An individual:

1. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
2. Shall not use firearms at night; and
3. May use artificial light while taking reptiles provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.

~~G.~~ ~~For the purposes of Commission Orders authorized under this Section, "day long" means the 24 hour period from midnight to midnight.~~

R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife

~~A.~~ For the purposes of this Section, "evidence of legality" means:

- ~~1. The wildlife is identifiable as the "legal wildlife" prescribed by Commission order, which may include evidence of species, gender, antler or horn growth, maturity and size; and~~
- ~~2. The wildlife is accompanied by the applicable license, tag, separated portion of a tag under R12-4-302, stamp or permit required by law.~~

~~B.A.~~ An individual shall ensure that evidence of legality remains with the carcass or parts of a carcass of any wild mammal, bird, or reptile that the individual possesses ~~or~~, transports, or imports until arrival at the individual's permanent abode, a commercial processing plant, or the place where the wildlife is to be consumed.

~~C.B.~~ In addition to the requirement in subsection ~~(B)~~ (A), an individual possessing or transporting the following

wildlife shall ~~also ensure that~~ each:

1. Big game ~~animal~~, sandhill ~~cranes~~ crane, and pheasant ~~each have~~ has the required valid tag attached as prescribed ~~in~~ under R12-4-302;
2. Migratory game ~~birds~~ bird, except sandhill cranes, ~~each have~~ has one fully feathered wing attached;
3. ~~Each sandhill~~ Sandhill crane has either the fully feathered head or one fully feathered wing attached; and
4. ~~Each quail~~ Quail has attached a fully feathered head, or a fully feathered wing, or a leg with foot attached, ~~if~~ when the current Commission ~~order~~ Order has established separate bag or possession limits for any species of quail.

~~D.C.~~ An individual who has lawfully taken wildlife that requires a valid tag when prescribed by the Commission, ~~such as big game, sandhill crane, or pheasant,~~ may authorize its transportation or shipment by completing and signing the ~~Transportation/Shipping~~ Transportation and Shipping Permit portion of the valid tag for that animal. A separate ~~Transportation/Shipping~~ Transportation and Shipping Permit issued by the Department is necessary to transport or ship to another state or country any big game taken with a resident license. Under A.R.S. § ~~47-372~~ 17-372(B), an individual may ship other lawfully taken wildlife by common carrier after obtaining a valid ~~Transportation/Shipping~~ Transportation and Shipping Permit issued by the Department. The individual shall provide the following information on the permit form:

1. Number and description of the wildlife to be transported or shipped;
2. Name, address, license number, and license class of the individual who took the wildlife ~~and that individual's address, license number, license class, and tag number;~~
3. Tag number;
4. Name and address of the individual ~~who receives~~ receiving a portion of the ~~divided~~ carcass of the wildlife as authorized under subsection ~~(E)~~ (D), if applicable;
4. Address of destination where the wildlife is to be transported or shipped; and
5. Name and address of transporter or shipper.

~~E.D.~~ An individual who lawfully takes wildlife under a tag may authorize another individual to possess the head or carcass of the wildlife by separating and attaching the tag as prescribed ~~in~~ under R12-4-302.

E. An individual who receives a portion of the wildlife shall provide the identity of the individual who took and gave the portion of the wildlife.

F. An individual shall not possess the horns of a bighorn sheep; taken by a hunter in this state, unless the horns are marked or sealed as prescribed ~~in~~ under R12-4-308.

G. ~~An~~ Except as provided under R12-4-307, an individual who sells, offers for sale, or exports the raw pelt or unskinned carcass of a bobcat taken in this state shall ~~obtain a~~ first:

1. Pay the bobcat ~~permit tag, seal available for a fee as provided in~~ established under R12-4-102 ~~at Department offices and other locations at those times and places as determined and published by the Department, and shall ensure that, and~~
2. Present the bobcat ~~permit tag is locked through the mouth or eye openings so that it cannot be removed for~~ inspection at any Department office. Department personnel or an authorized agent shall attach and lock the

bobcat seal only to a pelt or unskinned carcass presented with a validated transportation tag.

- H.** ~~Unless an individual has taken the annual bag limit for bear or mountain lion, an~~ An individual who takes bear or mountain lion under A.R.S. § 17-302, if the season for bear or mountain lion is closed, during a closed season may retain the carcass of the wildlife if the individual has a valid hunting license and the carcass is immediately tagged with a nonpermit-tag as required ~~by~~ under R12-4-114 and R12-4-302, ~~unless the individual has already taken the applicable bag limit for that big game animal.~~ An animal retained under this subsection shall count towards the annual applicable bag limit for bear or mountain lion as authorized in by Commission Order. The individual shall comply with inspection and reporting requirements established under R12-4-308.
- I.** ~~An individual may import into this state carcasses or parts of carcasses of wildlife that have been possess,~~ transport, or import only the following portions of a cervid lawfully taken in another state or country if accompanied by evidence of legality:
1. Boneless portions of meat, or meat that has been cut and packaged;
 2. Clean hides and capes with no skull or soft tissue attached, except as required for proof of legality;
 3. Skulls with antlers, clean skull plates, or antlers with no meat or soft tissue attached;
 4. Finished taxidermy mounts or products; and
 5. Upper canine teeth with no meat or tissue attached.
- J.** A private game farm license holder may transport a cervid lawfully killed or slaughtered at the license holder's game farm to a licensed meat processor.
- K.** An individual may possess or transport only the following portions of a cervid lawfully killed or slaughtered at a private game farm authorized under R12-4-413:
1. Boneless portions of meat, or meat that has been cut and packaged;
 2. Clean hides and capes with no skull or soft tissue attached;
 3. Skulls with antlers, clean skull plates, or antlers with no meat or soft tissue attached;
 4. Finished taxidermy mounts or products; and
 5. Upper canine teeth with no meat or tissue attached.
- ~~J-L. Individuals~~ An individual who ~~obtain~~ obtained buffalo meat as authorized under R12-4-306 may sell the meat.
- ~~K-M.~~ Except for cervids, which are subject to requirements established under subsection (I), (J), and (K), An an individual may import into this state the carcasses or parts of wildlife, including aquatic wildlife, ~~that have been~~ lawfully taken in another state or country if ~~accompanied by evidence of legality, and~~ transported and exported in accordance with the laws of the state or country of origin.
- ~~L-N.~~ An individual in possession of or transporting the carcasses carcass of any freshwater fish ~~that have been~~ taken within this state shall ensure that the head, tail, or skin is attached so that the species can be identified, numbers counted, and any required length determined.
- O.** An individual shall not transport live crayfish from the site where taken, except as permitted under R12-4-316.
- ~~M-P.~~ An individual in possession of a carp (*Cyprinus carpio*) or, buffalofish (*Ictiobus* spp.), or crayfish carcass taken under Commission order Order may sell the carcass.

