

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, April 8, 2016
Saturday, April 9, 2016
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

Chairman Kurt R. Davis
Commissioner James R. Ammons
Commissioner James S. Zieler
Commissioner Eric S. Sparks

Director Larry D. Voyles
Deputy Director Ty E. Gray
Assistant Attorney General Jim Odenkirk
Assistant Attorney General John LeSueur

Chairman Davis called the meeting to order at 8:00 a.m. and led those present through the Pledge of Allegiance followed by a moment of silence in respect and for the memory of former First Lady Nancy Reagan who passed away on March 6th at the age of 94, in honor of the victims of the attack in Brussels, Belgium, and in honor of former Commissioner Tom Woods who passed away on March 1st. Mr. Woods served five years on the Commission beginning in 1986 and was a statesman for wildlife conservation.

The Commission and Director Voyles introduced themselves followed by introductions of the Director's staff. Commissioner Madden was not present. This meeting followed an agenda revision #1 dated April 6, 2016.

Awards and Recognition

Chairman Davis presented an award to Jorge Canaca following his presentation on agenda item #2, Legislative Engagement and State and Federal Legislation.

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1. Call to the Public

Kathy Ann Walsh, resident, City of Scottsdale, addressed the Commission in opposition to hunting in the McDowell Sonoran Preserve. Ms. Walsh provided a copy of an email of an associate who is also opposed.

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2. 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:

State Legislative Update

- Days of Regular Session: 89
- Bills Posted: 1219
- Bills Passed: 106
- Bills Vetoed: 1
- Bills Signed: 105
- Still awaiting the budget drop

Commission Legislative Agenda

All bills are ready for final vote:

- HB2465: G&F; in-lieu fee; trust fund
- HB2575: G&F; penalties; law enforcement; omnibus
- SB1361: G&F; heritage fund; expenditures
- HB2324: G&F; military spouses; resident licenses
- SB1243: Mexican wolf; G&F approval; reporting

Other Bills of Interest

SCM1014: administratively recommended wilderness; urging Congress. Provision: The Legislature urges the U.S. Congress to act to prohibit federal agencies from recommending and identifying Arizona's public lands as wilderness areas without express congressional consent. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona.

Mr. Canaca presented the Commission with an officially executed memorial to be on display at the Department.

Congressional Update

H.R.4818 & S.2690: Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2016.

Provisions:

- Expands the definitions to include "hunter recruitment and recreational shooter recruitment"
- Removes an existing prohibition on "public relations"
- Clarifies that construction, operation, and maintenance of public target ranges under the Basic Hunter Education funding is not restricted to ranges that include hunter safety programs
- Reflects the current name of the Association of Fish and Wildlife Agencies
- Expands the Multistate Conservation Grant Program by providing for an additional \$5 million per year (from archery related excise tax collections).

Sportsmen contributed \$1.1 billion dollars to conservation last year alone through the purchase of equipment and fuel.

The Department recommends the Commission vote to support HR4818 and S2690.

Motion: Zieler moved and Ammons seconded THAT THE COMMISSION VOTE TO SUPPORT HR4818 AND S2690.

Vote: Unanimous

4-0

Madden not present

Congressional Tours and Activities

Department staff, Chairman Davis and Vice Chairman Madden participated in the following activities with Senators McCain and Flake:

- Mexican Wolf Recovery Area and 4 Forest Restoration Initiative (4-FRI) overflight
- Silver Creek Hatchery Tour
- Mexican wolf briefing
- 4-FRI meeting with Apache Sitgreaves National Forest leadership
- Gila River Salt Cedar Planning Meeting

Awards and Recognition

Chairman Davis presented Mr. Canaca with a Commission Certificate of Appreciation in recognition of his exemplary efforts to protect and enhance the state's authority to manage wildlife. Chairman Davis added that the Commission thinks highly of Mr. Canaca and appreciates his professionalism, integrity and true dedication to Arizona's wildlife resources.

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3. Commission Priorities Update

Presenter: Kent Komadina, Special Assistant to the Director

The Department provided an update on progress towards accomplishing the following Commission Priorities:

- Increase Access/Landowner Relations
- Customer Service, Technology, Research and Development
- Comprehensive Wildlife Management
- Facility Maintenance, Improvements & Real Estate Strategies
- Maximize Officer Field Time and Promote Fair Chase
- Public Affairs
- Customer Recruitment, Retention, & Reactivation
- Habitat Improvement & Conservation
- Sportfish Opportunities
- Maintaining Department and State Authorities for Conserving Wildlife

The Department's Access and Landowner Relations Program (LPR) Manager Al Eiden provided the Commission with a progress report using a PowerPoint presentation. The LPR's focus is to improve the Department's relationships with landowners and lessees at the local level. This is accomplished through offering incentives for win-win projects that improve wildlife habitat and/or recreation access. The presentation included an overview of how the program works, improvements to habitat and access, economic impacts, and an overview of the new mobile application for accessing the Department's website and access map.

Chairman Davis discussed the new mobile map application with the Director and Department staff and expressed the Commission's appreciation for the work towards these advancements.

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4. Request to Approve Final Exempt Rulemaking Amending Article 8, Wildlife Areas and Department Property.

Presenter: Pat Barber, Regional FORIV Supervisor

Mr. Barber briefed the Commission on the Final Notice of Exempt Rulemaking amending Article 8, Wildlife Areas and Department Property. The Final Notice of Exempt Rulemaking for Article 8 was previously provided for the Commission's consideration. The Commission approved a Draft Notice of Exempt Rulemaking for Article 8 at the February Commission Meeting. A public comment period occurred for 30 days following the meeting and one comment was received. The comment and agency response were included in the Final Notice of Exempt Rulemaking under item 11. No substantive changes were made to the original recommendations. The Department proposed the following substantive rule amendments:

R12-4-801. General Provisions:

- Specify wildlife areas may also be established for hunting, fishing, and other recreational activities
- Remove language regarding protection of private property; the Department's internal reviews of prospective property acquisitions ensure wildlife area designations will not be used solely to protect private property
- Address other types of properties (i.e., regional offices) that have a different standard for public use.

R12-4-802. Wildlife Area and Other Department Managed Property Restrictions:

- Increase consistency between WLAs for motorized travel to pick up lawfully taken big game, camping restrictions, and periodic WLA closures
- Allow predator hunting/control on the Clarence May and C.H.M. May Memorial Wildlife Area.

R12-4-803. Wildlife Area and Other Department Managed Property Boundary Descriptions

- Amendments were made to update and clarify boundaries, address newly acquired or sold properties, and increase consistency between boundary descriptions.

If approved by the Commission, the Department will file the final Notice of Exempt Rulemaking with the Secretary of State's office for publication in the Arizona Administrative Register.

Mr. Barber briefed the Commission regarding one change that the Department is recommending, and that is to not pass the proposed rules for the Planet Ranch property. This is a newly acquired Commission property and is not yet open to the public. Publishing it in the Register will make people think it is open for recreation. Since this rule is an exempt rule, the Department can bring this back at any time in the future to add/change rules.

Mr. Barber provided additional information regarding the Planet Ranch property that included maps in a PowerPoint presentation, historical information, and negotiations with the current lessee, the Lower Colorado River Multi-Species Conservation Program (MSCP), regarding boundaries and opening up access to the public.

