

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, August 2, 2013
Saturday, August 3, 2013
Flagstaff City Hall Council Chambers
211 W. Aspen Avenue
Flagstaff, Arizona 86001

PRESENT: (Commission)

(Director and Staff)

Chairman John W. Harris
Vice Chairman Robert E. Mansell
Commissioner Kurt R. Davis
Commissioner Edward "Pat" Madden

Director Larry D. Voyles
Deputy Director Ty E. Gray
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Linda Pollock

Chairman Harris called the meeting to order at 8:00 a.m. and led those present through the Pledge of Allegiance. The Commission introduced themselves and Director Voyles introduced his staff. This meeting followed an agenda revision #1 dated July 31, 2013.

Chairman Harris requested a moment of silence for the following: U.S. Army First Lieutenant Jonam Russell, 25, of Cornville, Arizona, who died on Tuesday, July 23, 2013 in Wardak Province, Afghanistan; and in honor of the 19 firefighters killed while battling the Yarnell Fire near Prescott, Arizona.

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1. Awards and Recognition

Director Voyles was recognized by Genevieve Johnson with the Desert LLC in appreciation for his time spent as chairman of the Committee. Ms. Johnson presented Director Voyles with an award statue and a certificate of appreciation.

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2. Announcement of the 2013 Heritage Grant Award Recipients

Presenter: Marty Herrera, Heritage Fund Administrator

Pursuant to R12-4-702.C, Mr. Herrera provided the Department's announcement to the public and the Commission, the Arizona Game and Fish Department's 2013 Heritage Fund Grant Award Recipients. In September 2012, the Department received a total of seventy-three grant applications from applicants competing for a 2013 Heritage Grant award, with a total of \$432,000 available. After completing the review and scoring for each application and compiling the rank-order results for each sub-category, a total of thirty-two applicants were selected to receive a 2013 Heritage Grant award. Grant applications were received and considered in all six of the Department's designated fund sub-categories for a Heritage Grant award. The thirty-two 2013 Heritage Grant award recipients, project title, and the Heritage Grant amounts were announced as follows:

Environmental Education (EE) received a total of five applications and the amount available is \$16,000. The following three education programs are awarded 2012-2013 EE grants.

- Tucson Unified School District, for the project “Classrooms to Canyons: Teaching Core Curriculum through a Small Mammal Study.” The award amount is \$ 2,901.
- Flagstaff Unified School District and the Friends of Camp Colton, for the project “Camp Colton Curriculum Project.” The award amount is \$ 9,979.
- Cactus High School for the project “AZ Prepared Promoting Research Education by Photographing and Recording Elusive Desert Wildlife.” The award amount is \$3,120.

Outdoor Education (OE) received a total of twenty-six applications and the amount available is \$16,000. The following ten Arizona Schools are awarded 2012-2013 OE grants.

- Tombstone High School & Hereford Natural Resource Conservation District (HNRCDC), for the “Prescott Valley Antelope Monitoring Project.” The award amount is \$ 1,936
- Marshall Magnet Elementary, Flagstaff, AZ for field-trips to “The Phoenix Zoo, Lamar Haines Environmental Area and Veit Springs.” The award amount is \$ 2,200
- Borton Elementary, Tucson, AZ for field-trips to “Saguaro National Park West, Arizona Sonora Desert Museum, Tucson Botanical Gardens and Reid Park Zoo.” The award amount is \$2,400
- Roberts/Naylor K-8 School, Tucson, AZ for field-trips to “The Desert Museum and Camp Cooper Environmental Center.” The award amount is \$1,572
- Desert Oasis Elementary School, Surprise, AZ for field-trips to “Desert Outdoor Center and Participate in Youth Day at AZGFD.” The award amount is \$1,000
- Gridley Middle School, Tucson, AZ for field-trips to “Sabino Canyon, Coronado National Forest and Santa Catalina Ranger District.” The award amount is \$1,250
- Ash Creek Elementary K-8 School, Pearce, AZ for field-trips to “The Phoenix Zoo, Whitewater Draw, Wilcox Playa, Cluff Ranch and to Participate in Youth Day at AZGFD.” The award amount is \$1,000
- Amphitheater High School, Tucson, AZ for field-trips to “Tucson Mountain Park and Agua Caliente Park.” The award amount is \$1,400
- Flagstaff Unified School District, for all 6th Grade Students to “Participate in Camp Colton’s Residential Environmental Education Program.” The award amount is \$2,242
- Lee Williams High School, Kingman, AZ for a field-trip to “Grand Canyon National Park.” The award amount is \$1,000.

Schoolyard Habitat received a total of seven applications and the amount available is \$37,500. The following five schools are awarded 2012-2013 Schoolyard Habitat grants.

- Arizona Western College, Yuma for the project “Habitat Improvement Project for the Science, Technology and Engineering Reptile Shelter.” The award amount is \$ 10,000
- Copperwood Elementary K-8 School, Glendale, AZ, for the project “Schoolyard Habitat for Environmental Education.” The award amount is \$ 10,000
- Marshall Magnet Elementary School, Flagstaff, AZ for the project “Marshall Magnet Heritage Habitat and Garden, Phase-II.” The award amount is \$10,000

- Palo Verde Magnet High School, Tucson, AZ for the project “Restoration/Enhancement of Tierra Mojada Environmental Research Center.” The award amount is \$ 5,000
- Topock Elementary Pre-K-8 School, Topock, AZ for the project “Tortoise Habitat for Teaching Desert Habitat’s and Ecology.” The award amount is \$2,500.

Urban Wildlife received a total of twenty-five applications and the amount available is \$112,500. The following nine projects are awarded 2012-2013 Urban Wildlife grants.

- The Town of Pinetop/Lakeside and the Little Colorado River Plateau RC&D for the project “Rainbow Lake Carp Project.” The award is in the amount of \$20,000
- The University of Arizona, Tucson, AZ for the project “Wildlife Interpretive Signage for Tumamoc: People and Habitats.” The award is in the amount of \$17,963
- Coconino County Parks and Recreation, Flagstaff, AZ for the project “Audio Guide to the AZGFD’s Arizona Watchable Wildlife Experience Sites.” The award is in the amount of \$26,248
- City of Wilcox, for the project “Wings Over Wilcox Birding and Nature Festival.” The award is in the amount of \$3,000
- City of Globe, for the project “Round Mountain Park Watchable Wildlife Signage.” The award is in the amount of \$1,200
- City of Glendale, for the project “Glendale Habitat Garden Education Program.” The award is in the amount of \$17,800
- Maricopa County Parks and Recreation, Phoenix, AZ for the project “White Tank Mountain Regional Park Tortoise Habitat.” The award is in the amount of \$7,909
- Bullhead City, for the project “Colorado River Nature Center (CRNC) Information Kiosks & Field Guide.” The award is in the amount of \$12,230
- City of Holbrook, for the project “Hidden Cove Park Wildlife Viewing Activity, Packs and Field Guides.” The award is in the amount of \$6,150.

Public Access received a total of five applications and the amount available is \$50,000. The following three projects are awarded 2012-2013 Public Access grants.

- Imperial National Wildlife Refuge, Yuma, AZ, for the project “Meer’s Point Boat Ramp and Bank Fishing Enhancement.” The award is in the amount of \$30,000
- Town of Pinetop/Lakeside, for the project “Improving Safety on the White Mountain Trail System.” The award is in the amount of \$1,841
- Bureau of Land Management, Yuma, AZ for the project “Paradise Walking Trail.” The award is in the amount of \$18,159.

Identification, Inventory, Acquisition, Protection and Management (IIAPM) received a total of five applications and the amount available is \$ 200,000.00. The following two projects are awarded 2012-2013 IIAPM grants.

- The University of Arizona, for the project “Potential resource competition between introduced Abert’s and endangered Mount Graham Red Squirrel’s.” The award is in the amount of \$63,777
- The University of Arizona, for the project “Historical connectivity of Black-Tailed prairie dog populations in the Southwest.” The award is in the amount of \$40,000.

The Heritage Grant cycle for 2014 is now open and applications will be accepted until the deadline of September 30, 2013. Workshops are being conducted in communities throughout Arizona. All Heritage Grant application materials have been updated and are available on the website or at any Department office.

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3. Call to the Public

There were no requests to speak at this time.

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3A. Consent Agenda

The following items were grouped together and noticed as consent agenda items to expedite action on routine matters. These items were provided to the Commission prior to this meeting and the Department requested that the Commission approve these matters as presented, subject to approval or recommendations of the Office of the Attorney General. Director Voyles presented each item to the Commission and none were deemed necessary to remove for discussion. The following consent agenda items were presented for approval:

a. Shooting Sports Activities Briefing

Presenter: Jay Cook, Shooting Sports Branch Chief

The Commission was provided with a written Shooting Sports Activities Briefing prior to this meeting (also available to the public) of Department activities related to shooting sports, including shooting programs and shooting range development statewide. The briefing covers activities that have occurred since the last Commission meeting. The briefing was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

b. Information, Education and Wildlife Recreation Activities Briefing

Presenter: Anthony A. Guiles, Assistant Director, Information and Education Division

The Commission was provided with a written Information, Education and Wildlife Recreation Activities briefing prior to this meeting (also available to the public) of Department activities and events related to Information, Education and Wildlife Recreation Programs. The briefing covers activities and events that have occurred since the last Commission meeting, including the proposed Wildlife Center project. The briefing was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

c. Law Enforcement Program Briefing

Presenter: Gene F. Elms, Law Enforcement Branch Chief

The Commission was provided with a written Law Enforcement Program Briefing prior to this meeting of Department activities and developments relating to the Department's Law Enforcement Program. The briefing covers activities and events that have occurred since the last Commission meeting. The briefing was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

d. Lands and Habitat Program Update

Presenter: Joyce Francis, Habitat Branch Chief

The Commission was provided with a written Lands and Habitat Program Update (attached) prior to this meeting (also available to the public) of Department activities and events related to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related thereto. The update covers activities and events that have occurred since the last Commission meeting. The update was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

e. Cluff Ranch Wildlife Area License Agreement Renewals with Qwest

Presenter: Joyce Francis, Habitat Branch Chief

The Commission currently has two separate agreements with Qwest Corporation for the construction, operation, and maintenance of communication lines and appurtenant facilities located on property within the Cluff Ranch Wildlife Area. One of these agreements expires on September 26, 2013 and the other on October 24, 2013. Qwest has requested renewal of both agreements. The Department believes this use of the land to be in the furtherance of public interest.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE RENEWAL OF TWO LICENSE AGREEMENTS WITH QWEST CORPORATION FOR THE OPERATION OF COMMUNICATION LINES LOCATED ON THE CLUFF RANCH WILDLIFE AREA, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE AGREEMENT, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Motion: Davis moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A, B, C, D, AND E.

Vote: Unanimous
4 to 0

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4. Legislative Engagement and State and Federal Legislation

Presenter: Jorge Canaca, Assistant Legislative Liaison

Mr. Canaca briefed the Commission on the current status of selected state and federal legislative matters. The Department provides the Commission with regular monthly updates and provided informational materials at this meeting (also available to the public). The briefing and discussion included the following and action taken by the Commission:

State Legislation Update

Legislative Successes:

- All Commission supported bills signed into law
- Received full appropriation request for FY14
- Prevented passage of Legislation in conflict with license simplification.

Rose Canyon Lake Update:

- A Ceremonial Launch was held at Rose Canyon Lake. Legislation was passed three years ago to allow Boy Scouts and Girl Scouts to use canoes on Rose Canyon Lake for water rescue and canoe safety training in southern Arizona.

Legislative Tours:

- Hart Prairie Preserve (Flagstaff) – August
- Horseshoe Ranch – Fall

Note: Potential tour topics may include: Wildfires & Impacts, OHV Recreation, Hunter Access, Shooting Sports, and Watchable Wildlife

2014 Legislative Proposals:

- The Department has requested proposals for 2014 legislative proposals. The deadline is July 31. Proposals will be reviewed by a team and then presented at the September Commission meeting.

Congressional Legislation Update:

Farm Bill – Conservation Title II Comparison between Senate and House:

- SB 954:
 - Reduce Conservation Reserve Program enrollment cap from 32M acres to 25M acres
 - Merge Environmental Quality Incentives Program (EQIP) with other working lands programs
 - Merge various conservation easement programs into single Agricultural Conservation Easement Program
 - Conservation Stewardship Program enrollment cap of 10.3M acres
 - \$3.6 Billion Cut
- HR 1947
 - Reduce Conservation Reserve Program enrollment cap from 32M acres to 24M acres

- Merge Environmental Quality Incentives Program (EQIP) with other working lands programs
- Merge various conservation easement programs into single Agricultural Conservation Easement Program
- Conservation Stewardship Program enrollment cap of 8.7M acres
- \$4.8 Billion Cut

SB 1335 Sportsmen's Act (Sen. Murkowski, AK):

- Allows the transport of Bows through National Parks
- Volunteer "culling" in National Parks
- Specifically excludes ammunition and fishing tackle from the Toxic Substances Control Act
- Mandates that lands managed by the Bureau of Land Management and the U.S. Forest Service be open to recreational hunting, fishing, and shooting unless specifically closed by the agencies
- Reauthorizes the NAWCA Act for 5 years (changed from reauthorizing for 1 year)
- Includes electronic Duck Stamp
- Target Practice and Marksmanship Training Support Act: Amends the Pittman-Robertson Act by adjusting the funding limitations. This allows states more funds available for a longer period of time for the creation and maintenance of shooting ranges. The bill encourages federal land agencies to cooperate with state and local authorities to maintain shooting ranges and limits liability for these agencies
- Bill Status - Bypassed Committee and placed on Senate Legislative Calendar.

The Department recommends that the Commission vote to support SB 1335.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO SUPPORT SB 1335, SPORTSMEN'S ACT.

Vote: Unanimous
4 to 0

Congressional Tours:

- The Department is planning congressional tours for Sipe W.A. at the end of August and the Arizona Strip in October.

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5. Scholastic Clay Target Program Update

Presenter: Scott Lavin, Wildlife Recreation Branch Chief

Mr. Lavin provided a PowerPoint presentation and update of Department activities related to the Scholastic Clay Target Program (SCTP). The update covered program structure, a recap of the 2013 season, funding updates and direction for the upcoming season. The Department currently provides funding to encourage recruitment and retention of athletes in the program. Participation in the program has grown, but the budget for the program has not. Therefore, the Department

has partnered with multiple organizations to secure additional funding for the future and the present. The presentation included the following:

Mission of Arizona SCTP:

- Introduce Arizona youth to: Shooting Sports (Trap, Skeet, Sporting Clays, Int'l Trap & Skeet); Firearms safety taught by certified instructors
- Bridge the gap between shooting families/non-shooting families into hunting
- Youth development: Use shooting sports to instill discipline, safety, teamwork, ethics, self-confidence and other life values.

Partnerships:

- Partnered with Wildlife for Tomorrow to secure \$220,000 in funding support from Larry & Brenda Potterfield (\$200,000 must be spent on Midway Foundation endowment accounts in AZ; \$20,000 in direct grant funding to be used for program administration; Every SCTP club in AZ now has an endowment account setup
- Midway USA Foundation Scholastic Shooting Trust Fund (The Scholastic Shooting Trust (SST) Fund is owned and controlled by the Midway USA Foundation, Inc., a 501(c)(3) not-for-profit, public charity established by Larry and Brenda Potterfield in 2007; The SST Fund is an endowment intended to provide financial support for scholastic shooting programs (Teams are able to draw 5% annually from endowment accounts; WFT donated 200K into endowment; After one full season many teams have shown significant growth (Ben Avery Clay Crushers = \$72,000 in endowment; Midway also offers free raffle items (Ipad; Shotguns - Proceeds of raffle are split between endowment & cash fund); Endowment accounts are vital to future of SCTP

Future Activities:

- Department will host 2-3 SCTP hunt camps for the 2013-14 season
- Promote the HAHWG mentored hunt camps to all SCTP members and coaches
- Offer advanced coach training opportunities
- Provide more opportunities for competition (Olympic discipline fun shoot)

Goals:

- Continue to grow the program by participants & clubs
- Introduce more athletes into hunting
- Continue with partnerships to grow the endowment accounts

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6. Commission Property Stewardship

Presenter: Jim Hinkle, Assistant Director, Field Operations Division

Mr. Hinkle briefed the Commission using a PowerPoint presentation on the status of property stewards, inspections and assessments conducted on Commission owned or managed properties. As part of the Director's 2012 Goals and Objectives, the Department's Lands Council was charged with completing a risk and liability assessment for all 85 of the Commission owned or managed properties within the Commission's Property Portfolio. The initial risk and liability assessment was completed during 2012. Lands Council is currently developing a continuing

model for this process, which will include identification of property stewards, the development of a standardized property inspection checklist and completion of annual assessments by stewards. Site-specific inspections on properties will include assessing fire prevention, building/facilities condition, enhancements, risks, and any changes to property boundaries, fences and access in an effort to obtain relevant information relating to public welfare and safety, asset protection, potential risks or liabilities, or other real property issues.

Beginning during the spring and summer of 2014, identified property stewards will begin annual inspections using the new checklist on all Commission owned or managed properties. Inspection checklists will be collected by Habitat Branch, reviewed by Lands Council and Executive Staff, and presented to the Director.

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7. Master Memorandum of Understanding with the National Park Service (First Read)

Presenter: Lawrence M. Riley, Assistant Director, Wildlife Management Division

Mr. Riley briefed the Commission on a Memorandum of Understanding with the National Park Service Intermountain Region. The Department has been in discussion about a master memorandum of understanding with the National Park Service's Intermountain Regional Office for more than a year. All of the units managed by the National Park Service in Arizona (National Monuments, National Recreation Areas, National Parks) are linked together at the regional level. The concept for a Master MOU with the National Park Service is modeled on successful agreements with the U.S. Forest Service, U.S. Bureau of Land Management, and the U.S. Fish and Wildlife Service. Master MOUs establish broad statements of relationship, avenues of coordination and communication, and means of addressing conflict or disagreement.

This agreement is the first of its kind in Arizona, and believed to be the first of its kind in the United States. This agreement is intended to serve as a model for a potential west-wide agreement through the Western Association of Fish and Wildlife Agencies. To that end, if approved by the Commission, a signing ceremony is planned with the National Park Service at the annual meeting of the Association of Fish and Wildlife Agencies in Omaha, Nebraska in September.