R12-4-306. Buffalo Hunt Requirements

- A. When authorized by Commission ~~order~~ Order, the Department shall conduct a hunt to harvest buffalo from the state's buffalo herds.
- ~~B. An unsuccessful hunter with a buffalo hunt permit tag for the House Rock Wildlife Area herd shall check out in person or by telephone at either the Department's Flagstaff regional office or the House Rock Wildlife Area headquarters within three days following the close of the season. A successful buffalo hunter shall report information about the kill to the Department within five business days after taking the buffalo either in person at the House Rock Wildlife Area headquarters or in person or by telephone at the Department's Flagstaff regional office. If the kill is reported by telephone, the report shall include the name of the hunter, the hunter's tag number, the sex of the buffalo taken, the number of days hunted, and a telephone number where the hunter can be reached for additional information.~~
- ~~C. A hunter with a buffalo hunt permit tag for the Raymond Wildlife Area herd shall hunt in the order scheduled by the Department.~~
- ~~D. A hunter with buffalo hunt permit tag for the Raymond Wildlife Area herd shall be accompanied by an authorized Department employee who shall designate the animal to be harvested.~~
- B. A hunter with a buffalo permit-tag or nonpermit-tag shall:
 - 1. Provide a signed written acknowledgement that the hunter received, read, understands, and will comply with the requirements of this Section.
 - 2. Be accompanied by an authorized Department employee, when required, and
 - 3. Take only the buffalo designated by the Department employee, when required.
- C. For the House Rock Herd (Units 12A, 12B, and 13A): When required by the Department, a hunter with a nonpermit-tag shall:
 - 1. Hunt in the order scheduled.
 - 2. Be accompanied by a Department employee who:
 - a. Shall designate the buffalo to be harvested.
 - b. May assist in taking the buffalo when the hunter fails to dispatch a wounded buffalo within a reasonable period.
- D. For the Raymond Herd (Units 5A and 5B):
 - 1. A hunter with a permit-tag shall:
 - a. Hunt in the order scheduled.
 - b. Be accompanied by an authorized Department employee who:
 - i. Shall designate the buffalo to be harvested.
 - ii. May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.
 - 2. When required by the Department, a hunter with a nonpermit-tag shall:
 - a. Hunt in the order scheduled.
 - b. Be accompanied by a Department employee who:

- i. Shall designate the buffalo to be harvested.
 - ii. May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.
- E. A hunter issued a buffalo permit-tag or non-permit tag shall checkout no more than three days after the end of the hunt, regardless of whether the hunter was successful, unsuccessful, or did not participate in a buffalo hunt.
 - 1. House Rock Herd (Units 12A, 12B, and 13A): A hunter may check out either in person or by telephone at the House Rock Wildlife Area headquarters, the Jacob Lake Check station when open during deer season, or the Department's Flagstaff Regional office.
 - 2. Raymond Herd (Units 5A and 5B):
 - a. A successful hunter shall check out in person at the Raymond Wildlife Area headquarters or the Department's Flagstaff Regional office. The hunter shall present the buffalo to the Department for the purpose of gathering biological data.
 - b. An unsuccessful hunter shall check out by telephone at the Raymond Wildlife Area headquarters or the Department's Flagstaff Regional office.
 - 3. At the time of checkout, the hunter shall provide all of the following information:
 - a. Hunter's name.
 - b. Hunter's contact number.
 - c. Tag number.
 - d. Sex of buffalo taken.
 - e. Age of the buffalo taken: adult or yearling.
 - f. Number of days hunted, and
 - g. Number of buffalo seen while hunting.
 - 4. When accompanied by an authorized Department employee, the employee shall conduct the checkout at the end of the hunt.
- F. Failure to comply with this Section invalidates the hunter's permit-tag or nonpermit-tag.

R12-4-307. Trapping Regulations: Licensing; Methods; Tagging of Bobcat Pelts

- A. For the purposes of this Section, the following definitions apply:
 - 1. ~~"Body gripping trap" means a device designed to capture an animal by gripping the animal's body.~~
 - 2. ~~"Confinement trap" means a device designed to capture wildlife alive and hold it without harm.~~
 - 3. ~~"Instant kill trap" means a device designed to render an animal unconscious and insensitive to pain quickly with inevitable subsidence into death without recovery of consciousness.~~
 - 4. ~~"Land set" means any trap used on land rather than in water.~~
 - 5. ~~"Leghold trap" means a device designed to capture an animal by the leg or foot.~~
 - 6. ~~"Paste type bait" means a partially liquefied substance intended for use as a lure for animals.~~
 - 7. ~~"Sight exposed bait" means a carcass or parts of a carcass lying openly on the ground or suspended in a manner so that it can be seen from above by a bird. This does not include dried or bleached bones with no~~

~~attached tissue or less than two ounces of paste type baits or trap flags.~~

8. ~~"Trap flag" means an attractant made from materials other than animal parts that is suspended at least three feet above the ground.~~
 9. ~~"Water set" means any trap used and anchored in water rather than on land.~~
- B.** ~~A valid trapping license is required for an individual 14 years of age or older for trapping predatory and fur-bearing animals. An individual born on or after January 1, 1967 shall successfully complete a Department approved trapping education course to obtain a trapping license. Traps may be used to take predatory and fur-bearing animals only during the trapping season established by Commission order.~~
- C.** ~~All trappers shall inspect their traps daily and kill or release all predatory and fur-bearing animals. All trappers shall release without additional injury all animals that cannot lawfully be taken by trap. While in the field, all trappers shall possess a device that is designed or manufactured to restrain trapped animals so that a trapped animal can be removed from a trap when its release is required by this Section. All trappers, in units designated by Commission order as javelina hunt units, shall possess a choke restraint device that enables the trapper to release a javelina from a trap.~~
- D.** ~~An individual shall not:~~
1. ~~Set a trap within 1/2 mile of any of the following areas developed for public use: a boat launching area, picnic area, camping area, or roadside rest area;~~
 2. ~~Set a trap, other than a confinement trap, within 1/2 mile of any occupied residence or building without permission of the owner or resident;~~
 3. ~~Set a trap, other than a confinement trap, within 100 yards of an interstate highway or any other highway maintained by the Arizona Department of Transportation, within 25 yards of any other road as defined by A.R.S. § 17-101, or within 50 feet of any trail maintained for public use by a government agency;~~
 4. ~~Set a leghold trap within 30 feet of a sight-exposed bait;~~
 5. ~~Bait a confinement trap with live animals or portions of game mammals, big game, small game, upland game birds, migratory game birds, or game fish, or use bait with a confinement trap that is not wholly contained within the confinement trap;~~
 6. ~~Use any trap with teeth;~~
 7. ~~Use any snare;~~
 8. ~~Use any trap with an open jaw spread that exceeds 6 1/2 inches for any land set;~~
 9. ~~Use a body-gripping or other instant kill trap with an open jaw spread that exceeds five inches for any land set;~~
 10. ~~Use a leghold trap with an open jaw spread that exceeds 7 1/2 inches for any water set; or~~
 11. ~~Use a body-gripping or other instant kill trap with an open jaw spread that exceeds 10 inches for any water set.~~
- E.** ~~An individual who uses a leghold trap to take wildlife with a land set shall use:~~
1. ~~A commercially manufactured, padded, or rubber jawed trap, or an unpadded trap with jaws permanently offset to a minimum of 3/16 inch and a device to allow for pan tension adjustment;~~

