

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, December 5, 2014
Saturday, December 6, 2014
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

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

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

Chairman Mansell called the meeting to order at 8:00 a.m. and led those present through the Pledge of Allegiance. The Commission and Director Voyles introduced themselves and Director Voyles introduced his staff. This meeting followed an agenda revision #1 dated December 3, 2014.

Chairman Mansell requested a moment of silence in honor of Navajo Nation Police Officer Ernest Montoya who died Sunday, November 30 in an on-duty vehicle accident near Dilkon; Chandler Police Officer David Payne who died when his motorcycle was rear-ended while working an overnight DUI patrol; in commemoration of National Fallen Firefighters Memorial Weekend and Fire Prevention Week; and in honor and remembrance of the victims of September 11, 2001, and their families as well as all the men and women of Arizona who have bravely served and continue to serve our Nation in the fight against terrorism.

* * * * *

Awards and Recognition

Director Voyles presented Officer Daven Byrd of the Arizona Department of Public Safety with an award of special recognition for his time and expertise in training Arizona Game and Fish Officers in standard Field Sobriety Tests, Advance Roadside Impaired Driver Enforcement training and Drug Recognition Experts training, all of which assists in the detection and apprehension of impaired boaters and OHV operators.

* * * * *

1. Call to the Public

There were no requests to speak to the Commission.

* * * * *

2. Consent Agenda

The following items were grouped together and noticed as consent agenda items to expedite action on routine matters, and/or they were previously presented to the Commission as a “first read” item. 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 there were no requests to pull any items for discussion.

a. Shooting Sports Activities Briefing

Presenter: Marty Fabritz, Shooting Sports Branch Chief

The Commission was provided with a written Shooting Sports Activities Briefing prior to this meeting (also available to the public) related to shooting sports including shooting programs and shooting range development statewide. The briefing covered activities and events that have occurred since the last regular 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: Dr. 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. Approval of Revised Commission Policy A2.2, Land Use Agreements on Commission Properties, and repeal Commission Policy A2.3, Grazing Policies.

Presenter: Joyce Francis, Habitat Branch Chief

The Department presented the Commission with a revised Commission policy, A2.2 (attached), that establishes the Commission's position on land use agreements as they pertain to Commission property for leases, licenses, rights-of-way, and easements for utility, agricultural, grazing, recreational, or other lawful purposes. The policy was revised to include all land use agreements, reflect current procedures and processes, and incorporate the provisions of A2.3, Grazing Policies, which established the guidelines for grazing of privately owned livestock on Commission owned lands.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE REVISED COMMISSION POLICY A2.2 LAND USE AGREEMENTS ON COMMISSION PROPERTIES AND REPEAL COMMISSION POLICY A2.3 GRAZING POLICIES.

f. Approval of Revised Commission Policy A2.7, Sportfish Stocking

Presenter: Chris Cantrell, Fisheries Branch Chief

The Department presented the Commission a revised Commission policy, A2.7 (attached), that establishes the Commission's position on the stocking of sport fish and the requirement that areas are accessible to the public. The policy was revised to allow the Department more flexibility to manage wildlife on private lands.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE REVISED COMMISSION POLICY A2.7, SPORTFISH STOCKING.

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

Vote: Unanimous

* * * * *

4. Legislative Engagement and State and Federal Legislation

Presenter: Jorge Canaca, Legislative Liaison

Mr. Canaca provided a PowerPoint presentation and briefing on the current status of selected state and federal legislative matters. The presentation included the following information and Commission actions:

Budget:

- Arizona is looking at a \$1.5 Billion budget shortfall
- The Commission's FY16 Budget was provided to the Governor's Office of Strategic Planning and Budgeting on September 1, 2014
- The Governor's FY16 Executive Budget Package is due Jan 16, 2015
- The Department will be exercising the utmost prudence in negotiating budgetary discussions and will be working to help the Governor-elect find solutions to fiscal shortfalls while securing Department and Commission priorities.

State Legislation

2015 Department Legislative Proposals:

- Guides; firearms; technical correction: This technical correction conforms statute to allow hunting guides, while on a hunt, to carry weapons that are not authorized to take wildlife, given that the person doesn't use it for the take of wildlife; Strikes A.R.S. § 17-362(D) *No person acting as guide shall carry firearms other than a revolver or pistol*
- Hunter Harassment; License Revocation: This change would add A.R.S § 17-316 (*Interference with rights of hunters; classification; civil action; exceptions*) to the list of revocable offences under A.R.S 17-340 (*Revocation, suspension and denial of right to obtain license; notice; violation; classification*); Allows the Commission to revoke a person's license that has violated hunter harassment statutes
- Live Wildlife; Violations: Adds the following language to A.R.S.§ 17-309 D. "*Barbers, sells or offers for sale any live wildlife, or its progeny, taken under a hunting or fishing license in violation of a lawful rule by the Commission*"; The language would help deter individuals who collect native wildlife species (mostly reptiles and amphibians) and subsequently import, export and illegally sell them outside the state.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE GUIDES FIREARMS, HUNTER HARASSMENT LICENSE REVOCATION AND LIVE WILDLIFE LEGISLATIVE PROPOSALS AND CONTINUE TO WORK ON FINALIZING LANGUAGE WITH THE LEGISLATIVE COMMISSION REPRESENTATIVES.

Vote: Unanimous

2015 Department Legislative Proposals (continued):

- Mexican Wolf Compensation Program: Establish a state managed and administered fund that would allow for compensation of livestock depredation losses through state, federal or private donation funds
- OHV Travel Management Rule: The proposed language change would provide state, county and local peace officers the option/flexibility of enforcing Title 28 laws on federally managed lands.

The Commission was in consensus for the Department to continue working on these two legislative proposals and to bring them back at the January Commission meeting.

Congressional Legislation

- Bill Williams Water Rights Settlement Act of 2014: Passed in House December 1; Passed by Senate on December 2 by unanimous consent; Awaits Presidential action
- H.R. 687 Southeast Arizona Land Exchange & Conservation Act: H.R. 687, is a rider to the NDAA, a must-pass bill, to fund the DOD; For Arizona, the NDAA also includes the reauthorization of the Yuma Crossing National Heritage Area and a land exchange increasing the footprint of the Cibola National Wildlife Refuge. The NDAA passed the House largely by bipartisan vote (300-119) and now heads to the Senate where it is expected to pass next week before the end of the lame duck session adjourns on December 12.

Department will continue to engage on:

- Renewable Energy Legislation
- GCNP Bison legislation
- Sikes Act Amendments
- Bipartisan Sportsmens Act
- Willow Beach National Fish Hatchery

Selection of Commission Legislative Representatives

Mr. Canaca asked the Commission to reaffirm Commissioners Mansell and Davis as the two Commission Legislative Representatives. Historically the Commission has selected two members to represent the Commission at the Legislature on emergency issues and matters on which the Commission has taken official positions. In light of the budgetary challenges anticipated this coming session it is important to remind Commission members of the delegated authority vested on the two legislative representatives.

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO REAFFIRM COMMISSIONERS MANSELL AND DAVIS TO ACT AS THE COMMISSION LEGISLATIVE REPRESENTATIVES THROUGH JUNE 2015.

Vote: Unanimous

Director Voyles thanked Mr. Canaca for the work he has been doing and emphasized the importance of the work on the Mexican Wolf Compensation Program, the OHV Travel Management Rule, and the work related to the Bill Williams Water Rights Settlement Act.

* * * * *

5. Customer Portal Project

Presenter: Doug Cummings, Branch Chief, Information Systems

Mr. Cummings presented an update using a PowerPoint presentation on the development of the Customer Portal (website with Customer Login capabilities with improved customer access to information, products and services). The briefing included an update on progress since the September Commission meeting on the Portal framework development, an example of what the

individual customer page will look like, an updated schedule for completion by January 2015, and a Portal R1.0 release timeline that includes marketing and commercial advertising. The update included the following:

Portal Construction:

- Customer Portal Development Complete:
 - Logon Page and Process
 - Profile Page and Process
 - Logon Landing Page
 - Bundle Design
 - Data Layer to Access the Customer Database is in Place
- Customer Portal Development In Process:
 - Business Layer for Business Logic
 - Portal Administration Tool
 - Current Web Content Conversion to New Look and Feel
 - Bundle Offering

The Portal R1.0 will be completed by the end of January, but it will not be turned on for the public until after the close of the elk and antelope draw application period (mid-February) to minimize customer confusion. However, it will be turned on before results day with marketing to direct people to the Portal.

Scott Lavin, Wildlife Recreation Branch Chief, provided an update on advertising and bundled services related to the Portal. The update included the following:

- Current Bundle Product - Annual Membership of \$25 includes:
 - Active fish stocking / reports
 - Hunt unit mapping interface
 - 1 year subscription to Wildlife Views
 - Window sticker
 - Thank You Letter from the Director
 - Peace of mind that your sponsorship provides funding to sustain conservation efforts in Arizona
- The Bundled Services Sub Team has fulfilled the charter and has been disbanded
- A new Customer Outreach Sub Team has been created to develop branding, delivery and roll out. The advertising and bundle development process and timeline is as follows:
 - Develop online Self Service Information Center - 12/5/14
 - Develop Bundle Branding (Customer Experience) - 12/12/14
 - Prepare for focus group test phase - 12/17/14
 - Develop marketing messaging and graphics - 12/26/14
 - Review 3rd party Ad Management proposals - 12/29/14
 - Develop performance metric tracking of roll out - 1/5/15
 - Develop a Digital Engagement Booth - 1/15/15

* * * * *

Meeting recessed for a break at 9:02 a.m.

Meeting reconvened at 9:19 a.m.

* * * * *

6. Request for the Commission to Approve a Memorandum of Understanding with the Rocky Mountain Elk Foundation for Cooperative Activities

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig presented a Memorandum of Understanding (MOU) in which the Department and the Rocky Mountain Elk Foundation (RMEF) would agree to work cooperatively where mutually beneficial to meet common objectives for public information, wildlife management and habitat enhancement. This MOU provides a framework for the relationship with regard to future activities. RMEF is a 501(c)(3) organization that wishes to develop a formal agreement with the Department and Commission through this MOU.

Commissioner Harris asked if the timing is important for this MOU and whether the Commission should take action today.

Ms. Munig stated that it would be beneficial if the Commission would approve the MOU today because the Department is currently preparing to engage in a project with the RMEF.

Motion: Harris moved and Madden seconded The Department recommends that the Commission VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE ROCKY MOUNTAIN ELK FOUNDATION AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE THE AGREEMENT AS APPROVED OR RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous

* * * * *

8. Approval of a License Agreement with Arizona Public Service for providing Electrical Service at Robbin's Butte Wildlife Area.

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis presented a renewal of a License Agreement with Arizona Public Service Company for providing electrical service at Robbin's Butte Wildlife Area. The Commission currently has an agreement with Arizona Public Service Company authorizing them to provide electrical service to a groundwater well pump located on the Robbin's Butte Wildlife Area. The agreement expires April 25, 2015. The Region has determined that continued use of the well is necessary for routine activities on the wildlife area. The Department is requesting that the Commission authorize renewing the agreement. The terms and conditions would remain the same.

The Commission was in consensus to place this on the Consent Agenda for the January meeting.

* * * * *

9. Approval to Transfer the Arizona State Land Department Right-of-Way for Turley Trail to the City of Prescott.

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis presented the Commission with a request to transfer the Arizona State Land Department (ASLD) Right-of-Way (ROW) for Turley Trail to the City of Prescott. Since 2005, the Commission has held an ASLD ROW for Turley Trail, a recreational trail located in the vicinity of Prescott, Arizona. This trail constitutes a portion of the Prescott Circle Trail and is managed by the Yavapai Trails Association. The remainder of the Circle Trail is held by the City of Prescott (City) via ROWs with the ASLD and the National Forest Service. The City has approached the Department to transfer the Turley Trail ASLD ROW to them. This would put management responsibility for the entire trail under the same authority. Use of the ROW would continue to benefit the public as a recreational trail. The Commission would be relieved of the management responsibility, liability, and costs associated with maintaining the ASLD ROW.

The Commission was in consensus to place this on the Consent Agenda for the January meeting.

* * * * *

11. Approval of Revised Commission Policy A2.31, Predation Management and Repeal of Commission Policy A2.9, Aerial Coyote Control.

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig presented the Commission with a revised Commission policy A2.31, regarding Predation Management. The Department has incorporated Commission policy A2.9, Aerial Coyote Control, into the revision and will ask that the Commission to repeal policy A2.9. The policy was revised to include Regional predation management plans and area-specific plans and to clarify that the policy pertains to any species that has a limiting effect on prey species, not just mountain lions and coyotes. The policy is also revised to give the Assistant Directors of Wildlife Management and Field Operations the authority to review and approve area-specific management plans. The policy was revised to incorporate the provisions of A2.9, Aerial Coyote Control, which establishes the requirements prior to the use of aircraft for coyote control.

Public Comment

Stephanie Nichols-Young, representing the Animal Defense League of Arizona and non-consumptive users, addressed the Commission to express her opposition to aerial gunning for many reasons, and stated that the general public has a lot of concern about this.

The Commission discussed with Ms. Munig that the aerial gunning portion of the policy is a management tool to address removal of coyotes when necessary to benefit wildlife or livestock. The triggers that are used to initiate aerial gunning are established in the hunt guidelines, which the Commission will be reviewing in 2015.