Mr. Riley has previously discussed the MOU with the Director and individually with each Commissioner. There has been some interest in adding emphasis in the recitals, particularly with regard to the authorities of the Game and Fish Commission and the responsibility for wildlife management on a statewide basis. The comments received will be incorporated and discussed with the National Park Service. The goal is to bring back an executable MOU for approval at the September Commission meeting and then to jointly sign with the National Park Service as planned.

Chairman Harris requested that Mr. Riley provide the Commission with the Director's and Commissioner's comments that are incorporated into the MOU, and that he do that individually with each Commissioner in order to avoid any open meeting law violation.

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8. Cooperative Agreement with Valle Vista Property Owners Association (VVPOA) (First Read)

Presenter: Esther Rubin, Research Branch Chief

Dr. Rubin briefed the Commission on a Cooperative Agreement with Valle Vista Property Owners Association to allow the Department the use of ponds at the Valle Vista Golf Course to conduct native fish research and conservation projects. The Bureau of Reclamation (Reclamation) through the Lower Colorado River Multi-Species Program (MSCP) is currently funding Department research that evaluates the effectiveness of predator avoidance training for two endangered fish species in Arizona, the razorback sucker and bonytail chub. This work is currently being conducted in a series of small tanks at the Department's Bubbling Ponds Native Fish Conservation Facility. Populations of razorback suckers and bonytail chub in the Lower Colorado River are primarily supported through captive stocking programs with very low survival in the wild. The ultimate goal of this work is to train these fish to recognize predators prior to being stocked into the wild to increase their chances of survival. Initial results are promising and the Department and Reclamation wish to expand on this work by testing our predator training techniques in a larger setting.

The Valle Vista Golf Course near Kingman has a series of ponds that are ideal for the next phase of this training experiment. At the September Commission meeting, the Commission will be asked to approve a Cooperative Agreement between the Department and VVPOA to allow Department personnel to conduct research activities on the Valle Vista property. All funding for this work will come directly from Reclamation, but is contingent upon approval of the agreement with VVPOA.

The Commission was provided with a draft agreement with VVPOA and a statement of work for proposed research activities on the golf course ponds for review.

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9. Land Exchange at the Page Springs Fish Hatchery Property, Yavapai County, Arizona (First Read)

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis provided a PowerPoint presentation and briefing on a potential land exchange at the Page Springs Fish Hatchery property. The Department was approached by an adjacent landowner at the Page Springs Hatchery (Hatchery) to purchase approximately 9.13 acres of upland Hatchery property for vineyard cultivation at the southwest end of the Hatchery. The Department would acquire approximately 10.22 of lands adjacent to Hatchery within the riparian area in Oak Creek. The Department has determined that the exchange will significantly benefit the wildlife values of the property and will not interfere with the operation of the Hatchery. This exchange is consistent and compatible with the operation of the Hatchery. Since the Hatchery was included in the Federal Aid Program in 1993, the exchange must also be approved by the U.S. Fish and Wildlife Service.

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10. Preview of Five-year Review Report Recommendations for Article 4 Live Wildlife (First Read)

Presenter: Jennifer Stewart, Rules and Risk Branch Chief

Ms. Stewart provided a brief overview of the rulemaking process, followed by a presentation by Wildlife Manager Pat Crouch on behalf of the Article 4 Rule Review Team. The Commission will be asked to review, for future approval, proposed recommendations to be included in the five-year review report for Article 4, regarding Live Wildlife.

Mr. Crouch provided an overview using a PowerPoint presentation of recommendations being considered as part of the Five-Year Rule Review process for Article 4, which addresses live wildlife. This presentation included information on the criteria used to consider live wildlife recommendations, and provided an opportunity for Commission guidance as recommendations are developed.

At the September Commission meeting, the Department will request Commission approval of the Five-year Review Report for Article 4, which is due to the Governor's Regulatory Review Council in November. This report does not change rule, but indicates changes the Department would like to make as it enters into subsequent rulemaking following completion of the review. The following substantive changes were recommended by the rule review team:

Update & Housekeeping Proposed Changes:

- Definitions were added or modified to improve clarity and utilize current terminology
- Referenced laws, rules and taxonomic information were updated for consistency
- Several rules were consolidated for clarity of purpose and to increase efficient administration of licenses
- Replace designated employee with Department to allow flexibility of personnel addressing license issues.

R12-4-401: Live Wildlife Definitions:

- Pulls all definitions into one definition section for ease of use by the Department and the public.

R12-4-402: Unlawful Acts:

- Establish the Department's authority to euthanize acquired/seized wildlife to provide a mechanism to dispose of said wildlife
- Establish the person possessing the wildlife is responsible for all costs related to the possession/handling of the wildlife.

R12-4-403: Escaped or Released Live Wildlife:

- Clarify no person may release wildlife unless authorized by the Department to protect wildlife habitat and public property, safety, health, and welfare
- Establish the person possessing the wildlife is responsible for all costs related to the possession and handling of wildlife.

R12-4-404: Possession of Live Wildlife Taken Under a Hunting/Fishing License:

- Replace the term “personal use” with the term “noncommercial use” as "personal use" is an ambiguous term
- Clarify where/how temporarily taken wildlife may be released to reduce the likelihood of the transmission of wildlife disease
- Allow the use of reptiles for aversion training as this activity is currently allowed, but is not addressed in rule.

R12-4-406: Restricted Live Wildlife:

- Indicate that threatened/endangered species and all transgenic wildlife are restricted live wildlife
- Incorporate the online taxonomic authority as the ITIS (system) is nationally recognized and easy to access
- Remove hedgehogs from the restricted live wildlife list to allow their use as pets
- Expand “restricted primates” to include all non-human primates to improve the Department’s ability to regulate the importation and personal possession of primates.
- Improve consistency between federal and state rules by listing all MBTA birds as restricted live wildlife
- Include the Red shiner, Paddlefish, Sturgeon, certain Tilapia spp., Chinese mystery snail, and false dark mussel as restricted live wildlife as all pose a significant threat to native fishes when establishing themselves in native waters
- Add wildlife species listed in DO #1 by inclusion.

R12-4-407: Exemptions from Special License Requirements

- Allow the use of wildlife for commercial photography while simultaneously protecting the public health and safety
- Revise falconry license exemption to include R12-4-422 language to increase consistency between Article 4 rules
- Incorporate recent version of the Animal Welfare Act.

R12-4-409: General Provisions and Penalties for Special Licenses:

- Require the applicant to provide an acknowledgment, which replaces the signature requirement and enables the Department to accept applications electronically.
- Clarify a special license does not exempt the license holder from complying with all applicable city, county, state, and federal codes, ordinances, rules, laws, and regulations.
- Expand the Department's ability to deny a special license to an applicant convicted of illegally holding/possessing wildlife from 3 to 5 years to increase consistency between rules within 12 A.A.C. 4.

R12-4-413: Private Game Farm License:

- Clarify language regarding propagation as it may be misinterpreted as preventing the possession of domestic animals with captive game animals. This improves clarity without compromising the intent of the rule
- Clarify the allowable locations for a Northern Bobwhite Private Game Farm License as this non-native quail poses a threat to an endangered native bird if it escapes or is released.

R12-4-414: Game Bird License:

- Combine R12-4-414, R12-4-415, R12-4-416, and R12-4-419 into one rule to provide one point of reference for all requirements related to the handling of pen-reared game birds
- Replace the term “wildlife” with “game birds” to clarify the license authorizes the use of game birds only.

R12-4-417: Wildlife Holding License:

- Clarify activities authorized under this rule
- Allow the issuance of a wildlife holding license for photography to broaden the scope of the rule
- Clarify the rule applies to the transportation and shipment of live wildlife
- Clarify the educational component of the wildlife holding license
- Allow the applicant to submit a certification issued by an Institutional Animal Care and Use Committee using an agreed upon national standard similar to those described under R12-4-428
- Allow an agent to assist the license holder to increase consistency between rules within Article 4.

R12-4-418: Scientific Collecting Permit:

- Allow the applicant to submit a certification issued by an Institutional Animal Care and Use Committee using a national standard similar to those described under R12-4-428
- Allow the Department to determine where the activities can take place
- Clarify methods of take to be used by the scientific collecting license holder
- Expand the requirement the license holder dispose of wildlife as directed by the Department to include wildlife parts and offspring of wildlife held under the license.

R12-4-420: Zoo License:

- Restrict the disposition of restricted live wildlife from zoos to a private game farm in an effort to protect wildlife resources and prevent unregulated commercial breeding of wildlife
- Allow the transfer of wildlife held under a zoo license to appropriately licensed facilities or persons in other states as potential sources to transfer animals to provide the Department with greater flexibility
- Clarify Department authorization is required prior to acquisition when the zoo license holder is adding a new species of restricted wildlife to their collection that was not previously held in the collection and noted on the prior year’s license report
- Requiring zoo license holders to comply with R12-4-426

R12-4-422: Sport Falconry:

- Reference the definition of “resident” under A.R.S. § 17-101 to increase consistency between Title 17 and Commission rules
- Clarify when a license holder may capture an adult raptor
- Require the license holder to remove “any other falconry equipment” prior to releasing a raptor
- Clarify that a raptor may only be transferred to a person who possesses an appropriate license
- Prohibit the transfer of permit-tag, non-permit-tag, and quota regulated raptor species to out-of-state falconers within 1 year of capture.

R12-4-423: Wildlife Rehabilitation License:

- Clarify the purpose of the wildlife rehabilitation license
- Add “turkey” and “small game mammals” to the list of wildlife that may be possessed/rehabilitated
- Allow a license holder to dispose of bird remains by transferring them to a USFWS feather repository
- Clarify all expenses incurred under this license are the responsibility of the rehabilitation license holder
- Remove option for applicant to submit Department Wildlife Center as health treatment provider as medical care should be provided by a licensed veterinarian instead of wildlife center staff
- Remove donations language as it may imply the Department is the regulatory body for monetary collections, this is not the Department’s role.

R12-4-425: Restricted Live Wildlife Lawfully Possessed Without License or Permit Before the Effective Date of Article 4 or any Subsequent Amendments:

- Require a person to include the specific wildlife to be possessed on the notification
- Restrict propagation of live wildlife lawfully possessed under this rule
- Require a person to permanently mark wildlife possessed under this rule
- Specify the transfer of wildlife held under this rule will nullify the exemption
- Remove language implying that offspring are also exempt since propagation is no longer allowed under this Section
- Require a person to report any previous offspring in order to exempt offspring from the requirements of this Article.

R12-4-426: Possession of Primates:

- Restrict the possession of primates to zoo license holders, research facilities, and persons exempt under R12-4-425
- Allow a zoo license holder or research facility to use quarantine and testing procedures recommended by the American Association of Zoo Veterinarians and Centers for Disease Control as the recommended procedures are more stringent than the rule
- Require persons to comply with R12-4-428 to ensure the animals health and social needs are met.

R12-4-430: Importation, Handling, and Possession of Cervids:

- Clarify the cervid species covered by the rule
- Reference R12-4-305, which establishes requirements for transporting cervid carcasses or its parts from a private game farm
- Expand disease testing options to reduce the Department's and regulated community's burden and costs
- Clarify disease testing requirements
- Clarify recordkeeping requirements.

Public Comment

Mike Sorum, representing himself, expressed opposition to the hedgehog being removed from the list of restricted species, and he asked the Department to re-evaluate their recommendation.

Hedgehogs have caused a lot of damage to natural habitat in other countries and it cost a lot of money to get rid of them.

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Meeting recessed for a break at 9:52 a.m.

Meeting reconvened at 10:08 a.m.

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11. Agreement with the US Fish and Wildlife Service for the Department to Act as a Cooperating Agency (First Read)

Presenter: Jon Cooley, Endangered Species Coordinator

Mr. Cooley provided the Commission with a PowerPoint presentation and briefing on an agreement with the U.S. Fish and Wildlife Service (USFWS) to engage the Department as a Cooperating Agency on the Draft Environmental Impact Statement (DEIS) regarding the revision of the 10(j) rule and associated Management Plan for Mexican Wolves. The presentation included maps of the current and proposed 10(j) area, historical information, proposed management changes, and the development of the draft EIS.

At the June 2013 Commission meeting, the Commission was briefed on the publication of two proposed rules by the USFWS regarding the Mexican wolf. The two proposed rules are procedurally linked. The first would de-list the gray wolf as an entity and proposes to list the Mexican wolf as an endangered subspecies. The second proposed rule outlines modification to the 10(j) rule designating the experimental nonessential population for Mexican wolf, which is necessary to link the revised 10(j) to the Mexican wolf subspecies (as proposed) and to provide for other potential modifications to wolf management within the designated 10(j).

The proposed changes to the 10(j) rule and associated management plan are subject to NEPA, and an EIS will be prepared to analyze the proposed actions and alternatives outlined in the proposed 10(j) rule. The Department has received a formal invitation from the USFWS to participate, as a Cooperating Agency, in the development of the Draft EIS relating to the proposed 10(j) rule. When finalized, the EIS will be used to guide decisions by USFWS on the Final 10(j) rule. Cooperating Agency status in developing the Draft EIS provides the Department a seat at the table for all aspects of the development of the proposed action, which includes identification of alternatives and corresponding analysis of effects.

As a part of the cooperator process, the first meeting has been scheduled for August 8-9 in Albuquerque, NM. Mr. Cooley and Special Assistant to the Director, Bob Broscheid, will be the Department's representatives. Internal discussions have taken place about what their desired roles would be and what issues they will focus on.

Public Comment

Roxane George, representing herself, stated that the listing of the sub-species of the highly endangered Mexican gray wolf is long overdue, and she encouraged the Commission to strongly support it. She also urged the Commission to not support the de-listing of the gray wolves stating that this will not be consistent with Mexican gray wolf recovery.

Sandy Bahr, Chapter Director, Sierra Club – Grand Canyon Chapter, presented a letter signed by 13 organizations and one individual that encouraged the Commission to advocate the healthy reintroduction and recovery of a healthy population of Mexican gray wolves throughout the southwest and proposed several recommendations to that end.

Mike Sorum, representing himself, commented on the maps in the presentation and the designated 10(j) areas, both current and proposed, stating that the wolves need to be able to move between the areas. He agrees that the Department needs to cooperate with the USFWS.

Director Voyles stated that the Department is not looking for the Commission to take action today, but that the Department wants to know that the Commission wants the Department to participate as cooperators. The agreement with the USFWS for the Department to act as an Agency Cooperator is still under review and will likely have some revisions.

Commissioner Davis requested that the Department strengthen the language in the agreement related to the state's primary responsibility for the management of wildlife in Arizona. The agreement also needs to be more descriptive of what the Department's role is and it needs to clarify what is meant by communications and not just the mention of coordinating press releases.

Chairman Harris requested a copy of the former AMOC group's initial recommendations for review and comparison.

Commissioner Davis requested that the review date for the current ongoing agreement be on the Department's radar.

Director Voyles noted that the Department has a special role authorized in the Endangered Species Act that this agreement needs to include.

The Commission was in consensus for the Department to move forward toward cooperator status.

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12. Mexican Wolf Planning Principles and Corresponding Objective Statements (First Read)

Presenter: Jon Cooley, Endangered Species Coordinator

The Commission will be asked to review, for future approval, planning principles and key objectives for the Mexican Wolf Reintroduction Project in Arizona, which will serve as a framework for developing Department comments to upcoming comment/scoping and Environmental Impact Statement (EIS) development processes on USFWS proposed rules, and to provide a foundation for the Department's ongoing Mexican Wolf planning efforts.

At the June 2013 Commission meeting, the Commission was briefed on the publication of two proposed rules by the US Fish and Wildlife Service (USFWS) regarding the Mexican wolf. The first proposes to de-list the gray wolf as an entity while jointly listing the Mexican wolf as an endangered subspecies, with the second proposing modifications to the 10(j) rule designating the

experimental nonessential population for Mexican wolf. The Department has been invited by the USFWS to participate, as a Cooperating Agency, in the development of the Draft EIS (DEIS) relating to the proposed 10(j) rule, which will provide the Department the opportunity to provide input on 10(j) alternatives and proposed actions. In addition, USFWS scoping processes tied to the Proposed Rules and the associated DEIS allow the Department (and public) to provide comments within specified comment periods (90-day for the Proposed Rule and 45-day for the DEIS).

Concurrently with engaging in these USFWS Proposed Rule and EIS processes and preparing related Department comments/inputs, the Department also continues to pursue development of a Mexican Wolf Management Plan. In both cases, the Department is planning to complete stakeholder/public engagement in an effort to capture appropriate feedback to be incorporated into Department scoping and planning processes.

The Department is developing planning principles and requirements for the Mexican Wolf reintroduction project in Arizona, which are intended to capture and reflect appropriate Commission guidance and positions relating to the Mexican Wolf project. These planning principles and plan requirements attempt to reflect preceding Commission direction and are intended to establish a framework and reference for the Department as it undertakes these ongoing planning processes involving Mexican Wolf.

Public Comment

Sandy Bahr, Chapter Director, Sierra Club – Grand Canyon Chapter, encouraged the Commission to expand the Mexican wolf recovery area to the north, to consider its essential status, and to support a healthy population throughout the recovery area.

Thom Hulen, representing himself, urged the Department to continue working on the reintroduction plan and to consider the population as essential; supports the enactment of the Mexican wolf as a full endangered species; need to expand the recovery area.

Mike Sorum, representing himself, supports expanding the recovery area to the north and supports the Mexican wolf as an essential sub-species.

Kathleen Cheatham, representing herself, supports wolf reintroduction and opposes de-listing of the wolf; supports expanding the recovery area to the north.

Roxane George, representing herself, supports comments made by Sandy Bahr and urged the Department and Commission to get the recovery plan finished with the USFWS; encouraged releases throughout the recovery area.

Kari Redfield, representing herself, supports wolf recovery and agreed with Sandy Bahr's comments; encouraged non-lethal methods for removing problem wolves.

Kathy Ann Walsh, Broadband Leader, Great Old Broads for Wilderness, supports wolf reintroduction; need more cooperation/communication between groups; need more wolves released and more wolf territory.

16. Commission Policy on the Handling of Self-Reported Violations (First Read)

Presenter: Jim Hinkle, Assistant Director, Field Operations Division

Mr. Hinkle provided a PowerPoint presentation on a proposed Commission policy regarding appropriate law enforcement response to sportsmen who self-report committing accidental or unintentional violations.