Motion: Davis moved and Zieler seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO PROVIDE THE MAXIMUM LEVEL OF LEGAL PUBLIC ACCESS POSSIBLE TO THE COMMISSION OWNED PLANET RANCH PROPERTY CONSISTENT WITH THE TERMS OF THE LEASE TO THE LOWER COLORADO RIVER MULTI-SPECIES CONSERVATION PROGRAM (MSCP), WHICH RESERVES FOR THE COMMISSION "...THE RIGHT TO USE THE LEASED LANDS AND IMPROVEMENTS FOR WILDLIFE MANAGEMENT AND WILDLIFE RECREATION PURPOSES..."; THE COMMISSION FURTHER DIRECTS THE DEPARTMENT TO ESTABLISH MAXIMUM PUBLIC ACCESS AS SOON AS POSSIBLE, AND SUBJECT TO COMMISSION APPROVAL, CLOSE ONLY THOSE PARTS OF THE PLANET RANCH PROPERTY SPECIFICALLY DESCRIBED IN THE LEASE OR WHERE MSCP HAS PROVIDED A COMPELLING JUSTIFICATION THAT THE COMMISSION AGREES MUST BE CLOSED TO PUBLIC ACCESS BECAUSE IT WOULD UNREASONABLY INTERFERE WITH MSCP PROGRAMMATIC REQUIREMENTS; THE COMMISSION DIRECTS THE DEPARTMENT, THROUGH THE YUMA REGIONAL SUPERVISOR, TO REVIEW ANY CURRENT OR PROPOSED CLOSURE BY MSCP, AND AFTER CONSIDERING PUBLIC AND CONSTITUENT NEEDS AS WELL AS MSCP PROGRAMMATIC REQUIREMENTS, MAKE A RECOMMENDATION TO THE COMMISSION THROUGH THE EXEMPT ARTICLE 8 RULE PROCESS OR OTHER APPROPRIATE METHOD FOR APPROVAL, OR MODIFICATION OF ANY CURRENT OR PROPOSED FUTURE CLOSURES TO PUBLIC ACCESS.

Vote: Unanimous

4-0

Madden not present

Motion: Ammons moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE THE FINAL NOTICE OF EXEMPT RULEMAKING TO AMEND ARTICLE 8 RULES ADDRESSING WILDLIFE AREAS AND DEPARTMENT PROPERTY.

Vote: Unanimous
4-0
Madden not present

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Meeting recessed for a break at 9:08 a.m.

Meeting reconvened at 9:22 a.m.

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4A. Request to Approve Proposed Rulemaking Amending Article 7 Rules Addressing Heritage Grants.

Presenter: Sherry Crouch, Funds Planning Branch Chief

Ms. Crouch briefed the Commission using a PowerPoint presentation on the Notice of Rulemaking Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement amending Article 7 rules addressing Heritage Grants. The Department proposes to amend rules within Article 7 to enact recommendations developed during the preceding Five-year Review Report approved by the Commission in January 15, 2016. For all rules, recommended amendments are designed to reduce the regulatory burden where possible, expand grant opportunities to additional applicants, and provide grant requirements in chronological order for ease of reading. The Commission proposes the following substantive amendments:

R12-4-701. Heritage Grant Definitions:

- Include NGOs in the definition of "eligible applicant" to expand opportunities for Heritage Grant funds to additional applicants
- Remove regulatory language from the definition of "eligible applicant;" stipulations applicable to the extension of a project is addressed under R12-4-702
- Remove the stipulation that a non-profit organization applying for a grant be sponsored by a public agency. This will result in a more efficient process by removing administrative levels and reducing the burden on nonprofits and governmental agency sponsors
- Remove "permanent" (from the description of a public agency employee) from the definition of "in kind" to reflect changes made by personnel reform legislation.
- Include "administrative subunits" in the definition of "public agency" to reflect changes made to R12-4-702
- Remove the definition of "sensitive elements" as the term is no longer referenced in Article 7.

R12-4-702. General Provisions:

- Incorporate other Heritage Grant rule requirements into one, over-arching rule

- Specify grants are awarded to projects that are either located in Arizona or benefits Arizona wildlife or its habitat to ensure the citizens of Arizona benefit from the use of Heritage Grant funds
- Remove the requirement that a participant shall not place heritage grant funds in an interest bearing account and require a participant to use any earned interest to further the project or surrender it to the Department.
- Prohibit a participant from comingling heritage grant funds with any other funds.

The Department proposes to repeal the following rules as their requirements have been incorporated into R12-4-702:

- R12-4-703. Heritage Grant Program Funds
- R12-4-704. Grant Application
- R12-4-705. Review of Proposals
- R12-4-706. State Historic Preservation Office Review
- R12-4-707. Grant Agreement
- R12-4-708. Reporting and Recordkeeping Requirements

If approved by the Commission, the Department will submit the notices to the Secretary of State's office for publication in the *Arizona Administrative Register*. The Department will accept public comment for 30 days after the Notice of Proposed Rulemaking is published. Once the public comment period has passed, the Department will present the Final Rulemaking to the Commission for their consideration.

Motion: Zieler moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE THE NOTICE OF RULEMAKING DOCKET OPENING, NOTICE OF PROPOSED RULEMAKING, AND ECONOMIC IMPACT STATEMENT AMENDING RULES WITHIN ARTICLE 7 HERITAGE GRANTS.

Vote: Unanimous
4-0
Madden not present

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5. Briefing on Research Branch Activities and Projects

Presenter: Esther Rubin, Research Branch Chief

Dr. Rubin provided an informational update and PowerPoint presentation on the Research Branch's projects and activities. The presentation was an annual update on current research projects and activities conducted by the Research Branch in its continued support of programmatic needs. The presentation included an overview of the following:

- Funding sources
- Project identification
- Terrestrial Research Programs
- Aquatic Research Programs
- Wildlife Health Programs

- Other activities and support provided by the Research Branch
- Upcoming projects

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6. Terrestrial Wildlife Update - Amphibians and Reptiles Program Briefing Including Monthly Endangered Species Update

Presenter: Jim deVos, Assistant Director, Wildlife Management Division

Mr. deVos briefed the Commission using a PowerPoint presentation on the Terrestrial Wildlife Amphibians and Reptiles Program conservation and recovery efforts and capacity-building projects. One of the key conservation efforts of this program has been its staff engagement and use of Department science to inform the Sonoran desert tortoise ESA listing decision. The presentation highlighted the Amphibians and Reptiles Program conservation and recovery efforts and included the following:

- General program responsibilities, including conservation planning and implementation, regulations, public education and outreach, and scientific collecting permits administration
- Focal area projects, including turtles, ranid frogs, gartersnakes, invasive species eradication, and the Sonoran tiger salamander
- Funding sources.

The Commission discussed with Mr. deVos several topics in his presentation, including how much is being accomplished on a minimal budget, and increasing education and outreach efforts to inform the public about these species and what the Department is doing for their conservation.

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Meeting recessed for a break at 10:29 a.m.

Meeting reconvened at 10:46 a.m.

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7. Resolution Copper Project Cost Share Position Cooperative Agreement

Presenter: Joyce Francis, Habitat Branch Chief

Dr. Francis briefed the Commission on a Cooperative Agreement for a cost-shared position within the Department's Project Evaluation Program to assist in environmental analyses for impacts to state trust resources. The purpose of this Agreement is to establish and maintain a Cooperative Cost Share Position (position) to coordinate the Department's involvement in the Resolution Copper Project (Project) and associated planning, evaluation, and implementation efforts. The Project is located in the area of the former Magma Copper Mine near the town of Superior, 65 miles east of Phoenix, Arizona. The Tonto National Forest (TNF) is preparing an Environmental Impact Statement (EIS) to evaluate and disclose the potential environmental effects from: (1) Approval of the "General Plan of Operations" (GPO) submitted by Resolution Copper Mining, LLC (Resolution Copper), for operations on National Forest System (NFS) land associated with a proposed large-scale mine; (2) the exchange of land between Resolution

Copper and the United States; and (3) amendments to the Tonto National Forest Land and Resource Management Plan (forest plan) (1985, as amended). This position will assist the Parties in developing strategies to identify and mitigate potential impacts to wildlife resources associated with the Resolution Copper project described above. This position will assist the Department in providing technical wildlife information, impact analyses, and correspondence; and act as a liaison between the parties to coordinate the Department's input on the TNF's EIS.

This Agreement is created to provide a general framework to guide the Cooperative Cost Share Position throughout the Resolution Copper Project's NEPA related process and any subsequent implementation projects agreed to by the Parties.

Commissioner Zieler confirmed with Dr. Francis that this would be a five year agreement with the possibility of renewing for another five years.

The Commission was in consensus to place this item on the consent agenda for a future Commission meeting.

