



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR

JANICE K. BREWER

COMMISSIONERS

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ROBERT E. MANSELL, WINSLOW
KURT R. DAVIS, PHOENIX
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LARRY D. VOYLES

DEPUTY DIRECTOR

TY E. GRAY



PUBLIC MEETING NOTICE AND AGENDA

April 18, 2014

A public meeting of the Arizona Game and Fish Commission will be held on **May 2-3, 2014** at the **Yavapai Board of Supervisors Hearing Room, Yavapai County Administrative Services Building, 1015 Fair Street, Prescott, Arizona 86305**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at http://www.azgfd.gov/inside_azgfd/CommissionCam.shtml. On Friday only, members of the public may view the meeting from any one of the Department's six Regional Offices via video teleconference. The Department's Headquarters will also be available for viewing this meeting via video teleconference on Friday only. Members of the public attending in person or viewing via video teleconference may submit **Speaker Cards (Blue Cards)** if they wish to speak to the Commission. **The ability to speak to the Commission for those viewing the webcast is not available.** Unless expressly provided otherwise with any item on the agenda, the Commission may discuss and vote to take action on the following matters:**

Friday, May 2, 2014 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

- 1. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
- 2. Consent Agenda.** The following items have been grouped together and are hereby noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission will be asked to approve briefings and updates without further public input or discussion and to approve other matters as presented, subject to approval or recommendations of the Office of the Attorney General. Commission members may remove certain items if further public input or discussion is deemed necessary.
 - a. Shooting Sports Activities Briefing. Presenter: Jay Cook, Shooting Sports Branch Chief.** The Commission will be given an update of Department activities related to shooting sports including shooting programs and shooting range development statewide. The update covers activities that have occurred since the last regular Commission meeting.
 - b. Information, Education and Wildlife Recreation Activities Briefing. Presenter: Anthony Guiles, Assistant Director, Information, Education and Recreation Division.** The Commission will be given an update of Department activities and events related to Information,

Education and Wildlife Recreation Programs. The update covers activities and events that have occurred since the last regular Commission meeting including the proposed Wildlife Center project.

- c. **Law Enforcement Program Briefing. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will be updated on the activities and developments relating to the Department's Law Enforcement Program. The update covers activities and events that have occurred since the last regular Commission meeting.
 - d. **Lands and Habitat Program Update. Presenter: Joyce Francis, Chief, Habitat Branch Chief.** The Commission will be provided an update on the latest developments since the last regular Commission meeting relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related thereto.
 - e. **Update on Reprioritization of the U.S. Fish and Wildlife Service's National Fish Hatchery System and the Cessation of Trout Production at Willow Beach National Fish Hatchery. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Commission will be provided an update on the U.S. Fish and Wildlife Service's decision to redirect priorities at the national level to production of native species and the cessation of trout production at Willow Beach National Fish Hatchery. The update covers activities and events that have occurred since the last regular Commission meeting.
 - f. **License Agreement Renewal with the Town of Eagar at the Springerville Marsh Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve renewal of a license agreement with the Town of Eagar for overflow wastewater discharge at the Springerville Marsh Wildlife Area.
 - g. **Memorandum of Understanding with the Pinetop-Lakeside Sanitary District and Apache-Sitgreaves National Forest. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve renewal of a Memorandum of Understanding with the Pinetop-Lakeside Sanitary District and Apache-Sitgreaves National Forest for cooperative management of Jacques Marsh Wildlife Area.
3. **State and Federal Legislation. Presenter: Jorge Canaca, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities.
 4. **Statewide Shooting Range Grant Requests for FY 2015. Presenter: Jay Cook, Shooting Sports Branch Chief.** The Department's Shooting Range Grants Program received six grant applications for fiscal year 2015. The Department will ask the Commission to approve all 6 of the applications totaling \$99,130.00.
 5. **Customer Portal Project. Presenter: Doug Cummings, Branch Chief, Information Systems.** The Department will present an update on the development of the Customer Portal (website with Customer Login capabilities with improved customer access to information, products and services).
 6. **Request to Approve Out-of-Cycle Proposed Rulemaking for a Membership Program Tag Surrender, Tag Transfer, Bonus Point Reinstatement, and Issuance and Use of Tags. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission to approve a Notice of Docket Opening and Notice of Proposed Rulemaking

Amending Rules within Article 1 addressing definitions and general provisions, Article 3 addressing the taking and handling of wildlife, and Article 6 addressing rules of practice before the Commission.