- ~~2. A commercially manufactured jawed trap that does not exceed 5 1/2 inches, modified with a pan safety device that prevents capture of non-targeted wildlife or domestic animals and a separate device that allows for pan tension adjustment; or~~
 - ~~3. A commercially manufactured leghold trap that captures wildlife by means of an enclosed bar or spring designed to prevent capture of non-targeted wildlife or domestic animals.~~
- ~~F. An individual who uses a leghold trap to take wildlife with a land set shall ensure that the trap has an anchor chain with at least two swivels. Anchor chains that are 12 inches or less in length shall have a swivel attached at each end. Anchor chains that are greater than 12 inches shall have one swivel attached at the trap and one swivel attached within 12 inches of the trap. The anchor chain shall be equipped with a shock absorbing spring that requires less than 40 pounds of force to extend or open the spring.~~
- ~~G. Every licensed trapper shall file a complete written report as required by A.R.S. § 17-361(D) with the Phoenix Office of the Department by April 1 of each year on a form available from any Department office. The trapper shall file the report even if no trapping is done.~~
- ~~H. Persons suffering property loss or damage due to wildlife and who take responsive measures as permitted under A.R.S. §§ 17-239 and 17-302 are exempt from this Section. Exemption under this Section does not authorize any form of trapping prohibited by A.R.S. § 17-301.~~
- ~~I. All trappers shall ensure that their traps are plainly identified with the name and address or registered number of the owner as prescribed by A.R.S. § 17-361(B). All trappers shall ensure that each of their traps has the name and address or registered number of the owner legibly marked on a metal tag attached to the trap. The number assigned by the Department is the only acceptable registered number. For the purpose of this Section, "owner" means the person placing, setting, or using the trap.~~
- ~~J. An individual who applies for a trapping license shall provide the following information on a form available from any Department office:~~
- ~~1. Full name, address, and telephone number;~~
 - ~~2. Date of birth and physical description;~~
 - ~~3. An identification number assigned by the Department;~~
 - ~~4. Category of license: resident, nonresident, or juvenile; and~~
 - ~~5. The signature of the applicant.~~
- ~~K. The Department shall issue a registered number to a trapper and enter the number on the trapping license at the time the trapper purchases the license. A trapper under the age of 14 is not required to purchase a trapping license, but shall obtain a registration number from any Department office before taking wildlife with a trap. A trapper's registration number is not transferable.~~
- ~~L. All trappers shall ensure that the unskinned carcass of a bobcat that they have trapped in this state or the pelt of any bobcat that they have trapped in this state has a validated bobcat transportation tag attached to the carcass or pelt, except for a pelt tagged for sale and export under subsection (M).~~
- ~~1. Trappers shall provide the following information on the bobcat transportation tag: current trapping license number, game management unit where the bobcat was taken, sex of the bobcat, and method by which the~~

~~bobcat was taken. The Department shall provide transportation tags with each trapping license. A licensed trapper may obtain additional transportation tags from any Department office at no charge.~~

- ~~2. Trappers shall validate transportation tags immediately upon taking the bobcat by legibly and completely filling in all information required on the tag.~~

~~M. Trappers shall ensure that pelts of bobcats that they have taken in this state that are sold, offered for sale, or exported from the state shall have bobcat permit tags (export tags) locked through the mouth and an eye opening, or through both eye openings so that the permit tag cannot be removed without being damaged. Trappers may obtain bobcat permit tags as follows:~~

- ~~1. Bobcat permit tags are available for a fee as provided in R12-4-102 at Department offices and other locations at those times and places as determined and published by the Department.~~
- ~~2. When available, bobcat permit tags are issued on a first come, first served basis from November 1 through April 10 of each year.~~
- ~~3. Department personnel or authorized agents of the Department shall attach and lock bobcat permit tags only to those pelts presented with validated transportation tags. Department personnel or authorized agents of the Department shall collect the transportation tags before attaching the bobcat permit tags.~~
- ~~4. The April 10 deadline is waived for pelts consigned to licensed taxidermists for tanning or mounting.~~
- ~~5. Department personnel shall attach bobcat permit tags to bobcat pelts seized under A.R.S. § 17-211(D)(4) before disposal by the Department. The April 10 deadline is waived for pelts tagged under this subsection.~~

~~A. An Arizona trapping license permits an individual to trap predatory and fur-bearing animals. The Department shall issue a registration number to a trapper and enter the number on the trapping license at the time the trapper purchases the license. The trapper registration number is not transferable.~~

~~B. A trapping license is required for any individual 14 years of age and older. An individual under the age of 14 is not required to purchase a trapping license, but shall apply for and obtain a registration number.~~

~~C. An individual born on or after January 1, 1967 shall successfully complete a Department-approved trapping education course before applying for a trapping license.~~

~~D. An individual applying for a trapping registration number or trapping license shall pay the applicable fees established under R12-4-102.~~

~~E. An individual applying for a trapping registration number or trapping license shall apply using a form furnished by the Department. The form is available at any Department office and online at www.azgfd.gov. The individual shall provide all of the following information on the form:~~

- ~~1. Applicant's:
 - ~~a. Full name, address, and telephone number;~~
 - ~~b. Date of birth and physical description;~~~~
- ~~2. Identification number assigned by the Department;~~
- ~~3. Category of license:
 - ~~a. Resident;~~
 - ~~b. Nonresident; or~~~~

- c. Juvenile; and
 - 4. The applicant's signature.
 - F. A trapper may only trap predatory and fur-bearing animals during trapping seasons established by Commission Order.
 - G. A trapper shall:
 - 1. Inspect traps daily;
 - 2. Kill or release all predatory and fur-bearing animals;
 - 3. Possess a choke restraint device that enables the trapper to release a javelina from a trap when trapping in a javelina hunt unit, as designated by Commission Order;
 - 4. Possess a device that is designed or manufactured to restrain a trapped animal while being removed from a trap when its release is required by this Section; and
 - 5. Release, without additional injury, all animals that cannot lawfully be taken by trap.
 - 6. Subsections (G)(3) and (G)(4) do not apply when the trapper is using a confinement trap.
 - H. A trapper shall not:
 - 1. Bait a confinement trap with:
 - a. A live animal;
 - b. Any edible parts of small game, big game, or game fish; or
 - c. Any part of any game bird or nongame bird.
 - 2. Set any trap within:
 - a. One half mile of any of the following areas developed for public use:
 - i. Boat launching area,
 - ii. Camping area,
 - iii. Picnic area, or
 - iv. Roadside rest area.
 - b. One half mile of any occupied residence or building without permission of the owner or resident.
 - c. One hundred yards of an interstate highway or any other highway maintained by the Arizona Department of Transportation.
 - d. Fifty feet of any trail maintained for public use by a government agency.
 - e. Twenty-five yards of any other road as defined under A.R.S. § 17-101.
 - f. Subsections (1)(b), (1)(c), (1)(d), and (1)(e) do not apply when the trapper is using a confinement trap.
 - 3. Set a foothold trap within 30 feet of sight-exposed bait.
 - 4. Use any:
 - a. Body-gripping or other instant kill trap with an open jaw spread that exceeds 5 inches for any land set or 10 inches for any water set;
 - b. Foothold trap with an open jaw spread that exceeds 7 1/2 inches for any water set;
 - c. Snare, unless authorized under subsection (I);

- d. Trap with an open jaw spread that exceeds 6 1/2 inches for any land set; or
 - e. Trap with teeth.
- I.** A trapper who uses a foothold trap to take wildlife with a land set shall use commercially manufactured traps that meet the following specifications:
 - 1. A padded or rubber-jawed trap or an unpadded trap with jaws permanently offset to a minimum of 3/16 inch and a device that allows for pan tension adjustment;
 - 2. A foothold trap that captures wildlife by means of an enclosed bar or spring designed to prevent the capture of non-targeted wildlife or domestic animals; or
 - 3. A powered cable device with an inside frame hinge width no wider than 6 inches, a cable loop stop size of at least 2 inches in diameter to prevent capture of small non-target species, and a device to allow for a pan tension adjustment.
- J.** A trapper who uses a foothold trap to take wildlife with a land set shall ensure that the trap has an anchor chain is equipped with at least two swivels as follows:
 - 1. An anchor chain 12 inches or less in length shall have a swivel attached at each end.
 - 2. An anchor chain greater than 12 inches in length shall have one swivel attached at the trap and one swivel attached within 12 inches of the trap. The anchor chain shall be equipped with a shock-absorbing spring that requires less than 40 pounds of force to extend or open the spring.
- K.** A trapper shall ensure that each trap has the name and address or registration number of the trapper marked on a metal tag attached to the trap. The number assigned by the Department is the only acceptable registered number.
- L.** A trapper shall immediately attach a valid bobcat transportation tag to the pelt or unskinned carcass of a bobcat taken in this state. A trapper shall validate the transportation tag by providing all of the following information on the bobcat transportation tag:
 - 1. Current trapping license number,
 - 2. Game management unit where the bobcat was taken,
 - 3. Sex of the bobcat, and
 - 4. Method by which the bobcat was taken.
- M.** The Department shall provide transportation tags with each trapping license. Additional transportation tags are available at any Department office at no charge.
- N.** A trapper shall ensure that all bobcats taken in this state have a bobcat seal attached and locked either through the mouth and an eye opening or through both eye openings no later than 10 days after the close of trapping season.
 - 1. When available, bobcat seals are issued on a first-come, first-served basis at Department offices and other locations at those times and places as determined and published by the Department.
 - 2. The trapper shall pay the bobcat seal fee established under R12-4-102.
 - 3. Department personnel or an authorized agent shall attach and lock a bobcat seal only to a pelt or unskinned carcass presented with a validated transportation tag and a complete lower jaw identified

with labels provided with the transportation tag. Department personnel or authorized agents shall collect the transportation tags and jaws before attaching the bobcat seal.