The Commission was in consensus to place this on the Consent Agenda for the January meeting.

* * * * *

12. Approval of New Commission Policy A2.23, Fair Chase.

Presenter: Tom Finley, FOR3 Regional Supervisor

Mr. Finley presented the Commission with a new Commission policy A2.23, regarding Fair Chase. The policy defines fair chase and establishes a Fair Chase Committee that will monitor and evaluate emerging and evolving technologies and practices, and make recommendations to the Commission for statute or rule changes to preserve Fair Chase standards for the taking of wildlife in Arizona.

Commissioner Davis recommended that the Commission take action today to approve the policy so that the Fair Chase Committee can get to work. Also, there is a Legislative session coming up and we may need to look at what authorities are needed to act quickly on new technologies.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION POLICY A2.23, FAIR CHASE.

Chairman Mansell asked the Director if he saw any reason not to move forward today.

Director Voyles stated that he did not see the policy until today, but he doesn't see anything that prohibits the Department from moving forward. He did see some language in the policy that might be limiting, so he would like to have a chance to look at it before it becomes Commission Policy.

Motion and second withdrawn.

The Commission was in consensus to place this on the Consent Agenda for the January meeting and to direct the Department to move forward with the work and progress of the Fair Chase Committee.

* * * * *

13. Approval of Revised Commission Policy A2.21, Procedures to Address Department Administrative Appeals, Protests, and Objections of a Federal Land and Resource Management or Resource Management Plan.

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis presented revised Commission policy A2.21, Procedures to Address Department Administrative Appeals, Protests, and Objections of a Federal Land and Resource Management or Resource Management Plan that establishes the Commission's position on administrative appeals relating to Forest Service Land Management Plans, specifically timber sales. The policy was revised to include all Federal Land Management Plans, rather than the U.S. Forest Service's plan and to include all appeals, protests, and objections to ensure consistency with changes made to the various Federal administrative processes. The policy was also revised to delete specific references to timber sales and the State Forester.

The Commission was in consensus to place this on the Consent Agenda for the January meeting.

* * * * *

14. Approval of Revised Commission Policy A2.11, Species of Greatest Conservation Need in Arizona.

Presenter: Mike Rabe, Nongame Wildlife Branch Chief

Mr. Rabe presented the Commission with revised Commission Policy A2.11, regarding Species of Greatest Conservation Need in Arizona. Commission A2.11 provides guidance to the Department's Nongame and Endangered Wildlife Program through conservation of Species of Greatest Conservation Need, which was developed by the Department as a component of the State Wildlife Action Plan.

The Commission was in consensus to place this on the Consent Agenda for the January meeting.

* * * * *

15. Base Property License at Horseshoe Ranch

Presenter: Jay Cook, Mesa Regional Supervisor

Mr. Cook presented the Commission with a base property license with JH Cattle Company at Horseshoe Ranch for livestock operations. The Horseshoe Ranch (Ranch) and associated water rights were purchased by the Commission in 2011. As part of the purchase, the Commission also paid for the appraised value of the two federal grazing allotments attached to the Ranch and entered into a memorandum of understanding (MOU) with the Bureau of Land Management and U.S. Forest Service to address the management of these allotments. The Ranch is base property for the Horseshoe allotment with the Copper Creek allotment given to the lessee of the Horseshoe allotment. Subsequent to acquisition, the Commission secured a base property lease with JH Cattle Company, a qualified livestock operator to operate the allotments. The license agreement would provide JH Cattle Company a three year agreement to continue livestock operations on the allotments and ensures the Commission retains the allotments. The agreement also outlines the terms and conditions of JH Cattle Company's use of the base property.

The Commission discussed with Mr. Cook that the Department is working on a master plan for the use of Horseshoe Ranch. JH Cattle Company would like to see a longer agreement and is willing to put significant financial resources into the allotment, but the Department has discussed a three year agreement in anticipation of completing the master plan before asking the Commission to enter into a long term agreement. However, the Commission wanted the Department to look into a longer agreement.

Director Voyles stated that the Commission has expressed a desire to look at cost recovery at Horseshoe Ranch that included entrepreneurial models. If the Commission is comfortable that the agreement would allow for the entrepreneurial models on the casitas and wants to move forward, then he is okay with that.

The Commission was in consensus to direct the Department to re-evaluate the terms of the license agreement and bring this back as a second read at the January meeting.

* * * * *

15A. Approval of a Cooperative Agreement between the Arizona Game and Fish Commission and the Mohave County Flood Control District

Presenter: Tom Finley, Kingman Regional Supervisor

Mr. Finley briefed the Commission on a Cooperative Agreement between the Arizona Game and Fish Commission and the Mohave County Flood Control District. This agreement would allow the Department to partner with the Mohave County Flood Control District to install 20 water catchment monitoring stations on existing Department water catchments in Mohave County. These monitoring stations would allow the Department to receive real time information on water levels in tanks and drinkers, precipitation data, and graph changes in water levels over time. Funds would be provided to Mohave County to purchase monitoring stations for 10 high priority water catchments selected by the Department. Mohave County would assist with installation and maintenance of the equipment and update and maintain an online website for accessing the data. In addition, Mohave County would install and maintain sensors at an additional 10 water catchment sites at no cost to the Department.

This technology is currently being utilized by the Department at three existing catchment sites in Mohave County which were previously installed by the Mohave County Flood Control District. These water sensors have proven to be very effective in remotely monitoring the depth of water at these catchments. They have also provided several years of valuable precipitation data and how it affects each catchment and has proven to be effective in alerting Mohave County Flood Control and the Department when the catchments stop functioning properly. These alerts have allowed the Department to go into these catchments and make repairs before wildlife were affected. Installation of these devices allows managers to remotely monitor water levels, identify water hauling needs, document evaporation rates, and maintain functionality for wildlife use. It is anticipated that the need for physical checks and incursions into wilderness and other areas via helicopter, road, foot, etc. will be reduced with the use of these devices.

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THIS COOPERATIVE AGREEMENT BETWEEN THE ARIZONA GAME AND FISH COMMISSION AND THE FLOOD CONTROL DISTRICT OF MOHAVE COUNTY.

Vote: Unanimous

* * * * *

16. Preview of Rulemaking Recommendations for Article 1 Rules Addressing Definitions and General Provisions.

Presenter: Amber Munig, Big Game Supervisor

Ms. Munig presented a PowerPoint presentation and informational preview of rulemaking recommendations for Article 1 rules regarding Definitions and General Provisions. In January through March the Department will be seeking public comment and at the April Commission meeting, the Department will bring back a proposed rulemaking to the Commission for additional input. The final rulemaking will be presented at the August Commission meeting. The recommendations are the result of amendments proposed in the most recent Article 1 Five-year Review Report (approved by the Commission on January 10, 2014 and by the Governor's Regulatory Review Council on April 1, 2014), and of amendments being considered by the Article 1 rulemaking team. This presentation focused on items the Commission requested further evaluation of and included data using charts and graphs on the following topics:

- Issuance of Duplicate Licenses
- Youth-elk hunter waiting period
- Removal of 10% NR cap for javelina
- Tag Surrender (including unintended consequences)
- Application process for 501c(3) organizations (Tag Transfer)

Recommendations and discussion included the following:

R12-4-103 - Issuance of Duplicate Licenses:

- Suggested addition to rule: In the event that the purchase date cannot be determined, the duplicate license issued shall only be valid for the remainder of the current calendar year.

Commissioner Davis requested that the Department provide the Commission with a chart/graph of hunters drawn by bonus point category that spanned a 3-5 year period, for further review and consideration.

R12-4-104 - Application Procedures for Issuance of Hunt Permit-tags by Drawing and Purchase of Bonus Points

- Analysis of a 1-Year Wait Period for youth-elk hunters: Data for elk in 2013 and 2014 shows that 7% of youth drawn in 2013 also drew a tag in 2014; the way youth hunters are applying and the percentage of what they are drawing negates the need to have a one-year wait period.

R12-4-114 - Issuance of Nonpermit-tags and Hunt Permit-tags

- An analysis of 2009-2013 shows nearly all seasons that approached the 10% nonresident cap had permits unissued in the draw. The Department recommends removal of the 10% nonresident cap for javelina by hunt number.

Tag Surrender Concept (same as presented to the Commission in January 2014)

- Allow surrender of a tag for any reason prior to the hunt start date; the Department would attempt to re-issue tag; tag surrender is tied to membership program; individual offering (tied to a single person); available online only; only eligible to surrender one tag for species; next time drawn for that species, the tag would have to be used (expends bonus points) or surrendered and lose bonus points
- Surrender tag no later than close of business the day before a hunt begins
- Department options for tag reissuance depend on different circumstances: Proximity to start of a hunt, type of tag, and demand.

Bonus Point Reinstatement

- Reinstatement of Bonus Points that were forfeited and that which would have been earned through the draw
- Tag Transfer: Bonus point reinstatement if member chooses to transfer to qualified nonprofit; submit request to Department within 60 days of transfer to organization and no less than 30 days prior to the draw application deadline for that genus
- Removes ability of an individual to petition the Commission for reinstatement of forfeited bonus points (Note: will not eliminate possibility of receiving a petition under R12-4-107).

Reissuance of Surrendered Tag

- Issue to member who would have been next in line to receive tag
- Issue to eligible applicant who would have been next in line to receive the tag
- Issue through 1st come 1st serve
- Destroy tag (do not attempt to re-issue).

Considerations: Reissue timeframe can be developed outside rule with coordination between BFD, WMD, & IT; Rule should include all options the Department anticipates using.

- Individual v. Group Applications: Reissuing a tag when more than one group applicant has a membership option; Group applicants have same random number; Department is likely to see tags surrendered on a single basis as opposed to groups of surrendered tags
- Recommendation: Tag offered to applicant a, then b, etc.

R12-4-121 Tag Transfer

- Develop an application process for 501c(3) organizations wishing to participate in Tag Transfer.
- Application form will include: Articles of Incorporation or tax documentation identifying them as a valid 501c(3), document identifying the organization's mission, and a letter stating how the organization will participate in the program.

Commissioner Harris clarified with Ms. Munig that a person getting their bonus points back does not also get recovery of costs.

* * * * *

Meeting recessed for a break at 10:46 a.m.

Meeting reconvened at 11:03 a.m.

* * * * *

17. Approval of Final Rulemaking Amending Article 4 Rules Addressing Live Wildlife.

Presenter: Pat Crouch, FOR6 Field Supervisor

Mr. Crouch presented the Commission with a Notice of Final Rulemaking and Economic Impact Statement amending rules within Article 4, addressing live wildlife. The Department proposes to amend rules within Article 4 addressing live wildlife to enact amendments developed during the

preceding Five-year Review Report approved by the Commission at the September 2013 meeting and by the Governor's Regulatory Review Council at their December 2013 meeting. The Department proposes the following rule amendments:

For all special license rules

- Clarify that a special license: does not exempt the licensee from all applicable laws and rules or allow any activities using federally-protected wildlife, unless the licensee possesses authorization from U.S. agency. The licensee is responsible for compliance with all applicable laws and rules
- Expand the time-frame for denying a license for conviction of illegal holding/possession of wildlife violation from 3 to 5 years
- Require a license holder to ensure wildlife is accompanied by a health certificate.

R12-4-401. Definitions

- Amend or update several definitions to increase consistency within Article 4 rules.

R12-4-402. Live Wildlife; Unlawful Acts

- Establish the Department's authority to euthanize acquired/seized wildlife.

R12-4-404. Possession of Live Wildlife Taken Under an Arizona Hunting or Fishing License

- Allow the use of reptiles for aversion training. This activity is currently allowed, but is not addressed in rule.

R12-4-406. Restricted Live Wildlife

- Delist hedgehogs to allow their use as pets
- List all federally listed threatened/endangered species and all MBTA migratory birds as restricted wildlife to prevent persons from unknowingly violating federal regulations
- List apple snails, Chinese mystery snails, false dark mussels, non-human primates, paddlefish, red shiner, sturgeon, five species of tilapia, transgenic wildlife, and wildlife listed under AIS Director's Order #1 as restricted wildlife as they pose a significant threat to native wildlife/habitat or human health and safety. Restricted wildlife may not be possessed unless authorized by the Department.

R12-4-407. Exemptions from Special License Requirements for Restricted Wildlife

- Allow a person to set-up a temporary exhibit using wildlife and allow use of wildlife for commercial photography while simultaneously protecting the public health and safety
- Require a person to dispose of wildlife that dies while in transport as directed by the Department.

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

- Expand options the Department may use when a licensee fails to comply with laws and rules and allow a licensee whose renewal is denied to possess wildlife until the final day on which a judicial review may be requested to allow due process.

R12-4-410. Aquatic Wildlife Stocking License

- Establish a protocol for disease control to increase consistency between rules
- Establish the Department's authority to perform inspections.

R12-4-414. Game Bird Shooting Preserve License

- Combine R12-4-414, R12-4-415, R12-4-416, and R12-4-419 into one rule addressing game birds. This requires repealing R12-4-415, R12-4-416, and R12-4-419.

R12-4-420. Zoo License

- Prohibit transfers of restricted wildlife from zoos to private game farms in an effort to protect wildlife resources and prevent unregulated commercial breeding.