7. **Request to Approve Proposed Rulemaking Amending Article 2 Rules Addressing Licenses, Permits, Stamps, and Tags. Presenter: Johnathan O'Dell, Small Game Supervisor, Game Branch.** The Department will ask the Commission to approve a Notice of Rulemaking Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement amending rules within Article 2, addressing licenses, permits, stamps, and tags.
8. **Rulemaking Recommendations for Article 4 Live Wildlife. Presenter: Pat Crouch, Field Supervisor, Region 6.** The Department will present rulemaking recommendations for Article 4 rules regarding live wildlife. The presentation is for information only.
9. **Briefing on Research Branch activities and projects. Presenter: Esther Rubin, Research Branch Chief.** The Department will provide an update on the Research Branch's projects and activities. This will include an overview of the Branch's structure and objectives, as well as an update on projects. The presentation will be informational.
10. **Page Springs Cellars and Vineyards Encroachment at the Page Springs Hatchery. Presenter: Joyce M. Francis.** The Commission will be asked to approve a disposal of 0.65 acres to Page Springs Cellars and Vineyards at the Page Springs Hatchery, Yavapai County, Arizona.

Agenda Items #11 through #16 are first read items. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.

11. **Up the Creek Grill Encroachment at the Page Springs Hatchery. Presenter: Joyce M. Francis, Habitat Branch Chief.** The Commission will be asked to provide the Department direction on who will be responsible for the due diligence costs associated with the disposal to the Up the Creek Grill at the Page Springs Hatchery, Yavapai County, Arizona
12. **Request for the Commission to Approve a Memorandum of Understanding with the Altar Valley Conservation Alliance for Cooperative Activities. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will be asked to approve a Memorandum of Understanding to allow the Department to cooperate with the Altar Valley Conservation Alliance on projects for public information and wildlife habitat enhancement.
13. **Memorandum of Understanding (MOU) with the Friends of Verde River Greenway. Presenter: Tom Finley, Kingman Regional Supervisor.** The Commission may approve a MOU that will allow the Department to collaborate with Friends of Verde River Greenway in support of normal wildlife and habitat management projects and property maintenance of the Upper Verde River Wildlife Area.
14. **License Agreement with Triskee Farms at Quigley Wildlife Area. Presenter: Pat Barber, Yuma Regional Supervisor.** The Commission will be asked to approve a License Agreement with Triskee Farms LLC for the purpose of planting and harvesting crops on the Quigley Wildlife Area.

- 15. **FY 16 Proposed Budget & FY 15 Modification. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide the Commission with a presentation on the FY 16 Draft Budget and proposed modifications to the FY 15 budget.
- 16. **Commission Policy on Engagement at the Regional and National Level. Presenter: Ty Gray, Deputy Director.** The Department will ask the Commission to approve a new Commission Policy ensuring the Commission and Department's engagement, including leadership and involvement in conservation issues, at regional and national levels, to preserve Arizona's status as the nation's leading wildlife agency and conservation leader, and ensuring Arizona's interests are fully protected and represented.

Lunch Break (Begins at 12:00 p.m.)

TIME CERTAIN AT 2:00 PM

- 17. **Hearings on License Revocations for Violations of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will consider and take action on the license revocations and/or civil assessments for the individuals listed below:

Name	Docket #	Count	Conviction
Raymond A. Cota	2014-0028	Count B:	Take Wildlife Closed Season (Elk)
Philip T. Sorenson	2014-0029	Count B:	Take Wildlife Closed Season (Elk)
Robert W. Jones	2014-0030	Count A:	Take Excess Bag Limit (Elk)
Charles R. Stegenga	2014-0031	Count A:	Take Wildlife Without Permit (Elk)
		Count B:	Possess Unlawfully Taken Wildlife (Elk)
Michael W. Abbott	2014-0032	Count A:	Take Wildlife Artificial Light (Elk)
		Count B:	Take Wildlife Unlawful Method (Elk)
		Count C:	Possess Unlawfully Taken Wildlife (Elk)
Brandon D. McNeil	2014-0033	Count B:	Apply/Obtain 2013 Resident Big Game Permit by Fraud
Marlon A. Holden	2014-0035		Civil only; unlawful take, trophy mule deer

- 18. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Department has requested a rehearing for Mario Barragan regarding the suspension of his license privileges.
- 19. **Petition to Reinstate Bonus Points. Presenter: Lizette Morgan, CFO, Business & Finance.** Michael Sisk is petitioning to reinstate his bonus points. His petition states that a cache issue caused an inquiry of the results to show him as unsuccessful and he received his tag two weeks after the season began.
- 20. **Executive Session (The Commission will not vote to take any action during Executive Session).**

- a. **Litigation and Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission's position concerning *In re General Stream Adjudication for the Little Colorado River and Gila River; Wagner v. Personnel Board, LC2011-000683*; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. James Lane, CIV 12-118*; *Center for Biological Diversity v. U.S. Forest Service, CV 12-0817*; Decision of USFWS to designate

critical habitat for jaguar in Arizona and New Mexico; Phase One Bill Williams River Water Rights Settlement Agreement (Planet Ranch); Proposed Amendments to Mexican Wolf 10(j) Rule.

