



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR

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PUBLIC MEETING NOTICE AND AGENDA REVISION #1

December 3, 2014

A public meeting of the Arizona Game and Fish Commission will be held on **December 5-6, 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, December 5, 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. 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: 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 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 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. **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 will ask the Commission to approve revised Commission policy A2.2, addressing Land Use Agreements on Commission Properties. The Department has incorporated Commission policy A2.3, Grazing Policies, into the revision and will ask that the Commission vote to repeal policy A2.3.
 - f. **Approval of Revised Commission Policy A2.7, Sportfish Stocking. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Department will ask the Commission to approve revised Commission policy A2.7 regarding Sportfish Stocking.
3. ***REMOVED*** (Stakeholder Resolution Workgroup Recommendations to Reduce and Fund Operation and Maintenance Costs for Heritage Acquired Properties).
4. **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. The Commission will also review its position on designation of Commission members to represent the Commission at the Legislature on emergency issues and issues on which the Commission has taken an official position.
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). The presentation will include an update on the development of the Customer Portal Website as well as the development of Bundled/Subscription services for consideration to be made available through the Customer Portal.

Agenda Items #6 through #15 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.

6. **Approval of a Memorandum of Understanding with the Rocky Mountain Elk Foundation for Cooperative Activities. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission will be asked to approve a Memorandum of Understanding to allow the Department to cooperate with the Rocky Mountain Elk Foundation on projects for public information and wildlife habitat enhancement. The Commission may vote to take action on, or provide the Department direction on this item.

7. ***REMOVED*** (Approval of a MOU with BOR for Cooperating Agency Status in the Development of the Navajo Generating Station-Kayenta Mine Complex Project EIS).
8. **Approval of a License Agreement with Arizona Public Service for providing Electrical Service at Robbins Butte Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve renewal of a License Agreement with Arizona Public Service Company for providing electrical service at Robbins Butte Wildlife Area.
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.** The Commission may approve the transfer of the Arizona State Land Department Right-of-Way for Turley Trail to the City of Prescott.
10. ***MOVED TO ITEM 15A***
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 Supervisor.** The Department will ask the Commission to approve 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 the Commission to repeal policy A2.9.
12. **Approval of New Commission Policy A2.23, Fair Chase. Presenter: Tom Finley, FOR3 Regional Supervisor.** The Department will ask the Commission vote to approve a new Commission policy A2.23, regarding Fair Chase.
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.** The Department will ask the Commission vote to approve 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.
14. **Approval of Revised Commission Policy A2.11, Species of Greatest Conservation Need in Arizona. Presenter: Mike Rabe, Nongame Wildlife Branch Chief.** The Department will ask the Commission to approve revised Commission policy A2.11, regarding Species of Greatest Conservation Need in Arizona.
15. **Renewal of the Base Property License at Horseshoe Ranch. Jay Cook, Mesa Regional Supervisor.** The Commission will be presented a base property license with JH Cattle Company at Horseshoe Ranch for livestock operations.
- 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.** The Commission will be asked to approve a Cooperative Agreement between the Arizona Game and Fish Commission and the Mohave County Flood Control District.
16. **Preview of Rulemaking Recommendations for Article 1 Rules Addressing Definitions and General Provisions. Presenter: Amber Munig, Big Game Supervisor.** The Department

will provide a preview of rulemaking recommendations for Article 1 rules regarding Definitions and General Provisions. The presentation is informational and rulemaking recommendations will be presented at a future meeting.

- 17. Approval of Final Rulemaking Amending Article 4 Rules Addressing Live Wildlife. Pat Crouch, Mesa Region Field Supervisor.** The Department will ask the Commission to approve a Notice of Final Rulemaking and Economic Impact Statement amending rules within Article 4, addressing live wildlife.

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

TIME CERTAIN AT 2:00 PM

- 18. 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
Daniel R. Fox	2014-0052	Count A:	Take wildlife without valid license
		Count C:	Possess unlawfully taken wildlife
Edwin T. Eubanks	2014-0060	Count A:	Waste edible game meat
		Count B:	Take wildlife by an unlawful method
		Count C:	Failure to tag immediately
William V. Jones III	2014-0061	Count A:	Litter while hunting
Richard F. Uphoff II	2014-0062	Count A:	Take wildlife during closed season
Elijah Campbell	2014-0063	Count A:	Take wildlife during closed season
Victor Medina	2014-0064	Count A:	Allow another to possess permit tag in hunt area
Raymond E. Antall	2014-0065	Count A:	Take wildlife without a valid license
		Count C:	Take wildlife in a closed season

- 19. Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Department requests a rehearing for William Holoboff regarding the revocation of his license privileges.

REVISED

- 20. Mexican and Northern Gray Wolf Briefing. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Department will provide an update on any new information or 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. Discussions will include evaluation of the final environmental impact 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 will be provided along with an update on the status of the northern gray wolf that has been observed on the North Kaibab.

- 21. Community Fishing Compliance Project Briefing. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will be briefed on the results of a Community Fishing Compliance Project.

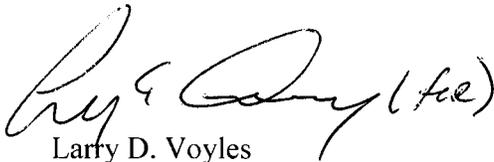
- 22. Informational Briefing Regarding the Recent Audit of the Department's Conservation Development and Capital Improvement Funds which Showed No Findings. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide an informational briefing of an audit report that showed no findings from the recent audit of the Department's Conservation Development and Capital Improvement Funds.
- 23. 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; *Red Wolf Coalition v. North Carolina Wildlife Resource Commission*, 2013-60; HSUS petition to ban the use of lead ammunition for hunting purposes on federal DOI lands; CBD petition to USFWS to revise its Recovery Plan for the Grizzly Bear to include its native range in the western United States; 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; Army Corps of Engineers proposed rules concerning "waters of the U.S"; *Defenders of Wildlife et al. v. Jewell* (Mexican wolf recovery plan).
 - 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. 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.
- 24. 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; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176; *Defenders of Wildlife et al. v. Jewell* (Mexican wolf recovery plan).
- 25. Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from September 5-6, 2014, September 23, 2014, and November 7, 2014.
- 26. 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.

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Saturday, December 6, 2014 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

- 1. Awards and Recognition**
- 2. Dedication Ceremony for New Game Ranger Memorial Trail**
- 3. Consideration of Proposed Commission Orders 3, 4, and 26 for 2015 Hunting Season. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission will consider and may approve 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.
- 4. Hunt Permit-Tag Application Schedule for 2015 Antelope and Elk Hunts. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide a presentation on the proposed hunt-permit tag application schedule for the Antelope and Elk 2015 hunts and will ask the Commission to approve the application schedule.
- 5. Future Agenda Items and Action Items.**



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”