O. Department personnel shall attach a bobcat seal to a bobcat pelt seized under A.R.S. § 17-211(E)(4) before disposal by the Department to the public.

P. A licensed trapper shall file the annual report prescribed under A.R.S. § 17-361(D).

1. The trapper shall submit the form to Arizona Game and Fish Department, Game Branch, 5000 W. Carefree Highway, Phoenix, AZ 85086 by April 1 of each year.

2. A report is required even when trapping activities were not conducted. The form is available at any Department office and online at www.azgfd.gov.

3. The Department shall deny a trapping license to any trapper who fails to submit an annual report until the trapper complies with reporting requirements.

Q. Persons suffering property loss or damage due to wildlife and who take responsive measures as permitted under A.R.S. §§ 17-239 and 17-302 are exempt from this Section. This exemption does not authorize any form of trapping prohibited under A.R.S. § 17-301.

R12-4-308. Wildlife Inspections, Check Stations, and Roadblocks

A. The Department has the authority to establish mandatory wildlife check stations.

1. The Department shall publish ~~in the Commission Order establishing the season the location~~:

a. ~~location~~ Location, ~~check in~~

b. ~~Check-in~~ requirements, and ~~check out~~

c. ~~Check-out~~ requirements for a that specific season ~~with the published Commission order establishing the season.~~

1. ~~Hunters shall personally check in at a wildlife check station before hunting in a season with a published check in requirement.~~

2. The Department shall ensure ~~that a~~ wildlife check ~~stations~~ station with a published ~~check in~~:

a. ~~Check-in~~ requirement ~~are~~ is open ~~continuously from~~:

i. 8:00 a.m. the day before the season until 8:00 p.m. the first day of the season, and ~~from~~

ii. 8:00 a.m. to 8:00 p.m. during each day of the season.

b. ~~Check-out~~ requirement is open:

i. 8:00 a.m. to 8:00 p.m. during each day of the season, and ~~remain~~

ii. ~~open until~~ Until 12:00 noon ~~on the day following~~ after the close of the season.

3. A hunter shall:

a. Check-in at a wildlife check station in person before hunting when the Department includes a check-in requirement in the Commission Order for that season;

b. ~~Hunters shall personally check out~~ Check-out at a wildlife check station in person after hunting in a season with a published when the Department includes a check-out requirement in the Commission Order for that season; ~~and shall present~~

- c. Present for inspection any wildlife taken; and ~~display~~
 - d. Display any license, tag, or permit required for taking or transporting wildlife.
4. ~~The Department shall ensure that wildlife check stations with a published check-out requirement are open continuously from 8:00 a.m. to 8:00 p.m. during each day of the season and remain open until 12:00 noon on the day following the close of the season.~~
- B. The Department ~~has the authority to~~ may conduct inspections for bighorn sheep, archery deer, bear, mountain lion and special big game license tags (deer, elk, antelope, and buffalo) of lawfully taken wildlife at the Department's Phoenix and regional offices or designated locations during the posted business hours. ~~Regional offices are open 8:00 a.m. to 5:00 p.m., Monday through Friday, except on legal state holidays.~~
- 1. ~~All~~ A bighorn sheep hunters ~~hunter~~, shall ~~personally check-out~~ check-out in person, or by designee, within three days after the close of the season. ~~Each~~ The hunter ~~who takes a bighorn sheep, or designee~~, shall submit the intact horns and skull for inspection and photographing. ~~The~~ A Department representative shall affix a mark or seal to one horn of each bighorn sheep lawfully taken under Commission ~~order~~ Order. ~~The hunter shall not~~ It is unlawful for any person to remove, alter, or obliterate the mark or seal.
 - 2. ~~All special big game license tag hunters who tag a deer, elk, antelope, or buffalo shall submit the intact horns or antlers and skull or skullcap for inspection and photographing within three days after the close of the season.~~
 - 3. ~~A successful non permit tag archery deer hunter shall report information about the kill to a Department office in person or by telephone within 10 days of taking the deer if the hunt area does not have a check station requirement.~~
- 4.2. A successful bear or mountain lion hunter shall report:
- a. Report information about the kill to the Department in person or by telephone within 48 hours of taking the wildlife. The report shall include the ~~name~~:
 - i. Name of the hunter, ~~the hunter's~~
 - ii. Hunter's hunting license number, ~~the sex~~
 - iii. Sex of the wildlife taken, ~~the management~~
 - iv. Management unit where the wildlife was taken, ~~and a telephone~~
 - v. Telephone number where the hunter can be reached for additional information, ~~and~~
 - vi. Any additional information required by the Department.
 - b. ~~Within 10 days of taking the wildlife, each hunter who takes a bear or mountain lion shall present~~ Present, in person or by designee, the skull, hide, and attached proof of sex for inspection within 10 days of taking the bear or mountain lion. If a hunter freezes the skull or hide before presenting it for inspection, the hunter shall prop the jaw open to allow access to the teeth and ensure that the attached proof of sex is identifiable and accessible.
3. For seasons other than bear, bighorn sheep, or mountain lion, where a harvest objective is established, a successful hunter shall report information about the kill either in person or by telephone within 48 hours of taking the wildlife. The report shall include the information required under subsection (2)(a).

- C. The Director ~~or Director's designee~~ may establish vehicle roadblocks at specific locations when necessary to ensure compliance with applicable wildlife laws. Any occupant of a vehicle at a roadblock shall, upon request, present for inspection all wildlife in possession, and produce and display any license, tag, stamp, or permit required for taking or transporting wildlife.
- D. This Section does not limit the game ranger or wildlife manager's authority to conduct stops, searches, and inspections authorized under A.R.S. §§ ~~17-211(D)~~ 17-211(E), 17-250(A)(4), and 17-331, or to establish voluntary wildlife survey stations to gather biological information.

R12-4-309. Authorization for Use of Drugs on Wildlife

A. For the purposes of this Section:

- 1. ~~"Administer" means to pursue, capture, or otherwise restrain wildlife in order to apply directly a drug to wildlife, whether by injection, inhalation, ingestion or any other means.~~
- 2. ~~"Drug" means any chemical substance, other than food or mineral supplements, which affects the structure or biological function of any wildlife under the jurisdiction of the state.~~
- 3. ~~"Person" means any individual, corporation, partnership, limited liability company, non-governmental organization or club, licensed animal shelter, government entity other than the Department, and any officer, employee, volunteer, member or agent of a person.~~

~~B.A.~~ A person shall not administer any drug to any wildlife under the jurisdiction of the state, including but not limited to drugs used for fertility control, disease prevention or treatment, immobilization, or growth stimulation without written authorization from the Department or as otherwise provided under subsection ~~(F)~~ (E).