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11. Request for Commission Authorization for the Department to contract with the Arizona Office of Administrative Hearings (OAH) to conduct a hearing for the Commission.

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms briefed the Commission on their option to have the Arizona OAH conduct the administrative hearing to determine if Tory G. Clifford should be held civilly liable for the loss of one (1) 4 x4 Trophy Mule Deer, valued at \$8,000.00, to the State of Arizona. On November 2, 2013, Officer Courtney Shanley issued Tory G. Clifford a citation for the unlawful take of a 4 X 4 Trophy Mule Deer on the Cibola Valley Conservation Wildlife Area (CVCWA). Tory G. Clifford admitting shooting the deer on November 1, 2013, while on the CVCWA, which is an archery only area and closed to rifle hunting. On November 25, 2014, the La Paz County Justice Court dismissed the charge with prejudice and deferred prosecution. Mr. Clifford was ordered to make a \$1,200.00 donation to the Arizona Game and Fish Department and pay a \$300.00 deferred prosecution fee to the La Paz County Attorney's Office.

The hearing may take a full day and will involve several testifying witnesses and exhibits. The Commission, a self-supporting regulatory board, may elect to either conduct the hearing or contract with the Arizona OAH to conduct the hearing for the Commission. Following the conclusion of the hearing, the administrative law judge will send a copy of written findings of fact and conclusions of law and recommendation to the Commission, along with the record of the hearing upon request. The Commission retains its authority to make the final administrative decision by accepting, modifying or rejecting the administrative law judge's recommendation.

Motion: Zieler moved and Ammons seconded THAT THE COMMISSION VOTE TO AUTHORIZE THE DEPARTMENT TO CONTRACT WITH THE ARIZONA OFFICE OF ADMINISTRATIVE HEARINGS TO CONDUCT THE HEARING FOR THE COMMISSION REGARDING TORY G. CLIFFORD AS PRESENTED.

Vote: Unanimous
4-0
Madden not present

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14. Approval of Minutes and Signing of Minutes

Motion: Zieler moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM MARCH 4-5, 2016.

Vote: Unanimous
4-0
Madden not present

The Commission signed the minutes following approval.

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15. Commissioner Committee Reports

Chairman Davis reported that it has been an active month. He has been working with members of the Arizona Delegation on federal actions and on educational opportunities. Next Monday he will testify on behalf of the Commission at Congressman Gosar’s public hearing on monuments.

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16. Director and Commissioner Comments

Director Voyles provided briefings on the following activities and meetings:

- Traveled to Santa Fe, NM for Co-Op Research Meeting with USGS in early March
- Attended the North American Wildlife Conference on March 13-19
- Traveled to Washington, DC to attend WHHCC
- Traveled to Albuquerque, NM to attend Mexican Wolf Executives Meeting
- Met with Representative Regina Cobb along with Chairman Davis and Department staff in regards to the Big Boquillas Ranch.

Chairman Davis commented on the Department’s Outdoor Expo and expressed his appreciation for this first class event.

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12. 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: Zieler moved and Sparks seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

The Commission had a working lunch during Executive Session.

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Meeting recessed for lunch at 11:30 p.m.

Meeting reconvened at 2:00 p.m.

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8. 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.

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9. Rehearing Request Regarding Previous License Revocation/Civil Assessment.

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms briefed the Commission on a request by Larry Welch for a rehearing regarding the revocation of his license privileges. On May 12, 2015, Mr. Welch was convicted in the Parker Justice Court for obtaining a 2012 resident hunt/fish license by misrepresentation. On December 4, 2015, the Commission revoked Mr. Welch's hunting, fishing and trapping licenses for a period of five 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. Welch has requested a rehearing of this matter and decision because he feels the five year revocation period is an excessive punishment. Mr. Welch was notified of the hearing to consider his request by certified mail. The Commission was provided with all pertinent documents related to this case for consideration.

Mr. Welch was present and addressed the Commission. He thanked the Commission for updating the hunt regulations book to clarify what a bonafide resident is. He didn't know at the time that he was not considered a resident of Arizona. He stated that the Walmart store did not have any hunt regulations and the attendant did not advise correctly on what a resident was. Further, his wife doesn't hunt or fish, but he buys her licenses anyway to avoid any kind of trouble when she is with him hunting and fishing. He requested that the Commission reconsider the five-year revocation period.

Commissioner Zieler confirmed with Mr. Welch that for a number of years, Mr. Welch held resident licenses in another state at the same time. Further, Mr. Welch confirmed that he votes and files his taxes in the State of California.

Case Officer Nemlowill was present and addressed the Commission stating that there were some small inconsistencies in Mr. Welch's story and she will go into detail if the Commission desires or if they vote to rehear the case.

Motion: Ammons moved and Sparks seconded THAT THE COMMISSION VOTE TO DENY THE REHEARING REQUEST BY MR. LARRY WELCH.

Vote: Aye - Ammons, Zieler, Sparks
Nay - Davis
Passed 3-1
Madden not present

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10. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms briefed the Commission on a request by William M. Ferrin for a rehearing regarding the revocation of his license privileges. On June 3, 2015, Mr. Ferrin was convicted in the Quartzsite Justice Court for obtaining resident license/tag by misrepresentation. On January 15, 2016, the Commission revoked Mr. Ferrin's hunting, fishing and trapping licenses for a period of five 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. Ferrin has requested a rehearing of this matter and decision because he was unable to attend the January hearing due to illness. Mr. Ferrin was notified of the hearing to consider his request by certified mail. The Commission was provided with all pertinent documents related to this case for consideration.

Mr. Ferrin was present and addressed the Commission. He stated that he did not knowingly misrepresent himself. He lives part-time in both Oregon and Arizona. He has also had a nonresident license in Nevada for 30 years because even though he has property there, he doesn't live there. He is asking for some options other than a five-year revocation period because he is 80 years old. One option he would like considered is to not have fishing as part of the revocation. Another exemption would be to not have to take the Hunter Education Course because he is well versed in the use of firearms.

Case Officer Nemlowill addressed the Commission stating that Mr. Ferrin was cooperative in the investigation and accepted responsibility for his actions.

Motion: Sparks moved and Zieler seconded THAT THE COMMISSION VOTE TO GRANT THE REHEARING.

Chairman Davis stated that he will vote yes, but is uncomfortable in voting for a rehearing without reopening the previous case and voting for a rehearing.

Vote: Aye - Davis, Zieler, Sparks
Nay - Ammons
Passed 3-1

Madden not present

The Commission and Mr. Ferrin agreed to have the rehearing today.

Mr. Ferrin requested that the two years he didn't hunt or fish following this incident, cover the license suspension portion and that no additional fine be assessed.

Motion: Zieler moved and Sparks seconded THAT THE COMMISSION VOTE TO MODIFY ITS ORIGINAL DECISION TO A HUNT ONLY REVOCATION FOR A PERIOD OF FIVE YEARS GOING BACK TO THE ORIGINAL HEARING DATE OF JANUARY 15, 2016, AND THAT THE LICENSE(S) BE SUSPENDED AS OF THE DATE OF THE ORIGINAL HEARING AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORIGINAL ORDER WAS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW, AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Commissioner Ammons stated that he will vote no on both cases. He believes these are two individuals who knowingly applied for licenses in two states for a period of years and now what we see is extreme regret.

Vote: Aye - Davis, Zieler, Sparks
Nay - Ammons
Passed 3-1
Madden not present

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9. (re-opened) Rehearing Request Regarding Previous License Revocation/Civil Assessment.

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Motion: Davis moved and Sparks seconded THAT THE COMMISSION VOTE TO GRANT THE REHEARING OF MR. LARRY WELCH.

Vote: Aye - Davis, Zieler, Sparks
Nay - Ammons
Passed 3-1
Madden not present

Mr. Welch was present and addressed the Commission adding that he has never been in trouble with the law and he appreciates the opportunity to tell the Commission his story, and about the law changing in the regulations regarding residency.

