



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR
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DEPUTY DIRECTOR
TY E. GRAY



PUBLIC MEETING NOTICE AND AGENDA REVISION #2

April 30, 2015

A public meeting of the Arizona Game and Fish Commission will be held on May 1-2, 2015 at the **City Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona 86442**, 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 or Headquarters via video teleconference. 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 1, 2015 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Introductions and Welcome

- 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. Lands and Habitat Program Update. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be provided an update on developments 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.
 - b. Shooting Sports Activities Briefing. Presenter: Marty Fabritz, 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 February 6, 2015 Commission meeting.

- c. **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 February 6, 2015 Commission meeting including the proposed Wildlife Center project.
 - d. **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 February 6, 2015, Commission meeting.
 - e. **Repeal Commission Policy A2.27, Disposal of Exceptional Trophy Quality Heads, Hides, Horns and Antlers. Presenter: Jim Hinkle, Assistant Director Field Operations Division.** The Department will ask the Commission vote to repeal Commission policy A2.27, Disposal of Exceptional Trophy Quality Heads, Hides, Horns and Antlers.
 - f. **Approval of Memorandum of Understanding (MOU) with the University of Pittsburgh. Presenter: Amber Munig, Big Game Management Program Supervisor.** The Commission may approve an MOU to allow the Department to establish a framework for collaboration and cooperation between the Department and the University of Pittsburgh. This agreement will allow collaboration, cooperation, exchange and sharing of biological samples, data, and funding to assist the Department in research and management of Arizona's wildlife.
 - g. **Approval of El Coronado Ranch Forest Legacy Conservation Easement and All Associated Agreements. Presenter: Joyce M. Francis, Habitat Branch Chief.** The Commission may approve holding a Conservation Easement on the El Coronado Ranch, located in Cochise County, Arizona, through a USFS Forest Legacy Grant, in partnership with The Trust for Public Land and the Arizona State Forester.
 - h. **Renewal of an Arizona State Land Department Right-of-Way at Emigrant Canyon. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to vote to approve renewal of the ten-year right-of-way, No. 018-054207 for continued access into Emigrant Canyon in Cochise County.
 - i. **Approval of Memorandum of Understanding (MOU) with Babbitt Ranches L.L.C. Presenter: Al Eiden, Landowner Relations Program Manager.** The Commission will be asked to approve an MOU with Babbitt Ranches L.L.C. in order to cooperate regarding Wildlife Related Recreational Access Routes in Game Management Units 7, 9, and 10.
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 or legislative issues related to Department responsibilities.
 4. **Key Systems Development Initiatives. Presenter: Doug Cummings, Branch Chief, Information Systems.** The Department will present an overview of key systems development initiatives. This will include future functionality for the Portal, Portal Operations, and the

development of other related systems driving data integration and the ability to deliver additional functionality and content into the Portal.

5. **Wolf Briefing. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission will be provided an update on the Mexican wolf that will include an update on all actions the Department has taken since the last Commission meeting to accomplish the direction provided by the Commission at the August 5, 2014 Commission Meeting. The Commission may vote or provide direction to the Department.
6. **Approval of Proposed Rulemaking Amending R12-4-202, Disabled Veteran's License. Presenter: John Bullington, Assistant Director Special Services.** The Department will ask the Commission to approve a Notice of Rulemaking Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement amending R12-4-202, Disabled Veterans License.
- *NEW*
- 6A. **Approval to Amend Commission Policy A2.39, License Classification; Fees. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission vote to amend Commission policy A2.39, License Classification; Fees.
7. **Briefing regarding the status of Burro populations in Arizona. Presenter: Pat Barber, Yuma Regional Supervisor.** The Department will provide the Commission an informational briefing regarding the status of Burro populations in Arizona.
8. **Nongame Subprogram Activities Briefing; April 1, 2014 through March 31, 2015. Presenter: Michael Rabe, Chief, Nongame Wildlife Branch.** The Commission will be briefed regarding activities under the Nongame Wildlife Subprogram; April 1, 2014 through March 31, 2015.
9. **Sonoran Desert Tortoise Briefing. Presenter: Michael Rabe, Chief, Nongame Wildlife Branch.** The Commission will be provided an informational briefing on the current status of the proposed listing of the Sonoran desert tortoise. The Commission may vote to take action on, or provide the Department direction on this item.

Agenda Items #10 through #13 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.

10. **Shooting Range Development Grant Requests for FY 2016. Presenter: Marty Fabritz, Shooting Sports Branch Chief.** The Department's Shooting Range Development Grant Program received 9 grant applications for fiscal year 2016. The Department will ask the Commission to approve 7 of the 9 applications totaling \$99,551.50.
11. ***REMOVED*** (Memorandum of Understanding with Texas Tech University).
12. **License Agreement Renewal with the Federal Aviation Administration. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve renewal of a License Agreement with the Federal Aviation Administration for the purpose of maintaining a telecommunications navigation beacon on the Three Points Shooting Range.