~~C.B.~~ A person requesting written authorization for the use of drugs on wildlife shall submit the request in writing to the Department at least 120 days before the anticipated start date of the activity and provide all of the following:

- 1. A plan that includes:
 - a. The purpose and need for the proposed activity;
 - b. A clear statement of the objectives; for fertility control the statement shall include the target wildlife population goals or densities and the anticipated time-frame for meeting these objectives;
 - c. A description of the agent, drug, or method including federal approvals or permits obtained, as applicable, and any mandated labeling restrictions or limitations designed to reduce or minimize detrimental effects to wildlife and humans;
 - d. Required approvals, including, but not limited to, any federal or state agency approvals for specific use;
 - e. Citations of published scientific literature documenting field studies on the efficacy and safety for both target and non-target species, including predators, scavengers, and humans;
 - f. A description of the activity area;
 - g. A description of the target species population and current status;
 - h. A description of the field methodology for delivery ~~including timing, sex, and number of animals to be~~

~~treated, percentage of the population to be treated, and if applicable, calculated population effect; that includes the following, as applicable:~~

- a. Timing.
 - b. Sex and number of animals to be treated.
 - c. Percentage of the population to be treated, and
 - d. Calculated population effect, and
- i. Short and long term monitoring and evaluation procedures.
2. Documentation regarding the experience and credentials of the applicant or the applicant's agents as it applies to the requested activity;
 3. Written endorsement from the agency or institution; required when the applicant is a government agency, university, or other institution; and
 4. Written permission from landowners or lessees in all locations where the drug will be administered.
- D.** The Department shall notify the applicant of the Department's decision to grant or deny the request within 90 days. The Department has the authority to place conditions on the written authorization regarding:
1. Locations and time-frames,
 2. Drugs and methodology,
 3. Limitations,
 4. Reporting requirements, and
 5. Any other conditions deemed necessary by the Department.
- E.** A person with authorization shall:
1. Carry written authorization while engaged in the activity and exhibit it upon request to any peace officer;
 2. Allow Department personnel to be present to monitor activities for compliance, public safety, and proper treatment of animals;
 3. Adhere to all drug label restrictions and precautions;
 4. Provide an annual and final report;
 - a. The annual report must include the number of animals treated, the level of treatment effect obtained to date, and any problems including mortalities or morbidities of target animals.
 - b. The final report must include the end results, including the number of wildlife treated and treatment effects on target and non-target wildlife, including mortalities, morbidities, and reproductive rate changes.
 5. Comply with all conditions and requirements set forth in the written authorization.
- F.** This Section does not prohibit the treatment of wildlife by a licensed veterinarian or holder of a special license in accordance with R12-4-407(A)(2), (8) and R12-4-428(B)(13), activities as authorized under R12-4-418, R12-4-420, R12-4-421, and R12-4-423, an individual exempt from special licensing under R12-4-407(A)(4) and (5), or reasonable lethal removal activities for wildlife control as authorized under A.R.S. § 17-239(A).
- G.** This Section does not limit;
1. Department employees or Department agents in the performance of their official duties related to wildlife

management.

2. The practices of aquaculture facilities administered by the US Fish and Wildlife Service, and commercial aquaculture facilities operating under a valid license from the Arizona Department of Agriculture, or
3. The use of supplements or drugs as a part of conventional livestock operations where those supplements may incidentally be consumed by wildlife.

H. The Department shall take possession of and dispose of any remaining wildlife drugs administered in violation of this Section and any devices and paraphernalia used to administer those drugs, as authorized under A.R.S. §§ 17-211(E), 17-231(A), and 17-240(B).

R12-4-310. Fishing Permits

A. The Department may issue a ~~Fishing Permit~~ fishing permit to state, county, or municipal agencies or departments and ~~to~~ nonprofit organizations licensed by or contracted with the Department of Economic Security or Department of Health Services, whose primary purpose is to provide physical or mental rehabilitation or training for individuals with physical, developmental, or mental disabilities.

~~B.~~ The permit will allow individuals with physical, developmental, or mental disabilities to fish without a fishing license. The permit will authorize this activity for up to 20 individuals for the two days specified on the permit upon any public waters except that fishing in the waters of the Colorado River is restricted to fishing from the Arizona shoreline only, unless the persons fishing under the authority of the permit also possess a valid Colorado River stamp from the adjacent state. The individuals fishing under the authority of the permit shall comply with other statutes, Commission orders, and rules not contained in this Section.

1. Is valid for the two days specified on the permit;
2. Authorizes up to 20 individuals with physical, developmental, or mental disabilities to fish without a fishing license upon any public waters except that fishing in the waters of the Colorado River is restricted to fishing from the Arizona shoreline only, unless the persons fishing under the authority of the permit also possess a valid Colorado River stamp from the adjacent state; and
3. Does not exempt individuals fishing under the authority of the permit from compliance with other statutes, Commission Orders, and rules not contained in this Section.

~~B.C.~~ An applicant for a Fishing Permit fishing permit shall provide the following a properly completed application to the Department. The application is furnished by the Department and is available from any Department office and online at azgfd.gov. The applicant shall provide all of the following information:

1. ~~A completed application form obtained from the Department that contains:~~
 - a. 1. The name, address, and telephone number of the agency, department, or nonprofit organization requesting the permit;
 - b. 2. The name, position title, and telephone number of the individual who will be responsible for supervising the individuals who will be fishing under the authority of the permit;
 - c. 3. The total number of individuals who will be fishing under the authority of the permit;
 - d. 4. The dates of the two days for which the permit will be valid; and

e.5. The location for which the permit will be valid.

2-6. ~~Nonprofit~~ In addition to the information above, nonprofit organizations shall also submit documentation that they are licensed by or have a contract with the Department of Economic Security or the Department of Health Services for the purpose of providing rehabilitation or treatment services to individuals or groups with physical, developmental, or mental disabilities.

~~C.D.~~ The Department shall issue or deny the ~~Fishing Permit~~ fishing permit to an applicant within 30 calendar days of receiving an application.

~~D.E.~~ The ~~Fishing Permit permittee~~ fishing permit holder shall provide ~~one hour of~~ instruction on fish identification, fishing ethics, safety, and techniques to the individuals who will be fishing under authority of the permit. The Department shall provide the lesson plan for this instruction to the ~~permittee~~ permit holder.

~~E.F.~~ Each individual fishing without a license under the authority of the ~~Fishing Permit~~ fishing permit may take only one-half the regular bag limit established by Commission ~~order~~ Order for any species, unless the regular bag limit is one, in which case the permit authorizes the regular limit.

~~F.G.~~ The ~~permittee~~ permit holder shall submit a report to the Department not later than 30 days after the end of the authorized fishing dates. The report form is furnished by the Department and is available at any Department office. ~~The Department may deny issuance of future Fishing Permits to permittees who fail to submit the report.~~ The ~~permittee~~ permit holder shall ~~report~~ report all of the following information on a ~~the form available from the~~ Department:

1. The ~~Fishing Permit~~ fishing permit number and the information contained in the permit;
2. The total number of individuals who fished and total hours fished;
3. The total number of fish caught, kept, and released, by species.

~~H.~~ The Department may deny future fishing permits to a permit holder who fails to submit the report until the permit holder complies with reporting requirements.

R12-4-311. Exemptions from Requirement to Possess an Arizona Fishing License or Hunting License while Taking Aquatic Wildlife

~~A.~~ A fishing license is not required to take aquatic wildlife from private waters that are not open to the public and not managed by the Department.

~~B.~~ An individual may take terrestrial mollusks or crustaceans from private property without a fishing license.