Chairman Davis stated that the law did not change; it is only being communicated better. Also, it is hard for him to understand how it is not clear, that when you pay taxes in one state and not

in another, that you are a resident of the state in which you pay taxes. Regardless of the regulations, it is an individual's responsibility to know in what state he is a resident.

Case Officer Nemlowill addressed the Commission stating that there are some inconsistencies in Mr. Welch's story. In the investigation it was discovered that Mr. Welch obtained health insurance in California with the stipulation that he could not be out-of-state more than three months, which means he could not stay in Arizona for the required six month residency requirement. Also, Ms. Welch applied for and obtained a deer tag, which would negate Mr. Welch's statement that she did not hunt or fish. Further, Mr. Welch was not cooperative in the investigation.

Motion: Ammons moved and Sparks seconded THAT THE COMMISSION VOTE TO AFFIRM AND NOT MODIFY THE EXISTING REVOCATION PERIOD FROM DECEMBER 4, 2015 REGARDING MR. LARRY WELCH.

Commissioner Zieler explained that he will vote yes. He has been struggling to find some justification for leniency in this case, but has not found any, and there is no new information to consider.

Vote: Unanimous
4-0
Madden not present

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13. Litigation Report

Mr. Odenkirk made a recommendation to the Commission as a follow up from discussion in Executive Session regarding the case of WildEarth Guardians v. Heather Provencio. Based on that discussion, the recommendation is for the Commission to authorize the Attorney General's Office to intervene in the lawsuit, WildEarth Guardians v. Heather Provencio, which is a case that challenges the U.S. Forest Service's decision to permit motorized retrieval of elk on the Kaibab National Forest.

Motion: Zieler Moved and Sparks seconded THAT THE COMMISSION VOTE TO AUTHORIZE THE ATTORNEY GENERAL'S OFFICE TO INTERVENE IN THE LAWSUIT, WILDEARTH GUARDIANS V. HEATHER PROVENCIO.

Vote: Unanimous
4-0
Madden not present

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Motion: Ammons moved and Zieler seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

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Meeting adjourned at 4:10 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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Chairman Davis called the meeting back to order at 8:00 a.m. and lead those present through the Pledge of Allegiance. The Commission and Director Voyles introduced themselves and Director Voyles introduced his staff.

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1. Awards and Recognition

Chairman Davis presented the Arizona Desert Bighorn Sheep Society with a Commission Commendation of Achievement for their long-standing support of wild sheep management.

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

25 Year Service Pin

Brian Anthony
Tom Finley
Anthony Robinson

20 Year Service Pin

Sharon Carson
Russ Engel
Ed Jahrke
Patti Mortensen
Steve Najjar
Natalie Robb

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Meeting recessed for a break at 8:35 a.m.

Meeting reconvened at 8:51 a.m.

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1. Call to the Public

Curt Steinke, representing the Arizona Desert Bighorn Sheep Society, addressed the Commission regarding the sheep decease in Region III. He recommended that the Department include a strongly worded message in the hunt regulations and let people know what is happening. When the sheep season opens, there is likely to be a lot less sheep on the ground than there is right now.

Chairman Davis referred Mr. Steinke to discuss the issue with Department staff.

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2. Consideration of Proposed Commission Orders 19, 20, 21, 22 and 24 for the 2016–2017 Hunting Season.

Presenter: Johnathan O’Dell, Acting Small Game Management Supervisor

Mr. O’Dell presented the Commission with Commission Orders 19 (dove), 20 (band-tailed pigeons), 21 (waterfowl), 22 (snipe) and 24 (sandhill cranes) establishing seasons and season dates, bag and possession limits, and open-closed areas for the 2016-2017 season. A detailed description of proposals is available for public review at all Department offices. A Power Point presentation was provided that included historical information, graph comparisons, survey data, and maps. A detailed description of all proposals was provided to the Commission prior to this meeting for review and consideration and was also available for public review at all Department offices. Information provided to the Commission and subsequent Commission action included the following:

Commission Order 19 – Dove

Harvest data—The Fish and Wildlife Service estimates dove harvest in Arizona through the Harvest Information Program (HIP). The HIP program estimates hunter participation, success, and harvest by surveying a random sample of hunters who purchase an Arizona Migratory Game Bird Stamp. This survey has been in place since 1999.

Mourning dove—There is a significant change in the results of the 2014 HIP survey when compared to previous years. It is likely that the Department’s License Simplification process, which took effect for the 2014 hunting season, impacted the sampling frame for the survey and is responsible for the large variance. HIP data for 2015 are not yet available, but it will be analyzed with respect to 2014 and past performance to guide and inform future surveys and management actions.

White-winged dove—HIP harvest data for the 2014 seasons indicate 83,800 white-winged doves were harvested, a 16.3% decrease from 2013. HIP data for 2015 are not yet available, but it too will be analyzed with respect to 2014 and past performance to guide and inform future surveys and management actions.

Dove call counts—White-winged dove call counts are conducted each year during the last half of May. We are temporarily conducting distance sampling mourning dove call counts to refine the National Harvest Plan, but we have moved to using banding data to manage this species. We will be conducting our regular annual white-winged dove call count surveys in May and June. The 2015 call count index for White-winged doves was 29.7, a decrease from the 2014 index (35.2).

Dove bag and possession limits—The National Mourning Dove Harvest Strategy relies on mourning dove absolute abundance estimated from band recovery and harvest data. This is a much more reliable monitoring method that allows us to harvest more doves. Regulatory alternatives are prescribed based on abundance thresholds depicted as percentages of the population size. There are 3 packages: Standard, Restrictive and Closed. The current (2014) Western Management Unit (WMU) mourning dove abundance estimate is 43,697,391. This

number qualifies the Arizona to have a standard package, which allows for a 15 mourning dove bag limit and a 60 day season.

Season Structure Recommendation:

The Department recommends no change to the season structure for mourning doves and white-winged doves from the 2015 recommendation. The 2016 recommendation is for a September season of 15 days from September 1–15 as per Federal Frameworks. The late season recommendation is for the season to be open from November 25, 2016 to January 8, 2017 for mourning doves only. This recommendation is the maximum number of days allowed under Federal Frameworks.

For the early season the Department recommends an aggregate bag of 15 mourning doves and white-winged doves; of which no more than 10 may be white-winged doves, a possession limits for the early season are 45 mourning doves or white-winged doves in the aggregate of which no more than 30 may be white-winged doves. During the remainder of the season, the daily bag limit is 15 mourning doves and 45 in possession.

The dates for the Robbins Butte junior's-only hunt are recommended for September 3-4, 2016. To facilitate hunt operation, hunters will be required to check in and out. Bag limits and shooting hours will be the same as for the general season.

The Department is recommending continuation of the extended falconry-only dove season initiated in 1991. Recommended falconry-only season dates are September 16, 2016 through November 1, 2016. This season recommendation includes the maximum number of hunt days available for falconry (47). Falconry is also a legal method of take during both the regular early and late dove seasons.

The Department recommends that Eurasian collared dove season to remain open yearlong (September 1, 2016 through August 31, 2017) with an unlimited bag limit. Falconry remains a recommended legal method of take with an open season yearlong for Eurasian collared doves. Pneumatic weapons are recommended as a lawful method of take for Eurasian collared doves.

Motion: Sparks moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 19 – DOVES, IN ACCORDANCE WITH THE FINAL FEDERAL FRAMEWORKS, AS PRESENTED.

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Vote: Unanimous

4-0

Madden not present

Commission Order 20 – Band-tailed Pigeon

In 1997, the Harvest Information Program (HIP) replaced Arizona's harvest survey protocol for band-tailed pigeon. Band-tailed pigeons have always been difficult to survey for both harvest

and population information. The principle management difficulty with these birds is that few hunters hunt them, so harvest information is difficult to estimate since traditional surveys often miss the majority of band-tail pigeon hunters. In addition, band-tailed pigeon distribution is spotty and changes from year to year. Birds typically congregate where mast and other food sources are abundant, but those areas differ from year to year and may even change mid-summer.

