



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR

JANICE K. BREWER

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PUBLIC MEETING NOTICE AND AGENDA REVISION #1

April 9, 2014

A public meeting of the Arizona Game and Fish Commission will be held on **April 11-12, 2014** at the **Arizona Game and Fish Department, 5000 W. Carefree Highway, Phoenix, Arizona, 85086**, 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. 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, April 11, 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 in the first half of the fiscal year and what is projected for the last half of the fiscal year. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
 - 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 Commission meeting including the proposed Wildlife Center project. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.

- 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 Commission meeting.
 - d. **Lands and Habitat Program Update. Presenter: Joyce Francis, 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. **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. **White Mountain Grasslands Wildlife Area Special Land Use Permit. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to vote to approve renewal of a Special Land Use Permit with the Arizona State Land Department to protect, maintain, and enhance wildlife values on the White Mountain Grasslands Wildlife Area.
 - g. **Approval of Law Enforcement Boating Safety Fund (LEBSF) Grant Allocation Formula for FY 2015. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide the Commission with the proposed LEBSF Grant Allocation Formula per ARS §5-383.
 - h. **12A Habitat Stamp Revenue: Presenter: Craig McMullen, Flagstaff Regional Supervisor.** The Commission will be asked to approve the expenditure of the remaining revenue generated by the Unit 12A (Kaibab) Habitat Stamp
 - i. **Proposed Amendment to the Heritage Public Advisory Committee (HPAC) Charter Document. Presenter: Marty Herrera, Heritage Fund Administrator.** The Commission will be asked to approve proposed changes to the Heritage Public Advisory Committee (HPAC) Charter.
- *NEW*
- j. **Federal Compliance Audit Closeout. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide the Commission with information regarding the closeout of the recent Federal Compliance Audit conducted by the Auditor General.

MOVED (FROM ITEM #6)

- 2A. **Request for the Commission's Approval of Environmental Analyses to Use Rotenone for the Removal of Non-native Fish. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Department is requesting the Commission's approval that the Environmental Analyses conducted per the Department's Virgin River Gorge Treatment Plan are sufficient to use rotenone for the removal of non-native fish (Pursuant to Laws 2013, First Regular Session, Chapter 117 [Title 17-481 effective September 13, 2013]).

***MOVED* (FROM ITEM #7 – FIRST READ)**

- 2B. 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.

***NEW* (FIRST READ)**

- 2C. Page Springs Cellars and Vineyards Encroachment at the Page Springs Hatchery. Presenter: Joyce M. Francis, Habitat Branch Chief.** The Commission will be asked to provide the Department direction on the encroachment by the Page Springs Cellars and Vineyards at the Page Springs Hatchery, Yavapai County, Arizona. The Commission will discuss whether to dispose of the property or ask the Page Springs Cellars and Vineyards to remove the building.

***MOVED* (FROM ITEM #12)**

- 2D. Update on State Wolf Plan Development. Presenter: Mike Rabe, Nongame Wildlife Branch Chief.** The Commission will be apprised of the current status of the development of the state wolf plan.

NEW

- 2E. Update on Roosevelt Lake Activities. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Commission will be apprised of the current status of the current actions taken by the Department to improve fisheries conditions at Roosevelt Lake.

- 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. Customer Portal Project. Presenter: Doug Cummings.** 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).

- 5. Update on Status of Out-of-Cycle Rulemaking Related to Bundled Service Concepts that may include Tag Surrender with Bonus Point Reinstatement and Other Potential Services Requiring Rulemaking. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Commission will be presented with an update on progress towards the out-of-cycle rulemaking package addressing tag surrender with bonus point reinstatement and other potential services requiring rulemaking.

- 6. *MOVED* (SEE ITEM #2A).** (Request for the Commission's Approval of Environmental Analyses to Use Rotenone for the Removal of Non-native Fish).

Agenda Items 6A, 7 and 7A 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.

NEW

- 6A. Acquisition of Two Perpetual Access Easements Across the Richens 'Family and Mr. William Watson's Private Property in Game Management Unit 29. Presenter: Al Eiden, Landowner Relations Program Manager.** The Commission will be asked to vote to approve the

acquisition of two perpetual access easements from private landowners leading into Jhus Canyon and securing access to the Department owned property, and over 14,000 acres of US Forest Service and State Trust Lands.