~~C.~~ Any individual fishing in Arizona on the designated Saturday during National Fishing and Boating Week may fish without an Arizona fishing license if the individual's privilege to take aquatic wildlife has not been revoked by the Commission. ~~The provisions of this subsection apply to all waters except the Colorado River adjacent to California and Nevada, where fishing without a license is limited to the shoreline, unless the state with concurrent jurisdiction removes licensing requirements on the same day. The provisions of this subsection do not apply to Reservation lands except as authorized by tribal governments.~~

~~D.~~ An individual participating in an introductory fishing clinic organized, sanctioned, and sponsored by the Department may fish without a fishing license while an authorized Department instructor is present.

In addition to the exemptions prescribed under A.R.S. § 17-335, and provided the individual's fishing and hunting license privileges are not currently revoked by the Commission:

1. A fishing license is not required when an individual is:
 - a. Fishing from artificial ponds, tanks, and lakes contained entirely on private lands that are not:
 - i. Open to the public, and
 - ii. Managed by the Department.
 - b. Taking terrestrial mollusks or crustaceans from private property.
 - c. Fishing in Arizona on any designated Saturday occurring during National Fishing and Boating Week, except in waters the Colorado River forming the common boundaries between Arizona and California, Nevada, or Utah where fishing without a license is limited to the shoreline, unless the state with concurrent jurisdiction removes licensing requirements on the same day.
 - d. Participating in an introductory fishing education program sanctioned by the Department, during scheduled program hours, only. A sanctioned program shall have a Department employee, sport fishing contractor, or authorized volunteer instructor present during scheduled program hours. For the purposes of this subsection, "authorized volunteer instructor" means an individual who has successfully passed the Department's required background check and sport fishing education workshop.
2. A hunting license is not required when an individual is participating in an introductory hunting event organized, sanctioned, or sponsored by the Department. The individual may hunt small game, furbearing, predator, and designated mammals during scheduled event hours, only. To hunt migratory birds, the individual shall have any stamps required by federal regulation. The introductory hunting event shall have a Department employee, certified hunter education instructor, or authorized volunteer present during scheduled hunting hours. For the purposes of this subsection, "authorized volunteer instructor" means an individual who has successfully passed the Department's required background check and Department event best practices training. This subsection does not apply to any event that requires participants to obtain a permit-tag or nonpermit-tag.

R12-4-312. Special Use Permits and Stamps for Fishing on Waters with Shared Jurisdiction

- A. Any individual fishing from a watercraft or other floating device or object on the waters of Lake Mead, Lake Mohave, or that portion of the Colorado River that forms the ~~mutual~~ common boundary between Arizona and Nevada, shall have in possession:
 1. A valid Arizona-Colorado River special use stamp ~~affixed to~~ and a valid Arizona fishing license, or
 2. A valid Nevada-Colorado River special use stamp ~~affixed to~~ and a valid Nevada fishing license.
- B. Any individual fishing from the Arizona shorelines of the waters named in subsection (A), unless ~~exempted by~~ exempt under A.R.S. § 17-335, R12-4-310 or R12-4-311, shall have in possession either:
 1. A valid Arizona fishing license, ~~unless exempted under A.R.S. § 17-335;~~ or
 2. A valid Nevada-Colorado River special use stamp ~~affixed to~~ and a valid Nevada fishing license.
- C. Any individual fishing in the waters of Mittry Lake or Topock Marsh, unless ~~exempted by~~ exempt under A.R.S. § 17-335, R12-4-310 or R12-4-311, shall have in possession either:

1. A valid Arizona fishing license, ~~unless exempted under A.R.S. § 17-335;~~ or
 2. A valid Arizona-Colorado River special use permit stamp ~~affixed to~~ and a valid California fishing license.
- D.** Any individual fishing in the Arizona portion of Lake Powell, ~~unless exempted by~~ exempt under A.R.S. § 17-335, R12-4-310 or R12-4-311, shall have in possession either:
1. A valid Arizona fishing license, unless exempt under A.R.S. § 17-335; or
 2. A valid Arizona-Lake Powell stamp ~~affixed to~~ and a valid Utah resident fishing license.
- E.** The requirements of this Section are in addition to those ~~contained in~~ prescribed under A.R.S. §§ 17-342, 17-343, and 17-344.

R12-4-313. Lawful Methods of Taking Aquatic Wildlife

- A.** An individual may take aquatic wildlife as defined ~~in~~ under A.R.S. § 17-101, subject to the restrictions prescribed ~~in~~ under R12-4-303, R12-4-317, and this Section. Aquatic wildlife may be taken during the day or night and may be taken using artificial light as prescribed ~~in~~ under A.R.S. § 17-301.
- B.** The Commission may, through Commission ~~order~~ Order, prescribe legal sizes for possession of aquatic wildlife.
- C.** An individual may take aquatic wildlife by angling or simultaneous fishing as defined ~~in R12-4-101~~ under R12-4-301 with any bait, artificial lure, or fly subject to the following restrictions. An individual:
1. Shall not possess aquatic wildlife other than aquatic wildlife prescribed by Commission ~~order~~ Order;
 2. Shall not use the flesh of game fish, except sunfish of the genus *Lepomis*, as bait;
 3. May use live baitfish, as defined ~~in R12-4-101~~ under R12-4-301, only in areas designated by Commission ~~order~~ Order; and
 4. Shall not use waterdogs as live bait in that portion of Santa Cruz County lying east and south of State Highway 82 or that portion of Cochise County lying west of the San Pedro River and south of State Highway 82.
- D.** In addition to angling, an individual may also take the following aquatic wildlife using the following methods, subject to the restrictions ~~of~~ established under R12-4-303, R12-4-317, and this Section:
1. Carp (*Cyprinus carpio*), buffalofish, mullet, tilapia, goldfish, and shad may also be taken by ~~bow and arrow, crossbow, snare, gig, spear, spear gun, or snagging. Except for snagging, an individual shall not practice any of these methods of take within 200 yards of any boat dock or designated swimming area;~~
 - a. Bow and arrow;
 - b. Crossbow;
 - c. Snare;
 - d. Gig;
 - e. Spear or spear gun; or
 - f. Snagging.
 - g. Except for snagging, an individual shall not practice any of these methods of take within 200 yards of any boat dock or designated swimming area.

2. Striped bass may also be taken by spear or spear gun in waters designated by Commission ~~order~~ Order.
3. Live baitfish may also be taken for personal use as bait by:
 - a. A cast net not to exceed a radius of ~~four~~ 4 feet measured from the horn to the leadline;
 - b. A minnow trap, as defined ~~in R12-4-101~~ under R12-4-301;
 - c. A seine net not to exceed 10 feet in length and ~~four~~ 4 feet in width; or
 - d. A dip net.
4. Catfish may also be taken by bow and arrow or crossbow in waters designated by Commission Order.
- ~~4.5.~~ Amphibians, soft-shelled turtles, mollusks, and crustaceans may also be taken by minnow trap, crayfish net, hand, or with any hand-held, non-motorized implement that does not discharge a projectile, unless otherwise permitted by this Section.
- ~~5.6.~~ In addition to the methods described in subsection ~~(D)(4)~~ (D)(5) of this Section, bullfrogs may also be taken by ~~bow and arrow, crossbow, or slingshot~~:
 - a. Bow and arrow,
 - b. Crossbow,
 - c. Pneumatic weapon, or
 - d. Slingshot.
- ~~6.7.~~ In addition to the methods described in subsection ~~(D)(4)~~ (D)(5) of this Section, crayfish may also be taken with the following devices:
 - a. A trap not more than ~~three~~ 3 feet in the greatest dimension; ~~or,~~
 - b. A dip net as defined under R12-4-301, or
 - ~~b.c.~~ A seine net not larger than ~~ten~~ 10 feet in length and ~~four~~ 4 feet in width.
- E. An individual who uses a crayfish and minnow trap shall ~~attach a water-resistant identification tag to the trap if it is unattended. The tag shall include the legible name, address, and fishing license number of the individual using the trap. An individual using a crayfish and minnow trap shall raise and empty the trap daily:~~
 1. Raise and empty the trap daily
 2. Attach a water-resistant identification tag to the trap when it is unattended. The tag shall include the individual's:
 - a. Name,
 - b. Address, and
 - c. Fishing license number.