The Department recognizes that self-policing is an important construct of the North American Model of wildlife conservation. Sportsmen who voluntarily contact the Department to report responsibility for accidental or unintentional violations of statute, rule or order, and assist responding officers in the salvage of any unlawfully taken wildlife exemplify this standard. An officer's use of appropriate enforcement discretion to resolve these self-reported violations encourages sportsman responsibility and promotes continued ethical behavior. The Department has drafted a Commission Policy (A2.40 attached) to affirm this construct and to provide officers with clear direction on how they should respond to legitimate instances of self-reported violations. The Commission Policy would also establish the standard that legitimate instances of self-reported violations not be submitted to the Commission for license revocation or civil assessment consideration. The Department also recommends this Commission Policy apply equally to Department employees and volunteers engaged in off-duty pursuits of hunting, fishing and trapping who self-report accidental or unintentional violations.

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Meeting recessed for lunch at 11:38 a.m.

Meeting reconvened at 1:53 p.m.

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13. Call to the Public

There were no requests to speak to the Commission.

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15. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms briefed the Commission on a request by Phillip L. Honomichl for Arizona Game and Fish Commission to grant a rehearing regarding the lifetime revocation of his license. On November 28, 2012, Mr. Honomichl was convicted in the Hassayampa Justice Court on two counts of License / Tag Fraud. On December 3, 2012, Mr. Honomichl was convicted in the Salome Justice Court for Take Wildlife Without Valid License and Possess / Transport Unlawfully Taken Wildlife. On May 10, 2013, the Commission revoked Mr. Honomichl's hunting, fishing and trapping licenses for five years and imposed a civil assessment of \$350.00. Mr. Honomichl, through his attorney Adam R. Stull, has requested a rehearing of this matter and decision because they feel the revocation is excessive due to the age of Mr. Honomichl and

additional points of evidence not previously presented. Both Mr. Honomichl and Attorney Adam R. Stull were notified of the hearing by certified mail.

Mr. Honomichl was present.

Mr. Elms provided the Commission with one copy each of two documents from Mr. Honomichl for review. One was in reference to his military service and the other was in regards to escrow documents on his home.

Commissioner Mansell confirmed with Mr. Elms that the facts in the case remained the same.

Commissioner Mansell stated for the record that he also owns property in other states and that he pays taxes and utilities in those other states. He does not believe that the revocation is excessive.

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO DENY THE REHEARING REQUEST BY MR. HONOMICHL.

Vote: Unanimous

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14. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Gene Elms, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director’s Office.

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11. Executive Session (Pulled from Saturday’s agenda)

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous
4 to 0

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Meeting recessed for the day at 4:10 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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Chairman Harris called the meeting back to order and led those present through the Pledge of Allegiance followed by introductions of everyone present.

1. Flagstaff Community Forum

Presenter: Craig McMullen, Flagstaff Regional Supervisor

Mr. McMullen facilitated an informal forum and workshop to discuss current and future matters involving the Arizona Game and Fish Department and the Flagstaff community. Department staff and members of the community presented PowerPoint presentations that included an overview of ongoing collaborative work with community leaders, sportsmen and other organizations, and members of the public. The presentations and discussion included the following topics:

- Northern Arizona Fly Casters Club Update and Overview
- Northern Arizona University/Arizona Game and Fish Department Natural Resource Education Partnership
- Coconino Sportsmen's Club Update and Overview
- Arizona Watchable Wildlife Experience and Rogers Lake Natural Area Update
- The Diablo Trust - An Update on Twenty Years of Cooperative Conservation
- Northern Arizona Shooting Range-Update.

Several members of the community addressed the Commission and engaged in open discussion on the topics presented.

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The regular Commission meeting began at 10:30 a.m. with a short break and a brief Executive Session.

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Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel regarding agenda item #9, Notice of Final Exempt Rulemaking - Final License and Fee Structure.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous
4 to 0

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Meeting recessed for a break at 10:30 a.m.

Meeting reconvened at 10:45 a.m.

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2. Call to the Public

There were no requests to speak to the Commission.

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3. Consent Agenda (Moved to Friday #3A on agenda revision #1)

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3B. Request for the Commission to Approve a Memorandum of Understanding with City of Tucson for Cooperative Activities

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling briefed the Commission on a Memorandum of Understanding (MOU) to allow the Department to cooperate with the City of Tucson on projects for hunting, public information, and wildlife habitat enhancement. On June 15, 2013, the Commission considered and approved Commission Order 19 (Dove) for the 2013–2014 hunt seasons. In approving Commission Order 19, the Commission amended the Order to strike a Note opening certain properties located in Unit 36C and Unit 37A, Avra Valley, Pima County, Arizona, pending further negotiations with the City of Tucson. The negotiations were successful and an MOU has been drafted between the Commission and the City of Tucson to open the Buckelew and Duval parcels within Avra Valley for the 2013–2014 dove hunt and for all specified species hunts commencing July 1, 2014.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF TUCSON AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE THE AGREEMENT AS PRESENTED OR AS APPROVED OR RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous
4 to 0

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3C. Consideration of Amendment to Commission Order 19 (Dove) for 2013–2014 Hunting Seasons.

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling briefed the Commission and requested approval for an amendment to Commission Order 19 (Dove) to add Note 21 opening certain properties in Avra Valley for hunting. On June 15, 2013, the Commission considered and approved Commission Order 19: Dove for the 2013–2014 hunt seasons. In approving Commission Order 19, the Commission amended the Order to

strike Note 21 opening certain properties located in Unit 36C and Unit 37A, Avra Valley, Pima County, Arizona, pending further negotiations with the City of Tucson. Note 21 read "The following City of Tucson Water Properties located in Avra Valley are open to hunting: the Duval and Penzoil/Duval properties in Unit 36C and the Buckelew property in Unit 37A." With the Commission's approval of the MOU with the City of Tucson, the Department requests that the Commission amend Commission Order 19 (Dove) for 2013–2014 to include Note 21, which has been modified to read "The following City of Tucson Water Properties located in Avra Valley are open to hunting: the Duval property in Unit 36C and the Buckelew property in Unit 37A; all other Tucson Water Properties are closed to hunting." The Duval property in this footnote includes the Penzoil/Duval property noted in the June 15, 2013 proposal.

Chairman Harris clarified that the Commission opened Units 36C and 37A to dove hunting, which is interpreted to open all properties, so the closure notice in this footnote is the important part for the public to understand. If the properties are not specifically closed by the Commission after the season has been opened in that unit, then the properties remain open. The Department and Commission works with the communities to talk about infrastructure and issues, and works with those agencies regarding the closing of properties.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO AMEND COMMISSION ORDER 19 (DOVE) BY ADDING NOTE 21 WHICH OPENS THE FOLLOWING CITY OF TUCSON WATER PROPERTIES LOCATED IN AVRA VALLEY AS OPEN TO HUNTING: THE DUVAL PROPERTY IN UNIT 36C AND THE BUCKELEW PROPERTY IN UNIT 37A.

Vote: Unanimous
4 to 0

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4. Consideration of Proposed Commission Orders 5, 6, 8, and 9, for Spring 2014 Hunting Seasons

Presenter: Amber A. Munig, Big Game Management Supervisor

Ms. Munig presented the Commission with Commission Orders 5, 6, 8, and 9 (spring turkey, spring javelina, spring buffalo, and spring bear) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for spring 2014. A detailed description of all proposals is available for public review at Department offices. An open house was held in each region where the public could review these hunt recommendations prior to the Commission meeting. The recommendations were also posted on the Department web site and press releases were provided to let the public know of their availability. Ms. Munig provided a PowerPoint presentation that included charts, graphs, historical data and Department recommendations. The following information describes the Department's recommendations for Commission Orders 5, 6, 8, and 9 for spring 2014.

The Commission provided the Department with direction through the hunt guidelines approved in August 2011, as amended in December 2011. The proposed Commission Orders (provided to

the Commission and the public) were formulated in accordance with that guidance and any deviation is noted in the species-specific summaries below.

Commission Order 5 – Spring Turkey

For 2014, spring limited-weapon-shotgun-shooting-shot seasons are recommended to increase by 132 permits statewide for a total of 5,292. Units 1 and 27 experienced high hunt success, indicating healthy turkey populations; permits are recommended to increase while still allowing for population growth following the 2011 Wallow Fire. All spring seasons permits are recommended during stratified hunts occurring April 25–May 1 and May 9–22 or May 2–22, 2014.

Spring seasons are recommended for Gould's turkeys in Units 29 and 30A, 31, 33, 34A, 35A, and 35B. Gould's turkey permit numbers are recommended at 46, a 12-permit increase from last year. Units 29 and 30A and 35A are recommended for increased permits, and new stratified seasons are recommended for Unit 35B with 2 permits in each hunt. The hunt area in Unit 33 is being reduced in size to allow for the continued restoration efforts for turkeys within this unit.

The Department recommends maintaining the stratified seasons in Unit 13B (north of Wolfhole-Jacobs Well Road) for the Rio Grande subspecies with 1 permit in each hunt.

Nonpermit limited-weapon-shotgun-shooting-shot-seasons for juniors-only are recommended in Units 1, 4A, 4B, 5A, 5B, 6B (except Camp Navajo), 7, 8, 10, 12A, and 27. These permits would be unlimited in number and could be purchased over the counter. Units 1 and 27 are recommended to revert from a permitted draw hunt back into the over-the-counter season structure. For permitted spring juniors-only seasons, the Department recommends 360 permits in Units 3C, 6A, and 23. This is a 100-permit reduction from last year, but the reduction is a result of Units 1 and 27 reverting to the over-the-counter season structure. Season dates for the juniors-only season are recommended to be April 18–24 and May 9–22, 2014.

Over-the-counter permits are recommended for archery spring turkey hunts in Units 1, 4A, 4B, 6A, 12A, 23, and 27. Archery seasons are recommended to occur May 9–22, 2014. No turkeys were harvested during the archery over-the-counter season in 2013.

Public Comment

Jon Tate, representing self, teleconferenced from Region V Office, commented on Gould's turkey tags in Unit 33, stating that 6 tags at this time is overly conservative. He believes there are a lot of turkeys in this unit. Turkeys only live two years and they should be taken by hunters instead of dying by natural causes or predation.

Commissioner Davis asked for input on Mr. Tate's comments.

Ms. Munig stated that the recommendation by the region for Unit 33 was to reduce the open area to Unit 33 North and West of Reddington Pass Road because the Department is still doing reintroductions in the Happy Valley area. The Department wants to allow that population to grow and firmly establish. Permits are recommended at 3 permits each hunt which is the same as last year.

Mr. Hefflefinger from the Regional Office added that one of the major issues with the Catalina Mountains is that the turkeys are more prevalent and easier to locate up on the top of the mountain near Ski Valley and human habitation, and nearly all the hunters go to the top of the mountain range where the turkeys are most accessible. This has been a concern because of the Forest Service regulation, in addition to the Department's ¼ mile rule, that says an instrument capable of killing a human cannot be discharged within 150 yards of a camp ground, trail, building or occupied area. The Forest Service and the Deputy Sheriffs enforce this regulation pretty intensely. Hunters are having a hard time locating turkeys outside of those restrictions. Most concerns are social issues; biologically, the Department believes there are no issues and that there are a lot of turkeys out there even though the population survey showed a decrease. Turkey tags have increased in southeastern Arizona by 64% in the last two years, and the Department intends to increase them in the Catalina Mountains in the future, but this year the Department decided to stay with the 3 permits in each hunt for social and biological reasons.

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 5 – SPRING TURKEY, AS PRESENTED.

Vote: Unanimous
4 to 0

Commission Order 6 – Spring Javelina

Permits recommended for spring 2014 include 11,680 general, 5,380 HAM, 9,525 archery, and 1,120 juniors-only. This is a 25-permit increase for general, 5-permit increase for HAM, 125-permit increase archery, and a 60-permit increase for juniors-only.

Archery seasons are recommended to occur during January 1–23, 2014, juniors-only seasons during January 24–February 2, 2014, HAM seasons during February 7–16, 2014, and general seasons during February 21–27, 2014. Over-the-counter permits are recommended for archery hunts in Units 1–5, 7, 9, 11M, 25M, 26M, and 38M. Season dates for Units 1–5, 7, 9, and 11M correspond with other archery javelina season dates of January 1–23, 2014. For Units 25M, 26M, and 38M, the season is recommended to overlap the December archery deer over-the-counter season and run from December 13, 2013 to January 23, 2014 and December 12–31, 2014. A yearlong general season with over-the-counter permits is also recommended for January 1–December 31, 2014 in the Mohawk Valley Hunt Area in Unit 41.

The Department recommends continuing the annual bag limit of 2 for javelina in 2014. The recommended bag limit would allow for only 1 javelina to be taken with a permit for a given hunt number; subsequent permits would only be issued for a separate hunt number.

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 6 – SPRING JAVELINA, AS PRESENTED.

Vote: Unanimous
4 to 0

Commission Order 8 – Spring Buffalo

During spring 2013, 14 spring permits were authorized for the House Rock Wildlife Area herd in Units 12A and 12B. All hunters participated and 10 adult bulls and 2 adult cows were harvested. The Department recommends 20 any buffalo permits for spring 2014, an increase of 6-permits, with season dates from January 1–June 14, 2014.

In 2013, 4 spring permits were authorized for the Raymond Wildlife Area herd in Units 5A and 5B. The Department recommends 6 permits for spring 2014: 2 designated bull permits during January 10-12, 2 designated yearling-only permits during February 7–9, and 2 designated yearling-only permits during March 7–9.

Flagstaff Regional Supervisor Craig McMullen provided a brief update on the House Rock herd. The Bison Workgroup, which includes the Grand Canyon National Park Service, Kaibab National Forest, and the Department, met and are on track to start the NEPA this fall on management actions for buffalo on the Grand Canyon National Park. The Department will be seeking approval from the Commission to enter into an MOU to deliver cooperating agency status for the Department.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 8 – SPRING BUFFALO, AS PRESENTED.

Vote: Unanimous
4 to 0

Commission Order 9 – Spring Bear

The Department recommends minor changes to seasons or season structure, female harvest limits, or permits for spring 2014. General bear hunts (Units 10, 18A and 19B, 17A, 17B, 18B, 20A and 20B, 19A, 22, 23N, 24A, 27, 29 and 30A, 31, 32, 34A, and 35A and 35B [except Fort Huachuca]) and archery (Units 3B and 3C, and 33) are recommended to offer over-the-counter permits during the March 21–May 1 season. The female harvest limit for Unit 24A is recommended to increase by 1 to 2. On average, less than 5 bears have been harvested annually during this time period, with few being female. Each hunt will have a female harvest limit, and any female bears taken during this time will apply to the annual female harvest limit that if met would close subsequent hunts.

One permitted general bear hunt is recommended in Unit 6B (except Camp Navajo) with 5 permits and a female harvest limit of 1. Permitted archery-only bears hunts are recommended in Units 3B and 3C, 4B, 22, 23N, 33, 34A, 35A, and 35B (except Fort Huachuca), and Fort Huachuca; total permits are recommended at 280. Over the last 5 years, about one third of the bears harvested during this later season were females.

Female harvest limits total 18 for general hunts and 14 for archery hunts (Fort Huachuca harvest limits are a subset of Unit 35A). This is an increase of 1 from 2013. Annual female harvest limits are recommended to remain the same in all units except in Unit 22 North where the annual limit is recommended to increase from 10 to 11, Unit 22 South where the annual limit is recommended to increase from 4 to 6, Unit 24A where the annual limit is recommended to

increase from 8 to 9, and in Unit 27 where the annual limit is recommended to increase from 25 to 30.

Public Comment

Jon Tate, representing himself, teleconferenced from the Region V Office, requested that Unit 33 have over-the-counter any weapon bear tags. Bears in Unit 33 are overly abundant and only archery is currently allowed. Bear-human conflicts continue to rise in southern Arizona.

Jim Hefflefinger from Region V stated that the bears hang out in the Ponderosa pines in the mountains of Unit 33 and that is also where all the camp grounds are, so it is an area where we do not want people hunting bears with rifles. The archery hunts are a more safe way to hunt in this area.

Jon Tate stated that other species are hunted with rifles in areas where there are people, like hikers and outdoor recreationists, and so it should also be allowed for bear. There should be a scientific reason for having this hunt as an archery only hunt.

Commissioner Davis stated that Mr. Tate's comments and requests have merit and maybe we should be looking at this through different lenses. Public lands are not just for certain uses.

Ms. Munig stated that Unit 33 is a relatively new unit for the spring structure and perhaps the Department can look at a stratified season or open area for a future hunt in this area.

Motion: Madden moved and Harris seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 9 – SPRING BEAR, AS PRESENTED.

Vote: Aye - Harris, Madden
Nay - Mansell, Davis
Motion Failed

Commissioner Davis stated that he did not want to wait another year and asked what the possibilities are.

Commissioner Mansell suggested voting to approve Commission Order 9 with the exception of bear.

Director Voyles agreed with Commissioner Mansell's suggestion and offered that spring bear Unit 33 could be re-addressed later in this meeting after the Department has a chance to look into it and develop a recommendation.

Motion: Mansell moved and Davis seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 9 – SPRING BEAR, AS PRESENTED, WITH THE EXCEPTION OF UNIT 33 TO BE ADDRESSED LATER IN THIS MEETING.

Vote: Unanimous
4 to 0

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5. Hunt Permit-Tag Application Schedule for Spring 2014 Hunts

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan provided the Commission with a PowerPoint presentation relating to the hunt permit-tag application schedule for the spring 2014 hunting seasons, including some recommended customer service enhancements relating to credit cards. The application schedule identifies proposed acceptance dates and deadline dates for all hunts associated with the draw process. In addition, the proposed dates for when hunt permit-tags and refund warrants will be mailed are also identified, along with information relating to the first-come/first-serve process for any permits that may still be available. The presentation included the following:

Proposed Changes:

- The Department will provide an additional service of contacting successfully drawn applicants whose credit card is declined and seek alternate payment
 - The Department will contact the applicant or credit card holder via phone (or email if provided)
 - The Department will try to contact the applicant or credit card holder via phone (or email if provided) three times within 24 hours
 - The applicant or credit card holder will have five Days to get the funds to the Department or provide additional credit card information over the phone
 - Tags that are not paid for will be re-issued
- Results will be posted after the process is complete
- In the future, deadline day may need to be moved up for the fall draw to ensure timely results posting
- This will reduce instances of rejected applications when fault cannot always be determined
- The correction period for paper applications will be eliminated.