Harvest information obtained from band-tailed pigeon hunters for the 1999–2014 seasons indicate Arizona has between 400 and 2,100 active hunters; 1,000 hunters were estimated in 2014. HIP harvest estimates indicate variable harvest of band-tails over the same time period ranging between 400 and 2,300 with 700 harvested in 2014. Based upon a declining population trend from the Breeding Bird Survey data and unpredictable harvest over time the Federal Frameworks for band-tailed pigeons within the four-corner states remains restrictive.

The Department recommends no change to the season structure for band-tailed pigeons from the 2015 recommendation. The season is recommended to be September 2–September 15, 2016 which allows for 2 weekends of hunting opportunity. The Department also recommends a bag and possession limits of 2 and 6, respectively. To address the deficiency in band-tailed pigeon harvest information, the Department recommends continuation of the mandatory, free online registration for all hunters that wish to hunt band-tailed pigeons that was put in place last year. This will allow us to identify and survey those hunters resulting in a better harvest estimate than we currently get through HIP.

Commissioner Zieler stated that the Commission’s sub-committee on hunt orders supports the Department’s recommendation.

Motion: Davis moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 20 – BAND-TAILED PIGEON, IN ACCORDANCE WITH THE FINAL FEDERAL FRAMEWORKS, AS PRESENTED.

Vote: Unanimous

4-0

Madden not present

Commission Order 21 – Waterfowl

Robust waterfowl populations are forecast again this year due to good carryover from last year and favorable water conditions on the prairies and in most of the Intermountain West. Production of mallards in the coastal regions of the Pacific Flyway remains strong. Because of this, the prescription for the Pacific Flyway is a Liberal season.

Season frameworks for the Pacific Flyway are:

1. Liberal, 107 day season, 7 bird bag limit;
2. Moderate, 86 day season, 7 bird bag limit;
3. Restrictive, 86 day season, 4 bird bag limit.

Management plans for pintail, canvasback, redhead, and scaup prescribe bag limits and seasons for those species separate from the above frameworks. Despite good conditions overall for

ducks, the long-term average population size for these 4 species remains below the goals outlined in their management plans. There was no change in frameworks from last year; pintail, redheads, and canvasback will have a 2 bird daily bag limit. Scaup will have a 3 bird daily bag limit and an 86 day season.

The Department recommends adopting the Liberal package with a daily bag limit of 7 ducks and mergansers, including no more than 2 female mallards, 2 pintails, 2 canvasback, 3 scaup, and 2 redheads. For scaup, the season length is 86 days, which may be split according to applicable zones/split duck hunting configurations approved for Arizona. Recommended goose bag limits are no more than 10 white geese (snow, including blue and Ross' geese) and 4 dark geese (Canada and white-fronted). Recommended coot and common moorhen bag limit is 25 singly or in the aggregate. Recommended possession limits for all waterfowl is 3 times the daily bag limits. The waterfowl season has different opening and closing dates for the Mountain and Desert zones. Federal frameworks do not allow the general waterfowl season to extend beyond January 25. However, junior hunts may occur into February.

Liberal Package:

	<u>Mountain Zone</u>	<u>Desert Zone</u>
Juniors-Only	Oct. 1– Oct 2, 2016	Feb 4 – Feb 5, 2017
Falconry-Only	Oct 3 – Oct. 6, 2016	Jan 30 – Feb 2, 2017
General Waterfowl	Oct. 7, 2016 – Jan. 15, 2017	Oct. 21, 2016 – Jan. 29, 2017
Scaup	Oct. 22, 2016 – Jan. 15, 2017	Nov. 5, 2016 – Jan. 29, 2017

The Mountain and Desert Zones in Arizona are defined by unit within the Federal Register as follows: Desert (South) Zone: Those portions of Units 6 and 8 in Yavapai County, and Units 10 and 12B–45. Mountain (North) Zone: Units 1–5, those portions of Units 6 and 8 within Coconino County, and Units 7, 9, and 12A. Essentially, the North Zone is in the mountainous, high elevation areas of Arizona; the South Zone is in the lowland, desert areas.

Chairman Davis suggested that the Department consider establishing a “waterfowl challenge” for waterfowl hunters similar to the trout challenge.

Commissioner Zieler stated that the Commission’s sub-committee on hunt orders supports the Department’s recommendation.

Motion: Davis moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 21 – WATERFOWL, IN ACCORDANCE WITH THE FINAL FEDERAL FRAMEWORKS, AS PRESENTED.

Vote: Unanimous

4-0

Madden not present

Commission Order 22 – Common Snipe

The Department recommends that the Commission approve a general snipe season with the 101 days and limits of 8 snipe per day and 24 in possession as allowed by the Service for Pacific

Flyway states. Seasons for snipe are recommended to run concurrent with the general waterfowl seasons in each of the state's zones.

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Zieler moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 22 – SNIPE, IN ACCORDANCE WITH THE FINAL FEDERAL FRAMEWORKS, AS PRESENTED.

Vote: Unanimous

4-0

Madden not present

Commission Order 24 – Sandhill Crane

The sandhill cranes traditionally hunted in Arizona include cranes from both the Mid-Continent Population (MCP) and Rocky Mountain Population (RMP). The RMP is composed almost entirely of greater sandhills. MCP cranes are primarily the lesser subspecies. The population of RMP cranes is smaller than the MCP and can tolerate only light harvest; hence, the number of RMP cranes harvested drives the number of permits in Arizona and other Pacific Flyway states.

The Pacific Flyway Council approved an updated RMP plan in March 2016. The RMP Cooperative Flyway Management plan established population objectives, a survey to monitor recruitment, and harvest levels that are designed to maintain a stable abundance of a 3 year average between 17,000–21,000 birds. The plan contains a formula for calculating allowable annual harvests to achieve population objectives. All sandhill crane hunters in the range of the RMP must obtain a state permit to hunt cranes. This provides the sampling frame for independent state harvest estimates and allows for assignment of harvest quotas by state. In many areas, harvest estimates are supplemented by mandatory check station reporting. The Federal Frameworks cite the management plans approved by both the Central and Pacific Flyway Councils.

Check stations for RMP cranes are mandated every 3 years. The last check station was conducted in 2014 and the next check station for RMP cranes will be in fall 2017. Arizona exceeded our allocation 62 RMP cranes last year with an estimated 68 harvested.

Arizona's allocation for 2016 is 142 RMP cranes. The 3 year average that includes the most recent 2015 population estimate for RMP cranes was 21,453. This allocation is a reflection that RMP crane populations are above the population objective (17,000–21,000) defined in the management plan for sandhill cranes in the Pacific Flyway.

Arizona has conducted its own January survey of MCP and RMP sandhill cranes since 1978 and that survey shows a steady increase in the numbers of cranes wintering in the state. In 1978, the Department counted 4,264 wintering cranes in Arizona. The 2016 survey was the fourth highest count on record with 33,036 cranes observed. Wintering habitat in both White-Water Draw and Wilcox Playa and widespread corn production in the Sulfur Springs Valley is the primary reason Arizona winters so many sandhill cranes.

Season Structure Recommendation:

Mid-Continent and Rocky Mountain populations – The allowed Federal season dates and bag limits for the Mid-Continent and Rocky Mountain populations of cranes in Arizona are as follows: The outside dates of the season must fall between September 1 and January 31 and must not exceed 30 days. The bag limit may not exceed 3 per day or 9 per season.

The Department recommends the following seasons and each permitted hunter is allowed to harvest 3 cranes. This is an increase of 110 hunters over the 2015 recommendation.