R12-4-421. Wildlife Service License

- Prohibit the possession of wildlife carcasses/parts as this is not consistent with the rule's intent.

R12-4-422. Sport Falconry License

- Expand restrictions placed on apprentices regarding the possession of federally-listed/endangered species to include subspecies and prohibit the transfer of permit-tag, nonpermit-tag, and quota regulated raptor species to out-of-state falconers within one-year of capture.

R12-4-423. Wildlife Rehabilitation License

- Require a licensee to contact the Department if they receive and/or treat a special status species
- Allow the Department to deny a license to a person who intentionally causes an animal to imprint on humans.

R12-4-424. White Amur Stocking and Holding License

- Require applicants to further examine the potential for adverse impacts on existing wildlife species in a licensed area
- Establish a protocol for disease control and Department's ability to perform inspections.

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 who possesses (now restricted) wildlife prior to its listing under R12-4-406 to notify the Department of the animal(s) and its unique identifier(s)
- Establish that the transfer of wildlife held under this rule nullifies the exemption
- Restrict propagation and remove language implying offspring are exempt from reporting requirements.

R12-4-426. Possession of Primates

- Restrict the possession of primates to zoo licensees, research facilities, and persons exempt under R12-4-425
- Add other zoonotic diseases to clarify the various testing requirements
- Require persons to transport primates in a secure cage, crate, or carrier to reduce the risk of escape and threat to public health, safety, and welfare.

R12-4-428. Captivity Standards

- Require the licensee to provide an enclosure that promotes the psychological well-being of captive animals and veterinary care even when the animal will be kept for less than 1-year.

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

- Expand disease testing options to reduce the burden and costs to the regulated community and the Department.

The Commission approved the Notices of Docket Opening and Proposed Rulemaking at the August 2014 Commission Meeting. A public comment period occurred and feedback from the bundled products and services public meetings was considered as package recommendations were finalized. During the public comment period, the Department reached out to license

holders, special interests groups and the general public, and developed the following amendments to the recommendations:

- Under R12-4-404, Possession of Live Wildlife taken under an Arizona Hunting and Fishing License: Add language to rule clarifying an individual may sell images of restricted wildlife taken under a hunting and/or fishing license
- Under R12-4-405, Importing, Purchasing, and Transporting Live Wildlife Without an Arizona License or Permit: Recommend modifying the rule to clarify the Department of Agriculture's existing requirements (The Department is not adding new requirement)
- Under R12-4-406, Restricted Live Wildlife: Remove reference to include all federally listed species; Add language to rule clarifying exemption for medical or scientific research facilities; Remove reference to ARS 17-101.
- Under R12-4-421, Wildlife Service License: Add language to rule specifying species that can be removed by pest control companies without special license
- Under R12-4-426, Possession of Primates: Restrict possession of all non-human primates as pets.

The Commission was provided with the Notice of Final Rulemaking and Economic Impact Statement prior to this meeting for review and consideration. 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 submit the rulemaking to the Governor's Regulatory Review Council (G.R.R.C.) for review and placement on a future agenda.

Public Comment

Jerry Fife, representing himself, recommended that a commercial factor be allowed for reptiles. He believes this would also help to conserve and propagate them, and reduce the threat of poaching to wild populations.

Amanda Schlichting, AZ State Director, Humane Society of the U.S (HSUS), made the following statements: The HSUS fully supports the designation of all non-human primates as restricted wildlife. All primate species are inherently wild and unpredictable, and pose a risk to public health and safety. Additionally, the HSUS opposes the proposal to allow hedgehogs as pets. Hedgehogs are a source of deadly salmonella infections and carry salmonella bacteria with exhibiting any signs of illness. The escape or release of hedgehogs presents a risk to Arizona's native wildlife and ecosystems and have the potential to become an invasive species and a burden and costly problem. Lastly, the HSUS opposes the proposal to exempt facilities accredited by the Zoological Association of America (ZAA). The ZAA has weak standards that supports poorly run roadside zoos, traveling zoos and private menageries.

Dave Weber, North American Field Herping Association, supports the amendment to allow photography of reptiles and thanked the Department and the people involved for working with them to get the rule changed.

Bill Love, Photographer, agrees with Dave Weber's comments and thanked the Department and Commission for working with them.

Kathleen Love, representing herself, also had previous concerns about the photography, health certificates and other things that were addressed, but thanked the Department for addressing their concerns.

James Badman, Associate Director for Animal Care at Arizona State University, pet store owner and owner of a hobby farm, expressed his appreciation and support for exempting the rodents and requested that the exemption to be extended to fish as well. He does not agree with a blanket restriction on non-human primates.

Joanne Kieran, Fallen Feathers, a rehabilitation organization for orphaned and injured wild birds, stated her opposition to requiring health certificates. Birds are not taught in veterinary school and there is only one licensed avian vet in the State of Arizona. Health certificates need to be more regulated, but it depends on what type of animal. Regarding the education requirement for licensees that requires medications to be administered under the direction of a veterinarian, this is astronomical considering the time factor for treating birds is very short. Lastly, Ms. Kieran suggested the Department put on an educational symposium for licensed rehabilitators.

Deborah Schweikardt, Arizona Bird Store and Arizona Avian Alliance, thanked the Department for working with them on the issues and agreed with the comments made by Joanne Kieran.

Chairman Mansell noted that the Commission received a letter from Maricopa County Department of Public Health in support of the rules pertaining to non-human primates because of disease and health concerns, and he has a speaker card from Sharron Keene stating that transgenic fish should not be banned (did not wish to speak).

Commissioner Davis discussed with Mr. Crouch in regards to extending the allowance of fish along with rodents for qualified research institutions. He also asked about symposiums for licensed wildlife rehabilitators, and clarified with Mr. Crouch that a licensed wildlife rehabilitation licensee needed to be working with a veterinarian but did not have to have oversight every time they administered prescribed medication.

Mr. Crouch stated that the Department could allow fish along with rodents to qualified research institutions considering their high standards of control.

Mike Demlong with the Department's Education Branch stated that the Department has put on symposiums in the past with very little attendance and participation from license holders, however, the Department would be happy to be an active participant if the licensed wildlife rehabilitators community wanted to put on a symposium.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE THE NOTICE OF FINAL RULEMAKING, AND ECONOMIC IMPACT STATEMENT AMENDING RULES WITHIN ARTICLE 4, ADDRESSING LIVE WILDLIFE.

Commissioner Davis requested a friendly amendment to add fish along with rodents to the definition for research and medical.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE THE NOTICE OF FINAL RULEMAKING, AND ECONOMIC IMPACT

STATEMENT AMENDING RULES WITHIN ARTICLE 4, ADDRESSING LIVE WILDLIFE AS PRESENTED WITH THE AMENDMENT TO ADD FISH ALONG WITH RODENTS TO THE DEFINITION FOR RESEARCH AND MEDICAL.

Vote: Unanimous

* * * * *

23. 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.

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

Vote: Unanimous

The Commission had a working lunch during Executive Session.

* * * * *

Meeting recessed for lunch at 12:00 p.m.

Meeting reconvened at 2:00 p.m.

* * * * *

18. 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.

* * * * *

19. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms briefed the Commission on a rehearing request by William Holoboff regarding the revocation of his license privileges. On May 16, 2014, Mr. Holoboff was convicted in the Yuma Justice Court for obtaining a 2012 resident hunting license by misrepresentation. On September 5, 2014, the Commission revoked Mr. Holoboff's hunting, fishing and trapping licenses for a period of three years and further required him to complete a Hunter Education Course before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Holoboff requested a rehearing of this matter and decision and respectfully requests that his fishing privileges be reinstated. Mr. Holoboff's offense in Arizona only included a hunting violation and he would like to be able to continue fishing with his wife in Oregon during the remainder of his revocation period. Mr. Holoboff was notified of the hearing by certified mail.

Mr. Holoboff was present and addressed the Commission on behalf of his request.

Motion: Davis moved and Harris seconded THAT THE COMMISSION VOTE TO GRANT MR. HOLOBOFF'S REQUEST FOR A REHEARING.

Vote: Aye - Davis, Madden, Ammons, Harris
Nay - Mansell
Passed 4 to 1

The Commission and Mr. Holoboff agreed to do the rehearing now and not at a later date.

The Commission confirmed that Mr. Holoboff's civil assessment had been paid and discussed with legal counsel what their options might be.

Modification of Previous License Revocation Motion: Davis moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF WILLIAM HOLOBOFF TO HUNT IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF THREE (3) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF HIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE WAS SIGNED BY THE DIRECTOR; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES, IF NOT ALREADY COLLECTED, OR TO BRING CIVIL ACTION AGAINST WILLIAM HOLOBOFF TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) MOUNTAIN LION; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye - Mansell, Davis, Madden, Harris
Nay - Ammons
Passed 4 to 1

* * * * *

Meeting recessed for a break at 3:20 p.m.
Meeting reconvened at 3:35 p.m.

* * * * *

20. Mexican and Northern Gray Wolf Briefing

Presenter: Jim deVos, Assistant Director, Wildlife Management Division

Mr. deVos provided a PowerPoint presentation and update on negotiations with the U.S. Fish and Wildlife Service regarding resolution of issues associated with the Mexican Wolf proposed 10(j) rule and the associated draft Environmental Impact Statement (DEIS) since the last Commission meeting. The presentation included an evaluation of the final EIS statement and 10(j) rule pending its release prior to the Commission meeting. A summary of Department expenditures in support of the Mexican wolf program to date was also provided along with an

update on the status of the northern gray wolf that has been observed on the North Kaibab. The following are highlights from the presentation:

Commission direction provided in August 2014:

- Continue to interact with Fish and Wildlife Service to develop an acceptable alternative for Mexican wolf management
- Develop strategies for litigation, congressional involvement and possible withdrawal for future Commission consideration.

Department activities since the last Commission meeting:

- Active involvement with Stakeholders Ad Hoc Group
- Numerous contacts with the USFWS
- Met with Arizona Cattle Growers Board of Directors
- AGFD (Director, AAG and WMD AD) met with New Mexico Director and her Executive Staff
- Review and comparison of FEIS for the revised 10(j) rule.

Key elements of an ESA 10(j) rule:

- Contributes to recovery but doesn't have to constitute full recovery by itself

Final EIS negotiations/potential resolutions:

- 300-325 in AZ and NM with phased management approach
- 15% impact trigger to begin wolf removal, or ungulate management goals
- South of I-40 in AZ and NM; 3 zones used in phases
 - Phase 1 in effect years 1-5
 - Phased execution dependent upon evaluations conducted in 5th and 8th years; Evaluations will consider: 1) Adverse human interactions with Mexican wolves, 2) Impacts to wild ungulates, and 3) Whether or not the MWEPA population is achieving a 10% annual growth if targeted population not achieved, then implement next phase
 - Move to full implementation 10(j) rule throughout the MWEPA at beginning of 12th year

Total Estimated Cost of Mexican Wolf Conservation 1977 – 2013 (From USFWS website):

AGFD State	AGFD Federal	NMDFG State	NMDFG Federal	USDA FS	USDA WS	USFWS	TOTAL
2,763,022	3,632,348*	502,401	810,605	1,322,500	1,650,000	20,905,880	31,558,756

*During the past 5 years no Pittman Robertson funds have been expended on Mexican wolf management

Northern Gray Wolf Update:

- Early October, 2014 – public reports of wolf-like animal on Kaibab Plateau (some citizen reports suggest may have been there in August)
- Investigations managed as if northern gray wolf with full ESA protection

- Federal permit required to catch the animal; AGFD does not have a permit; USFWS amended their permit and attempted to capture to verify taxonomic status; capture effort was unsuccessful; scat DNA testing documented animal as female northern gray; treated as endangered
- AGFD Actions:
 - Reviewed existing and obtained additional photos, which indicated that the animal was collared; coordinated with Utah Division of Wildlife re collar frequency of wolf recently in Utah; looked for collar frequency on Kaibab Plateau; scat location and collection efforts; Commission updates
 - Contacted all state and Federal agencies in northern Rocky region in an attempt to document origin of wolf
 - Contracted with DNA Laboratory to compare scat DNA with gray wolf DNA catalogue.

Public Comment

Mr. deVos provided the Commission with a letter from the Eastern Arizona Counties Organization in support of the Commission's, Department's, cooperating agencies', and the ad hoc coalition of Arizona stakeholders' work on the Mexican wolf experimental population 10(j) rule.

Mike Sorum, addressed the Commission with a statement of support for Mexican wolf recovery and encouraged the Commission and the Department to use the best available science to determine the management decisions for Arizona's native wildlife, including the Mexican wolf.

Karin Michael, Board Member, Animal Defense League of Arizona, supports Mexican wolf recovery; believes the Department should focus on increasing their numbers instead of putting a cap on it; should allow them north of the I-40.

Lauren Baertscher, representing self, supports Mexican wolf recovery; they should be allowed north of I-40.

Esther Ceballos, not present, but submitted speaker card in support of Mexican wolf recovery.

Chris Carlen, not present, but submitted speaker card in support of Mexican wolf recovery.

Ed Coleman, representing self, supports Mexican wolf recovery; opposes limits on numbers and range, and the removal of depredating wolves.

Kathleen Cheatham, representing self, supports Mexican wolf recovery; opposes killing of wolves.