Spring Draw Fees:

- The Department cannot implement any new fee structure approved by the Commission until January 1, 2014

Commissioner Mansell suggested that the Department try to contact the applicant or credit card holder three times within 2 business days instead of within 24 hours, because a person cannot always be reached within a 24-hour period.

The Commission was in consensus.

Ms. Morgan noted that the Spring Draw deadline is October 8, and the Department recommends setting October 20 as the deadline for credit card processing. Traditionally, the credit card processing deadline was closer to the time of the draw. With the Spring Draw being the smallest of the three draws, this would be a good time to start and ensure that the Department has sufficient time and understands the process well enough to implement successfully.

Commissioner Davis commented that this is an excellent step forward and stated that at some point the Commission needs to be looking at moving to only online applications for the entire draw process, and moving away from the paper system.

Chairman Harris requested that a discussion of the online application and paper system be added to the agenda for the November Commission Workshop.

Motion: Harris moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE THE SPRING 2014 HUNT PERMIT-TAG APPLICATION SCHEDULE AS PRESENTED (ATTACHED), WITH THE EXCEPTION OF CHANGING THE 24-HOUR CONTACT PERIOD TO A 2 BUSINESS DAY CONTACT PERIOD FOR APPLICANTS OR CREDIT CARD HOLDERS WHOS CREDIT CARD IS DECLINED.

Vote: Unanimous
4 to 0

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6. Consideration of Proposed Commission Order 21 and 22 for the 2013–2014 Hunting Season.

Presenter: Johnathan C. O'Dell, Small Game Biologist

Mr. O'Dell presented the Commission with Commission Order 21 (waterfowl) and Commission Order 22 (snipe), establishing seasons and season dates, bag and possession limits, and open areas for 2013–2014. A detailed description of proposals is available for public review at Department offices. Mr. O'Dell provided a PowerPoint presentation that included charts, graphs, historical data, and the following information:

Commission Order 21 – Waterfowl

During the 2012–2013 waterfowl season, 5,457 Arizona duck stamps were sold, which is a decrease of 6.6% from the 5,845 duck stamps sold the previous season.

Ducks

Robust waterfowl populations are forecast this year due to good carryover from last year, favorable water conditions on the prairies, and favorable conditions in most of the Intermountain West. Production of mallards in the coastal regions of the Pacific Flyway remains strong. Because of this, the prescription for the Pacific Flyway is a Liberal season for the flyway and Arizona.

Season frameworks for the Pacific Flyway are:

1. Liberal, 107 day season, 7 bird bag limit;
2. Moderate, 86 day season, 7 bird bag limit;
3. Restrictive, 86 day season, 4 bird bag limit.

Management plans for pintail, scaup, and canvasback prescribe bag limits and seasons for those species separate from the above frameworks. Despite good conditions overall for ducks, the long-term average population size for pintail and canvasback remains below the goals outlined in their management plans. This year's season for pintail, canvasback, and redhead has a 2 bird daily bag for each species and a 107 day season. Scaup has a 3 bird daily bag and a reduced season length of 86 days.

Geese

In 2002, the Pacific Flyway Council requested that the Service include geese in the duck framework extension as well. This was approved, allowing duck and goose seasons to run the same number of days. Goose seasons within Units 1, 22, 23, and 27 are recommended to open with goose seasons in the rest of the state. The Canada Goose Management Plan is currently under revision and the previous stipulations restricting the harvest of geese in their breeding areas have been lifted.

All white goose populations within the Pacific Flyway have been exceeding population goals for several years. The recommended Federal Frameworks now allow for greater harvest to take place to aid in reducing overabundance. In coordination with California, Arizona can increase its daily bag of white geese to 10 per day.

Coots and Common Moorhens

Commission Order 21 includes bag and possession limits and season structure for coots and common moorhens within the general duck season frameworks. The Department will continue to recommend the full Federal framework and bag limit on coots and moorhens which is 25 per day, either singly or in the aggregate. Possession for coots and moorhens is 75, either singly or in the aggregate. Although an Arizona State Waterfowl Stamp is not required for harvest of these species, hunters taking coots or moorhens must have in their possession an Arizona Migratory Bird Stamp that registers them for the Harvest Information Program. Harvest of these species is typically incidental to waterfowl hunting.

Possession Limit Changes

In March 2013, the Pacific Flyway recommended changing the possession limit of waterfowl from the current twice daily bag number to three times the daily bag limit. This is viewed as a positive change to increase hunter opportunity by allowing more days to be spent afield.

Justification

The Department recommends continuation of the Liberal package. The use of mountain and desert zones is intended to offer mountain hunters the opportunity to hunt ducks and geese when the birds are in those areas. Birds arrive earlier in the mountain areas of the state and leave as the waters freeze. In desert areas, many birds arrive later than in the northern areas and stay throughout the winter. Both zones receive the maximum allowance hunt days under both the Liberal and Moderate packages.

Under the Liberal package, there are 107 total hunt days allowed. In the Liberal recommendation above, 101 days are devoted to general waterfowl, 4 days to a Falconry-Only season, and 1 weekend to a Juniors-Only season in each zone. Federal frameworks require that the youth hunt

be on weekend days within 14 days of the General season, but may be outside the General season frameworks. The bag limit recommendations for the Juniors-Only hunts will be the same as during the General season.

Arizona and California are required to coordinate seasons along the lower Colorado River area. California is required to match their season along the Colorado River with the Arizona season dates.

The Department recommends a Liberal package for Arizona, with restricted bags for pintail, canvasback, redhead, and hen mallard ducks. The Department also recommends the Moderate season package for scaup with the restricted daily bag limit. The waterfowl season has different season opening and closing dates for the mountain and desert zones. Federal frameworks do not allow the general waterfowl season to extend beyond January 26. However, junior hunts may occur into February.

Liberal Package

	<u>Mountain Zone</u>	<u>Desert Zone</u>
Juniors-Only	Sep 28– Sep 29, 2013	Feb 1 – Feb 2, 2014
Falconry-Only	Sep 30 – Oct. 3, 2013	Jan 27 – Jan 30, 2014
General Duck	Oct. 4, 2013 – Jan. 12, 2014	Oct. 18, 2013 – Jan. 26, 2014
Scaup	Oct. 19, 2013 – Jan. 12, 2014	Nov. 2, 2013 – Jan. 26, 2014
General Goose	Oct. 4, 2013 – Jan. 12, 2014	Oct. 18, 2013 – Jan. 26, 2014

The Mountain and Desert Zones in Arizona are defined by unit within the Federal Register as follows: Desert (South) Zone: Those portions of Units 6 and 8 in Yavapai County, and Units 10 and 12B–45. Mountain (North) Zone: Units 1–5, those portions of Units 6 and 8 within Coconino County, and Units 7, 9, and 12A. Essentially, the North Zone is in the mountainous, high elevation areas of Arizona; the South Zone is in the lowland, desert areas.

The Department is recommending adoption of the federal bag limit of seven ducks (including mergansers) per day, with no more than 3 scaup, 2 female mallards, 2 redheads, 2 pintails, and 2 canvasback taken in any single day. Recommended possession limits for ducks are 21 after opening day, with no more than 6 redheads, 6 pintails, and 6 canvasbacks. Recommended goose bag limits are no more than 10 white geese (snow, including blue and Ross' geese) and 3 dark geese (Canada and white-fronted). Recommended goose possession limits are no more than 30 white geese and 9 dark geese. The Department recommends that the Commission adopt the species bag limits as prescribed by the Service for the 2013–2014 waterfowl season

Commission Order 22 – Common Snipe

The Department recommends that the Commission approve a general snipe season with the 101 days and limits of 8 snipe per day and 24 in possession as allowed by the Service for Pacific Flyway states. Seasons for snipe are recommended to run concurrent with the general waterfowl seasons in each of the state's zones.

Public Comment

Bruce Ivor, representing himself, teleconferenced from the Department Headquarters, addressed the Commission in opposition to the change in the goose season dates at Roosevelt Lake. There has always been a restricted season at Roosevelt Lake with the season starting on November 15 because of the two no entry, no hunt areas at Roosevelt Lake. The later season opening for goose hunting was an attempt to let migrating geese be unmolested or hunted until those closure areas were up and running. This change has been proposed out of the blue by the Department with no research and no public input, and will be a detriment to the geese population at the Lake.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 21 – WATERFOWL AND COMMISSION ORDER 22 – SNIPE AS PRESENTED.

Vote: Unanimous
4 to 0

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Meeting recessed for a break at 12:23 p.m.

Meeting reconvened at 12:34 p.m.

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4. (continued) Consideration of Proposed Commission Orders 5, 6, 8, and 9, for Spring 2014 Hunting Seasons

Presenter: Amber A. Munig, Big Game Management Supervisor

Ms. Munig provided the Commission with an updated recommendation for the spring bear hunts in Unit 33. The Department recommends that the Commission approve the following three spring bear seasons in Unit 33: 1) a general season, dates of March 21 through May 1, any bear except sows with cubs, five hunt permit-tags, female harvest limit of one; 2) an archery only season, dates of May 2 through July 31, any bear except sows with cubs, 10 hunt permit-tags, female harvest limit of two; and 3) an archery only nonpermit-tag (over-the-counter) season, dates of March 21 through May 1, any bear except sows with cubs, female harvest limit of one.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE SPRING BEAR HUNTS IN UNIT 33 AS PRESENTED.

Vote: Unanimous
4 to 0

* * * * *

7. Petition by Larry Wartenbe for the elk tag he was drawn for and then rejected due to the failure of the credit card to process.

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on a petition by Mr. Larry Wartenbe. Mr. Wartenbe used a Cabelas Visa card issued by World's Foremost Bank to apply electronically for the 2013 elk

draw. This card processed successfully for the application fee for both elk and antelope as well as a non-resident hunting license. The card failed when the Department attempted to charge it for the elk permit fee when Mr. Wartenbe was drawn. Mr. Wartenbe has provided two letters from the bank indicating his account was in good standing on the dates in question and no record exists at the bank of Arizona Game and Fish attempting his card for the permit fee.

Mr. Wartenbe applied for the 2013 elk draw on January 17, 2013. His application and payment were accepted without any issues. When the draw occurred, Mr. Wartenbe's application was drawn for hunt number 3021, unit 10 Bull elk, season date 11/29-12/5/2013. When payment was attempted with the card on file, both attempts by the department internet vendor failed. The Department has received documentation from the World's Most Foremost Bank indicating that his account was in good standing, sufficient limit existed on the card and the bank cannot find any record of charges being made by the Department on March 19 or March 20, the two days the Department attempted to charge his card for the tag fees.

Based on the evidence, the Department has concluded that an error occurred either at the Bank or through the Department's payment processor. Insufficient information exists to determine exactly where or how this error occurred.

Commissioner Mansell stated that he is extremely reluctant to issue a tag unless the Department is at fault, but he is open to discussion of reinstating bonus points.

Chairman Harris agreed.

Commissioner Davis clarified with Ms. Morgan that reinstating bonus points is saying that the Department is at fault. The Department must be at fault in order to issue a tag or reinstate bonus points.

Commissioner Madden stated that he does not believe the Department is at fault and therefore the Commission should not issue a tag or reinstate bonus points.

Motion: Madden moved THAT THE COMMISSION VOTE TO DENY MR. LARRY WARTENBE'S PETITION.

Motion died for lack of second.

Motion: Mansell moved and Harris seconded THAT THE COMMISSION VOTE TO DENY MR. LARRY WARTENBE'S PETITION FOR A TAG, BUT INSTEAD TO REINSTATE MR. WARTENBE'S BONUS POINTS.

Chairman Harris stated he seconded the motion because there is insufficient evidence to say whether the Department is at fault or not.

Commissioner Mansell commented that he doesn't believe Mr. Wartenbe or the Department is at fault and that this motion is a compromise and a goodwill gesture on the part of the Commission.

Vote: Aye - Harris, Mansell, Davis
Nay - Madden

Passed 3 to 1

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8. Petition by Tavish Snow for the reinstatement of bonus points.

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on a petition by Mr. Tavish Snow for reinstatement of his bonus points. Mr. Snow applied online for a 2013 elk permit. Upon being drawn he realized that he had mistakenly applied and been drawn for an antlerless hunt. Mr. Snow meant to apply for a bull elk tag. Mr. Snow is asking to have his 5 bonus points reinstated. Mr. Snow indicated in his petition that he had difficulty applying on deadline day and as a result of his repeated attempts to get his application in, he transposed the numbers. Additionally, Mr. Snow indicated that he had 8 bonus points, however Department records indicated that he had 5 bonus points and 1 loyalty point for a total of 6 points. There is currently no provision in rule to allow the Department to provide any relief under these circumstances.

Commissioner Davis commented that he also applied online on the last day and there is about three different times during the process where you have sufficient opportunity to review and correct any errors before hitting the submit button.

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO DENY THE PETITION.

Vote: Unanimous
4 to 0

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9. Notice of Final Exempt Rulemaking - Final License and Fee Structure.

Presenter: Ty Gray, Deputy Director

Mr. Gray presented the Commission with the Final Notice of Exempt Rulemaking amending multiple rules within A.A.C. Title 12, Chapter 4 as necessary to implement the new license and fee structure. The Commission was presented with a conceptual license and fee structure in May, and approved a draft license and fee structure (draft Exempt Rulemaking) at the June 15, 2013 Commission Meeting. The Department provided a public comment period for this proposal and input received was provided as part of this presentation.

The Final exempt rulemaking package (final license and fee structure) was provided to the Commission for review and consideration and was available to the public (summary attached). If approved by the Commission and in accordance with the exemption authorized under item #4 of Executive Order 2012-03 State Regulatory Review, Moratorium and Streamlining to Promote Job Creation and Retention, the Department will file the Final exempt rulemaking package with the Secretary of State's office for publication in the *Arizona Administrative Register*. The rules will become effective January 1, 2014.

Mr. Gray's PowerPoint presentation included the following license structure and fees:

Commission Approved Draft License Structure and Fees:

License/stamp	Privileges	Fee
Fishing – R	Trout, 2-pole, community fish, CA/NV*, valid 365 days	\$37
Fishing – NR	Trout, 2-pole, community fish, CA/NV*, valid 365 days	\$55
Hunting – R	Hunt small/big game, valid 365	\$37
Combination – R	Hunt small/big game Trout, 2-pole, community fish, CA/NV*, valid 365 days	\$57
Combination – NR	Hunt small/big game Trout, 2-pole, community fish, CA/NV*, valid 365 days	\$160
Youth Combo - R/NR	Hunt small/big game, migratory, Trout, 2-pole, community fish, CA/NV*, valid 365 days	\$5
Short-Term Combo – R	Hunt small game, Trout, 2-pole, community fish, CA/NV*	\$15/Day
Short-Term Combo – NR	Hunt small game, Trout, 2-pole, community fish, CA/NV*	\$20/Day
Community Fishing – R/NR	2-pole valid 365 days	\$24
AZ Migratory Bird Stamp**	Validates hunt/combo for taking ducks/migratory birds	\$5

*Dependent upon agreements w/ CA and NV / **Federal Duck Stamp required for 16 and older

Lifetime Licenses – Commission Approved Draft:

- Maintain Lifetime Licenses
- Grandfather previous license holders with new privileges based on new license structure
- Benefactor License - \$1500
- Proposed Formula:
 - 0-13 17x License Amt*
 - 14-29 18x License Amt*
 - 30-44 16x License Amt
 - 45-61 15x License Amt
 - 62+ 8x License Amt

* - Equivalent Adult License Price

Note: Actuarial table study under review as part of Federal Aid License Certification

Special Licenses – Commission Approved Draft (No significant Changes):

- Pioneer
- Honorary Boy/Girl Scout
- Disabled Veteran

- Apprentice Hunting
- Guide
- Youth Group – 2 day (Add Government entities; 25 individuals)
- Falconry
- Trapping
- Various other non hunt/fish: Fish Stocking, White Amur, etc.

Commission Approved Draft Tag Fees:

Tag Type	Draft Fee	R/NR Ratio
Antelope – R	\$90	
Antelope – NR	\$550	6.1x Res
Bighorn – R	\$300	
Bighorn – NR	\$1,800	6x Res
Turkey – R	\$25	
Turkey – NR	\$90	3.6x Res
Turkey – Youth	\$10	Same
Bear – R	\$25	
Bear – NR	\$150	6x Res
Mt Lion – R	\$15	
Mt Lion – NR	\$75	5x Res
Javelina – R	\$25	
Javelina – NR	\$100	4x Res
Javelina – Youth	\$15	Same
Pheasant*	\$0	Same
Sandhill Crane	\$10 per tag	Same

*Only an application fee

Commission Approved Draft Tag Fees – Buffalo:

Tag Type	Draft Fee	R/NR Ratio
Buffalo Bull – R	\$1,100	
Buffalo Bull – NR	\$5,400	4.9x Res
Buffalo Cow – R	\$650	
Buffalo Cow – NR	\$3,250	5x Res
Buffalo Yearling – R	\$320	
Buffalo Yearling – NR	\$1,750	5x Res
Buffalo Any – R	\$1,100	
Buffalo Any – NR	\$5,400	4.9x Res

Deer Tags – Commission Approved Draft:

- No Premium Structure
- Eliminate Unit 12A Kaibab Stamp requirement

Residency	Draft Fee: Antlered
Resident	\$45
Non- Resident	\$300 (6.7x)
Youth	\$25 (includes antlerless)

Elk Tags – Commission Approved Draft:

- No premium structure
- No antlerless vs. bull

Residency	Draft Fee: Bull/Cow
Resident	\$135
Non- Resident	\$650 (4.8x)
Youth	\$50 (includes antlerless)

Application Fee – Commission Proposed Fee

- R App Fee = \$13
 - \$3 dedicated to: Habitat improvements, public access
- NR App Fee = \$15
 - \$5 dedicated to: Habitat improvements, public access

Commissioner Davis commented on the Special License Youth Group and suggested changing to add any school, including public, private, charter schools, non-profit and for profit.

Commissioner Mansell suggested looking at some kind of pricing for alternative managed units, since tags are reduced in those units. This would help make up the revenue for the reduced tags.

Chairman Harris stated that he would like to see this rulemaking package go through as it is and then discuss Commissioner Mansell's suggestion at a future Commission meeting.

The Commission was in consensus.

Chairman Harris stated that he would also like to see recruitment and retention added to the habitat improvement and public access dedicated fees under the application fee. The numbers can be discussed and defined at a future Commission meeting.