General Sandhill Crane

Nov 18 - 20 2016	Units 30A, 30B, 31, and 32	90 Permits
Nov 22 - 24 2016	Units 30A, 30B, 31, and 32	90 Permits
Nov 26 - 28 2016	Units 30A, 30B, 31, and 32	90 Permits
Nov 30 – Dec 2 2016	Units 30A, 30B, 31, and 32	90 Permits
Dec 4 – 6 2016	Units 30A, 30B, 31, and 32	90 Permits
Nov 26 - 28 2016	Unit 28	12 Permits
Nov 30 – Dec 2 2016	Unit 28	12 Permits
Dec 4 - 6 2016	Unit 28	12 Permits
Dec 8 - 10 2016	Unit 28	12 Permits
Dec 12 - 14 2016	Unit 28	12 Permits

Youth-Only Sandhill Crane

Dec 9 - 11 2016	Units 30A, 30B, 31 and 32	25 Permits
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With the recommended season structure, the Department estimates total harvest will be between 400 to 525 cranes. The predicted RMP harvest is estimated at 90-110 birds. This is within the 2016 RMP allocation for Arizona (142).

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Ammons moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE, IN ACCORDANCE WITH FEDERAL FRAMEWORKS, COMMISSION ORDER 24: SANDHILL CRANE, AS PRESENTED.

Vote: Unanimous

4-0

Madden not present

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3. Consideration of Proposed Commission Orders 2, 5-10, and 26 for 2016–2017 Hunting Season, Commission Orders 11–18 for 2016–2017 and 2017–2018 Hunting Seasons, and Commission Order 23 for the 2016–2017 and 2017–2018 Trapping Seasons.

Presenter: Amber Munig, Big Game Management Program Supervisor

Ms. Munig presented the Commission with a PowerPoint presentation that included charts and graphs of survey data, historical data and scientific data related to the Department's recommendations for Commission Orders 2 (deer), 5–10 (turkey, javelina, bighorn sheep, bison, bear, and mountain lion), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for the 2016–2017 season. The Department also presented recommendations for 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 2016–2017 and 2017–2018 seasons, as well as Commission Order 23 (trapping), establishing season dates, legal species, open and closed areas, and bag and possession limits for the 2016–2017 and 2017–2018 seasons. Detailed descriptions of these proposals were available for public review at Department offices and on the Department's website, and were provided to the Commission prior to this meeting for review. Information provided to the Commission and subsequent Commission action included the following:

The Department is recommending seasons, season dates, bag and possession limits, permit numbers, and open areas for Commission Orders 2 (deer), 5–10 (fall turkey, fall javelina, bighorn sheep, fall bison, fall bear, and mountain lion), and 26 (population management seasons) for 2016–2017 according to hunt guidelines approved by the Commission in September 2015. Small game (Commission Orders 11–18; tree squirrel, cottontail rabbit, predatory and furbearing mammals, other mammals and birds, pheasant, quail, chukar partridge, and blue grouse) and trapping (Commission Order 23) seasons are recommended for both 2016–2017 and 2017–2018 also in accordance with the hunt guidelines. The current hunt guidelines were approved by the Commission for a 2-year period that extends through spring 2018. Public meetings to discuss harvest prescriptions for the 2016–2017 seasons were held in each Region prior to meeting with the Terrestrial Wildlife Branch. Each Region also hosted an open house prior to the April Commission meeting where final recommendations were available for public review and discussion. Public participation ranged from 3 to 16 at public meetings where population trends were discussed.

The Commission has provided the Department with direction through the hunt guidelines to offer specific hunting opportunities. Specifically, the Department was to allocate at least 5% of the general deer permits to youth-only seasons, units with multiple deer hunts will have stratified 7-day seasons and each region will offer a late mule deer season.

Statewide, white-tailed deer hunting opportunity in December is limited to 5% of the total white-tailed deer permits, although alternative white-tailed deer units (Units 6A, 23, 30B, 31, and 36C) will be structured to harvest up to 30% of the expected take for that unit during December. Units 3A, 3C, 12A, 12B, 13A, 13B, 17A, 45A, 45B, and 45C are managed according to the alternative guidelines for mule deer. Archery deer seasons are recommended for season length adjustments or permitting to attain 10–20% of the total deer harvest by archers. Units 3A/3C, 12A, 12B, 13A, and 13B have permitted archery seasons recommended. Unit 11M is also recommended to become a draw hunt with 80 permits, which will remove it from the over-the-counter season structure.

Fall turkey hunts are recommended as limited-weapon shotgun-shooting-shot seasons. Youth-only turkey permits will be recommended as over-the-counter nonpermit tags in specific units. Archery turkey seasons have been adjusted to overlap with corresponding archery deer seasons.

Fall javelina hunts are to be offered during youth-only seasons to strive for 10% of total tags (both fall and spring) for youth hunters. Youth-only seasons should coincide with a youth-only deer season, and companion population management seasons are recommended to capitalize on youth deer hunters in the field.

All bear seasons have specific female harvest limits that close a season on the Wednesday following when that number of female bears has been harvested. Each unit that provides a bear hunt will also have an annual female harvest limit. If the annual female harvest limit is met, this will close any open season on the following Wednesday or any subsequent season in that unit during the current calendar year, even if the subsequent season has not yet opened. The annual female harvest limit comprises female bears lethally removed through Department action (e.g., nuisance) and female bears harvested by hunters.

Hopi tribal members will be allocated an agreed upon small proportion of deer tags in Units 4A, 4B, 5A, and 5B according to the Hopi Trust Land allocation authorized in the hunt guidelines.

Commission Order 2 – Deer

The Department is recommending 41,807 general deer permits in 2016, an increase of 194 permits statewide from 2015. Muzzleloader permits are recommended at 1,225, a 100-permit increase from 2015. Permitted archery deer are recommended to decrease by 25 (decreases of 25 in Units 3A/3C and 75 in Unit 12AW, and the addition of a Unit 11M season with 80 permits). Youth-only general permits are recommended to increase by 436 to 2,760 and youth-only muzzleloader permits are recommended to remain unchanged at 45 permits. CHAMP permits are recommended to increase by 10 to 20 permits. The net change to recommended permits overall is an increase of 715 from 2015 to a grand total of 46,537 permits.

Relatively minor changes to individual unit deer permits are recommended this year. Youth permits are recommended at 6.6 % of general. This recommendation includes stratifying the Unit 12AW antlerless deer hunts into 2 hunts with an increase of 175 permits, which will slow the growth of the deer population on the Kaibab. December general mule deer hunts are recommended in Units 9, 17B, 21, and 27. December any antlered deer muzzleloader seasons are recommended in Units 35A and 35B, and Units 39, 40A, 40B, 41, and 42. A December youth-only hunt is recommended in Unit 20C. The December archery deer and general deer seasons are recommended to begin on December 9, 2016.

The archery deer over-the-counter nonpermit-tag season recommendation is to remove Units 2A, 2B, and 2C from the January timeframe, remove Units 17A and 21 from the December timeframe, and add the December timeframe to Units 19A, 22, and 23. Closures enacted by the Commission for archery hunting within ¼ mile of occupied structures are again recommended.

A 10-permit CHAMP hunt is again recommended for Unit 12AW during September 9–15, 2016, and a new 10-permit CHAMP hunt is recommended for Unit 7 during October 21-27, 2016.

Hopi tribal members are recommended to receive 38 general deer permits. The youth hunt in Units 5A and 5B is recommended to rotate to another unit therefore there are no youth-only permits recommended for Hopi tribal members.

2016 Deer Hunt Summary

Bonus Point	
General	41,827 (+214)
Hopi	
Youth General	2,760 (+436)
CHAMP	20 (+10)
• Adding Unit 7	
Muzzleloader	1,225 (+100)
• Adding Unit 36A, white-tailed only	
Youth Muzzleloader	45 (same)
Archery (permitted)	680 (-25)
• Permitting Unit 11M	

Archery OTC

- Removing 2A, 2B, 2C from Jan 1-31, 2017
- Removing 17A and 21 from Dec 9-31, 2016
- Adding 19A, 22, and 23 to Dec 9-31, 2016

Total Permits **46,557 (+735)**

Public Comment

John Koloszar, representing the Arizona Deer Association (ADA), thanked Ms. Munig for her communication and outreach to the ADA regarding the Department's deer hunt recommendations.