R12-4-315. Possession of Live Fish; Unattended Live Boxes and Stringers

- A. An individual may possess fish taken alive as provided under R12-4-313 on the waters where taken, except when the take or possession is expressly prohibited ~~by the provisions of~~ under R12-4-313 or R12-4-317, but the individual shall not transport the fish alive from the waters where taken except as ~~allowed in~~ authorized under R12-4-316.
- B. An individual ~~who places~~ shall attach water resistant identification to any unattended live boxes or stringers

holding fish ~~shall attach water resistant. The identification legibly bearing the name, address, and fishing license number of the individual using and holding fish in the live box or stringer shall bear the individual's:~~

1. Name,
2. Address, and
3. Fishing license number.

R12-4-316. Possession, Transportation, or Importation of Live Baitfish, Crayfish, or Waterdogs

- A. An individual may possess live baitfish, crayfish, or waterdogs for use as live bait ~~only in accordance with as established under R12-4-317 and this Section and R12-4-317.~~
- B. An individual may possess or transport the following live baitfish for personal use as live bait ~~in accordance with as established under R12-4-317. An individual who possesses a valid Arizona fishing license may import these live baitfish from California or Nevada without accompanying documentation certifying the fish are free of disease, or may import these live baitfish from any other state with accompanying documentation certifying that the fish are free of Furunculosis.:~~
 1. Fathead minnow (~~*Pimephales promelas*~~) (*Pimephales promelas*);
 2. Mosquitofish (~~*Gambusia affinis*~~) (*Gambusia affinis*);
 3. ~~Red shiner (*Cyprinella lutrensis*);~~
 - 4.3. Threadfin shad (~~*Dorosoma petenense*~~) (*Dorosoma petenense*);
 - 5.4. Golden shiners (~~*Notemigonus crysoleucas*~~) (*Notemigonus crysoleucas*); and
 - 6.5. Goldfish (~~*Carassius auratus*~~) (*Carassius auratus*).
- C. An individual who possesses a valid Arizona fishing license may ~~import~~:
 1. Import, transport, or possess live waterdogs for personal use as bait, except in the portion of Santa Cruz County lying east and south of State Highway 82 or the portion of Cochise County lying west of the San Pedro River and south of State Highway 82.
 2. Import live baitfish listed under subsection (B) from California or Nevada without accompanying documentation certifying the fish are free of disease, or may import these live baitfish from any other state with accompanying documentation certifying that the fish are free of Furunculosis.
- D. An individual may:
 1. Trap or capture live crayfish as provided under R12-4-313.
 2. Use live crayfish as bait only in the body of water where trapped or captured, not in an adjacent body of water, except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the Southern international boundary with Mexico.
- ~~D.E.~~ An individual shall not ~~import~~:
 1. Import, transport, move between waters, or possess live crayfish for personal use as live bait except as allowed in 12 A.A.C. 4, Article 4, and except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam

downstream to the southern international boundary with Mexico.

2. Transport crayfish alive from the site where taken except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.

3. Import, transport, move between waters, or possess live red shiner (*Cyprinella lutrensis*) for personal use

~~E. An individual may trap or capture live crayfish as provided in R12-4-313. A person may use live crayfish as bait only in the body of water where trapped or captured, not in an adjacent body of water, except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the Southern international boundary with Mexico.~~

~~F. An individual shall not transport crayfish alive from the site where taken except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.~~

R12-4-317. Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles

A. Methods of lawfully taking aquatic wildlife during seasons designated by Commission ~~order~~ Order as "general" seasons are designated ~~in~~ under R12-4-313.

B. Other seasons designated by Commission ~~order~~ Order have specific requirements and lawful methods of take more restrictive than those for general seasons, as prescribed ~~in~~ under this Section. While taking aquatic wildlife under R12-4-313 an individual participating in:

1. An ~~individual participating in an~~ "artificial lures and flies only" season shall use only artificial lures and flies as defined ~~in R12-4-101~~ under R12-4-301. The Commission may further restrict "artificial lures and flies only" season to the use of barbless or single barbless hooks as defined under R12-4-301. ~~A barbless hook is any fishhook manufactured without barbs or on which barbs have been completely closed or removed.~~

2. An ~~individual participating in a~~ A "live baitfish" season shall not possess or use any species of fish as live bait, ~~or possess any species of fish for use as live bait~~ at, in, or upon any waters unless that species is specified as a live baitfish for those waters by Commission ~~order~~ Order. Live baitfish shall not be transported from the waters where taken except as ~~allowed in~~ authorized under R12-4-316.

3. An ~~individual participating in an~~ "immediate kill or release" season shall kill and retain the designated species as part of the bag limit or immediately release the wildlife. Further fishing is prohibited after the legal bag limit is killed.

4. An ~~individual participating in a~~ A "catch and immediate release" season shall immediately release the designated species.

5. An ~~individual participating in an~~ "immediate kill" season shall immediately kill and retain the designated species as part of the bag limit.

6. An ~~individual participating in a~~ A "snagging" season shall use this method only at times and locations

designated by Commission ~~order~~ Order.

7. ~~An individual participating in a~~ A "spear or spear gun" season shall use this method only at times and locations designated by Commission ~~order~~ Order.
- C. A "special" season may be designated by Commission ~~order~~ Order to allow fish to be taken by hand, or by any hand-held, non-motorized implement that does not discharge a projectile. The "special" season may apply to any waters where a fish die-off is imminent due either to poor or low water conditions or Department fish renovation activities, or as designated by Commission ~~order~~ Order.

R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

- A. Methods of lawfully taking wild mammals and birds during seasons designated by Commission Order as "general" seasons are designated under R12-4-304.
- B. Methods of lawfully taking big game during seasons designated by Commission Order as "special" are designated under R12-4-304. "Special" seasons are open only to individuals who possess a special big game license tag authorized under A.R.S. § 17-346 and R12-4-120.
- C. When designated by Commission Order, the following seasons have specific requirements and lawful methods of take more restrictive than those for general and special seasons, as prescribed in this Section. While taking the species authorized by the season, an individual participating in:
1. ~~An individual participating in a~~ A "CHAMP" season shall be a challenged hunter access/mobility permit holder as established under R12-4-217.
 2. ~~An individual~~ A "junior's-only hunt" shall be under the age of 18 ~~who meets and meet~~ the requirements prescribed under A.R.S. § 17-335 ~~may participate in a "juniors only hunt."~~ A youth hunter whose 18th birthday occurs during a "juniors-only hunt" for which they have a valid permit or tag may continue to participate for the duration of that "juniors-only hunt."
 3. ~~An individual participating in a~~ A "pursuit-only" season may use dogs to pursue bears, mountain lions, or raccoons as designated by Commission Order, but shall not kill or capture the quarry. An individual participating in a "pursuit-only" season shall possess and, at the request of Department personnel, produce a valid hunting license and any required tag for taking the animal pursued, even though there shall be no kill.
 4. ~~An individual participating in a~~ A "restricted season" may use any lawful method authorized for a specific species under R12-4-304, except dogs may not be used to pursue the wildlife for which the season was established.
 5. An ~~individual participating in an~~ "archery-only" season shall not use any other weapons, including crossbows or bows with a device that holds the bow in a drawn position except as authorized under R12-4-216. An individual participating in an "archery-only" season may only use the following methods or devices when authorized under R12-4-304 as lawful for the species hunted:
 - a. Bows and arrows as ~~prescribed under R12-4-304~~, and
 - b. Falconry.