The Commission was in consensus, although Commissioner Davis cautioned against losing impact by dividing the dedication into three sections. The dedicated amounts and details will be discussed at a future Commission meeting.

Public Comment

Bruce Johnson, representing himself, questioned the value of the fees that he will be paying in the future. All tags have gone up a great deal in the past 50 years, for example, turkey tags. He may change from hunting turkeys to photographing turkeys. He will have to consider the value for his money.

Commissioner Davis noted that tag fees have not gone up in the past seven years, and further discussed with Mr. Johnson what and how the Department uses the revenues from tags fees.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE FINAL NOTICE OF EXEMPT RULEMAKING AMENDING RULES AS AUTHORIZED UNDER LAWS 2013, FIRST REGULAR SESSION, CHAPTER 197, SECTION 25.

Vote: Unanimous
4 to 0

Commissioner Davis asked about license dealer automation.

Information Systems Branch Chief Doug Cummings addressed the Commission stating that the license dealer automation would be the next big project following the license structure and fees.

Commissioner Davis stated that he would rather see the web-based customer portal as discussed at the workshop rather than license dealer automation.

Chairman Harris stated that he would like to see the Department move to a full online system.

Director Voyles proposed that the Department come back with a proposal for the Commission for moving forward toward licensing automation.

Chairman Harris requested that this item be an agenda item in the near future.

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10. Colorado River and Lake Powell License Reciprocity Agreements

Presenter: Ty Gray, Deputy Director

Mr. Gray briefed the Commission on the status and recommendation for the license reciprocity MOU/IGA agreement discussions with the States of California, Nevada and Utah. The Commission was presented with a conceptual license and fee structure in May, which was released to the public for comment and input. The Commission voted to approve the conceptual license structure which included certain Colorado River (California/Nevada) and Lake Powell (Utah) fishing privileges. As part of these ongoing negotiations the Department recommends that the Director be granted authority to execute agreements on behalf of the Commission consistent with the Commission approved license structure.

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO GRANT AUTHORITY TO THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE AGREEMENTS WITH CA, NV &/OR UT CONSISTENT WITH COMMISSION GUIDANCE ON LICENSE RECIPROcity

Vote: Unanimous

4 to 0

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11. Executive Session

The Commission went into Executive Session on Friday and there was no need to go back into Executive Session.

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12. Litigation Report

There were no comments or questions on the Litigation Report (attached).

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13. Approval of Minutes and Signing of Minutes.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM JUNE 14-15, 2013.

Vote: Unanimous

The Commission signed the minutes following approval.

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14. Director's and Chairman's Reports

The Commission was in consensus to suspend the Director and Chairman's reports.

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15. Commissioners' Reports

The Commission was in consensus to suspend the Commissioner's reports.

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16. Future Agenda Items and Action Items

Assistant Directors Ty Gray captured the following action/future agenda items:

- Regarding the Page Springs land exchange, the Department will determine what the other party would absorb in regards to assuming due diligence costs
- Regarding the MOU with the USFWS, the Department will get a legal review and bring that back to the Commission at the September Commission meeting (strengthen language, states authority to manage wildlife, a more descriptive item on the

Department's role in drafting the EIS, clarify the communication process to include more than just press releases)

- Regarding the Article 4 rules, the Department will evaluate hedgehogs for removal from the list of restricted live wildlife
- A discussion of online only draws and sales will be added to the November Commission Workshop
- The Department will develop a plan and recommendations for implementing licensing automation and will bring that back at the September Commission meeting.

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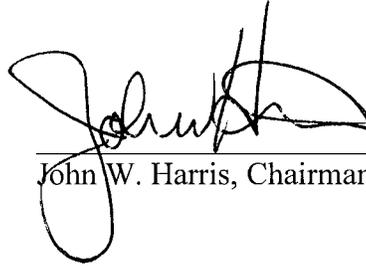
Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

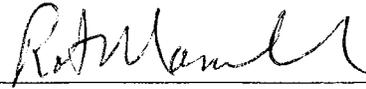
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Meeting adjourned at 1:46 p.m.

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John W. Harris, Chairman



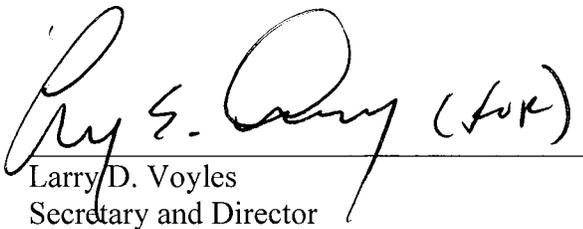
Robert E. Mansell, Vice Chair

Kurt R. Davis, Member



Edward "Pat" Madden, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
August 2-3, 2013**

The Assistant Attorneys General for the Arizona Game and Fish Commission and the Arizona Game and Fish Department are representing these agencies in the following matters in litigation. This report does not include claims and lawsuits for damages against these agencies in which the agencies are represented by Assistant Attorneys General in the Liability Defense Section of the Attorney General's Office.

1. *Center for Biological Diversity et al. v. United States Forest Service*, CV-12-8176-PCT-SMM. Plaintiffs filed an action in the U.S. District Court for Arizona on September 4, 2012. The lawsuit alleges the U.S. Forest Service ("USFS") is violating the Resource Conservation Recovery Act ("RCRA") by allowing the disposal of lead ammunition on the Kaibab National Forest, and the disposal results in significant harm to the California condors and other avian wildlife. Plaintiffs are seeking declaratory and injunctive relief requiring the USFS to abate the harm.

On November 4, 2012, the State of Arizona, on behalf of the Arizona Game and Fish Commission, filed a limited motion to intervene for the sole purpose of filing a motion to dismiss on the grounds that the State of Arizona is a required party but joining the State is not feasible due to sovereign immunity. Because the State is a required party that cannot be joined, the case must be dismissed. Plaintiffs filed a response to the State's motion on November 20, 2012. Plaintiffs did not object to the State's intervention but argued that the State does not meet the requirements of a required party.

The National Rifle Association (NRA) and Safari Club International (SCI) filed motions to intervene on November 21, 2012. The State filed a reply on December 4, 2012, to the Plaintiffs' response to the State's motion to intervene. The USFS filed a motion to dismiss on December 14, 2012, on the basis the Court lacks jurisdiction. Plaintiffs filed a response to NRA's motion to intervene on January 4, 2013. On January 22, 2013, the National Shooting Sports Foundation (NSSF) filed a separate motion to intervene.

On February 5, 2013, the plaintiffs filed a response to the USFS' motion to dismiss. On February 22, 2013, the District Court issued an order granting the USFS until March 25, 2013 to file a reply in support of its motion to dismiss. On March 25, 2013, the Forest Service filed a reply in support of its motion to dismiss. The parties are awaiting an oral argument hearing on the motion to dismiss.

On July 2, 2013, the court granted the Forest Service's motion to dismiss. The court agreed with the Forest Service that CBD did not have standing to bring the RCRA challenge against the Forest Service. The court found that CBD could not satisfy the requirements for standing because redressability was speculative on two grounds. First, in order for the Forest Service to regulate the use of lead ammunition, it would need to undertake a rulemaking process, comply with NEPA and consult with the Arizona Game and Fish Commission. Due to uncertainty with this process, the court found the outcome of the process speculative. Second, the court found that condors range in an area well beyond the Kaibab National Forest and into areas that do not prohibit the use of lead ammunition. Therefore, even if the Forest Service banned lead ammunition, this would not necessarily reduce the level of lead ingestion in condors.

2. *The Wilderness Society et al. v. U.S. Bureau of Land Management et al.* CV-09-8010-PCT-PGR. On May 9, 2008, Records of Decision and Approved Resource Management Plans for the Arizona Strip, Vermillion Cliffs National Monument and portions of the Grand Canyon-Parashant National Monument were released to provide guidance for BLM-administered lands in northern Arizona. *The Wilderness Society et al. v. BLM, et al.* No. CV 09-8010-PCT-PGR (US Dist. Ct. AZ) challenges the road designations in the Plans by alleging violations of the NEPA, FLPMA, NHPA and presidential proclamations for the Vermillion Cliffs and Grand Canyon-Parashant. One of the issues raised by the Wilderness Society is whether BLM's resource management plan failed to protect ruins, wildlife and other monument objects by allowing motor vehicle use on unmaintained routes that don't qualify as "roads". **The District Court granted summary judgment to BLM and dismissed TWS's complaint.**

The Ninth Circuit, in an unpublished memorandum decision issued May 28, 2013, affirmed the dismissal, concluding that BLM's decisions were not arbitrary, capricious or an abuse of discretion. The Court rejected TWS's argument that BLM had to analyze impacts from route designations on a route-by-route basis; the Court noted that NEPA requires analysis of route designations as a whole, and while NEPA requires a consideration of alternatives that minimize impacts, it does not actually require BLM to minimize impacts. The Court also affirmed BLM's reliance on a historic property survey that covered less than five percent of the areas within the Monument, because BLM committed to conducting ongoing inventories after adoption of its land management plans. Citing a National Historic Preservation Act regulation, the Court stated that an agency is permitted to use a phased approach to conduct identification and evaluation efforts when planning for large land areas or corridors.

3. *WildEarth Guardians v. James Lane*, 12-00118 (LFG-KBM). Plaintiff challenges New Mexico's failure to regulate trapping in the Mexican wolf occupied range to avoid take of any wolves. The Commission authorized the filing of an amicus curiae brief in support of New Mexico. The Court granted the Commission's motion for leave to file an amicus brief and on September 19, 2012, the Commission filed its amicus brief. Plaintiff filed a response on October 9, 2012, and the Commission filed a reply on October 30, 2012.

The Court issued an order on December 3, 2012, granting Defendants' motion to dismiss for failure to state a claim. Plaintiff filed a notice of appeal on December 28, 2012. The Tenth Circuit issued a briefing schedule on January 3, 2013, ordering Plaintiff to file an opening brief within forty days.

On February 12, 2013, WildEarth Guardians filed an opening brief. On February 15, 2013, the Tenth Circuit issued an order extending the time to file an answering brief until April 17, 2013. The Commission's amicus brief is due seven days after the date the answering brief is filed. The Appellees filed the answering brief on April 17, 2013 and the State of Arizona filed an amicus curiae brief on April 23, 2013. Guardians filed its reply brief on May 20, 2013.

Lands Update
For the Arizona Game and Fish Commission
July 26, 2013
Phoenix, Arizona

U.S. FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING

General Planning Status – Please see attached worksheet.

Apache-Sitgreaves National Forest

The Department has reviewed and provided comments on the Proposed Plan and Draft Environmental Impact Statement (Plan) on May 15, 2013. The Department was generally supported of the proposed alternative but disagreed on a number of issues including but not limited to: some wilderness designations, attributing lack of aspen regeneration to browsing by elk, and the representation of elk as a non-native species. Neither travel management nor dispersed camping is addressed in the Plan.

Coconino National Forest

The Forest is finalizing its Revised Land and Resource Management Plan (LRMP), release of the Draft plan is expected mid-summer 2013.

The Forest is in the implementation phase of its Travel Management Rule (TMR) and has produced an updated Motor Vehicle Use Maps for distribution to the public.

Coronado National Forest

The Draft Travel Management Plans are being developed for each District and will be released successively for public comment beginning in 2013.

The Draft Land and Resource Management Plan and EIS are currently in internal review and are expected to be available for public input in late fall of 2013.

Kaibab National Forest

The Forest is in the implementation phase of its Travel Management Rule (TMR) and will soon release Motor Vehicle Use Maps to the public.

Prescott National Forest

Department personnel continue to analyze the effects of implementation of the Travel Management rule, and changes in dispersed camping to constituents that recreate upon the public lands of the Prescott National Forest.

Tonto National Forest

The Interdisciplinary team has been meeting and working to provide data and input into that process for the development of the Environmental Impact Statement (EIS). The Department has provided a Specialist Report to the team to provide subject matter expertise in the form of an analysis of the effects of motorized travel management on game and non-game species of wildlife and the effects of visitor satisfaction of motorized use management, focusing on hunters

and anglers. The TNF currently has a solicitation out for the Interdisciplinary team for development of a Land Management Plan. The term for this team is anticipated to be four years.

U.S. FOREST SERVICE – GENERAL UPDATES

Four Forest Restoration Initiative- 4FRI

The Four Forests Restoration Initiative (4FRI) includes 587,923 acres of mechanical thinning and 593,211 acres to be treated with prescribed fire, primarily on the Coconino and Kaibab National Forests. The 4FRI Planning team is currently reviewing and preparing responses to comments provided on the draft Environmental Impact Statement (DEIS). The Department served on the DEIS Interdisciplinary Team and support the preferred alternative in the DEIS. Comments provided by at least one environmental group suggest that they are planning administrative challenges and possibly litigation of the 4FRI project. The Forest Service expects to complete the final EIS in early 2014. The selected Stewardship Contractor (Pioneer Industries) has yet to secure funding for its planned multi-product mill in Winslow. Controversy associated with selection of Pioneer has been highlighted in recent media articles and opinion pieces.

Coconino National Forest

Flagstaff Watershed Protection Project (FWPP)

FWPP is a voter-approved, \$10 million bond to conduct thinning and prescribed fire treatments on U.S. Forest Service lands on the slopes of Mt. Elden, the Dry Lake Hills above Flagstaff and the Mormon Mountain area. The overall goal is to reduce risk of catastrophic wildfire and potential flooding, which would severely impact the city and local economy. The Department supports this effort, has reviewed and made comments on the FWPP project Proposed Action, and serves as a formal member on the FWPP Interdisciplinary Team.

Coronado National Forest

Rosemont Copper Project

The Forest issued more than 1000 pages of Preliminary Draft Environmental Impact Statement to cooperating agencies and the public on July 1. The Forest is accepting written comments from the agencies for 30 days. The Department is reviewing the document to the extent possible and will provide comments to the Forest. The Department has asked the Forest to extend the deadline for comments.

The U.S. Fish and Wildlife Service issued a Draft Biological Opinion on the Rosemont project. Despite some coordination with the Forest and the Service on issues relative to the Biological Opinion, the Department had significant comments on the Draft, especially where it referenced the Department. The Department will continue to work with both agencies to improve the BO to the extent possible. The Department also continues to work with the Forest, Rosemont, USFWS, Army Corps of Engineers, and other stakeholders to discuss mitigation to state and federal trust resource impacts.

Kaibab National Forest

North Kaibab Ranger District (NKRDR) Westside Project

This is a long-term partnership effort to improve mule deer winter range and habitat for other wildlife in Unit 12A-W. In Fall 2012 and Spring 2013, the NKRDR applied strategic herbicide applications to kill invasive cheatgrass and create “brownstrip” fuel breaks in areas of the winter range that are highly vulnerable to wildfire. Field assessment of these treatments will be done in Summer 2013. The Department is also supporting a ‘firescape analysis’ of this area, which will begin in August 2013, to help design future fuels management and habitat protection efforts.

North Kaibab Ranger District (NKRDR) Raspberry Project

In cooperation with Department staff, the NKRDR has initiated planning for an approximately 3,000 acre thinning and prescribed fire project in mixed-conifer forest on the Southeastern portion of the Kaibab Plateau. The primary objective is wildlife habitat improvement, particularly for blue grouse.

Prescott National Forest

Doce Fire

The Doce Fire, which started June 18 northwest of Prescott and has charred 6,767 acres, was 96 percent contained on July 5, 2013. Firefighters continued several rehabilitation and cleanup efforts along the fire line, including clearing rotten logs, searching for burning underground roots and chipping and scattering brush in an attempt to keep interior vegetation pockets from igniting. Most evacuated residents have returned to their homes, but several trails remain closed, including Alto Pit, Dosie Pit, Granite Basin Recreation Area, Almosta Ranch and Williamson Valley Trailhead. Granite Basin Road is open only to residents with valid identification. The specific cause of the fire is still under investigation; it is estimated that the blaze caused \$7.1 million in damages.

Tonto National Forest

Red Creek, Six Bar and Skeleton Ridge Allotments

The forest has scoped the proposal and released the Draft EA (DEA) to improve ecological conditions and to authorize continued livestock grazing on the these allotments in the Cave Creek Ranger District. The Department has reviewed and provided comment on the DEA. The Department provides support for the forests strategies and recommendations for current management under Alternative 2.

BUREAU OF LAND MANAGEMENT (BLM)

Arizona Strip Field Office

Uinkaret Vegetation Management Project

The BLM has initiated planning for a 130,000 acre area in GMU 13A in the Mt. Trumbull/Mt. Logan area. The overall goal is to reduce catastrophic wildfire risk, improve watershed health, and restore ponderosa pine forest and pinyon-juniper woodlands. The Department accepted an invitation for cooperating agency status and will assist BLM in preparing an MOU to facilitate membership on the interdisciplinary planning team.

Hassayampa Field Office

The Department participated in the quarterly NEPA update meeting. This meeting provides communication and coordination on projects at various stages in the NEPA process.

Sun Valley to Morgan

The draft EIS/draft RMP amendment has been prepared to provide analysis for the potential impacts of granting a right-of-way to the Arizona Public Service (APS) for the purpose of constructing and operating a 500/230kV overhead transmission line from the Morgan Substation to the planned Sun Valley Substation. The location for the proposed project includes BLM managed lands, Arizona State Trust lands and private lands in northern Maricopa County. Under the preferred alternative, the BLM would approve a 200-foot wide ROW within the existing designated utility corridor northeast of the Sun Valley Substation. The corridor would be either single use (north of SR74) or multiple use (south of SR74). The Department provided comment on the DEIS/DRMP. The notice of availability for the Final EIS will be out before the end of July.

Black Canyon Trail

The BLM has developed a DEA for the Black Canyon National Recreation Trail (BCNRT). The DEA is for the non-motorized portion of the trail only. The DEA is to identify, analyze, build, designate new single and multi-use, hiking and equestrian routes for hikers, equestrian, mountain bicycles that can link to other trail systems and communities; to reclaim, re-contour or design a new non-motorized single track trail within the wilderness characteristics allocation at the Slate Creek Trail; to analyze the development of parking, staging areas and trailheads suitable for facilitation responsible use, ensuring resource protection, parking and unloading of horse; to analyze for the development of at least 8 trailheads and staging or camping areas near communities with vehicle access points to serve the BCNRT and adjoining public lands; to provide an assortment of non-motorized trail links east and west of I-17; to create a ¼ mile buffer on the BCNRT for public safety and developmental concerns; to analyze the effect of special recreation permits. The Department submitted comments on the DEA. The project status is slowing due to it being combined with a larger effort for planning associated with the entire trail. The Department will be invited as a cooperating agency in the next few months. The revision of the DEA is not anticipated until 2015.