Edwina Vogan, representing self, agreed with the comments of the previous speakers; reminded the Commission of the Department's mission statement in regards to all wildlife and all citizens of Arizona and not just their constituents.

Shawn Newell, representing self, agrees with the previous speaker comments; supports Mexican wolf recovery including increasing their numbers and range north of I-40.

Sandy Bahr, Chapter Director, Sierra Club – Grand Canyon Chapter, supports Mexican wolf recovery; continues to be disappointed with the Commission's actions related to Mexican wolves.

Emily Renn, Executive Director, Grand Canyon Wolf Recovery Project, supports bringing back wolves to the Grand Canyon region; agrees with previous comments; opposed to the Department's continued negotiations with the USFWS; requests the Department to leave the northern gray wolf alone.

Stephanie Nichols-Young, not present, but submitted speaker card in support of northern gray wolf near the Grand Canyon; note encouraged the Department to use the story to get more people interested in the outdoors and wildlife.

Roxane George, representing self, thanked the Department for their work on Mexican wolf reintroduction, but was embarrassed by the cartoon in the Arizona Republic about wolf depredation on elk; doesn't agree with the limit on numbers and range, or sending unwanted wolves to Mexico; does not believe the best science supports the Department's actions.

Ramon Rualcaba, Jr., Teacher, representing self, supports Mexican wolf recovery and uses the Mexican wolf recovery as a teaching platform for his students; recommends the Commission to listen and work with the speakers today towards a positive outcome for Mexican wolf recovery.

Kathy Ann Walsh, Phoenix Chapter Leader, Great Old Broads for Wilderness, supports Mexican wolf recovery and thanked the Commission for their efforts so far; would like to see increased numbers and range north of I-40.

Don McDowell, representing AZSFWC and ADA, supports the Department and Commission's efforts in working with the USFWS; agrees with the cap on wolves and the commitment to hold the USFWS accountable.

Steve Clark, Executive Director, Arizona Elk Society, thanked the Department and Commission for all their hard work; appreciates the sound science the Department has put into it; a balanced and scientific approach is what's needed.

Rebecca DeWitt, representing self, supports Mexican wolf recovery and agrees with expanding the numbers and the range; does not believe that Mexico can manage Mexican wolf recovery.

Public Comment from Pinetop Region I Office via video conference:

Carol Stetten, representing self, supports increased numbers of Mexican wolves.

Eric Kramer, not present, but submitted speaker card with comments in support of Mexican wolf recovery.

Public Comment from Flagstaff Region II Office via video conference:

Darren Talayumptewa, Hopi Tribe, Wildlife and Ecosystems Management Program, expressed concerns about funding in the future related to Mexican wolf and other threatened and endangered species; encouraged the Commission to keep communication open with the Tribes; more recovery efforts should be made in Mexico because it is their historical homeland and that is where they came from; the northern gray wolf that has appeared in northern Arizona is a welcome addition; the Tribes are not against wolves, they just have traditional beliefs that oppose the continued expansion of the Mexican wolves; the groups that support expansion of the Mexican wolves are invited to come to the Tribes and here their views on the issue.

Public Comment from Tucson Region V Office via video conference:

Craig Miller, Senior SW Representative, Defenders of Wildlife, supports increase in numbers and range for the Mexican wolf; too much emphasis is being placed on Mexico as the historical range; opposes the Department's recommendations and negotiations with the USFWS.

Chairman Mansell read the following statement for the record:

“Management of the Mexican wolf has been and will continue to be controversial. Beginning with my first contact with this issue, I have found that few are neutral on the issue. In the last week, I have received a number of contacts from constituents that ask that the Commission not support the current proposed 10(j) rule as it doesn't afford adequate protection for recovery of the Mexican wolf. Conversely, I have had constituents push for either elimination of the Mexican wolf program or at the very least to hold the line at 100 wolves within the Blue Range Wolf Recovery Area. Simply, this is a polarized issue and the Commission has supported a balanced approach to Mexican wolf reintroduction. Our approach has steadfastly supported reintroduction both in word and in action. Biologists from the Arizona Game and Fish Department have worked hard, long hours in harsh environments to get to the point that we are at now with Mexican wolf reintroduction. Twenty years ago, there were no Mexican wolves on the landscape. At the last end of the year count, there were 83 Mexican wolves on the landscape. Importantly, reproduction has been high this year and while we await the final end of the year count, the number of pups born bodes well for an expanding population, and likely the population expansion will be large.

By any measure, the proposed 10(j) rule is a huge step in the continued efforts towards successful reintroduction of this native extirpated species. It greatly expands the area where Mexican wolves can roam the American Southwest. Further, it allows a target for a Mexican wolf population that is in balance with the native prey base that shares its space like elk, however, this is a balanced approach and not one that will decimate ungulate populations. This proposed rule also sets timeframes for evaluation of reintroduction success and allows for greater expansion of ranges if population objectives are not met.

Will this proposed rule meet expectations and satisfy the wishes of all interested in Mexican wolf reintroduction? Clearly not, but based on the careful review of Department staff, it absolutely makes great strides toward recovery. It puts more Mexican wolves on the landscape and in much broader areas of the American Southwest.

Recovery cannot be accomplished without reestablishment of populations in Mexico, the historical heart of Mexican wolf distribution. The establishment of a population target of 300-

325 sets the stage for moving wolves from Arizona and New Mexico, which is a critical measure for true Mexican wolf recovery.

I have heard that the Fish and Wildlife Service proposal will lead to the second extirpation of Mexican wolves or that it facilitates broad killing of Mexican wolves. Simply, this is not accurate and in fact, the opposite is true. It implements a balanced approach to reestablishing a larger number of wolves in historical range. I applaud the Fish and Wildlife Service and Department staff for forging a proposed rule that will both lead to Mexican wolf recovery but also broadens social tolerance for the presence of an apex predator. The biology of Mexican wolf recovery is relatively easy; building social tolerance is the greatest hurdle to Mexican wolf recovery.”

Commissioner Davis agreed with Chairman Mansell’s statement and thanked the Department for all the work they have put into Mexican wolf recovery. We hear a lot of viewpoints and appreciate the comments here today, but we need to look back and remember where we started with zero wolves on the landscape. He hopes to see continued work towards the success of a species in its historical habitat.

Commissioner Harris agreed with both Chairman Mansell and Commissioner Davis and added that people need to remember that we started out with a captive population of Mexican wolves and now have wild born pups and success with genetics in this past year. He believes the Department is on the right track and thanked them for their efforts.

Motion: Madden moved and Harris seconded THAT THE COMMISSION VOTE TO PROVIDE THE DEPARTMENT DIRECTION TO CONTINUE TO NEGOTIATE WITH THE FISH AND WILDLIFE SERVICE FOR THE FINALIZATION OF AN ACCEPTABLE 10(j) RULE FOR THE MEXICAN WOLF.

Vote: Unanimous

* * * * *

Meeting recessed for a break at 5:21 p.m.

Meeting reconvened at 5:32 p.m.

* * * * *

21. Community Fishing Compliance Project Briefing

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms provided a PowerPoint presentation and briefing on the results of a two month project which focused on angler participation and compliance within the Community Fishing Waters Program in the greater Phoenix area. The briefing provided an overview of Community Fishing Program angler demographic, participation and compliance during the project period. The presentation also compared and contrasted the findings of the current project with historical community fishing compliance numbers. Highlights of the presentation include the following:

Community Fishing Program (CFP) Overview

- The CFP has 35 waters statewide:: Metropolitan Phoenix – 24; Tucson area – 4; Yuma – 4; Maricopa – 2; Payson - 1
- Cooperative partnerships with 15 cities
- Put and take stocking management strategy for three main species (catfish, trout, bluegill)
- CFP is funded by the Dingle-Johnson Act (56%), city partnership fees (21%), Wildlife Conservation fund (12%), and Game and Fish fund (11%).

Community Fishing Stocking Overview

- Scattered days of week
- Earliest catfish can arrive is Wednesday
- Amounts are based on lake acres
 - Channel catfish average 80-100 lbs. per acre, 1.5 – 2 lb. (Arkansas)
 - 3- acre CFP water/100 lb. per acre = 150 catfish
 - Rainbow trout average 30-35 lbs. per acre, ¾ lb. average (Colorado).
 - 3-acre CFP water/35 lb. per acre = 140 trout

Logistics:

- 23 officers participated in the project
- Project performed within existing budgets and workloads
- Project patrol time = 245 hours
- Estimated cost of the project = \$13,720.00

Project Objective 1: Determine angler license compliance to see if the individuals who are using the CFP waters are “paying the freight”

- Results: 94 % license compliance rate.

Project Objective 2: Determine if angler license compliance at CFP waters is altered by increased enforcement vs. routine enforcement

- Results: Surprise Lake – Patrolled 16 times, 96% license compliance; Pioneer Park – Patrolled 4 times, 97% license compliance.

Project Objective 3: Identify law enforcement issues related to stocking events at CFP waters

Issues:

- Stocking schedule is random and not based on officer availability
- Officer presence at CFP waters during a stocking event is minimal
- Violations are most prevalent during stocking events when fish are available
- Unforeseen events such as fish kills due to poor condition of fish or water quality issues at CFP waters
- Angler network, stocking scouts, taking fish by unlawful methods, fish behavior immediately after stocking, anglers double-tripping or over limits, anglers moving from one CFP water to another to avoid detection.

Project Objective 4: Identify law enforcement challenges related to Operation Game Thief reports of violation at CFP waters

Challenges:

- Anglers increased from 43,100 (2000) anglers to 62,100 (2010)
- CFP waters increased from 16 (2010) to 35 (2014)
- 11 of the 15 new waters are located in the Phoenix metro area yet law enforcement capacity has not changed during the same period
- 674 district contains 10 CFP waters
- From July 1, 2013 – December 3, 2014 there have been 78 OGT fishing violation reports on 26 CFP waters (7 during LE Project)
- The public has the perception when they call the OGT line to report a violation, an officer is always on-duty and available to respond much like a 9-1-1 call. When no response is available the public becomes discouraged and disappointed with the Department

Observations:

- Most CFP anglers have an expectation the fish will be available and they place more value on harvest and less on recreation
- Creel data identifies that the average fisherman fishes for 2 hours
- Participation declines dramatically three days after a stocking
- Anglers attribute a positive experience with, convenience, available fish and law enforcement presence
- Rapid angler turnover increases perception of no law enforcement presence
- Recruitment issues: Fish stocked on Wednesday, are gone by the weekend; unanticipated consequence of increasing statewide daily bag limit; CFP waters are not always the safest places to recreate.

Recommendations:

- Law Branch will partner with the Community Fishing Program to add a Law Enforcement component to the CFP Bulletin
- Work on developing informants on the CFP waters to capture better information on the individuals who are routinely committing violations
- Develop focused special law enforcement projects and patrols (overt, plain-clothes) around stocking events to apprehend routine violators
- Use OGT reports of violations to direct targeted enforcement efforts to maximize officers' time
- Develop an OGT report of violation template specific to CFP waters to aid the dispatchers in capturing standardized data from callers
- Change the possession limit on CFP waters back to the single daily bag limit
- Target CFP outreach to the demographics of the water.

The Commission discussed the issues and challenges to sport fishing and recruitment, as well as the long-term financial implications to the Department.

Director Voyles stated that this program is an investment because it enables the Department to reach different socio-economic categories, different racial distributions and different political environments, and connects us with the inter-city in a way that none of our other programs can do. The better we can grow this with our partnerships, the more we can reduce the cost of growth for the Department.

22. Informational briefing of the report that showed no findings from the recent audit of the Department's Conservation Development and Capital Improvement Funds.

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan provided an informational briefing of a recent audit report of the Department's Conservation Development and Capital Improvement Fund that showed no findings. Every year in accordance with ARS 17-294, the Department is compelled to have an audit conducted of the Conservation Development and Capital Improvement Fund. The audit was conducted for FY14 by Henry an Horne LLP and there were no findings from the audit. The Commission was provided a copy of the report and a summary letter from Henry and Horne LLP.

* * * * *

Meeting recessed for the day at 6:30 p.m.

* * * * *

* * * * *

Meeting reconvened Saturday at 7:00 a.m.

* * * * *

23. (continued) Executive Session

The Commission met at 7:00 a.m. to continue Executive Session.

* * * * *

Chairman Mansell called the public meeting back to order at 8:00 a.m. The Department's Honor Guard presented the Colors and Chairman Mansell led those present through the Pledge of Allegiance, followed by introductions of the Commission, Director and Department staff.

* * * * *

1. Awards and Recognition

Commissioning of Officers Ceremony

The following Wildlife Law Enforcement Officers were sworn in by Director Voyles:

- Debra Groves, Wildlife Manager
- Scott Ozborn, Wildlife Manager
- Grant Pearce, Wildlife Manager
- Seth Pierce, Wildlife Manager
- Justin Winter, Wildlife Manager
- Leonard Wood, Law Enforcement Specialist

National Association of State Boating Law Administrators (NASBLA) Recognition

Director Voyles recognized Wildlife Manager Jes Antolik. Every year NASBLA recognizes an outstanding boating enforcement officer in each state and Jes Antolik was selected as Arizona's 2014 Boating Law Enforcement Officer of the Year.