6. ~~An individual participating in a~~ A “handgun, archery, and muzzleloader (HAM)” season may only use one or more of the following methods or devices when authorized under R12-4-304 as lawful for the species hunted:
 - a. ~~Bows and arrows as prescribed under R12-4-304,~~
 - b. ~~Crossbows as prescribed under R12-4-304~~ or bows to be drawn and held with an assisting device,
 - c. Handguns, and
 - d. Muzzle-loading rifles as defined under ~~R12-4-101~~ R12-4-301.
7. ~~An individual participating in a~~ A “muzzleloader” season ~~shall not use or possess any firearm other than muzzle loading rifles or muzzle loading handguns, as defined under R12-4-101~~ may only use one or more of the following methods or devices when authorized under R12-4-304 as lawful for the species hunted:
 - a. Bows and arrows;
 - b. Crossbows or bows to be drawn and held with an assisting device; and
 - c. Muzzle-loading rifles or handguns, as defined under R12-4-301.
8. ~~An individual participating in a~~ A “limited weapon” season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:
 - a. Any trap except foothold traps,
 - b. ~~Bow and arrow~~ Bows and arrows,
 - c. Capture by hand,
 - d. Crossbows as prescribed under ~~R12-4-304~~ or bows to be drawn and held with an assisting device,
 - e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,
 - i. Pneumatic weapons discharging a single projectile .22 caliber or smaller, or
 - j. Slingshots.
9. ~~An individual participating in a~~ A “limited weapon hand or hand-held implement” season may only use one or more of the following methods or devices for taking wildlife, when prescribed under R12-4-304 as lawful for the species hunted:
 - a. Catch-pole,
 - b. Hand,
 - c. Snake hook, or
 - d. Snake tongs.
10. ~~An individual participating in a~~ A “limited weapon-pneumatic” season may only use one or more of the following methods or devices for taking wildlife, when prescribed under R12-4-304 as lawful for the species hunted:
 - a. Capture by hand,
 - b. Dogs,

- c. Falconry,
 - d. Hand-propelled projectiles,
 - e. Nets,
 - f. Pneumatic weapons discharging a single projectile .22 caliber or smaller, or
 - g. Slingshots.
11. ~~An individual participating in a~~ A “limited weapon-rimfire” season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:
- a. Any trap except foothold traps,
 - b. ~~Bow and arrow~~ Bows and arrows,
 - c. Capture by hand,
 - d. Crossbows ~~as prescribed under R12-4-304~~ or bows to be drawn and held with an assisting device,
 - e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,
 - i. Pneumatic weapons,
 - j. Rifled firearms using rimfire cartridges,
 - k. Shotgun shooting shot or slug, or
 - l. Slingshots.
12. ~~An individual participating in a~~ A “limited weapon-shotgun” season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:
- a. Any trap except foothold traps,
 - b. ~~Bow and arrow~~ Bows and arrows,
 - c. Capture by hand,
 - d. Crossbows ~~as prescribed under R12-4-304~~ or bows to be drawn and held with an assisting device,
 - e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,
 - i. Pneumatic weapons,
 - j. Shotgun shooting shot or slug, or
 - k. Slingshots.
13. ~~An individual participating in a~~ A “limited weapon-shotgun shooting shot” season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:

- a. Any trap except foothold traps,
 - b. ~~Bow and arrow~~ Bows and arrows,
 - c. Capture by hand,
 - d. Crossbows ~~as prescribed under R12-4-304~~ or bows to be drawn and held with an assisting device,
 - e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,
 - i. Pneumatic weapons,
 - j. Shotgun shooting shot, or
 - k. Slingshots.
14. ~~An individual participating in a~~ A “falconry-only” season shall be a falconer licensed under R12-4-422 unless exempt under A.R.S. § 17-236(C) or R12-4-407. A falconer participating in a “falconry-only” season shall use no other method of take except falconry.
15. ~~An individual participating in a~~ A “raptor capture” season shall be a falconer licensed under R12-4-422 unless exempt under R12-4-407.

R12-4-319. Use of Aircraft to Take Wildlife

- A. For the purposes of this Section, ~~the following definitions apply:~~ "locate" means any act or activity that does not take or harass wildlife and is directed at locating or finding wildlife in a hunt area.
- 1. ~~"Aircraft" means any contrivance used for flight in the air or any lighter than air contrivance.~~
 - 2. ~~"Locate" means any act or activity that does not take or harass wildlife and is directed at locating or finding wildlife in a hunt area.~~
- B. An individual shall not take or assist in taking wildlife from or with the aid of aircraft.
- C. Except in hunt units with Commission-ordered special seasons under R12-4-115 and R12-4-120 and hunt units with seasons only for mountain lion and no other concurrent big game season, an individual shall not locate or assist in locating wildlife from or with the aid of an aircraft in a hunt unit with an open big game season. This restriction begins 48 hours before the opening of a big game season in a hunt unit and extends until the close of the big game season for that hunt unit.
- D. An individual who possesses a special big game license tag for a special season under R12-4-115 or R12-4-120 or an individual who assists or will assist such a licensee shall not use an aircraft to locate wildlife beginning 48 hours before and during a Commission-ordered special season.
- E. This Section does not apply to any individual acting within the scope of official duties as an employee or authorized agent of the state or the United States to ~~administer~~ manage or protect or aid in the ~~administration~~ management or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops.

R12-4-320. Harassment of Wildlife

- A. In addition to the provisions ~~of established under~~ A.R.S. § 17-301, it is unlawful to harass, molest, chase, rally, concentrate, herd, intercept, torment, or drive wildlife with or from any aircraft as defined ~~in R12-4-319 under~~ R12-4-301, or with or from any motorized terrestrial or aquatic vehicle.
- B. This Section does not apply to individuals acting:
 - 1. Under the provisions ~~of established under~~ A.R.S. § 17-239; or
 - 2. Within the scope of official duties as an employee or authorized agent of the state or the United States to ~~administer manage~~ or protect or aid in the ~~administration management~~ or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops.

R12-4-322. Pickup and Possession of Wildlife Carcasses or Parts

- A. For the purposes of this Section, the following definitions apply:
 - 1. “Fresh” means the majority of the wildlife carcass or part is not exposed dry bone and is comprised mainly of hair, hide, or flesh.
 - 2. “Not fresh” means the majority of the wildlife carcass or part is exposed dry bone due to natural processes such as scavenging, decomposition, or weathering.
- B. If not contrary to federal law or regulation, an individual may pick up and possess naturally shed antlers or horns or other wildlife parts that are not fresh without a permit or inspection by a Department officer.
- C. If not contrary to federal law or regulation, an individual may only pick up and possess a fresh wildlife carcass or its parts under this Section if the individual notifies the Department and:
 - 1. The Department’s first report or knowledge of the carcass or its parts is voluntarily provided by the individual wanting to possess the carcass or its parts;
 - 2. A Department law enforcement officer is able to observe the carcass or its parts at the site where the animal was found in the same condition and location as when the animal was originally found by the individual wanting to possess the carcass or its parts; and
 - 3. A Department law enforcement officer, using the officer’s education, training, and experience, determines the animal died from natural causes. The Department may require the individual to take the officer to the site where the animal carcass or parts were found when an adequate description or location cannot be provided to the officer.
- D. If a Department law enforcement officer determines that the individual wanting to possess the carcass or its parts is authorized to do so under subsection (C), the officer may authorize possession of the carcass or its parts.
- E. Wildlife parts picked up and possessed from areas under control of jurisdictions that prohibit such activity, such as other states, reservations, or national parks, are illegal to possess in this state.
- F. This Section does not authorize the pickup and possession of an endangered or protected species carcass or its parts.