Kingman Field Office

Dean Peak Fire

The Dean Peak wildfire started on June 29th by lightning, and has currently burned 5,400 acres of chaparral, pinyon-juniper and ponderosa pine. Dean Peak is located 10 miles southeast of Kingman in the rugged terrain of the Hualapai Mountains. The BLM enacted a mandatory evacuation for the communities of Pine Lake, DW Ranch Road, and Hualapai Mountain County Park when the fire started, but as of July 11, 2013, the fire was 90% contained with the evacuation order being lifted. The current fire behavior consists of interior smoldering, with no further fire growth being anticipated.

Black Mountains Burro Surveys

The Department submitted a letter to the BLM Washington Office, forwarded to Congressman Paul Gosar, to apprise the Arizona Bureau of Land Management (BLM) of the need to restore programmed funding for a helicopter burro survey to establish a current population estimate for burros in the Black Mountain Ecosystem (Blacks) in Northwestern Arizona, as well as maintenance gathers to restore the burro population in the Blacks to the appropriate management level (AML) – as required of BLM by provisions embodied in the Black Mountain Ecosystem Plan (BMEP) to which the BLM, the Department, and Wild Horse and Burro non-government organizations are signatories.

Earlier this year (*April 2013*), the Department became aware of a proposed action to dismantle the Kingman Field Office's (KFO) wild horse and burro holding and shipping facility in Golden Valley, AZ; and additionally, that funding previously programmed for planned burro surveys and maintenance gathers in the Blacks (*for 2013*) had been swept.

With the sweep of 2013 funding for programmed burro surveys and gathers in the Blacks, it is likely that the swelling burro population will induce increased pressure on, and competition for important forage resources in the Joint Management Area (JMA) established in the Black Mountains Ecosystem Plan. The JMA is key desert bighorn sheep habitat in the Blacks, wherein livestock and/or burros compete with desert bighorn sheep for forage, water, and other habitat resources.

In January 2012, the Department's Habitat Branch produced an estimate of burro populations for all of the Herd Management Areas Statewide. At that time, the Department estimated the burro population in the Blacks to be approximately 730 animals, roughly 252 animals in excess of AML.

Lower Sonoran Field Office

The Department participated in the quarterly NEPA update meeting. This meeting provides communication and coordination on projects at various stages in the NEPA process.

Tucson Field Office

Madrean Archipelago Rapid Ecoregional Assessment (MAREA)

The Department attended the Assessment Management Team Web update for the MAREA on July 16 and 18.

San Pedro Riparian National Conservation Area (SPRNCA) Resource Management Plan (RMP)

The Department will be a cooperating agency for development of a Resource Management Plan and Environmental Impact Statement (EIS) for the SPRNCA. The Department is reviewing the recently received draft memorandum of understanding (MOU). BLM has modified the scoping plan to include public engagement meetings in Sierra Vista, Benson, and Tucson, and Saturday education and scoping forums in Sierra Vista for Water and Riparian, Watershed and Range, Wildlife and T&E, and Cultural and Recreation topics. Meetings are scheduled in June, July, and August.

Ironwood Forest National Monument, RMP Travel Management Implementation

The Department met with BLM staff for initial comments on implementation of the IFNM RMP Travel Management Plan on June 21st. The Department provided input on roads closed to public use that we will continue to need administrative access to for wildlife waters maintenance and patrol efforts. A follow-up meeting is scheduled for July 17. BLM will be presenting the proposed action developed from the input of parties with authorized use (ROW, lease, or permit) and prioritization of projects to be implemented over the next 2 to 3 years.

Yuma Field Office

Grazing

The Department recently informed the Bureau of Land Management of its interest in the renewal of 11 existing livestock grazing permits or leases within Region IV that have expired or will expire during fiscal year 2013.

Fortuna Pond

Fortuna Pond is a Bureau of Reclamation mitigation project for lost fishing opportunities on the Colorado River. The Pond, an abandoned borrow pit adjacent to the Gila River on BLM land, is a popular fishing pond with both Yuma residents and winter visitors. The Department stocks the pond with catfish and trout. There is a growing issue with winter visitors using the site as a long term camping area and blocking shoreline access. Department and BLM staff met to discuss methods to limit camping along the shoreline and guaranteeing access for anglers.

Travel Management Planning

BLM anticipates releasing for public comment the Draft Environmental Assessment for the La Posa Travel Management Area this summer. Department staff has been a full partner in the planning process.

Lake Havasu

Department staff will participate in travel management planning training for the Bouse Travel Management Area in July.

WILDLIFE AREAS

Horseshoe Coordinated Resource Management Plan (CRMP)

The Department continues to coordinate and participate on the CRMP for the Horseshoe and Copper Creek Allotments. Information is provided to the public via an updated web-site and the agencies are utilizing the services of a facilitation group. Progress continues as the group is finalizing shared goals and objectives while working into strategies. The CRMP is currently being drafted in sections. The desire to ensure the federal agencies can utilize the CRMP process as their NEPA for formal decision and implementation has affected the timelines somewhat, but will greatly enhance the ability to conduct management actions under one NEPA umbrella at process completion. The anticipated plan document completion will be in 2013

- **Interagency/Planning Team Activities-** The results from the June stakeholders meeting are being synthesized. The principal goal of the meeting was to continue working on the situation analyses and results chains. The stakeholders reviewed and commented on what has been accomplished so far for uplands and riparian; and then worked on Cultural and Wildlife Situation Analyses and development of a few results chains. The goal of Results Chains are for the identification of threats the stakeholders perceive as most important to address in the process. A follow-up stakeholders meeting will be held in August to finish the results chains and situational analysis.

RENEWABLE ENERGY DEVELOPMENT

WIND

Boquillas Wind Energy Project

The Coconino County Board of Supervisors heard an appeal from the Navajo Tribal Utility Authority (NTAU) and partner EDF Renewable Energy to reverse the decision of County Planning and Zoning which denied installation of a 263-foot lighted meteorological testing tower. The Department submitted written comment for, and presented testimony in support of, Coconino County Planning and Zoning Commission review of a permit request by the developers for 5 new meteorological testing towers. The developers received approval for 4 towers at a P&Z public hearing on March 26, 2013, and the County required that the fifth tower be replaced due to its greater height and FAA-required warning lights. NTUA appealed this decision and the Department provided testimony in response to Supervisors' questions, stating we had no objections to the tower and appreciated the applicant's intention to perform regular carcass searches to monitor for any avian fatalities. The appeal was denied and on May 14, 2013 the Coconino County Board of Supervisors upheld the Planning and Zoning Commission's decision to remove the larger tower.

The Department continues to participate in ongoing review of an Eagle Conservation Plan (ECP) for the Boquillas wind energy project being developed by the NTAU and project partner EDF Renewable Energy. A revised turbine layout and additional survey data has been submitted, and

the Department is currently completing fatality estimates for golden eagles at the project. The FWS Strike Team and Eagle Technical Assessment Team will review these fatality estimates and make recommendations for the project. USFWS will evaluate the final ECP and associated biological data to help determine whether a federal eagle take permit for the project is warranted.

Mohave County Wind Farm

The ROD for the BP Mohave County Wind Project was signed on June 27, 2013 by the BLM Washington office. The next step in the process will be construction and operation of the project.

Invenergy Wind Project GMU 37B Pinal County

The project could potentially cover 7000 acres of State Trust Land. Part of the project, if built, will occupy the Department's grazing lease for the Triangle Bar Ranch associated with the Department's Lower San Pedro property.

The current Special Land Use Permit is for two sites, one 6000 acres and another 10,000 acres on which meteorological towers will be placed for two years to assess wind speeds. Invenergy states that the project will require a minimum of 20 mph long-term yearly average speeds to be feasible. The project will consist of 80 foot tall wind turbines, a substation, and a 115-135MW transmission line interconnect. The turbines will be connected by a network of 16' wide roads within a 20-foot wide right of way. Each turbine will be approximately 10' in diameter with a 16' road around it. Project staff will be onsite and conduct daily inspections of each turbine. The turbines are expected to be constructed in a density of 6 turbines per section or 1 per 100 acres. The minimum power generation required would equal about 50MW or 30 turbines and the maximum expected would be 100MW or 60 turbines.

The project will be funded by equity investors and through power purchase agreements regulated under the Federal Energy Regulatory Commission (FERC).

Redhorse Wind Project

The Department received, and is reviewing, Interim Data Report #1 for the proposed Red Horse Wind Energy Facility in Cochise County AZ. Redhorse is providing avian and bat use data as they are collected during the preliminary data collection period and are currently developing and preparing a Bat and Bird Conservation Strategy, Eagle Conservation Plan and Wildlife Conservation Strategy for the project. The proponent is on a very aggressive schedule, and informs us that they will be soon submitting formal outlines of the three documents, with face-to-face/teleconference meetings to follow to receive feedback from you as we develop the documents.

The Redhorse Wind Project is proposed for an area that includes the Allen Flat pronghorn population in Game Management Unit 32. Torch Renewable Energy, LLC (TRE), is proposing to build a wind-energy facility approximately 15 miles west of the city of Wilcox, in Cochise County. The proposed project is called the Red Horse Wind Energy Facility. The project area encompasses approximately 5,798 acres of land, a small percentage of which would be occupied by permanent and temporary project infrastructure, including meteorological (MET) towers, approximately 21 2.4-megawatt (MW) or 28 1.6- to 1.8-MW wind turbines and foundations, buried electrical collection lines, access roads, laydown areas, a small operations and

maintenance building, a switchyard at the point of interconnection, and an overhead generation tie transmission line. The route of the generation tie transmission line will be southeast of and run parallel to an existing 345-kilovolt (kV) transmission line to the point of interconnection at the existing Winchester Substation. The entire project area is located on private and State lands, whereas the generation tie line would likely cross State lands to reach the point of interconnection.

The Department is concerned about the impacts this project will have on bats, golden eagles, and other raptors in this area. Additionally the project is being proposed in an area where the pronghorn population is already declining. The project site is on the best remaining grassland within the Allen Flat and Steele Hills area and also has the potential to impact mule deer habitat. The Department is also concerned with hunter opportunity and access. The pronghorn habitat on State Land in this area has degraded in the last several decades. Mesquite has overtaken the grasslands in the Allen Flat and Steele Hills which are rapidly becoming a disclimax mesquite scrubland; the site chosen for the Special Use Permit is considered by the Wildlife Manager to be the best open grassland left for pronghorn in the area.

The Department is also concerned with our ability to conduct aerial big game surveys in the area if wind turbines pose a significant flight hazard.

On April 10, 2013, the Cochise County Planning and Zoning Committee approved the project 8-0 with one member abstaining. However, on April 24, 2013, Audubon Arizona appealed this decision. The Cochise County Board of Supervisors will hold a meeting on June 11, 2013 to discuss the appeal. The Department will be sending another letter asking the county to put some conditions on the permit. The conditions reflect recommendations from the Department's wind guidelines.

TRANSMISSION LINES

SunZia Transmission Line Project

The SunZia Transmission Line protest period ended June 24th. The Department continues to work on the project with the State Land Department and Bureau of Land Management to ensure that state wildlife resources are adequately addressed in the Plan of Development and stipulated in the Right of Way Grant. The project has yet to go to the Arizona Corporation Commission's Line Siting Committee which must issue a Certificate of Environmental Compatibility and The Arizona State Land Department must concur on route alignment with the line siting committee for the project to proceed. Both entities may make stipulations and requirements on the project. The Department is interested in providing input to these processes. The timeline before final approval appears to be another year and a half of detailed planning in which wildlife resources may also be considered.

NON-RENEWABLE ENERGY DEVELOPMENT

Shale Oil and Gas Potential in Arizona

The Arizona Geological Survey issued a report identifying “10 rock formations in Arizona that consist dominantly of shale or phyllite (very low grade metamorphic shale) that represent potential areas of interest for shale-oil and shale-gas exploration. Many of these units are weakly metamorphosed, and are perhaps too thermally mature to contain recoverable oil or gas in known exposures. However, lateral equivalents of these units may be less metamorphosed and so contain recoverable hydrocarbons. These equivalents could be present but concealed, especially in structurally complex areas in southeastern Arizona” This seems to indicate that Southeast Arizona could soon become the target of exploration for shale oil and gas accessed through hydraulic fracturing techniques which have caused extreme controversy everywhere they have been used due to the potential for pollution of ground and surface water. Government has been slow to regulate the process in most states. In some states fees and royalties have been legislated to pay for mitigation for impacts to state wildlife resources and habitat.

TRANSPORTATION

Greenway Parkway

Department personnel have recently provided comments on the proposed Greenway Parkway. The study area is approximately nine miles in length and two miles wide, is generally centered on the Greenway Road section line, and stretches from one mile west of the planned future Hassayampa Freeway alignment (approximately 339th Avenue alignment) to one mile east of the planned future Turner Parkway (approximately 279th Avenue alignment).

Sonoran Valley Parkway (SVPP)

The Bureau of Land Management (BLM) invited the Department to become a formal Cooperating Agency for the project’s Environmental Impact Statement (EIS). This parkway will be aligned north/south through Rainbow Valley, between the Sierra Estrella Mountains and the Sonoran Desert National Monument in southwest Maricopa County. The BLM released the DEIS to the Cooperating Agencies for review and comment. The Department provided technical review and recommendations for revisions. BLM included Department wildlife mitigation strategies as an appendix in the DEIS, resulting from interagency meetings with the project proponent, Goodyear, to identify appropriate solutions to mitigate parkway impacts to the Sierra Estrella to Sonoran Desert National Monument linkage. The final EIS is anticipated to come out at the end of July.

South Mountain Freeway

The proposed South Mountain Freeway has been a critical part of the Maricopa Association of Governments’ Regional Freeway Program since it was first included in funding through Proposition 300 approved by Maricopa County voters in 1985. The freeway was also part of the Regional Transportation Plan funding passed by Maricopa County voters in 2004 through Proposition 400. The South Mountain Freeway is the last piece to complete the Loop 202 and Loop 101 freeway system necessary for high-quality regional mobility. The study team, led by the Arizona Department of Transportation and the Federal Highway Administration, has released the Draft Environmental Impact Statement for the Loop 202 South Mountain Freeway Study. The Department has reviewed the DEIS and coordinated with the Gila River Indian Community.

The Department participated on this project as necessary or requested by the project team over the last 8-10 years. Recommendations include consideration on overpasses, underpasses not for multi-functional use, surveys for several species including big game and mitigation for loss of habitat and water sources.

I-11 Phoenix to Las Vegas Project

U.S. Congress in the 2012 Surface Transportation Act designated Interstate 11. The first phase of the project is from Phoenix to Las Vegas. ADOT and Nevada Department of Transportation are partnering to conduct a two year study of potential corridors for the proposed Interstate. The Department participated in a stakeholder's meeting and expressed that the study should include impacts to wildlife, hunting opportunities and stressed the economic importance of hunting and wildlife-dependent recreation for the region. It should be noted that one of the ideas "being kicked around" is using Carefree Highway as part of the corridor. This proposal would impact Department headquarters and Ben Avery Shooting Range. The Department continues to participate on stakeholders team for the project. The next phase of the project is underway for the development of the corridor concept report, future connectivity corridor study for Phoenix to Mexico, development of evaluation criteria for alternative corridors, level 1 screening (high level to limit alternatives application to the entire corridor) and level 2 screening (more detailed and weighted evaluation).

GENERAL UPDATES

Army Corps of Engineers (ACOE)

404 Permitting

The Department provided comments on the proposed English Village Landing in Lake Havasu. The project consists of constructing a 1.75-acre landing basin. Other work includes excavation, removal and construction of a seawall, and the installation of 123 boat slips.

The Department provided comments on a U.S. Army Corps of Engineers Application for Permit for the Lake Havasu Air Park. The permit would approve construction of a motorsports facility that includes a race car museum and raceway facilities among other amenities on the 65.98 acre site. The applicant is proposing to contribute to an in-lieu fee mitigation fund to offset the loss of desert washes found within the project site.

Winslow Levee

The Army Corps of Engineers has announced its Work Plans for FY2013-2014, which includes \$499,000 for the Winslow Levee Feasibility Study. In 2008 nearly three quarters of the residents in the Winslow area, along with all of the City's critical facilities, were put in a FEMA designated floodplain with the decertification of the Winslow Levee. Navajo County, in partnership with the Army Corps of Engineers and the City of Winslow, have been working on a Feasibility Study to develop a plan for mitigating the risk of flooding from the Little Colorado River in Winslow, and to remove the floodplain designation. The Department will continue to monitor this project and provide input as appropriate.

Border Patrol

The Department provided comments on a Draft Environmental Assessment for the Land Mobile Radio Modernization for Tactical Communications at Buck Peak, Granite Mountain, and Christmas Pass. The U.S. Customs and Border Protection is requesting a special use permit for the installation, operation, repair, and maintenance of radio repeater equipment at up to three locations in the Cabeza Prieta National Wildlife Refuge.

Apache Trout Workday

Department personnel conducted a workday with the Old Pueblo Trout Unlimited flyfishing club on May 28. The club volunteered their time to help set, document, and monitor water temperature loggers in many Apache trout streams in Apache and Greenlee counties. The goal of setting temperature loggers was to monitor impacts from the Wallow Fire that burned through most Apache trout recovery streams on the Apache-Sitgreaves National Forests. The temperature loggers will be set for a couple years but monitored 2-3 times a year to download temperature data for each stream. This club will be scheduled to help conduct this monitoring during subsequent workdays like this one.

Fool Hollow Lake Fishing Derby

Department personnel coordinated and conducted a sunfish fishing derby at Fool Hollow Lake Recreation Area, Navajo County, on July 13. The Department worked with the City of Show Low, Arizona State Parks, and Recreation Resource Management to plan and run the event. It was designed to get kids in the area interested in fishing, teach sunfish fishing techniques, and generally show anglers that angling opportunities are still good at a time when warm water temperatures are impacting trout fishing in this high elevation reservoir.

Rainbow Lake White Amur Stocking

Department personnel attended a ribbon cutting media event at Rainbow Lake, Navajo County, on May 2 to celebrate the stocking of white Amur to control nuisance aquatic weeds. The Department has been working with the local community in Pinetop-Lakeside, including The Shores HOA, the Show Low Creek Watershed Group, local resorts, and others to address the weed issues. A total of 1,650 13-14" white Amur were stocked into the lake. The Department plans to continue involvement in this project by conducting weed monitoring surveys, technical guidance on supplemental stocking rates, mechanical removal of illegally stocked northern pike that will prey upon newly stocked Amur, and monitoring of other fish populations in the lake.