- 7. ***MOVED* (SEE ITEM #2B).** (Memorandum of Understanding with the Pinetop-Lakeside Sanitary District and Apache-Sitgreaves National Forest).

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

TIME CERTAIN AT 2:00 PM

- 8. **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
Michael D. Melvin	2014-0015	Count A:	Obtain Resident License by Misrepresentation
Mario D. Barragan	2014-0018	Count A:	Possess/Transport Unlawfully Taken Wildlife
Mario D. Barragan	2014-0019	Count B:	Possess/Transport Unlawfully Taken Wildlife
Mario D. Barragan	2014-0020	Count A:	Take Wildlife In Excess of Bag Limit
Mario D. Barragan	2014-0021	Count A:	Knowingly Obtain License/Tag by Fraud/Misrepresentation
Mario D. Barragan	2014-0022	Count A:	Take Wildlife In Excess of Bag Limit
Mario D. Barragan	2014-0024	Count A:	Possess/Transport Without Valid Tag Attached Citation A02007
Alfred C. Barragan	2014-0025	Count A:	Take Wildlife Without Valid License/Tag in Possession Citation A02009
		Count A:	Take Wildlife In Excess of Bag Limit
Alfred C. Barragan	2014-0026	Count A:	Knowingly Obtain License/Tag by Fraud/Misrepresentation

- 9. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** John L. Dickey has requested that the Arizona Game and Fish Commission grant a rehearing regarding the suspension of his license.
- 10. **Rehearing Request Regarding Hunter Education Course Requirement. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Mr. Larry Dowty has requested that the Arizona Game and Fish Commission waive the requirement to complete a Hunter Education Course pursuant to A.R.S. 17-245.
- 11. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Ralph E. Pastorino has requested that the Arizona Game and Fish Commission grant a rehearing regarding the suspension of his license.

NEW

- 11A. **Appeal of Wildlife Holding License Denial. Presenter: Mike Rabe, Nongame Wildlife Branch Chief.** The Commission will reconvene the hearing to consider the appeal by applicant Chris Biro regarding the Department’s denial of his application for a Wildlife Holding License.
- 12. ***MOVED* (SEE ITEM #2D)** (Update on State Wolf Plan Development)

13. 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.

14. 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*.

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Saturday, April 12, 2014 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

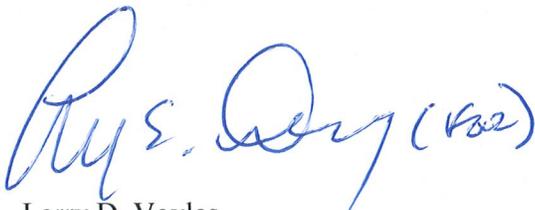
Awards and Recognition

- 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. Consideration of Proposed Commission Orders 2, 5-10, and 26 for 2014-2015 Hunting Season, Commission Orders 11-18 for 2014-2015 and 2015-2016 Hunting Seasons, and Commission Order 23 for the 2014-2015 and 2015-2016 Trapping Seasons. Presenter: Brian Wakeling, Game Branch Chief.** The Commission will consider and may vote to approve Commission Orders 2 (deer), 5-10 (turkey, javelina, bighorn sheep, buffalo, bear, and mountain lion), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for the 2014-2015 season. The Commission will also consider and may vote to approve Commission Orders 11-18 (tree squirrel, cottontail rabbit,

predatory and furbearing mammals, other mammals and birds, pheasant, quail, chukar partridge, and blue grouse) establishing seasons and season dates, bag and possession limits, and open areas for the 2014–2015 and 2015–2016 seasons. Additionally, the Commission will consider and may vote to approve Commission Order 23 (trapping), establishing season dates, legal species, open and closed areas, and bag and possession limits for the 2014–2015 and 2015–2016 seasons.

3. **Hunt Permit-Tag Application Schedule for Fall 2014 Hunts. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide a presentation on the proposed hunt-permit tag application schedule for the Fall 2014 hunts and will ask the Commission to approve the application schedule.
4. **Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from March 7-8, 2014, March 17, 2014 and March 28, 2014.
5. **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.
6. **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.
7. **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”