13. **FY 17 Proposed Budget & FY 16 Modification. Presenter: Ty Gray, Deputy Director.** The Department will provide the Commission with a presentation on the FY 17 Draft Budget and proposed modifications to the FY 16 budget.

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

TIME CERTAIN AT 2:00 PM

14. **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
Pedro Pablo Ruiz Leon	2015-0042	Count A:	Trespass on private property while hunting
Christopher J. Ball	2015-0043	Count A:	Take wildlife without license (Bobcat)
Christopher M. Perez	2015-0044	Count A:	Possess/transport unlawfully taken wildlife (Bobcat)
Corman, Jason F.	2015-0046	Count A:	Take wrong species (Mule Deer)

15. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Fred E. Oslie has requested a rehearing regarding the revocation of his license privileges.

NEW

- 15A. **Petition by James E. Giese for the reinstatement of bonus points or issuance of another tag. Presenter: Kevin Hodgkins, Acting CFO, Business & Finance.** James E. Giese requests that his bonus points be reinstated or he be issued for another tag due to his inability to use his tag.
16. **Approval of Law Enforcement Boating Safety Fund (LEBSF) Grant Allocation Formula for FY 2016. Presenter: Kevin Hodgkins, ACTING CFO, Business & Finance.** The Department will provide the Commission with the proposed LEBSF Grant Allocation Formula per ARS §5-383 and request that the Commission approve the formula.
17. **Update on the Stakeholder Resolution Workgroup Recommendations to Reduce and Fund Operation and Maintenance Costs for Heritage Acquired Properties. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission will be presented with a progress update on the options put forth by a Department led stakeholder resolution workgroup to address increasing operation and maintenance costs for Heritage acquired properties.
18. **Annual Report on the Department Fair Chase Committee. Presenter: Tom Finley, Kingman Regional Supervisor.** The Department will provide the Commission an update on the Fair Chase Committee's monitoring and evaluation of new and evolving technologies and practices as they relate to hunting and the concept of Fair Chase.
19. **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 *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *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. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817; Phase One Bill Williams River Water Rights Settlement Agreement (Planet Ranch); Arizona Game and Fish Department's Notice of Intent Regarding Mexican Wolf Recovery Planning; *Center for Biological Diversity v. Jewell*, CV 15-00019-LAB.

- b. **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 the legal strategy recommendations from the Department's legal strategies team.
 - c. **Legal Counsel Regarding the Purchase of Real Property.** The Commission may vote to meet in Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (7) for the purpose of discussion or consultation with Department staff in order to consider its position and instruct its representative regarding the purchase of real property.
 - d. **Legal Counsel Regarding Commission Policy A2.3 Law Enforcement Access.** The Commission may vote to meet in Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice regarding Commission Policy A2.3 Law Enforcement Access.
 - e. **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 duties, responsibilities and performance. The Commission may take action in the public session or defer any action to a later date.
20. **Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Wagner v. Personnel Board*, LC2011-000683; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176; Arizona Game and Fish Department's Notice of Intent Regarding Mexican Wolf Recovery Planning; *Center for Biological Diversity v. Jewell*, CV 15-00019-LAB.
21. **Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from March 6-7, 2015.
22. **Director and Commissioner Comments.** The Director and the Commissioners may provide brief comment on current events and issues. This item is for information only. Items requiring discussion, deliberation or legal action must be placed on a future Commission meeting agenda.
23. **Future Agenda Items and Action Items.**

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Saturday, May 2, 2015 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Introductions and Welcome

Awards and Recognition

1. Bullhead City Community Forum. Presenter: Tom Finley, Kingman Regional Supervisor. The community forum will include presentations from outside agencies/organizations on the partnerships developed with Arizona Game and Fish with a focus on the Kingman-Bullhead City area. The Community Forum will begin with an award presentation, followed by outside agencies/organizations and leaders presenting an overview of ongoing partnerships to the Commission and attendees. Approximately ten minutes of questions and answers from attendees will follow. Our 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:

- Bureau of Land Management – Project collaboration, including habitat restoration efforts.
- Colorado River Nature Center – Collaborations-joint management of property.
- Mohave County Board of Supervisors – Collaboration with the county on various projects including Willow Beach-trout stocking efforts, remote water sensing, etc.
- Topock Elementary School – Projects ranging from tortoise adoption to a waterfowl camp.
- Tri-State Shooting Range – Current collaboration with shooting range
- 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.

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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”