Department Employee Service Pin Awards

Director Voyles presented Service Pin Awards to the following Department employees:

35 Year Service Pin

Henry Apfel
Dan Dymond

25 Year Service Pin

Randy Babb
Dave Cagle
Troy Christensen
Connie Duncan
Larry Phoenix
Devin Skinner

20 Year Service Pin

John Bacorn
Pat Barber
Ric Bradford
Ken Clay
Olivia Fuller
Sue Schuetze

40 Year Service Pin

Chairman Mansell presented Director Larry Voyles with his 40-year Service Pin Award.

* * * * *

2. Dedication Ceremony for New Game Ranger Memorial Trail

The Commission and Department staff went outside to the new Game Ranger Memorial Trail where Director Voyles led the dedication and opening ceremony. In commemoration of a century of service to the citizens of Arizona, the Department now has an interpretive foot path highlighting chronological milestones in the living history of the Arizona Game Ranger. The Arizona Game Ranger FOP Lodge helped raise money for the construction of the trail.

* * * * *

Meeting recessed for a break at 10:35 a.m.

Meeting reconvened at 10:50 a.m.

* * * * *

3. Consideration of Proposed Commission Orders 3, 4, and 26 for 2015 Hunting Season.

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig presented the Commission with Commission Orders 3 (pronghorn antelope), 4 (elk), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers or authorized limits, and open areas for the respective 2015 fall hunting season. Ms. Munig provided a PowerPoint presentation that included charts and graphs of historical and current survey data, as well as weapon type data and young/female and male/female ratios. A detailed description of all proposals was provided to the Commission prior to this meeting for review and consideration, and was available for public review at all Department offices and on the Department's website.

Hunt structures and recommendations were formulated based on the two-year hunt guideline package approved in September 2013. The following hunt recommendations for fall 2015 pronghorn antelope, elk, and population management seasons are based on the guidance provided by that document. Regions 1, 2, 3, and 6 held public meetings after analyzing current year survey data and prior to meeting with the Game Branch to discuss permit recommendations. These meetings were held during October 16–23, 2014. Attendance was low at these meetings. At each of these meetings, Regional staff shared recommended management direction regarding harvest with those in attendance.

Each Region held an open house between November 25 and December 3, 2014 at which the public could ask specific questions about hunt recommendations for pronghorn, elk, or population management seasons from knowledgeable staff. The hunt recommendations were posted on the Department website on November 21, 2014.

In accordance with Hunt Guidelines, the Department will continue to allocate a proportion of the permits for pronghorn and elk within Units 4A, 5A, and 5B to Hopi tribal members based on the estimated populations of pronghorn and elk that occupy those lands. In exchange, the Hopi tribe will grant access to Hopi Trust Lands for permit draw hunters within the open hunt area. Likewise, Hopi tribal members that draw from their allotted permits will have access to the entire open area in the hunt area.

The following information was presented with subsequent Commission action:

Commission Order 3 – Pronghorn Antelope

Statewide buck to doe ratios are above guidelines at 32:100, whereas fawn to doe ratios moved into guidelines at 30:100. In Region 3, public access is an ongoing concern and influences permit recommendations; however, there are a number of ranches that do allow public access facilitating pronghorn hunting. Big Boquillas Ranch in Unit 10 continues to charge a fee to enter the Ranch. In 2013, about half the hunters with pronghorn permits paid the fee to hunt on the Big Boquillas Ranch. The Unit 10 pronghorn population continues to do well, and the Department is recommending a 10-permit increase to the general hunt.

General season permits are recommended to increase by 21 from last year for a total of 466 permits. The archery-only pronghorn permit recommendation is 275 permits, which is a decrease of 14 permits mostly (this includes a 10-permit reduction in each of the two Unit 19A hunts, a 1-permit increase in Unit 4A, and a 5-permit increase in Unit 10). Muzzleloader pronghorn seasons are recommended for 67 permits, a decrease of 5 permits in Unit 19A. It is recommended that Hopi tribal members are allocated 10 general permits, 3 archery-only permits and no muzzleloader permits in Units 4A, 5A, and 5B. The Raymond Wildlife Area will be open to all pronghorn hunters in this unit.

The hunts for pronghorn on Fort Huachuca in Unit 35A are recommended to close.

A new season structure is recommended for pronghorn due to concern about prolonged breeding and therefore a prolonged fawning period, which may allow for increased predation on the pronghorn fawns. The Department proposes to shift the season dates to outside of the month of September in Units 3A, 7, and 9 for a 3 to 5 year period. In these three units, archery seasons

will occur the last two weeks of August and end before September 1, which is a one week earlier shift, and the general seasons will shift to the first Friday in October, which is about a two week shift.

Pronghorn Permit Summary

General	466 (+21)
• Increase in Units 1, 2A, 3A, 4A, 4B, 5A, 10, 13B	
• Decrease in Units 2C, 5B, 6BS, 18B, 21	
Muzzleloader	67 (-5)
• Decrease in Unit 19A	
Archery	272 (-14)
• Increase in Units 4A, 10	
• Decrease in Unit 19A	
Bonus Point only hunt number	
Total	805 (+2)
Hopi Tribal Permits (4A, 5A, 5B)	
Fort Huachuca Seasons (closed, no hunts allocated)	

The Department recommends THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 3 – PRONGHORN ANTELOPE AS PROPOSED.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 3 – PRONGHORN ANTELOPE AS PROPOSED.

Commissioner Davis proposed that the Commission vote on these hunt recommendations at the end of the presentation.

Motion and Second Withdrawn.

Commission Order 4 – Elk

Statewide bull to cow ratios are above guidelines at 36:100; calf to cow ratios remain within guidelines at 36:100. As with pronghorn, a proportion of the permits in Units 4A, 5A, and 5B are recommended to be allocated to Hopi tribal members.

Elk harvest is recommended to allow limited population growth in some areas where growth is possible as identified in the Elk Management Plan; individual populations may be managed according to current habitat and environmental conditions.

This recommendation package continues to adjust bull to cow ratios to meet or move toward management guidelines. General season permits are recommended at 14,612 permits, a decrease of 390 permits from last year (the change comprises a decrease of 130 bull elk permits and a decrease of 260 antlerless elk permits). This decrease is generally to allow elk population expansion where habitat conditions are suitable for expansion. An additional 28 general bull and 11 general antlerless permits are recommended for allocation to Hopi tribal members in Units 4A, 5A, and 5B. The Raymond Wildlife Area will be open to all elk hunters in this unit.

Youth-only general antlerless elk permit numbers are recommended at 1,212 permits, an increase of 75 permits (as a new youth hunt in Unit 10). Six permits are recommended to be allocated to Hopi tribal members in Unit 4A. The Commission directed the Department to allocate at least 5% of the total available elk permits as antlerless elk permits to youth-only seasons. The permit allocation in this package for youth-only antlerless elk permits represents 5.3% of elk permits excluding limited opportunity hunts.

Muzzleloader permits are recommended to increase by 101 permits to 1,228 (the change comprises an increase of 126 bull elk permits with most in Unit 10 and a decrease of 25 antlerless elk permits). No muzzleloader permits are recommended for Hopi tribal members in Unit 5B.

Archery-only elk permits are recommended to decrease by 49 to 5,656. Hopi tribal members are recommended to receive 18 archery-only bull and 5 archery-only antlerless permits in Units 4A, 5A, and 5B.

CHAMP permit levels will increase by 5 from last year's recommendation, which will provide 50 any elk permits.

The Department's recommendation is generally consistent with the weapons allocation formula in hunt guidelines. Bull and antlerless elk harvests are allocated by sex and weapon type using 5-year averages of first-choice application demand and 5-year averages of hunt success by weapon type; limited opportunity, CHAMP, and youth-only hunts are excluded from this allocation determination. The targeted and recommended allocations for bull and antlerless elk permits are as follows:

Bull Elk:	<u>Target</u>	<u>Recommended</u>
General	56.7%	56.4%
Muzzleloader	5.5%	6.4%
Archery	37.9%	37.2%
Antlerless Elk:	<u>Target</u>	<u>Recommended</u>
General	86.3%	83.8%
Muzzleloader	4.3%	4.7%
Archery	9.4%	11.5%

Projected harvest for both bull and antlerless seasons are expected to be within one percent of targeted allocation.

Limited opportunity general hunts are recommended to decrease by 5 general permits to 1,838 and limited opportunity archery-only hunts are recommended to decrease by 25 permits to 135. Two muzzleloader limited opportunity hunts are recommended with 50 permits, an increase of 20 permits from last year. Limited opportunity archery hunts are recommended to remain the same at 135 permits. Hopi tribal members are recommended to receive 79 antlerless general limited opportunity permits in Units 4A North, 5A, and 5B North.

The nonpermit over-the-counter elk seasons are recommended to continue with no change from the 2014 seasons.

Season structure on Camp Navajo in Unit 6B will continue to be offered as military, disabled veteran, wounded warrior, or other. Permits are recommended as 117 military (+29), 29 disabled veteran (+4), 12 wounded warrior, and 47 other (+17).

The hunt recommendation package was coordinated with land management agencies, local habitat partnership committees, and the Forage Resource Study Group in Region 2. Permits for bull and antlerless harvest were managed to meet management guidelines for bull to cow ratios and forage use as noted in the hunt guidelines and the Elk Management Plan.

Elk Permit Summary

General	14,617	(- 385)
Youth Only	1,212	(+ 75)
Limited Opportunity (Gen)	1,838	(- 5)
CHAMP	50	(+5)
Muzzleloader	1,228	(+ 101)
Limited Opportunity (Muzz)	50	(same)
Archery	5,656	(- 49)
Limited Opportunity (Arch)	135	(same)
General / Archery Nonpermit Tag		
Bonus Point		
Total	24,786	(- 258)
Hopi Tribal Permits (4A, 5A, 5B)		

The Department recommends THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 4 – ELK AS PROPOSED.

Commission Order 26 – Population Management Seasons

Population management seasons are recommended for implementation in generally the same units, seasons, and permit levels as last year. "Designated elk," "designated buffalo," or "designated deer" is the legal wildlife in each of the population management seasons so that the Director may designate the desired legal animal for harvest if the permits are issued. Although the Department is recommending that the Commission authorize 1,525 deer (1,475 general and 50 archery only), 1,925 elk (1,245 general, 100 muzzleloader, 25 HAM, and 555 archery only), 770 javelina (360 general, 250 HAM, and 160 archery only), 170 buffalo (all general), and 122 bear (68 general, 26 HAM, and 28 archery only), these permits will not be issued unless approved by the Director following a determination from the population management hunt review and approval process. For archery turkey, the Department is recommending the Commission authorize 1,780 permits be available as "companion tags" to hunters who draw archery elk permits in the corresponding unit and season date.

Population Management Hunt Summary

- Population Management Seasons: January 1 – December 31, 2015
- Recommended for the same seasons and similar permit authorization levels as last year with the following exceptions:

- Elk – add an archery and general season in Unit 10 with 100 permits each
- Deer – add an archery and general season in Unit 41 with 75 permits each
- Deer – add a general season in Unit 43B with 50 permits
- Other PMH companion permits are authorized at April 2015 Commission Meeting with their companion hunts

The Department recommends THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS AS PROPOSED.

Chairman Mansell asked if there were any changes to the information presented at this meeting to the information posted on the website last week.

Ms. Munig stated that it was all the same other than the changes she has already mentioned. Ms. Munig recapped the following changes:

- Elk: Unit 23, early general bull, recommend to stratify hunt to 23 North with 15 permits and 23 South with 5 permits; the season dates are the same
- Population Management Hunts: Two additional general deer seasons, one in Unit 41 for 75 permits, one in Unit 43B for 50 permits; and one additional archery deer hunt in Unit 41 for 75 permits.

Commissioner Harris discussed with Ms. Munig the potential affects if the Commission made some changes to the season structure, for example, moving an archery season to a muzzleloader season and a muzzleloader season to an archery season. Ms. Munig stated that that depending on the hunt that is being shifted, it could create a cascading effect. If the swap is only the timeframe, there would be no significant affect.

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 3 – PRONGHORN ANTELOPE AS PROPOSED.

Public Comment

Steve Clark, Arizona Elk Society, thanked the Commission and the Department for their participation with the public on this process. He recommended that the Commission not make any floor changes without thorough vetting regarding the swaps as mentioned by Commissioner Harris. It's an interesting concept that should be looked at, but it will be a huge social change.

Commissioner Harris asked Mr. Clark if he would still be opposed if they only did the swap in a couple of units as a test to see how it goes.

Mr. Clark stated that it might be a positive change, but he would still be opposed because it needs to be put out to the public for comment and discussion first.

The Commission discussed that this concept has been brought up before and it was not acted upon.

Commissioner Davis added that he would like to see the following in the future: A matrix of each unit with the dates and weapon types; consideration of some rotation related to quality or first in opportunity by weapon type; and consideration of a primitive weapon hunt as opposed to

a hunt with all the new technology for muzzleloader and archery. He would like to see these things before the Commission looks at Commission Orders for deer. Additionally, he would like to see Commissioner Harris' suggestion done as a pilot.