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Ammons moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 2 – DEER AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Commission Order 5 – Turkey

The fall limited-weapon shotgun-shooting-shot turkey season is recommended to run September 30-October 6, 2016 with 5,050 permits, and is recommended to remain unchanged from 2015. An increase of 50 permits is recommended in Unit 1 and a decrease of 50 permits is recommended in Unit 5A. There are 7 units (Units 1, 4A, 4B, 6A, 12A, 23, and 27) recommended for youth-only seasons where over-the-counter nonpermit tags will be offered (no

change from 2015). These seasons will run concurrently with the permitted turkey season in the unit. The archery fall turkey nonpermit tag season is recommended to run from August 19–September 8, 2016 with no change to open units from 2015.

2016 Fall Turkey Hunt Summary

Bonus Point	
Limited Weapon Shotgun	5,050 (same)
<ul style="list-style-type: none"> • Increased permits in Units 1 • Decreased permits in Units 5A 	
Archery Only	Nonpermit-tag
Youth Only	Nonpermit-tag
<ul style="list-style-type: none"> • Units 1, 4A, 4B, 6A, 12A, 23, and 27 	
Total Permits	5050 (same)

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Davis moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 5 – TURKEY AS PROPOSED.

Vote: Unanimous
4-0
Madden not present

Commission Order 6 – Javelina

For fall 2016, the Department recommends fall youth-only javelina seasons remain unchanged, with 780 permits, during season dates that coincide with a youth-only deer season. Units within Region 5 allocate 15% of the annual permits to either an October 7-16 or a November 18-27, 2016 season. Additional units (Units 16A, 17B, 18B, 19A, 19B, and 20A) also offer youth-only opportunity, with season dates typically overlapping a school holiday.

In accordance with hunt guidelines, the Department is also recommending the youth-only deer hunters in Units 15A, 15B, 15C, 15D, 16A, 28, 29, 30A, 30B, 31, 32, 33, 36A, and 36B be provided with the opportunity to purchase over-the-counter "companion" tags for javelina, which must be authorized within Commission Order 26.

2016 Fall Javelina Summary

Bonus Point	Open to all hunters
Youth – General	780 (same)
Archery OTC	nonpermit-tag
<ul style="list-style-type: none"> • Aug 19 - Sept 8 • Units 1, 2A, 2B, 2C, 3A, 3B, 3C, 4A, 4B, 5A, 5B, 7, and 9 	
Total Permits	780 (same)

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Sparks moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 6 – JAVELINA AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Commission Order 7 – Bighorn Sheep

Bighorn sheep permit recommendations for the Black Mountains in Units 15B West, 15C, and 15D are reduced due to disease moving through this population. Permits recommended for Unit 15B West is 1 permit, Unit 15C North is 1 permit, Unit 15C South is 1 permit and Unit 15D North and South is 6 permits. A note will be added to the hunt regulations that reads "Hunters are advised that a disease outbreak has been detected in Units 15B West, 15C South, 15C North and 15D. Hunters who are drawn for these units should be prepared for a decrease in availability in older age class rams."

Bighorn sheep permits for the remainder of the state are recommended at 96, which is no change from last year. Permit increases are recommended in Units 31 and 32, 40B Gila Mountains, 41 East, 41 West, and 45C. Unit 16 South (south of the Big Sandy River) is recommended to be added to the Unit 18B hunt open area. Permit decreases are recommended in Units 16A, 22 South, 24B South, 40B Mohawk and Copper mountains, and 42 and 44A. The Lower Blue River Hunt Area in Unit 27 is recommended for closure.

2016 Bighorn Sheep Summary

Bonus Point

General

105 (-12)

- Increases in Units 31/32, 40B Gila Mtns, 40B Tinajas Atlas Mtns, 41 East, 41 West, and 45C
- Remove Lower Blue River Hunt Area
- Decreases in Units 15BW, 15CN, 15CS, 15D, 22 South, 24B South, 40B Mohawk/Copper, and 42/44A
- Stratify hunts in Units 6A/22N, 27S/28N, and Upper Blue River Hunt Area

Total Permits

105 (-12)

Commissioner Ammons requested adding Units 12A, 12B and 13A to the list of extremely difficult wilderness sheep hunts that are highlighted in the regulations as they were last year.

Ms. Munig stated that the Department would do that.

Commissioner Ammons also requested extra effort to highlight the units with the disease outbreak, possibly provide an outline on the map.

Ms. Munig stated the Department will do that, if possible, but will also highlight the note in red.

Public Comment

Bradley Remfrey, President, Arizona Desert Bighorn Sheep Society, commended the Department and their efforts in working with its constituents regarding the hunt regulations.

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Sparks moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 7 – BIGHORN SHEEP AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Commission Order 8 – Bison

The Department recommends 5 adult cow hunts with 3 permits each and 2 cow/yearling hunts with 2 permits each. These hunts will keep us on track for complete replacement of the Raymond herd by Fall 2017. This is an increase of 19 permits for the Raymond herd over last year.

For the House Rock herd in Units 12A, 12B, and 13B, the Department recommends a series of any bison and cow-only limited opportunity hunts for general, muzzleloader, and archery. The any bison and cow-only hunts are recommended to run concurrently. The Department recommends 70 permits which is a reduction of 20 permits from 2015. The recommendation closes a portion of Unit 12A East in order to open a disturbance, pressure-free corridor down to House Rock Wildlife Area; through baiting and improved water distribution, the objective is to encourage bison to use the House Rock Wildlife Area where they may be undisturbed.

2016 Bison Hunt Summary

Bonus Point	
Raymond Herd	19 (+19)
• 7 General hunts added	
House Rock Herd	70 (-20)
Total Permits	89 (-1)

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Davis moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 8 – BISON AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Commission Order 9 – Bear

During 2016, fall bear seasons are recommended to occur during August 5–18, from August 19 for up to 38 days, or September 30 through the end of the 2016 calendar year. It is recommended to add Unit 33 to the September 30 to December 31 season. Units 4A and 5A are recommended to begin on October 28 and run through the end of the calendar year; it is recommended to add Units 29 and 30A to this season. General seasons may occur during any of these season dates and archery seasons may occur during the 38 day season beginning on August 19, 2016. This structure maintains open seasons while allowing Regions to manage female harvest and maintain sites to relocate nuisance bears if necessary. The 2016 recommendation is for a cumulative female harvest limit of 105 for general and 21 for archery season.

The annual female harvest limit will apply to all fall seasons. Annual female harvest limits were established in August 2015 for the units with 2016 spring hunts. Those units that have both spring and fall hunts were considered in the spring 2015 hunt formulation. Harvest that applies to annual female harvest limits includes take by a hunter or Department action that occurs in the calendar year. Implementation of the annual female harvest limit may result in the closure of a hunt before it opens if the annual female harvest limit is reached before the start of a season.

Hunters will need to contact the Department before they go hunting to determine if a specific hunt unit is open, and notification of this need will be plainly identified within the regulations. Compliance with the mandatory physical check for bear remains high.

2016 Bear Hunt Summary

Seasons

- August 5-18, August 19-Sep 8, and Sep 30-Dec 31
- Units 4A/5A as Oct 28-Dec 31
- Unit 27 and 29/30A as Sep 30- Nov 3 and Oct 28-Dec 31
- New hunt in Unit 33 as Sep 30-Dec 31

Female Harvest Limit

- Each hunt area has female harvest limits specific to each season and an annual limit
- Annual limit includes Department take
- Individual Hunt Female Harvest Limits
 - General 105 (+1 in Unit 33)
 - Archery 21

Mandatory check out procedures

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Davis moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 9 – BEAR AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Commission Order 10 – Mountain Lion

The Department recommends an open mountain lion season for daylight hours from July 1, 2016 to June 30, 2017 in all open units in accordance with the hunt guidelines. Multiple bag limit seasons with daylong shooting hours are recommended for Units 15B West, 15C, and 15D, Unit 16A North, Units 16A South and 18B South, Unit 21, and Unit 28 South. The multiple bag limit with daylong shooting hours is recommended for removal in Unit 37B North. The restricted hunt in the Pusch Ridge Hunt Area in Unit 33 is also recommended for removal. In accordance with hunt guidelines and the establishment of minimal occurrence zones for mountain lions, Units 39, 40A, 40B, 41, 42, 43A, 43B, 44A, and 44B are recommended for daylong shooting hours with a bag limit of 3 mountain lions per year. Compliance with the mandatory physical check for harvested mountain lion remains high.