Willow Springs Lake Fish Surveys

Department personnel conducted boat electrofishing surveys on Willow Springs Lake, Coconino County, to get population estimates on illegally introduced smallmouth bass. Electrofishing surveys were conducted one night each week from April 25 through May 22, conducting a mark-recapture survey. Information from this survey may lead to and help develop a project to mechanically remove and control smallmouth bass in the future. Smallmouth bass prey upon stocked rainbow trout in this high elevation trout fishery, and also pose a serious threat to downstream native fish resources, such as Threatened Little Colorado spinedace, Candidate roundtail chub, and Conservation Agreement species Little Colorado sucker and bluehead sucker. Increased impacts to these species in this drainage would likely impact future stocking of non-native rainbow trout in Willow Springs Lake, Woods Canyon Lake, Chevelon Canyon Lake, and Long Tom Tank. Control of smallmouth bass in Willow Springs Lake would hopefully

prevent their establishment in Chevelon Canyon Creek downstream of the lake. These surveys also gathered information on largemouth bass, green sunfish, and black crappie, all also illegally introduced into Willow Springs Lake.

Petrified Forest National Park (PFNP)

Department personnel reviewed and provided comment on the Petrified Forest National Park Fire Management Plan Environmental Assessment (EA) dated June 2013. Two alternatives were analyzed for meeting the objectives of the Fire Management Plan. Under Alternative A, the No Action Alternative, fire management activities would be conducted without a formal management plan in place. In lieu of a plan, the PFNP would conform to policy mandates that all wildland fires must be immediately suppressed and that fires cannot be used for resource management. Under Alternative B, implementation of a new fire management plan would include options for manual and mechanical fuel reduction to lower the risk of wildland fires, prescribed fire as a fuels reduction tool, targeted application of herbicides to treat nonnative plant species and reduce fuel loads, and suppression of wildland fires. The Department expressed its support for a more flexible and proactive approach to fire and fuel management on the PFNP that could provide for long-term benefits to wildlife through improved wildlife habitat.

HPC Projects

Region 3 personnel toured the New Water Mesa and the Upper Music Mountains with BLM personnel, land owner lessees and the Mule Deer Foundation Regional Director to evaluate over 13 potential projects for the region. Projects ranged from tank cleanouts to installation of solar pumps for wildlife drinkers.

Yuma County

Yuma County is proposing to amend its General Plan to include Renewable Energy Districts. The goal of the Districts is to encourage renewable energy developers to locate their projects in the identified districts by reducing the time and costs of complying with County ordinances pertaining to new development. Department staff participated in a public meeting on the Districts in Wellton. The Department continues to work with the County to ensure that renewable energy development has minimal impact on wildlife and wildlife-dependent recreation.

Ray Mine Tailings Facility in GMU 37B

The Department received notice from the Army Corps of Engineers regarding the potential to be a Cooperating Agency on the Ray Mine Tailings Facility proposed for 12 sections of land currently owned by the Arizona State Land Department. The Department has had no coordination with the Land Department on this issue, however, in discussions with the county, has learned that the State Land will be auctioned and is expected to be sold to ASARCO for the purpose of the tailings facility. This facility will occupy a major tributary to the Gila River in a scenic and wildlife rich area of upper Sonoran Desert Scrub habitat formerly evaluated as having high potential for cactus ferruginous pygmy owl due to its' diverse habitat elements containing dense ironwood and saguaro. The facility would impact a significant area of the A-Diamond Ranch, which has been a strong cooperator with the Department in the Habitat Partnership Committee. The Department is concerned that impacts to wildlife resources may not have been adequately evaluated in selecting the location of the facility since there has been no previous coordination with the Department.

Natural Resource Conservation Service (NRCS)

The Department has hired the Region IV/VI and Region V Landowner Relations Specialists.

Central Arizona Grasslands

The sponsors of the strategy are meeting in late August with the Implementation team meeting to follow. The project received funding for this year and the Implementation team will be prioritizing projects and scheduling for on the ground work in the next few months.

Pinal Partnership Open Space and Trails Committee

The Department remains in the discussions for implementation of the master plan and participates on the subcommittee for drainage protection. We met with the County for further discussion on incorporation of the Pinal County Wildlife Linkages Assessment Stakeholders Report into the Pinal County Comprehensive Plan. The County would not commit to incorporation at this time; however, would like to continue to work with the Department for refinement and potential for a future amendment. The Department will be meeting with the County Planning and Zoning in the near future for continued discussion. The County recently budgeted for a County Parks and Trails Department and named a Director. The Department continues to work on the drainage protection subcommittee and plans to meet with the County Flood Control District, along with the other 8 districts for discussion on important drainage identification and efforts to produce a mutually beneficial map product.

Forest	Status	Next Step	Projected Next Step Completion
Apache Sitgreaves	The Proposed LRMP and Draft EIS public review period ended 5/16/2013.	Review Public comments and produce final LRMP and EIS.	Final EIS (LRMP) End of 2013 TMP start after LRMP complete, draft out early 2014. (separate
Issues:	MBGR in preferred Alt B of previous TMP draft allows 1mile from road for elk, mule deer & bear. 658 miles of corridors for dispersed camping 300 ft off established roads.		
Coconino	TMP signed Sept 2011, MBGR appeal denied; Draft EIS(LRMP) ready. Motor Vehicle Use Maps (MVUM's) available	Final LRMP in prep	Decision anticipated 6/10/2015
Issues:	Dispersed camping 300 ft from designated roads, else 30 ft. MBGR for elk only, 1 mile from roads except GMUs 5A & 5B.		
Coronado	Internal review of LRMP ongoing	Public Comment	Completion 5/20/2014
	TMP in Process in all Districts.	TMP Working Draft	Final TMP end of 2013, early 2014 Decisions by district
Issues:	Motor Vehicle Use maps show access through roads that have locked gates. Maps not enforceable.		

7/16/13

Forest	Status	Next Step	Projected Next Step Completion
Kaibab	AGFD appeal on North Kaibab TMP declined.	Consultation with FWS.	LRMP Decision August 2013
	Tusayan & Williams TMP in implementation. MVUM's available. North Kaibab TMP completed 9/17/12	Monitoring for Tusayan & Williams, Implementation for North Kaibab.	Ongoing Monitoring for Tusayan and Williams. <i>(Based on history, North Kaibab implementation complete mid 2013)</i>
Issues:	Tusayan & Williams TMP: MBGR 1 mile from road for elk in designated areas. Dispersed camping in camping corridors, or 30 feet from road. North Kaibab MBGR 1 mile off designated roads for elk and bison, dispersed camping 300 feet off 99 miles of designated roads and 100 feet off 104 miles of		
Prescott	Draft EIS LRMP in Federal Register 8/24/2012. Public input ended Nov 28, 2012.	Review and Development of final EIS (LRMP). AGFD personnel invited to participate in Strategic planning . Wilderness under consideration reduced from 44,000 acres to 23,000	Final EIS (LRMP) anticipated fall 2013. Will not do new TMP. Rely on 2009 updated/amended TMP
Issues:	Current draft advocates MBGR: Elk within 1 mile of designated open road. May be changed by amendment. Dispersed camping 300' from centerline of designated roads		

7/16/13

Forest	Status	Next Step	Projected Next Step Completion
Tonto	LRMP began 2006. Negotiating to reinstate due to rule change. TMP elevated to EIS from EA. Notice of intent to prepare TMP EIS has been released for review and comment. Department comments submitted 3/4/2013. request to be Cooperating Agency has been accepted. IDT teams have met and individual Ranger District meeting have been held.	LRMP public scoping in 2014. TMP draft anticipated late 2013	3-4 years to completion of LRMP.
<i>Issues:</i>	Department response to NOI: request to be cooperating agency and member of IDT. Consistency across forests, enforceability, MBGR, road closures, and Dispersed Camping all addressed in response to NOI.		

Hunt Permit-tag Application Schedule – Spring 2014

Hunt permit-tag applications will be accepted and processed in accordance with R12-4-104 and R12-4-114 and this schedule.

Drawing				
	ACCEPTANCE DATES¹	DEADLINE DATES²		
HUNT	Applications accepted on or after:	Deadline 7 p.m. (MST) in Department offices on:	Refund warrants mailed out by:	Hunt permit-tags mailed out by:
Spring Turkey	(See note 1)	Oct. 8, 2013	Nov. 25, 2013	Nov. 29, 2013
Spring Javelina	(See note 1)	Oct. 8, 2013	Nov. 25, 2013	Nov. 29, 2013
Spring Buffalo	(See note 1)	Oct. 8, 2013	Nov. 25, 2013	Nov. 29, 2013
Spring Bear	(See note 1)	Oct. 8, 2013	Nov. 25, 2013	Nov. 29, 2013

First Come³		
	Applications accepted by mail on or after 8:00 a.m. (MST):	Permits available for purchase at all Department offices after 8:00 a.m. (MST):
HUNT	ACCEPTANCE DATES	ACCEPTANCE DATES
Spring Turkey	Nov. 25, 2013	Dec. 2, 2013
Spring Javelina	Nov. 25, 2013	Dec. 2, 2013
Spring Buffalo	Nov. 25, 2013	Dec. 2, 2013
Spring Bear	Nov. 25, 2013	Dec. 2, 2013

Online Applicants⁴
Deadline for updating your credit or debit card information online by 11:59 p.m. (MST)
Oct. 20, 2013

Notes:

1. The Department will accept Hunt Permit-tag Applications for big game listed above as soon as the applicable year's hunt information is available on the Department's Web site (www.azgfd.gov), or from any Game and Fish Department office or license dealer, unless otherwise noted in the Hunt Permit-tag Application schedule.
2. Department offices at Flagstaff, Kingman, Mesa, Phoenix, Pinetop, Tucson and Yuma will close for business at 5:00 p.m. (MST); completed applications will be accepted at these locations until 7:00 p.m. (MST) on deadline days. No applications will be accepted after this time regardless of the postmark. If applicable, deadline dates and times will apply to online as well as paper applications. Deadline dates may be extended in the event of a Department-related system failure.
3. First come permits are issued if available and will sell very quickly.

- Applicants are advised to check with the Department before submitting an application for leftover permits. A listing of leftover permits is available online at www.azgfd.gov or at any Department office. To submit first come applications by U.S. mail only, please send to: 5000 W. Carefree Highway, Phoenix, AZ 85086, ATTN: DRAW/FIRST COME. No person, including Juniors, may submit more than one valid application per genus for the First Come process, with the exception of javelina (see the javelina bag limit description).
4. Online applicants are encouraged to keep their payment information current. If your payment is rejected at the time of the draw, your application may be rejected. The Department will attempt to contact the payee and/or applicant A three times in a 24-hour period to accept an alternate payment method if a phone number and/or email is provided.

S-9 Summary Attachment

During the First Regular Session of the 51st Arizona State Legislature, the Legislature amended A.R.S. Titles 5 and 17 to allow the Arizona Game and Fish Commission to establish license classifications and fees.

The Commission proposes to amend rules within Title 12 A.A.C. Ch. 4, Articles 1, 2, 3, 4, and 5 to implement recent legislative amendments resulting from Laws 2013, 1st Regular Session, Ch. 197, Section 25 (Senate Bill 1223).

The initial concept for these changes began when customers asked for a simpler license structure. In 2011, the Commission approved two “Goals and Objectives” for the Arizona Game and Fish Department Director related to license and fee simplification. One was to secure additional revenue in existing funds using an analytical and business model approach to address increasing operational expenses at a time of declining agency revenues. The other was to develop a simpler license structure, find a way to provide more value to traditional customers, and establish a consistent definition of youth.

In August 2012, the Commission combined these two items into one goal and objective with the following description: The Department will seek measures to provide the Commission authority and flexibility to fully implement a new basic license structure; including licenses, tags, stamps, and permits. The new structure will generate additional revenue for the Game and Fish Fund, be easier to understand, and provide more value to recruit and retain customers.

The Department is continually challenged by environmental factors that impact recreational opportunities and therefore impair the agency’s revenue capabilities. The state’s extended drought continues to affect wildlife habitat and populations, which requires the agency to expend considerable resources to maintain habitat and wildlife populations.

The state’s forests are recovering after significant damage caused by forest fires, including the Horseshoe, Monument, and Wallow fires that occurred between 2010 and 2012, which had significant resource impacts. Often, public access is still limited in some of these areas due to the extent of the damage and the ongoing recovery. In addition to the damages to habitat caused by the fires, emerging wildlife diseases have the potential to reduce native populations and threaten the state’s biological diversity as well as limit recreational opportunities, prompting the agency to adopt a more aggressive stance in monitoring for these conditions. The Department does not receive money from the state general fund to address these additional costs.

The Commission and the Department, like any business, constantly evaluates staffing and resource allocations. Over the past several years, sales of licenses, permits, stamps, and tags have trended downward while

operational costs and Department responsibilities have increased or expanded. The Commission and the Department have made numerous budget adjustments to address rising costs and flat revenue. Some of these budget adjustments included keeping positions vacant and making cuts to program budgets to address rising costs. However, operational expenses and employer related costs have increased to the point where the Commission and Department may have to reduce essential programs such as law enforcement and support services.

It is important to note that fees have not been raised since 2007; and when those fees were established, the Commission made a commitment to sportsmen not to raise fees again for five years. The Commission has exceeded that commitment despite having to navigate the challenges posed by the economic downturn of the past few years as well as the cumulative effect of inflation and increasing costs.

Since the last fee increase and in addition to overall increases in operational costs Department-wide; helicopter survey costs have increased by 43%, fuel costs have increased by 40%, urban fishing stocking costs have increased: catfish costs by 44% and trout costs by 11%, fish hatchery production costs by 13%, and mandated employer related costs have increased: insurance costs by 69% and public safety personnel retirement costs by 92%.

The previous process for changing the Commission's license structure and fees was complex and time-consuming and prevented the timely reaction to changing conditions or customer needs. Prior to the passage of Senate Bill 1223, the Commission needed legislative approval (i.e., passage of a bill) to increase fees above the statutory cap or change the license structure and associated fees. This was the case even if the Commission wanted to offer customers a simplified structure, a discount, or incentive pricing. Once a bill passed under the old process, the Commission then had to initiate the regular rulemaking process to implement the structure. The total process could take three or more years to complete.

In developing the proposal for the recently passed legislation, the Department determined that it is logical and appropriate to transfer the authority to establish the license structure and fees to the Commission in order to give the Department the ability to operate more like a business. As a result, the Legislature amended A.R.S. §§ 5-321, 5-327, 17-332, 17-333, and 17-345 to allow the Commission to establish a watercraft registration fee, duplicate registration fee, late registration penalty, nonresident boating safety infrastructure fee, and license classification, license, permit, surcharge, tag, and application fees by rule. The Legislature also authorized the Commission to establish licenses and fees through exempt rulemaking.

The Commission's objectives for the exempt rulemaking are to establish a simpler license structure, generate revenue to address rising operational expenses, carry out its duties more effectively to manage the state's

wildlife resources, and provide quality recreational wildlife opportunities and access for the regulated community.

To solicit feedback and support, the Department deployed an extensive outreach campaign from October through December 2012 to inform the public of the proposed legislation; and May through June 2013 to inform the public of the newly passed legislation and collect feedback about a conceptual license and fee structure. The campaign included public meetings in Ajo, Eagar, Flagstaff, Globe, Havasu, Kingman, Mesa, Page, Payson, Phoenix, Pinetop, Prescott, Safford, Sierra Vista, Tucson, Wickenburg, and Yuma (the Phoenix meeting was also webcast through the Department website). In addition, the Department created a dedicated web page (www.azgfd.gov/LicenseSimplification) with a dedicated e-mail address through which the public could submit comments and suggestions. Press releases were issued to announce public meeting dates and direct people to the web page. The Department also held meetings with a number of conservation groups to discuss the conceptual license structure and fees.

The public meeting campaign resulted in 658 comments from more than 200 people who attended the public meetings. The Department received more than 800 comments via e-mail during this same time-frame. The Department also conducted a science-based mail survey of hunters and anglers and received more than 1,480 responses. One of the most discussed concepts was that of a “premium” hunt structure for certain deer and elk hunts. Based on the public comment received (predominantly against the premium concept) the Commission did not include a premium hunt structure in the draft Notice of Exempt Rulemaking.

The Commission proposes a new license structure that is simpler and easier-to-understand. The complexity of the current structure has been identified as a barrier to hunter and angler recruitment and retention. In establishing the new license structure, the Commission is also proposing to increase the value of hunting and fishing licenses offered by the Department. For example, the proposed resident general fishing license will include trout, simultaneous fishing (means taking fish using two lines), community (urban) fishing privileges and Colorado River privileges for a \$37 fee. Previously, a resident had to purchase all of these additional privileges separately for a combined total cost of \$69.75 (class A fishing license \$23.50, Urban fishing license \$18.50, trout stamp \$15.75, two-pole stamp \$6, and Arizona/California and Arizona/Nevada Colorado River stamps \$6).

The Commission proposes to implement a one-year (365-day) license program where most licenses offered by the Department are valid for one-year as follows: when the hunting or fishing license is purchased from a license dealer, the license is valid for one-year from the date of purchase; when the applicant submits the Hunt Permit-tag Application Form in person or by mail, and is also purchasing a hunting license at the same time, the hunting license is valid for one-year from the application deadline date; when the applicant purchases the license online or at a Department office, the applicant may choose their start date, provided that date is in the

future and is no more than 30 days from the date of purchase. Currently, most licenses are valid for a calendar year (January 1 through December 31), causing the perception that a license will have less value when purchased later in the year.

The Commission proposes to establish a hunting and fishing license exemption for youth under age 10 and a reduced-fee combination hunting and fishing license for youth ages 10 to 17 to promote hunting and fishing in families and youth. Previously under A.R.S. § 17-335, youth under 14 were exempt from most licensing requirements. A youth who is nine years of age and is submitting an application for a big game hunt is required to purchase an appropriate license.