(Vote on Commission Order 3 – Pronghorn)

Vote: Unanimous

Director Voyles noted that the Commission has historically directed the Department on how to structure the seasons through the hunt guidelines process, which has a two-year span, not to say that the Commission cannot make changes, but just to note that there is a process by which the Commission directs the Department on what they want to see in the hunt recommendations. He discussed with Ms. Munig that the new hunt guidelines process begins this month with a public comment period. At the February Commission meeting the Department will present those comments and receive input from the Commission. A review of the hunt guidelines will continue along with a more formal public comment period. The proposed guidelines will be presented in June with a final package presented to the Commission in September. The idea of a primitive hunt is actually a rule change or maybe even a legislative change, but the concept can be included in the hunt guidelines process for public input.

The Commission discussed that guidelines are not written in stone, they are guidelines, and perhaps a pilot test of some of ideas would be better to find out if they work rather than changing the hunt guidelines first and then finding out that something doesn't work.

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 4 – ELK AS PROPOSED WITH THE FOLLOWING CHANGES: ADD 5 TAGS TO EACH UNIT FOR THE NOVEMBER ARCHERY BULL ELK HUNTS; MOVE THE START DATE UP ONE WEEK FOR THE NOVEMBER ARCHERY BULL ELK HUNTS IN UNITS 1/2B/2C, 3A/3C, 3B, 4A, 4B, 5A, 5B NORTH, 5B SOUTH, 7 EAST, 7 WEST, 8, AND 27; FOR ALL SEPTEMBER ARCHERY BULL HUNTS HAVE THEM BE THE SAME LENGTH AND SAME TIME PERIOD, WHICH WOULD SHORTEN SOME SEPTEMBER ARCHERY BULL HUNTS BY ONE WEEK.

Commissioner Davis requested to add to the motion that the Unit 9 muzzleloader hunt on September 25 be swapped with the Unit 9 September 11 archery bull hunt. Also that Unit 5A general bull hunt be swapped with the September archery bull hunt in Unit 5A.

Commissioner Ammons stated that he will vote against any floor changes at this time.

The Commission discussed with the Department potential conflicts or impacts regarding these changes.

Commissioner Davis withdrew the change in Unit 5A due to conflicts, but recommended a muzzleloader hunt be included in the Population Management Hunts.

The Commission continued discussion of several options and conflicts before arriving to consensus on several changes.

Motion Restated: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 4 – ELK AS PROPOSED WITH THE FOLLOWING CHANGES: ADD 5 TAGS TO EACH UNIT FOR THE NOVEMBER ARCHERY BULL ELK HUNTS; MOVE THE START DATE UP ONE WEEK FOR THE NOVEMBER ARCHERY BULL ELK HUNTS IN UNITS 1/2B/2C, 3A/3C, 3B, 4A, 4B, 5A, 5B NORTH, 5B SOUTH, 7 EAST, 7 WEST, 8, AND 27; FOR ALL SEPTEMBER ARCHERY BULL HUNTS TO BE THE SAME LENGTH AND SAME TIME PERIOD (TWO WEEKS), WHICH WOULD SHORTEN SOME SEPTEMBER ARCHERY BULL HUNTS BY ONE WEEK; SWAP THE UNIT 9 MUZZLELOADER SEPTEMBER 25 HUNT WITH THE UNIT 9 SEPTEMBER 11 ARCHERY BULL HUNT KEEPING THE MUZZLELOADER HUNT AS A 1 WEEK-LONG HUNT AND THE ARCHERY HUNT AS A 2 WEEK-LONG HUNT.

Vote: Aye - Mansell, Davis, Madden, Harris
Nay - Ammons
Passed 4 to 1

Motion: Davis moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS AS PROPOSED WITH THE CHANGE TO ADD A UNIT 10 MUZZLELOADER SEASON WITH 50 PERMITS AND REDUCE THE UNIT 10 GENERAL SEASON TO 50 PERMITS.

Commissioner Harris clarified that the population management hunt is not a given season, but is only if the Department initiates it.

Vote: Unanimous

* * * * *

4. Hunt Permit-Tag Application Schedule for 2015 Antelope and Elk Hunts

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan provided the Commission with a brief presentation relating to the hunt permit-tag application schedule for the 2015 Antelope and Elk hunting seasons (attached). 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.

Ms. Morgan noted that the Department contemplated alternative deadline times for paper verses online applications and ultimately recommended to stay with the 7:00 p.m. deadline for both in order to prevent any confusion. The customer service hotline will be extended to 7:00 p.m. on deadline day to assist anyone calling in. This and other information has been added to Note 2 on the attached application schedule.

Commissioner Harris suggested changing the word “will” to “may” regarding extending the draw so that the Commission has some flexibility.

Commissioner Davis commented that the 7:00 p.m. deadline didn't make any sense to him, but that he understood the potential for confusion it could cause having two different deadlines times, one for paper applications and one for online applications. He further discussed with the Department that the target date for doing away with paper applications is 2016.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR THE 2015 ANTELOPE AND ELK HUNTS WITH THE ADDITION OF CHANGING THE WORD "WILL" TO "MAY" AS RECOMMENDED BY COMMISSIONER HARRIS.

Vote: Unanimous

* * * * *

25. Approval of Minutes and Signing of Minutes (From Friday's agenda)

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM SEPTEMBER 5-6, 2014, SEPTEMBER 23, 2014 AND NOVEMBER 7, 2014.

Vote: Unanimous

The Commission signed the minutes following approval.

* * * * *

23. (Continued) 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.

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

Vote: Unanimous

* * * * *

Chairman Mansell was not present or the rest of this meeting.

* * * * *

24. Litigation Report (From Friday's agenda)

Mr. Odenkirk provided a recommendation based on discussion in Executive Session. The recommendation was that the Commission vote that legal counsel and the Department proceed in accordance with the Commission's direction provided in Executive Session regarding litigation.

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE THAT LEGAL COUNSEL AND THE DEPARTMENT PROCEED IN ACCORDANCE WITH THE COMMISSION'S DIRECTION PROVIDED IN EXECUTIVE SESSION REGARDING LITIGATION.

Vote: Unanimous
4 to 0
Mansell not present

Vice Chairman Davis stated for the record that in Executive Session the Commission went through the annual review process of the Director and that Director Voyles has agreed to continue in his position for another year.

Director Voyles stated that he has enjoyed his tenure with the Department and this Commission in particular, and that the work they are doing together is really important. He is very proud of this organization that is leading the way on some cutting edge work in wildlife conservation across the nation. He thanked the Commission and stated that he looks forward to another year of progress.

Vice Chairman Davis also noted for the record that the Arizona Game and Fish Department has some wonderfully talented folks who are making this the premier wildlife agency in the country and that anyone would be proud to have this agency.

* * * * *

26. Director and Commissioner Comments (From Friday's agenda)

The Commission was in consensus to waive the Director and Commissioner comments.

* * * * *

5. Future Agenda Items and Action Items

Deputy Director Ty Gray captured the following action and agenda items:

- The Department will bring back legislative language at the January meeting on the OHV and Mexican wolf compensation program
- Future Legislative Commission assignments will be included at the June meeting when all other Commission Committees are assigned
- A Fair Chase Committee will be implemented immediately to evaluate what authorities are needed to react quickly to address ongoing new technologies and return to the Commission in January with those strategies and a policy for approval; may look at some type of interim rules and authority
- The Department will re-evaluate the term of the license agreement for Horseshoe Ranch and bring that back to the Commission as a regular agenda item at the January Commission meeting
- The Department will provide the Commission information of plotting the bonus point draw and graphics to include a 3-5 year data set; this will be an informational update prior to the Article 1 proposal

- Regarding community waters program, the Department will work to consider and evaluate improvements to enhance the youth recruitment and retention efforts, as well as overall angler experience and law enforcement efforts to increase compliance
- Regarding the hunt recommendations and the hunt guidelines, the Department will bring back to the Commission by February the following: 1) a matrix or list of all the hunts including weapon type and junior hunts in a chronological sequence by date including the tag totals; 2) analyze and develop options for rotating seasons by weapon type; and 3) examine the divergence and impacts of the advances in primitive weapon technology, including the definitions and options for hunt opportunities for traditional muzzleloader and archery weapons.

Vice Chairman Davis stated for the record that the last item was for greater opportunity for the Department and for hunters and not for biological reasons.

* * * * *

Vice Chairman Davis adjourned this meeting.

* * * * *

Meeting adjourned at 2:30 p.m.

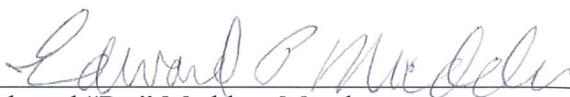
* * * * *



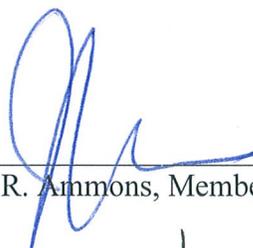
Robert E. Mansell, Chairman



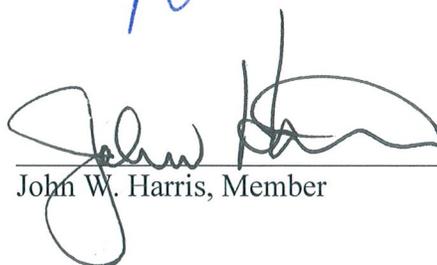
Kurt R. Davis, Vice Chair



Edward "Pat" Madden, Member

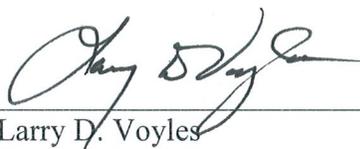


James R. Ammons, Member



John W. Harris, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
December 5-6, 2014**

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.

Plaintiffs filed a notice of appeal on August 21, 2013. On November 27, 2013, plaintiffs (now appellants) filed an opening brief with the Ninth Circuit Court of Appeals. The Forest Service filed its opening brief on January 29, 2014 and the Commission filed its amicus brief on February 7, 2014. Plaintiffs filed their reply brief on March 21, 2014.

2. *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.

Oral argument occurred on January 24, 2014. The Court's questions focused primarily on the jurisdictional issues of sovereign immunity and standing. The Court issued an opinion on February 19, 2014. The Court held that Plaintiffs had no standing due to a lack of redressability because the Chair of the New Mexico Commission had no authority alone to correct any alleged violations. The Court ordered the case remanded back to the District Court with instruction to dismiss the case without prejudice to allow Plaintiffs to refile the case.

On March 7, 2014, the Tenth Circuit granted New Mexico's motion for clarification, in which New Mexico requested that the Court's decision would not affect the District Court's decision dismissing as to Director Lane. The District Court's decision as to Director Lane stands. On March 18, 2014, the District Court dismissed without the prejudice the case against the Chairman.

On April 17, 2014, New Mexico filed a motion for attorney fees and costs. New Mexico is seeking reimbursement for \$580,000.00 in costs and fees. This represents 1231 hours for six different lawyers who worked on the case.

3. *Holden and Guynn v. Arizona Game and Fish Commission*, Maricopa County Superior Court CV 2014-013211 (filed October 14, 2014). The Plaintiffs, whose Title 17 criminal charges were dismissed by the justice court (Guynn) or resulted in an acquittal following a justice court bench trial (Holden) were civilly assessed by the Commission for the loss of wildlife to Arizona. Their 28-page complaint, with dozens of attached exhibits, alleges that A.R.S. §17-314 does not authorize the Commission to impose civil assessments and claims several due process violations in the manner in which the hearing was noticed and conducted. They seek an order from the court declaring the Commission's actions unlawful, enjoining the Department and Commission

from levying the civil assessments, and requiring the Department to issue resident/nonresident hunting licenses to Plaintiffs and permitting them to apply for big game tags.

On November 13, 2014 the Department filed a motion to dismiss the complaint in its entirety for lack of subject matter jurisdiction. The Motion notes that plaintiffs, through their attorney, each declined to appear for the Commission hearing, failed to exhaust administrative remedies by filing a request for rehearing under the Commission rule, and failed to file a timely action to review the Commission's decisions under the Judicial Review of Administrative Decisions Act, which divests the superior court of jurisdiction if the action is not commenced within 35 days from the date the Commission's decision is served on the party (Holden was served with the Commission's decision in May 2014 and Gynn was served in March 2011). The motion to dismiss further cites to Arizona cases for the proposition that a complaint for declaratory judgment cannot be used to circumvent the 35-day statutory deadline for judicial appeals of state administrative decisions.

In response, Plaintiffs on November 19 filed a motion to disqualify the Attorney General's Office from representing the Department and Commission, and a motion to strike the Department's motion to dismiss on the grounds that the Maricopa County Attorney's Office is the only agency authorized by law to represent the Department and Commission in the superior court. A response is due December 11, 2014.

Lands Update

For the Arizona Game and Fish Commission

November 28, 2014

Phoenix, Arizona

U.S. FOREST SERVICE

General Planning Status – Please see attached table.

Four Forest Restoration Initiatives (4FRI)

- The Multi-Party Monitoring Board is currently finalizing metrics and selecting protocols to answer stakeholder ecological effectiveness questions. Field data collection to begin April 2015.

Apache-Sitgreaves National Forest (A-S)

- The Department provided comment to the A-S on the Heber Allotment Project analysis scoping documentation. The proposed project, located in the Black Mesa Ranger District, will re-authorize livestock grazing on the 157,000 acre allotment through the development of a new Allotment Management Plan.