- b. Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) for the purpose of discussing and consulting with legal counsel for legal advice concerning options to address encroachment onto the Commission's Page Springs hatchery property.
- c. Personnel Matters.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.03(A)(1) to discuss personnel matters associated with the Director's performance. The Commission may take action in the public session or defer any action to a later date.
- 21. Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *In re General Stream Adjudication for the Little Colorado River and Gila River; Wagner v. Personnel Board, LC2011-000683*; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. James Lane, CIV 12-118*; *Center for Biological Diversity v. U.S. Forest Service, CV 12-08176*.
- 22. Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from April 11-12, 2014.
- 23. Director's and Chairman's Reports.** The Director and the Chairman will report on Department and Commission activities since the last meeting. This item will be for information only. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.
- 24. Commissioners' Reports.** The Commissioners will report on their activities since the last meeting related to Game and Fish Commission duties and responsibilities. This item will be for information only. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

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Saturday, March 8, 2014 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

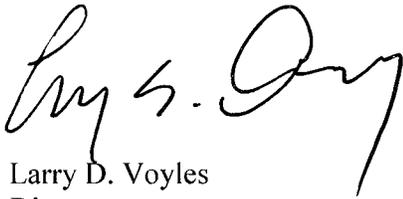
- 1. Prescott Community Forum. Presenter: Tom Finley, Kingman Regional Supervisor.** Outside agencies/organizations and leaders will present an overview of ongoing partnerships to the Commission and attendees, followed by 30 minutes of questions and answers from attendees. The goal will be to have all participants complete their presentations before opening the forum up to questions and comments. Topics for the forum will include:

 - City of Prescott – Fishing and Prescott Great Outdoors
 - Heritage Park Zoo – Collaboration on nuisance/injured wildlife calls
 - Prescott Audubon Society – Collaboration on Upper Verde River Wildlife Area being named an Important Bird Area
 - Prescott National Forest – Large scale habitat improvement projects
 - Yavapai County Sheriff's Office – Partnership addressing natural resource recreation and community service
 - Q&A/Comments

The Commission may provide the Department guidance or direction on matters covered in this open discussion for action at a future Commission meeting.

2. Future Agenda Items and Action Items.

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Larry D. Voyles
Director

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The agenda may be revised and additional items may be added prior to the meeting as authorized by A.R.S. §38-431.02. In that event, an addendum to the agenda will be noticed and posted prior to the meeting at Department offices. Commission agenda items not noticed for a specific time may be taken out of order. Background materials provided to Commission members concerning public agenda items are available for public inspection at the main office of the Arizona Game and Fish Department at 5000 W. Carefree Highway, Phoenix, at Department regional offices in Pinetop, Flagstaff, Kingman, Yuma, Tucson, Mesa and at the meetings.

During the public meeting, the Commission may afford any person, their duly authorized representative, or both, the opportunity to present statements relating to agenda items, with or without the opportunity to present them orally. The Commission may go into Executive Session for the purpose of obtaining legal advice from the Commission Attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A) (3) & (4). One or more members of the Commission may appear and participate in the meeting telephonically or by other electronic means.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, or this document in an alternative format, by contacting the AGFD Deputy Director, 5000 W. Carefree Highway, Phoenix, Arizona 85086, 602-942-3000. Requests should be made as early as possible to allow time to arrange the accommodation.

The Arizona Game and Fish Department is responsible for managing Arizona's fish and wildlife resource as an enduring public trust. In addition, the Department is charged with promoting safe and responsible use of watercraft and off-highway vehicles. Funding is provided from the sale of licenses and permits; watercraft registration fees; federal excise taxes on firearms, fishing equipment, boats, and other sporting goods; State lottery revenues; donations on State income tax forms; and various contracts and grants. Department policy is set by the Arizona Game and Fish Commission, whose five members are appointed by the Governor.

“Managing Today for Wildlife Tomorrow”