For R12-4-102, the rule is amended to repeal the following license fees: resident and nonresident Class A fishing license, nonresident Class B four-month fishing license, nonresident Class C five-day fishing license, resident and nonresident Class D one-day fishing license, nonresident Class E Colorado River-only fishing license, resident and nonresident Class F Combination hunting and fishing license (adult, youth, and child), resident and nonresident Class G hunting license (adult and child), nonresident Class H three-day hunting license, Class I, J, and K resident family licenses (primary adult, additional adult, and child), resident and nonresident Class L Super Conservation fishing license, resident Class M Super Conservation hunting license, resident Class N Combination Super Conservation hunting and fishing license, and Class U Urban fishing license. In addition, the rule is also amended to repeal the following fees: trout stamp, all Colorado River Special Use permits and stamps, Lake Powell stamp (for use by a Utah fishing license holder), state waterfowl stamp, two-pole stamp, and resident and nonresident additional fishing day stamp. The privileges associated with these stamps and permits have been included in the new proposed license structure, as described above, to enhance the value of those items.

The rule is amended to establish fees for the new licenses. Fees were also rounded to the nearest dollar value to eliminate the possibility of rejecting an application because the applicant failed to include the odd cents with the application. The Department has applied a common equation to almost all fees being amended or adopted, based on factors such as value, principles of the North American Model, customer input, and Commission direction.

The rule is amended to establish a \$3 surcharge by rule. This surcharge is not a new fee, it was previously authorized under A.R.S. § 17-245 and was also included in the license fee. The rulemaking does not propose a change to the current surcharge fee. The surcharge is included in the license fees established under R12-4-102, where applicable. The Commission also proposes youth, as defined under A.R.S. § 17-101, are exempt from the surcharge.

The rule is amended to transfer the fee information for licenses listed under Article 4 Live Wildlife to a new rule, R12-4-412 Special License Fees.

The rule is amended to combine the State Waterfowl and Migratory Bird stamp privileges and fees into one to simplify the license structure.

The rule is amended to increase the application fee to recover resources expended by the Department related to application processing and to fund access, habitat conservation, and hunter/angler recruitment/retention projects throughout the state. The Commission proposes that \$3 of each resident application fee and \$5 of each nonresident application fee shall be deposited into the Game and Fish for the purpose of funding access, habitat conservation, and hunter/angler recruitment/retention projects.

The rule is also amended to repeal the Sikes Act Habitat Management (Unit 12A) stamp fee as the Commission believes all hunters should contribute equally to habitat conservation and access projects. Currently, a person is required to purchase the unit 12A stamp when successfully drawn for a 12A deer permit-tag and the unit 12A stamp generates approximately \$25,000 each year. The funds generated by the unit 12A stamp provided funding for the planning, maintenance, development, and coordination for fish and wildlife conservation, habitat management, wildlife check stations, or other activities through cooperative agreements with the U.S. Forest Service. The Commission anticipates the funds generated by the application fee change will allow the Department to conduct similar projects state-wide, for all wildlife.

For R12-4-104, the rule is amended to remove references to "calendar year" and to require a person to possess an appropriate hunting license that is valid on the day of the application deadline as established by the hunt permit-tag application schedule or on the day of the extension deadline to comply with the recent statutory amendments. The license must also be valid when the person is in an open area during the hunting season for which the permit-tag or nonpermit-tag in possession is valid. The rule is also amended to replace the term "juvenile" with "youth" to maintain consistency between Commission rules.

For R12-4-107, the rule is amended to remove references to "calendar year" and to require a person to possess an appropriate hunting license that is valid on the day of the application deadline as established by the hunt permit-tag application schedule or on the day of the extension deadline to comply with the recent statutory amendments.

R12-4-109, the rule is adopted to establish the maximum fee a person may charge for a trapping education course to comply with the recent statutory amendments. The trapping education course fee limitation was previously prescribed under A.R.S. § 17-333.02. The rulemaking only establishes the maximum trapping

education course fee in rule and does not propose a change to the current maximum trapping education course fee.

For R12-4-115, the rule is amended to remove references to "calendar year" to comply with the recent statutory amendments. In addition, the rule is amended to require a person to possess a valid license at the time of application for a restricted nonpermit-tag and when in an open area during the hunting season for which the restricted nonpermit-tag in possession is valid to comply with the recent statutory amendments.

For R12-4-201, the rule is amended to establish license privileges for the Pioneer license. Previously, Pioneer license privileges are prescribed under A.R.S. § 17-336(A)(1) and included the same privileges as the Class F combination hunting and fishing license. The rule is amended to state the Pioneer license includes the same privileges as the proposed combination hunting and fishing license, which includes community fishing and simultaneous fishing privileges. In addition, the rule is amended to clarify the Pioneer license is a complimentary lifetime license and does not expire. The rule is also amended to grant persons issued a Pioneer license prior to the effective date of the rule the same privileges as the new Pioneer license.

For R12-4-202, the rule is amended to establish license privileges for the Disabled Veteran's license. Previously, Disabled Veteran's license privileges are prescribed under A.R.S. § 17-336(A)(2) and included the same privileges as the Class F combination hunting and fishing license. The rule is amended to state the Disabled Veteran's license includes the same privileges as the proposed combination hunting and fishing license, which includes community fishing and simultaneous fishing privileges. In addition, the rule is amended to clarify the Disabled Veteran's license is a complimentary lifetime license and may not expire. The rule is also amended to grant persons issued a Disabled Veteran's license prior to the effective date of the rule the same privileges as the new Disabled Veteran's license.

For R12-4-203, the rule is amended to combine State Waterfowl and Migratory Bird stamp privileges and requirements and will be valid for the take of migratory game birds, ducks, geese, swans, all coots, all gallinules, snipe, wild doves, and band-tailed pigeons to simplify the license structure. State Waterfowl and Migratory Bird privileges are included in the youth combination hunting and fishing license. This does not negate the federal stamp requirement when the youth hunter is 16 years of age or older and is taking ducks, geese, swans, coots, gallinules, or the permit-tag requirement when the youth hunter is taking sandhill crane. In addition, the rule is amended to remove references to license classifications that are no longer offered by the Department.

For R12-4-204, the rule is repealed. The Commission believes all hunters should contribute equally to habitat conservation and access projects. Currently, a person is required to purchase the Sikes Act Habitat Management

(Unit 12A) stamp when successfully drawn for a 12A deer permit-tag. The unit 12A stamp generates approximately \$25,000 each year and provides funding for the planning, maintenance, development, and coordination for fish and wildlife conservation, habitat management, wildlife check stations, or other activities through cooperative agreements with the U.S. Forest Service. The Commission anticipates the funds generated by the application fee change will allow the Department to conduct similar projects state-wide, for all wildlife. It is also important to note, repealing this rule will not prohibit the Commission from partnering with the U.S. Forest Service now or in the future as A.R.S. § 17-231(B)(7) authorizes the Commission to enter into cooperative agreements.

For R12-4-205, the rule is amended to establish license privileges for the high achievement scout license (honorary scout). Previously, high achievement scout license privileges are prescribed under A.R.S. § 17-336. The high achievement scout license now grants the same privileges as the new general combination hunting and fishing privileges, which includes community fishing and simultaneous fishing privileges. The rule is amended to establish age requirements and state the license is valid for one-year from the date of purchase to comply with recent statutory amendments.

For R12-4-206, the rule is adopted to establish a general hunting license and its associated privileges and exemptions. The resident general hunting license is valid for the take of small game, fur-bearing animals, predatory animals, nongame animals, and upland game birds. The general hunting license is also valid for the take of migratory birds when the person possesses the applicable migratory bird stamp, and for big game when the person possesses the applicable big game tag. The license is valid for a one-year period as follows: when the license is purchased from a license dealer, as defined under R12-4-101, the license is valid for one-year from the date of purchase; when the applicant submits the Hunt Permit-tag Application Form in person or by mail, and is also purchasing a license at the same time, the license is valid for one-year from the application deadline date; when the applicant purchases the license online or at a Department office, the applicant may choose their start date, provided that date is in the future and is no more than 30 days from the date of purchase. A person under 10 years of age may hunt wildlife other than big game without a license, when accompanied by a person 18 years of age or older who possesses a valid Arizona hunting license. The Commission does not intend to offer a nonresident hunting license. The only hunting license that will be available to a nonresident is the combination hunting and fishing license. The Commission proposes to offer only a combination hunting and fishing license, at a greatly reduced fee of \$160 (current fee is \$225.75), to increase value for the nonresident applicant. At \$160, the combination hunting and fishing license is only \$8.75 more than the current nonresident hunting license; and, for a nominal increase in the fee, a person who is not successful in the draw is still able to use the combination hunting and fishing license to fish in Arizona.

For R12-4-207, the rule is adopted to establish a general fishing license and its associated privileges and exemptions. The resident and nonresident general fishing license is valid for the take of aquatic wildlife,

includes trout, community, and Colorado River fishing privileges and allows simultaneous fishing as defined under R12-4-301. The license is valid for a one-year period as follows: when the license is purchased from a license dealer, as defined under R12-4-101, the license is valid for one-year from the date of purchase; and when the applicant purchases the license online or at a Department office, the applicant may choose their start date, provided that date is in the future and is no more than 30 days from the date of purchase. A person under 10 years of age may fish without a fishing license.

For R12-4-209, the rule is adopted to establish a community fishing license and its associated privileges and exemptions. The resident and nonresident community fishing license is valid for the take of aquatic wildlife from those Commission designated community waters specifically listed in the Department's fishing regulations and allows simultaneous fishing. The license is valid for a one-year period as follows: when the license is purchased from a license dealer, as defined under R12-4-101, the license is valid for one-year from the date of purchase; when the applicant purchases the license online or at a Department office, the applicant may choose their start date, provided that date is in the future and is no more than 30 days from the date of purchase. A person under 10 years of age may fish in designated community waters without a fishing license.

For R12-4-210, the rule is adopted to establish a combination hunting and fishing license and its associated privileges. The combination hunting and fishing license is valid state-wide for the take of small game, fur-bearing animals, predatory animals, nongame animals, and upland game and the take of all aquatic wildlife, allows simultaneous fishing, and includes community program fishing privileges. The Commission proposes to establish three variations of the combination hunting and fishing license: resident and nonresident one-year combination hunting and fishing license available to persons 18 years of age and older, resident and nonresident one-year youth combination hunting and fishing license available to person's age 10 through 17, and resident and nonresident short-term combination hunting and fishing license available to persons age 18 and older. The short-term license is valid for one 24-hour period from midnight to midnight. The short-term combination hunting and fishing license is the only short term license offered by the Department and provides the same privileges as the one-year combination hunting and fishing license, except that it is not valid for the take of big game animals. The Commission does not propose to limit the number of short-term licenses a person may purchase in any given year or require a person to purchase consecutive short-term licenses. However, a person may still choose to purchase consecutive short-term licenses. The adult and youth license is valid as follows: The license is valid for a one-year period as follows: when the license is purchased from a license dealer, as defined under R12-4-101, the license is valid for one-year from the date of purchase; when the applicant submits the Hunt Permit-tag Application Form in person or by mail, and is also purchasing a license at the same time, the license is valid for one-year from the application deadline date; when the applicant purchases the license online or at a Department office, the applicant may choose their start date, provided that date is in the future and is no more than 30 days from the date of purchase. The adult one-year combination hunting and fishing license is valid for take of migratory game birds and waterfowl when the person possesses the applicable

stamps. Both the adult and youth one-year combination hunting and fishing license are valid for the take of big game when the person also possesses the applicable big game permit-tag.

For R12-4-211, the rule is adopted to establish resident lifetime license privileges and fees by rule. The lifetime license was previously prescribed under A.R.S. § 17-335.01. The rule is adopted to establish three variations of the resident lifetime license: lifetime hunting license, lifetime fishing license, and lifetime combination hunting and fishing license with each granting the same privileges as the corresponding one-year license. The previous lifetime fishing license and lifetime combination hunting and fishing license did not include simultaneous fishing, community, and Colorado River fishing privileges. In addition, the previous lifetime fishing license did not include trout privileges. A person who desired these additional privileges had to purchase them separately on an annual basis, with the exception of trout fishing privileges which could be purchased either annually or for a lifetime. The rule is also amended to grant persons issued a lifetime license prior to the effective date of the rule the same privileges as the applicable new lifetime license.

For R12-4-212, the rule is adopted to establish resident lifetime wildlife benefactor combination hunting and fishing license privileges and fees by rule. The lifetime wildlife benefactor combination hunting and fishing license was previously prescribed under A.R.S. § 17-335.01(D). The lifetime wildlife benefactor combination hunting and fishing license grants the same privileges as the one-year general combination hunting and fishing license. For the lifetime wildlife benefactor combination hunting and fishing license, the difference between the cost of the lifetime combination hunting and fishing license and the cost of the lifetime wildlife benefactor combination hunting and fishing license is considered a donation and may be tax deductible to the extent allowed by federal and state income tax statutes for contributions to qualifying tax-exempt organizations. The previous lifetime wildlife benefactor combination hunting and fishing license did not include trout, simultaneous fishing, community, and Colorado River fishing privileges. A person who desired these additional privileges had to purchase them separately on an annual basis, with the exception of trout fishing privileges which could be purchased either annually or for a lifetime. The rule is also amended to grant persons issued a benefactor license prior to the effective date of the rule the same privileges as the applicable new lifetime license.

For R12-4-213, the rule is adopted to establish permit-tag and nonpermit-tag requirements. Because tags are issued by the season and the Commission proposes to no longer issue a hunting or combination hunting and fishing license that is valid for the calendar year, the Commission believes it is necessary to adopt a rule establishing permit-tag and nonpermit-tag requirements.

For R12-4-214, the rule is adopted to establish apprentice license privileges and mentor requirements by rule to comply with the recent statutory amendments. Apprentice license privileges and mentor requirements were previously prescribed under A.R.S. § 17-333. The apprentice license is a complimentary license and is valid for

the take of small game, fur-bearing animals, predatory animals, nongame animals, and upland game birds. The apprentice license is valid for the take of migratory game birds and waterfowl when the license holder also possesses the applicable state and federal stamp. The apprentice license is not valid for the take of big game.

For R12-4-215, the rule is adopted to establish youth group two-day fishing license privileges and requirements by rule to comply with the recent statutory amendments. The youth group two-day fishing license requirements were previously prescribed under A.R.S. § 17-333. The youth group two-day fishing license is issued to a nonprofit organization or governmental entity that sponsors adult supervised activities for groups of no more than 25 youth, ages 10 through 17, and is valid for taking all aquatic wildlife.

For R12-4-311, the rule is amended to replace the term "exemptions" with "exemption" to comply with the recent statutory amendments as A.R.S. § 17-335 was amended to prescribe a fishing license exemption for a blind resident, only.

For R12-4-312, the rule is repealed. The Commission proposes to establish a general fishing license under R12-4-207, which will include Colorado River fishing privileges and amend agreements with California, Nevada, and Utah to eliminate the need for the Arizona-Colorado River special use stamp, Nevada-Colorado River special use stamp, and Arizona-Lake Powell stamp (used by Utah license holders).

For R12-4-318, the rule is amended to remove the reference to A.R.S. § 17-335 and replace the term "junior's-only hunt" with "youth-only hunt" to maintain consistency between Commission rules.

For R12-4-412, the rule is adopted to establish a new rule addressing special license fees for licenses listed under Article 4 Live Wildlife. No changes have been made to the special license fees themselves, the fee information was simply transferred from R12-4-102 to the new rule.

For R12-4-422, the rule is amended to state that the sport falconry license validates a hunting license or combination hunting and fishing license for taking quarry with a trained raptor. The rule is amended to state the sport falconry license is valid until the third December from the date of issuance. These requirements were previously prescribed under A.R.S. § 17-333. In addition, the rule is amended to clarify that a licensed falconer must possess a valid sport falconry license and a valid hunting or combination hunting and fishing license when taking quarry using a raptor. The rule is also amended to replace references to R12-4-102 with R12-4-412, Special License Fees as the sport falconry license fees were moved from Article 1. Definitions and General Provisions to Article 4. Live Wildlife.

For R12-4-424, the rule is amended to replace the reference to R12-4-102 with R12-4-412, Special License Fees as the white amur stocking license fee requirement was moved from R12-4-102 to R12-4-412.

For R12-4-501, the rule is amended to replace the term "required" with "authorized" to comply with recent statutory amendments.

For R12-4-503, the rule is amended to replace the term "required" with "authorized" to comply with recent statutory amendments.

For R12-4-504, the rule is amended to establish watercraft registration fees by rule. Watercraft registration fees were previously prescribed under A.R.S. § 5-321. The rulemaking only establishes watercraft registration fees by rule and does not propose any changes to the current watercraft registration and late penalty fees.

For R12-4-529, the rule is amended to establish nonresident boating safety infrastructure fees by rule. Nonresident boating safety infrastructure fees were previously prescribed under A.R.S. § 5-327. The rulemaking only establishes the nonresident boating safety infrastructure fees by rule and does not propose any changes to the current nonresident boating safety infrastructure fees.

The Commission believes the exempt rulemaking will remove barriers for recruitment of new hunters and anglers due to the simplified the license structure, bundled privileges, and reduced costs for youth licenses.

Arizona Game and Fish Department Operating Manual
Section A: Information and Commission Policies
Chapter 2: Commission Policies



A2.40 Commission Policy on the Handling of Self-Reported Violations

Effective: 00/00/2013

Policy Process Owner: Assistant Director of Field Operations

The Department recognizes that self-policing is an important construct of the North American Model of wildlife conservation. Sportsmen who voluntarily contact the Department to report responsibility for accidental or unintentional violations of statute, rule or order, and assist responding officers in the salvage of any unlawfully taken wildlife exemplify this standard. An Officer's use of appropriate enforcement discretion to resolve these self-reported violations encourages sportsman responsibility and promotes continued ethical behavior. Therefore it is the policy of the Commission that:

- A. When an individual timely self-reports commission of a violation to the Department, and the responding officer determines the violation was committed accidentally, unintentionally, and without gross negligence, the officer shall only issue a written warning.
- B. Self-reported violations shall not be criminally charged nor submitted for license revocation and/or civil assessment unless there is sufficient information to establish criminal intent or gross negligence.

Nothing in this policy restricts or limits an officer's ability to further investigate a self-reported violation to determine if the violation was:

- a. Intentional or the result of gross negligence,
- b. Not self-reported within a reasonable amount of time, or
- c. Reported by the hunter to escape the ramifications of inevitable discovery.

In the above instances, the officer should charge the case as appropriate and submit the case for Commission action if warranted.

This Commission Policy shall also apply to employees and volunteers of the Arizona Game and Fish Department who self-report violations committed during their off-duty time.