Coconino National Forest

- The Department continues to serve on the ID team for the Flagstaff Watershed Protection Project and is currently reviewing a blended alternative that will be presented in the FEIS. Department personnel met with Forest planning staff to provide input on the blended alternative and draft Record of Decision, expecting a final Decision in September, 2015

Coronado National Forest

- The draft Travel Management Plans (TMP) are being developed for each District and will be released successively for public comment. The Department has met with each ranger district and provided input on the plans prior to release for public comment. Catalina Ranger District is the only district that has issued a plan for public comment which the Department has commented on.
- A Draft Environmental Impact Statement was issued for changes to the motorized travel system on the Safford Ranger District on November 5th. The Department will submit comments to the Forest by December 4th.
- The Draft Land and Resource Management Plan and Draft Environmental Impact Statement are under USFS review and revision with the final version expected to be released in the spring of 2015.
- The MRDG allowing helicopter use in Wilderness for the Catalina bighorn sheep project was split into two separate MRDG's by the Forest. The first was completed at the end of June by the Forest to allow low level flights and hovering over wilderness for monitoring purposes. The second will cover landing in the Wilderness and will accompany the EA which was posted on July 1, 2014, and is expected to be finalized in January.

- The Department conducted Chiricahua leopard frog monitoring surveys in the Galiuro Mountains. These surveys were conducted to evaluate the continued presence of reintroduced frogs at Bull Tank as well as detect dispersal of the frogs to new locations. The frogs are doing extremely well (300+). Frogs were also observed in Dinosaur and Little Bull Tank, as well as tadpoles in Little Bull which signifies a second breeding site within the Bull Tank complex and the first breeding site resulting from natural dispersal from the original release at Bull Tank in the summer of 2012.
- No updates for the Rosemont Copper Project

Kaibab National Forest

- The Department provided recommended locations for up to 8 new water sources within the South Zone Grasslands Project area and identified Department priorities for phased implementation of mechanical treatments and prescribed burning.
- The North Kaibab Ranger District began scoping for the Burnt Corral Vegetation Management Project. Department personnel attended three collaborative public scoping meetings in September and October and have provided input on habitat needs for wildlife. A proposed action, NOI, and due dates for agency scoping comments are anticipated for December 2014.
- The North Kaibab Ranger District has begun the scoping and NEPA process for the development of 10 (6 new and 4 rebuilds) wildlife and wildlife/livestock cooperative water developments/catchments in game management unit 12AE. The project was developed by Department personnel in collaboration with district staff.

Prescott National Forest

- The Department is working closely with the Prescott Forest Strategic Action Plan (SAP) advisory steering committee. The SAP will attempt to use the Central Arizona Grasslands Conservation Strategy efforts as a pilot to test the feasibility of a decision support process for implementing and prioritizing activities on the ground. This project will produce a prioritized spatial representation of the landscape within the CAGCS area for grassland restoration treatments
- A final draft of an overarching, 5 year Master Challenge Cost Share Agreement between the Department and PNF has been received by the Department, and has been routed internally for signature. The Agreement will facilitate expedited USFS approval of (CAGCS, WHEI, and HPC) Supplemental Project Agreements (SPA's) on the PNF, thereby shortening the time necessary to receive compliance documentation

Tonto National Forest

- The Department provided comments on the Draft Travel Management Plan EIS to include the addition of deer for motorized retrieval and incorporate a dispersed camping corridor from all designated routes under the proposed alternative C. The Department continues to gather dispersed camping site data to assist in informing the decision.
- The EA and Draft FONSI for the authorization of helicopter landings in wilderness for bighorn sheep management over 10 years is currently in the 45 day objection period. The Department maintains regular communication with the Tonto on the status and

discussions related to the objections. The objection process was determined by the regional forest staff to be extended an additional 45 days. The Department is moving forward with the capture off wilderness and has completed the EAC process for compliance and use of state dollars.

- The Department was invited to participate and accepted a seat on the ID Team for the Plan Assessment Phase of the Forest Plan Revision to assist in developing the Aquatic portion of the Assessment. The Assessment is in the process of data collection and analysis with an anticipated draft product by late December/early January, for the Aquatic portion. The Department is a cooperating agency and participates on the ID Team for the Plan Revision.

BUREAU OF LAND MANAGEMENT (BLM)

- Department personnel participated in a phone conference with BLM on September 9th to discuss the St. Johns CO₂ Gas Unit portion of the EIS analysis for the Kinder Morgan Los Lobos Pipeline and St. Johns CO₂ Gas Unit. As a follow-up action item, the Department agreed to prepare a letter documenting the environmental analyses that the Department believes should be conducted for the St. Johns CO₂ Gas Unit and the associated pipeline that is proposed for the Arizona segment of the project.

Arizona Strip Field Office

- Regional staff assisted the AZ Strip BLM for 4 days in October with route evaluations for the AZ Strip Travel Management Planning. As previously reported, the Department has requested, and anticipates full cooperating agency status for this process and an MOU is being developed.
- The Department and BLM have finalized the MOU for Cooperating Agency status in preparation of the EIS for the Uinkaret Vegetation Management Project. The NOI for the Uinkaret Vegetation Management Project has been published and scoping comments are due December 1, 2014. As a cooperating agency, Department personnel are planning on attending 2 open houses on November 12, and 13th in the St. George area.

Kingman Field Office

- The BLM Kingman Field Office (KFO), with assistance from Department personnel, completed remaining burro surveys in GMU 15D of the Black Mountains in early October. The survey data was forwarded to USGS for review. A draft survey report and population estimate is presently undergoing USGS internal peer review, and will be released to BLM KFO for release to the public in late December.
- The Department has been invited to participate as a cooperating agency in the NEPA analysis that will take place as BLM reviews a new mining plan of operations that has been submitted to BLM for review by the Bagdad Mine. The mine has requested an expansion of its tailings pile onto an additional roughly 500 acres of public land south of its existing tailings pile. In this capacity, Department personnel participated in an October 28th public scoping meeting related to this process, and have cooperated with BLM in the development of a cooperating agency MOU, which has been submitted to the Department for internal review and signatures.
- The Department continues to participate in BLM's fall rangeland monitoring effort. The results of such monitoring are typically incorporated into Rangeland Health Analyses for each allotment, which are ultimately manifested in the terms and conditions of associated grazing permit renewals.

Phoenix Field Office

- The Department is currently working with staff on the Robbins Burn Area Emergency Response project for additional restoration planning on adjacent private (access agreements initiated) and Department managed lands.

Hassayampa Field Office

- Black Canyon Recreation and Travel Management scoping and route evaluations have begun and the Department participated in a week of route evaluations with BLM staff.

Tucson Field Office

- The Department met with BLM November 6th to discuss travel management planning for the San Pedro NCA Resource Management Plan (RMP). The Department's scoping letter included specific recommendations for improving hunter/recreationist access to areas of the SPRNCA currently accessible only via non-motorized travel. BLM plans to share the draft RMP alternatives with cooperating agencies prior to publication of the Draft RMP EIS (projected publication date has not yet been announced). The BLM plans to develop the TMP concurrently with the RMP, but on a different schedule: the Draft TMP would be released with the RMP Final EIS.

TRANSPORTATION

State Route 77- Show Low to Taylor

- The Department has received the Final Design Concept Report for the widening of SR 77 from US 60 to Taylor, Arizona. Department personnel have been providing ADOT comments throughout the process and will continue to be involved. The Department is currently awaiting the Environmental Assessment report.

State Route 83 and 82

- On October 21st, the Department met with the Tucson ADOT right of way engineers regarding fence modifications on SR 83 and 82 near Sonoita. The Department requested modification of fences and mesquite removal within the right of way to enhance pronghorn crossing success. The Department is working with Arizona Antelope Foundation and ADOT, and will be submitting the corresponding permit application to conduct the work. A field visit was further conducted at the modification locations on November 4th.

I-11 Phoenix to Las Vegas

- Interstate-11 (I-11), when constructed, will route traffic across the new Mike O'Callaghan–Pat Tillman Memorial Bridge and through the Boulder City, NV area. With the projected increase in traffic through Boulder City, a number of Alternative Routes to bypass Boulder City were examined; the Bypass Route that was chosen has potential to impact connectivity and movement of desert bighorn sheep. Due to the success of the overpasses designed for bighorn sheep crossing on the US 93, the Nevada Department of Transportation (NDOT) incorporated wildlife overpasses into the plans for the I-11 Boulder City Bypass. Given that the Department has knowledge and experience intrinsic to desert bighorn sheep mitigation measures, NDOT, the Nevada Department of Wildlife (NDOW), and the Department have entered into a Cooperative Agreement to allow the Department to lend their expertise, under contract, to further this highway construction project. The Department will assist in the development of the design for the passage

structures and the methodology for the monitoring of the desert bighorn sheep passage components of the Boulder City Bypass, as well as implementation of the monitoring activities.

I-17

- The Study began in 2006 and several major work items were completed including the Draft Initial Design Concept Report (DCR) and the Draft Environmental Assessment (EA). The project has been inactive for several years since FHWA began requiring programmed funding before approving a project. ADOT has re-initiated the project to complete the DCR and prepare an implementation plan. ADOT plans to carry forward Alternatives D & E (new alignments); to include a northbound climbing lane on the Black Mesa and a barrier separated reversible lane adjacent to the southbound lane will be considered. Completion targets are May 2015 for draft Implementation Plan, and July 2015 for the DCR. The Department provided input on the project in 2006-07; and will be attending monthly Progress meetings to re-engage with the project.

South Mountain Freeway

- The Final EIS/Decision has been released for the project.

North South Freeway Corridor Study

- ADOT recently released the Alternatives Selection Report for the study to the stakeholders for comments.

Sonoran Parkway

- SWCA will wrap up the Administrative Final EIS edits in October to finalize the EIS for publication in November with the ROD signed by March 2015.

GENERAL UPDATES

NRCS Douglas Field Office

- An 840 acre grassland restoration project on ASLD-owned rangeland in the San Simon River basin was completed in October through funding and technical assistance provided by the Department and the NRCS.
- The Department provided financial and technical assistance to a landowner 10 miles SE of Tombstone, AZ in order to complete grassland restoration on 75 acres through mesquite grubbing. This project is part of a larger restoration area (310 acres) to be completed with funds from the NRCS EQIP program. This landowner currently provides public Access to his private property for hunting and recreation; in order to fund this project, he is extending a current Access Agreement for three additional years.
- Two ranches within the field office's service area were chosen as recipients of the 2014 Water Quality Improvement Grant. Through this grant, landowner contributions, and the assistance of The Department, over 2,500 acres of rangeland in the Upper San Pedro River watershed will be treated in order to reduce brush density, improve perennial vegetation cover, improve water distribution for wildlife, and allow better distribution of

livestock so that range conditions may improve.

Apache Trout Recovery Projects

- Department personnel continue to work with the Apache-Sitgreaves National Forests on several Apache trout recovery projects. Biologists and administrators continue to plan and coordinate on the West Fork Black River project, which also includes cooperation with the Bureau of Reclamation on the construction of a large mainstream fish barrier on the West Fork. Smaller projects include improvements on a fish barrier on the South Fork Little Colorado River, replacement of a fish barrier on Conklin Creek, and removal of an unnecessary barrier on Lee Valley Creek with the help of a US Fish and Wildlife Service fish passage grant.

Central Arizona Grasslands Conservation Strategy (CAGCS) Implementation Team Project Status Updates

- The first stakeholder engagement fall meeting is scheduled for December 9th with discussion and presentations on: the SE Grasslands, current projects (to include the Habitat Enhancement Initiative for Mule Deer in Unit 21), Prescott NF EMDS and NRCS Regional Conservation Partnership Program. The Implementation Team will be meeting prior to the stakeholders meeting for any necessary business items.

7-Up Grassland Restoration Project: Phase II

- Alligator juniper treatment on 637 acres of Arizona State Trust Lands on the 7-Up Ranch, also known as Wagonbow. This project will benefit an area pronghorn herd of approximately 100 animals. A contract has been awarded and will be initiated on November 7th, with spillover into the spring of 2015.

Cienega Watershed Enhancement Project: Phase II

- This project is a continuation of the Cienega Watershed Enhancement Project that treated an area of 721 acres in the spring of 2014. Phase II work will treat between 300 and 400 acres dependent on funding. Telemetry data indicates use of the area by Pronghorn and the PNF Biologists indicates that a herd of 25 to 30 exists in the area.

Fort Rock Well #3

- This project will provide support to the Fort Rock Ranch in converting a well to solar in order to provide consistent year round waters for wildlife in an area that encompasses roughly 2500 acres. Telemetry data indicates use of the area by several pronghorn, with many animals migrating through the area. Timeline for completion will be no later than May of 2015.

Wildlife Habitat Enhancement Initiative

GMU 16A Mule Deer Initiative

- The Region has initiated the first year of the Unit 16A mule deer Wildlife Habitat Enhancement Initiative (WHEI). Partnerships have been formed with the Kingman

BLM, Livestock permittees, Arizona Deer Association, Mule Deer Foundation, and Arizona State Land Department. The initiative will focus on several primary methods to help improve mule deer populations which have been declining since population highs were recorded in the 1980's

Adaptive Restoration and Community Stewardship Project

- The Department launched a collaborative riparian research and restoration project with Northern AZ University on Horseshoe Ranch in October 2014. The project involves two Phases: I) construction of an experimental cottonwood garden on fallow cropland (NAU research project) and II) removal of salt cedar, pole planting of native trees and willows, and streambank stabilization within the Agua Fria River channel on the Ranch. Phase I was initiated October 2014 and 4,096 cottonwood trees were planted in a 3-acre plot.