2016 Mountain Lion Hunt Summary

Statewide general seasons and archery only season will have daylight shooting hours season from July 1, 2016 through June 30, 2017

Multiple Bag Limit Areas

- Daylong shooting hours in Units 15B West/15C/15D, 16A North, 16A South and 18B South, 21, and 28 South.
- Removing Unit 37B North

Chairman Davis confirmed with Ms. Munig that the total take on mountain lion last year was 323 out of approximately 11,000 tags sold. Chairman Davis wanted to be clear for the record regarding the number of mountain lion take because of the number of people with concerns about how many tags are sold.

Commissioner Ammons commented on the mountain lion situation as it relates to the Catalina Mountains. The Department met the bighorn sheep population objective in Unit 37B and now the Department is recommending removing this area from the multiple bag limit season structure. This shows that the Department does what it says it's going to do.

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Sparks moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 10 – MOUNTAIN LION AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Commission Order 26 – Population Management Seasons

Population management seasons are recommended for javelina to be available to youth-only muzzleloader deer hunters in Unit 15A, 15B, 15C, and 15D and Unit 16A and to youth-only general season deer hunters in Units 28, 29, 30A, 30B, 31, 32, 33, 36A, and 36B. These permits are popularly known as "companion" tags. Youth-only javelina population management restricted nonpermit tags are recommended at 650 for general, and increase of 50 over last year and 45 for muzzleloader youth-only seasons. These permits will be available only to hunters that successfully draw a deer tag in the companion deer hunt.

Commissioner Zieler stated that the Commission's sub-committee on hunt orders supports the Department's recommendation.

Motion: Davis moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS.

Vote: Unanimous

4-0

Madden not present

Commission Order 11 – Tree Squirrel

The Department recommends no change to the tree squirrel seasons for 2016–2017 and 2017-2018.

Commission Order 12 – Cottontail Rabbit

The Department recommends no change to the cottontail rabbit seasons for 2016–2017 and 2017-2018.

Commission Order 13 – Predatory and Fur-bearing Mammals

The Department recommends no change to the predatory and fur-bearing mammal seasons for 2016–2017 and 2017-2018.

Commission Order 14 – Other Birds and Mammals

The Department recommends no change to the other birds and mammals seasons for 2016–2017 and 2017-2018, except for the Gunnison's prairie dog season. The Department recommends shortening the Gunnison prairie dog season by two weeks during pup rearing period in the summer; this would be closing the last 2 weeks of June for season dates of July 1 to March 31. The Department also recommends closing the White Mountains Grasslands Wildlife Area to the take of Gunnison's prairie dogs because of a 90% decline in that population, a result of plague.

Commission Order 15 – Pheasant

The Department recommends three 7-day limited-weapon shotgun-shooting-shot seasons with 30 permits each for the 2016 and 2017 seasons, a decrease of 20 permits for each season. All pheasant hunts in Units 40B are draw hunts. Dates for the individual hunts are adjusted periodically to accommodate local agricultural practices and conditions to maximize hunter success. The youth-only hunt is recommended with 30 permits, a decrease of 10 permits from last year. The archery and falconry seasons remain unchanged. Dates for the hunts in 2016 and 2017 are specified in the attached Commission Orders.

Commission Order 16 – Quail

The Department recommends no change to the quail seasons 2016–2017 and 2017-2018.

Commission Order 17 – Chukar Partridge

The Department recommends chukar partridge seasons for 2016–2017 and 2017-2018, except to have a fixed opening date of September 1 consistent with hunt guidelines.

Commission Order 18 – Blue (Dusky) Grouse

The Department recommends no change to the blue grouse seasons for 2016–2017 and 2017-2018, except to have a fixed opening date of September 1 consistent with hunt guidelines.

Commissioner Zieler stated that the Commission’s sub-committee on hunt orders supports the Department’s recommendation.

Motion: Ammons moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDERS 11-18 AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Commission Order 23 – Trapping

The Department recommends no change to the trapping seasons for 2016–2017 and 2017-2018.

Commissioner Zieler stated that the Commission’s sub-committee on hunt orders supports the Department’s recommendation.

Motion: Davis moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 23 AS PROPOSED.

Vote: Unanimous

4-0

Madden not present

Chairman Davis requested an update on the Hopi Tribe agreements.

Commissioner Zieler briefed the Commission stating that the Hunt Recommendation Committee met with the Department's Flagstaff Regional Supervisor Craig Mullen, and discussed the current state of the agreement with the Hopi Tribe. Commissioner Zieler read a statement from the sub-committee as follows: "The Commission sub-committee on hunt orders has met to consider a request from the Hopi Tribe to hold a sub-set of Hopi allocated tags in reserve for Hopi applicants during the first-come first-serve process. The sub-committee recommends the Department renew its expired agreement for one year with the Hopi Tribe and explore cooperative strategies with the Hopi Tribe to mobilize demand through the 2017 elk draw for Hopi Tribe allocated tags. The Department will report after the 2017 elk draw, at which time the Commission sub-committee on hunt orders may consider the Hopi Tribe's request and work with the Department to identify additional analysis or actions to consider regarding the Hopi Tribe's interest." Commissioner Zieler clarified that the sub-committee would like to continue under the current agreement with the Hopi Tribe and explore other opportunities.

Mr. McMullen was present to answer any questions the Commission may have.

The Commission had no questions and was in consensus with the sub-committee's recommendation.

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4. Hunt Permit-Tag Application Schedule for Fall 2016 Hunts

Presenter: Debra Rittenback, Revenue Unit Supervisor, License and Permitting

Ms. Rittenback briefed the Commission on the Department's proposed hunt-permit tag application schedule for the Fall 2016 hunts and asked the Commission to approve the application schedule (attached). The application schedule identifies proposed acceptance dates and deadline dates for all hunts associated with the draw process. 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.

Chairman Davis confirmed with Director Voyles that this is coordinated to work within the timeframe of some issues the Department is working on related to the time period between the application and the announcement of the draw.

Motion: Zieler moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR THE 2016 FALL HUNTS.

Vote: Unanimous

4-0

Madden not present

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17. Future Agenda Items and Action Items

Commissioner Ammons requested an update on hunting issues in municipalities as mentioned by

the public speaker regarding the McDowell Sonoran Preserve.

Chairman Davis stated for the record that the Department has done an amazing job in an extraordinarily complicated issue. There are the politics of municipal control verses Commission control, there is the issue of growth on the fringes of the urban interface and at the same time, an avoidance of a one size fits all policy making. Before the law was passed giving the Commission authority over hunting in municipalities, large areas were being closed to hunting in areas that clearly should be left open for recreational opportunity, and McDowell Mountain is a good example of that. It may sound simple on one side to cease hunting in that area, but then there are problems with management, such as coyotes and other species. The Department came up with a very rational approach related to the preserve and what types of weapons are used in that area, so that there is the ability of everyone to access those lands and enjoy the form of recreation that they do, whether hiking or hunting. It would be great to have an update on this, but he wanted to state that the Department has done a great job on a very complex and complicated issue.

Deputy Director Gray captured the following future agenda and action items from this meeting:

- The Department will Consider establishing a “waterfowl challenge” similar to the trout challenge for waterfowl hunters
- Provide Commission a written update on the status of hunting in municipalities (include Scottsdale preserve and metro units in Phoenix and Tucson) regarding open hunting areas, weapon type and related issues.

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Motion: Zieler moved and Sparks seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

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Meeting adjourned at 10:51 a.m.

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Kurt R. Davis, Chairman



Edward "Pat" Madden, Member



James R. Ammons, Member



James S. Zieler, Member



Eric S. Sparks, Member

ATTEST:



Larry D. Voyles
Secretary and Director