Town of Buckeye

- Buckeye planning staff will be initiating the update of the Parks, Trails and Open Space Master Plan and are convening a Stakeholders Group to participate in the process. The Department has been invited and accepted.

Pinal County Peralta Regional Park Master Plan

- Pinal County is partnering with the National Park Service Rivers, Trails and Conservation Assistance Program to begin the development of a site specific Master Plan for a regional park off of Peralta Road in northern Pinal County. The Department was invited and accepted the request to participate on the Working Group.

Pinal County CAP Recreation Trail Master Plan

- Pinal County has invited the Department to participate on the Working Group for the CAP Recreation Trail Master Plan. The Department has accepted and will be attending the kick-off meeting.

1 Status of US Forest Service Land and Resource Management Plans (LRMP) and Travel Management Plans (TMP) in Arizona - 11/18/14

Forest	Status	Next Step	Projected Next Step Completion
Apache Sitgreaves	<u>LRMP</u> - Draft released Jan 2013, Dept. commented. <u>TMP</u> - Dept. commented on 2010 draft (forest wide), process halted due to Wallow Fire.	A/S finalizing LRMP. TMP process will resume once LRMP is finalized.	Final LRMP ~Fall/Winter 2014. TMP draft anticipated ~late 2014.
Issues:	<u>LRMP</u> - 7100 new acres of Wilderness recommended (mostly expanding existing Wilderness) <u>TMP</u> - draft allows for Motorized Big Game Retrieval (MBGR) 1 mile from road for elk, mule deer & bear. Provides for 658 miles of corridors for dispersed camping 300 ft off established roads.	Region working with A/S to identify additional camping sites in areas deficient in 2010 draft. FWS has completed the draft Biological Opinion for the LRMP. The A-S will be in the process of reviewing the draft BO, and preparing comments for consideration by the FWS in preparation for	
Coconino	<u>LRMP</u> - Draft released Dec 2013, Dept. commented. <u>TMP</u> - Final 2011 (forest wide), MVUM's available; AGFD appealed plan on MBGR and dispersed camping decisions, appeal denied.	Coconino finalizing LRMP. Department to meet with Coconino in October to discuss preferred alternative and responses to Department comments. Coconino to open scoping process to revise TMP.	Final LRMP ~Spring 2015. TMP revision process ~Fall 2014.

2 Status of US Forest Service Land and Resource Management Plans (**LRMP**) and Travel Management Plans (**TMP**) in Arizona - 11/18/14

Forest	Status	Next Step	Projected Next Step Completion
Issues:	<u>LRMP</u> - draft reduces motorized access 6%, inconsistant with current <u>TMP</u> , recommends small additional Wilderness acreage, potential pre-emption of Dept. authorities. <u>TMP</u> - limited dispersed camping 300ft from specifically identified roads, 30ft from all other roads. MBGR for elk only, 1 mile from roads except GMUs 5A & 5B.	Region working with Coconino planning team to resolve LRMP issues. <u>TMP</u> evaluated on as-needed basis for revision.	

3 Status of US Forest Service Land and Resource Management Plans (LRMP) and Travel Management Plans (TMP) in Arizona - 11/18/14

Forest	Status	Next Step	Projected Next Step Completion
Coronado	<p><u>LRMP</u> - draft released Dec 2013, Dept. commented.</p> <p><u>TMP</u> - drafts in process (district by district).</p>	<p>Coronado finalizing LRMP.</p> <p>Coronado finalizing TMPs through 2014. Region addressing district-specific road closures and access issues in TMPs.</p>	<p>Final LRMP ~late 2014</p> <p>TMP decisions by district: Douglas 7/2014; Nogales 3/2014; Safford issued 11/5/14 for 30 day public comment - under Department Review; Santa Catalina Public comments under review; Sierra Vista 9/2014 (no current update on SOPA except for Safford-11/7/2014)</p>
Issues:	<p>Reduces use of locatable mineral withdrawal. General inconsistencies and State Land access issues. NO MBGR. MVUM's show access through roads that have locked gates. District-specific road closures and access issues.</p>		
Kaibab	<p><u>LRMP</u> - Final Feb 2014.</p>	<p>Dept. comments (excluding Wilderness recommendations) incorporated in Final LRMP.</p>	<p>Note: Wilderness recommendations subject to future process and not appealable.</p>
	<p><u>TMP</u> - completed by district. MVUM's available. AGFD appeal on North Kaibab TMP declined.</p>		
Issues:	<p>LRMP recommends small areas of additional Wilderness to clarify boundaries. North Kaibab TMP: MBGR restricted to bison and elk only. Current designated dispersed camping opportunities at lower elevations insufficient to accomodate late season deer hunters and other campers. Tusayan & Williams TMP: MBGR 1 mile from road for elk in designated areas. Dispersed camping in camping corridors, or 30 feet from road.</p>	<p>Tussayan & Williams TMP revision in progress; Region working with FS to expand dispersed motorized camping opportunities.</p>	

4 Status of US Forest Service Land and Resource Management Plans (LRMP) and Travel Management Plans (TMP) in Arizona - 11/18/14

Forest	Status	Next Step	Projected Next Step Completion
Prescott	<u>LRMP</u> - Draft released 2012. <u>TMP</u> - no new TMP, amending 2005 plan for travel management.	Prescott finalizing LRMP.	Final LRMP ~Fall 2014
<i>Issues:</i>	MBGR: Elk only, within 1 mile of designated open road. May be changed by amendment. Dispersed camping 300' from centerline of designated roads. Recommended new Wilderness 23,000 acres. MVUM's available.		
Tonto	<u>LRMP</u> - Initiating Planning Process/public scoping 2014. <u>TMP</u> - elevated to EIS from EA. Draft released with comment period extended to September 18th.	AGFD participating as Cooperating Agency throughout LRMP and TMP processes.	Final LRMP ~Fall 2017
<i>Issues:</i>	Consistency across forests, enforceability, MBGR 1 mile off road for elk and bear only. MVUM's are inaccurate.	ID Team meetings held in individual Ranger Districts. Region working with Forest on 'bubble sites' for dispersed camping.	

Hunt Permit-tag Application Schedule – Winter 2015

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:	Hunt permit-tags and refund warrants mailed out by:
Antelope	(See note 1)	Feb. 10, 2015	April 17, 2015
Elk	(See note 1)	Feb. 10, 2015	April 17, 2015

First Come³		
	Applications accepted by mail on or after 8:00 a.m. (MST):	Permits available for purchase with a completed application at all Department offices after 8:00 a.m. (MST)
HUNT	ACCEPTANCE DATES	ACCEPTANCE DATES
Antelope	April 20, 2015	April 27, 2015
Elk	April 20, 2015	April 27, 2015

Online Applicants⁴
Deadline for updating your credit or debit card information online by 11:59 p.m. (MST)
Thursday, March 12, 2015

Notes:

- 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.
- Department offices at Flagstaff, Kingman, Mesa, Phoenix, Pinetop, Tucson and Yuma will close for business at 5 p.m. (MST); completed applications will be accepted at these locations until 7 p.m. (MST) on deadline days. No applications will be accepted after this time regardless of the postmark. 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 that prevents the public from submitting an application within the deadlines listed above. The online system slow down due to heavy traffic is not considered a Department-related system failure and will not result in a deadline extension. Applicants are encouraged to apply early to avoid the last minute rush. Application assistance can be obtained Monday through Friday (8 a.m.–5 p.m. MST) by contacting the Department. Only on deadline day, from 5 p.m. to 7 p.m., after the close of normal business, the Department can be reached at 623-236-7424 for online application assistance.
- 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.
- 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 within two business days to accept an alternate payment method if a phone number and/or email is provided.



A2.2 Leasing of Commission Lands Land Use Agreements on Commission Properties

Effective: XX/XX/2014

Policy Process Owner: Habitat Branch Chief

~~A.R.S. § 17-241(B) states, "The Commission may, with approval of the Governor and State Land Commissioner, lease, sublease, exchange, or sell in the name of the state, any land acquired by gift, purchase, lease, exchange, or other method."~~

~~All Commission owned lands are subject to lease for~~ The Commission may enter into land use agreements on Commission property for leases, licenses, rights-of-way, and easements for utility, agricultural, grazing, commercial, recreational, or other lawful purposes which are not inconsistent with Commission rules, regulations, orders, policies or programs.

Land use agreements shall be:

1. Consistent with Commission rules, orders, and policies and in accordance with the Department's management objectives for the property;
2. Executed through the process for land use agreements in the Habitat Branch – Land and Water Program; and
3. Maintained by the Habitat Branch – Land and Water Program.

~~Leases shall be granted according to law and to rules and regulations of the Commission.~~

~~All leases for commercial or agricultural purposes shall be for a term of not more than ten years and shall be by sealed bid after public advertisement. The Commission reserves the right to reject all bids.~~

~~Leases which may be classified into more than one category will be presented to the Commission in advance of the effective lease or renewal date, to allow the Commission to advise the Department on the desired method of handling said lease.~~

~~All leases for public rights-of-way, utilities or other public purposes may be without advertising.~~

~~No lease shall be granted as provided by this policy without application therefor. All applications for leases shall be by letter and shall be signed by the applicant or his authorized agent or attorney and filed with the Commission.~~

~~No lessee shall use lands leased to him except for the purpose for which the lands are leased.~~

~~No lessee shall sublease lands leased to him without written permission of the Commission.~~

Leases of Land use agreements on Commission land property shall expressly except and reserve be subject to a reservation to the State of the right to all oils, gases, coal, ores, minerals, fertilizers and fossils or any other natural product or material of every kind which may be in or upon the land leased.

~~An agricultural or commercial lease shall provide for an annual rental of not less than the appraised rental value of the lands.~~

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



~~When, in the opinion of the Commission, the granting or execution of a lease~~ When the Commission determines a land use agreement will provide special benefits to the Department or enhancement or advantage to benefit wildlife, the Commission may evaluate consider those benefits in arriving at adjusting the fair rental value and may approve and execute a lease land use agreement, which will reflect such benefit or enhancement or advantage.

~~All original leases shall be approved by the Commission~~ The Commission shall consider the approval of all land use agreements in a public meeting. When leases contain renewal clauses, the Department is authorized to renew the lease, provided the lessee is in compliance with the terms of the original agreement.

~~Prior to the affixing of signatures, leases shall be reviewed by the Attorney General's office for form and when applicable, for interagency agreement provisions. Leases shall be signed by the Chairman of the Commission, the Director of the Arizona Game and Fish Department and the lessee. Following execution by the parties thereto the leases shall be forwarded to the State Land Commissioner and the Governor for appeal.~~

~~Note: Former Commission Policy J2.6, rev. 6/25/82; renumbered to E3.2. 01-01-1991; revised by motion of the Commission on 03-15-1991, and renumbered to A2.2.~~



A2.3 Grazing Policies

Effective: 03-15-1991

Policy Process Owner: Habitat Branch Chief

This policy is established to control and administer grazing on Department lands where the presence or exclusion of grazing livestock is determined to be a factor in proper land use.

For purposes of this policy all Department lands will be classified as controlled or uncontrolled under the following criteria:

- A. Controlled:** This category includes land where livestock grazing is desirable to further the best land management or where the exclusion of livestock is desirable for administrative, wildlife or land management purposes. Land will be considered to be controlled when it is maintained under livestock fence.
- B. Uncontrolled:** Regulation for preservation or removal of forage is not practical. Land is not maintained under livestock fence.

Grazing of privately owned livestock may be authorized, where appropriate, on land classified by the Department as controlled.

Grazing leases on controlled lands may be awarded on a contract basis, except that at field stations where Department personnel are in permanent occupancy and where regular use of horses is required on the station, the Director may authorize resident Department personnel to graze an appropriate number of horses as a partial or complete alternate to a feed allotment.

Note: Former Commission Policy J2.2, effective 2/20/88; renumbered to E3.3 on 01-01-1991; reviewed by the Commission without change on 03-15-1991 and renumbered to A2.3.



A2.7 Fish Sportfish Stocking

Effective: ##/##/2014
Policy Process Owner: Fisheries Branch Chief

The Arizona Game and Fish Department will not stock no aquatic wildlife in any pond, lake or section of a stream which is closed to public access sportfish, with the exception of roundtail chub, on private lands without a written agreement permitting access by the public for purposes of fishing.

Such an agreement must be approved by the Commission Assistant Directors of Field Operations and Wildlife Management and must may contain the following stipulations:

1. The public will have unrestricted access for the purpose of fishing.
2. The agreement will remain in force for a minimum of six months following any stocking of aquatic wildlife by the Department.
- 3-2. The Department may is allowed to post signs informing the public of the opportunity. This could include signage that the water is open to public fishing or press releases.

All other aquatic wildlife can be stocked on private lands if done so in the furtherance of the Department's ability to manage wildlife.

Note: ~~Former Commission Policy J2.4, eff. 01-01-1981, renumbered without change to H1.1 on 01-01-1991; reviewed by the Commission without change on 03-15-1991 and renumbered to A2.7.~~

Cross-reference: See Department Procedure H.1.