



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR

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DEPUTY DIRECTOR

TY E. GRAY



July 31, 2013

REVISION #1

A public meeting of the Arizona Game and Fish Commission will be held on **August 2-3, 2013 at the Flagstaff City Hall Council Chambers, 211 W. Aspen Avenue, Flagstaff, Arizona 86001**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting from any one of the Department's six Regional Offices via video teleconference or by webcast viewing at www.azgfd.gov. The Department's Headquarters will also be available for viewing this meeting 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, August 2, 2013 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

1. Awards and Recognition

2. Announcement of Heritage Grant Award Recipients for 2013. Presenter: Marty Herrera Sr., Heritage Fund Administrator. Pursuant to R12-4-702(C), the Department will announce to the public and the Commission the award recipients for the Arizona Game and Fish Department's 2013 Heritage Fund grant cycle.

3. 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.

MOVED FROM SATURDAY TO FRIDAY

3A. Consent Agenda. The following items have been grouped together and are hereby noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission will be asked to approve briefings and updates without further public input or discussion and to approve other matters as presented, subject to approval or recommendations of the Office of the Attorney General. Commission members may remove certain items if further public input or discussion is deemed necessary.

a. Shooting Sports Activities Briefing. Presenter: Jay Cook, Shooting Sports Branch Chief. The Commission will be given an update of Department activities related to shooting sports including shooting programs and shooting range development statewide. The update covers activities that have occurred since the last regular Commission meeting.

- b. **Information, Education and Wildlife Recreation Activities Briefing. Presenter: Anthony Guiles, Assistant Director, Information, Education and Recreation Division.** The Commission will be given an update of Department activities and events related to Information, Education and Wildlife Recreation Programs. The update covers activities and events that have occurred since the last regular Commission meeting including the proposed Wildlife Center project.
 - c. **Law Enforcement Program Briefing. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will be updated on the activities and developments relating to the Department's Law Enforcement Program. The update covers activities and events that have occurred since the last regular Commission meeting.
 - d. **Lands and Habitat Program Update. Presenter: Joyce Francis, Chief, Habitat Branch Chief.** The Commission will be provided an update on the latest developments since the last regular Commission meeting relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related thereto.
 - e. **Cluff Ranch Wildlife Area License Agreement Renewals with Qwest. Presenter: Joyce Francis, Chief, Habitat Branch.** The Commission will be asked to approve two License Agreements with Qwest Corporation for the purpose of operating and maintaining communication lines located on the Cluff Ranch Wildlife Area, in Graham County Arizona.
4. **State and Federal Legislation. Presenter: Jorge Canaca, Assistant 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.
5. **Scholastic Clay Target Program Update. Presenter: Scott Lavin, Wildlife Recreation Branch Chief.** The Commission will be given an annual update of Department activities related to the Scholastic Clay Target Program. The update will cover program structure, season recap, funding updates and direction for the upcoming season. This is an informational update and requires no action by the Commission.
6. **Commission Property Stewardship. Presenter: Jim Hinkle, Assistant Director, Field Operations Division.** Commission update on status of property stewards, inspections and assessments conducted on Commission owned or managed properties. The Commission may provide direction to the Department regarding management of Commission owned properties.

Agenda Items #7 through 12 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.

7. **Master Memorandum of Understanding with the National Park Service. Presenter: Lawrence M. Riley, Assistant Director, Wildlife Management Division.** The Commission will be asked to review for future approval a Memorandum of Understanding with the National Park Service Intermountain Region.
8. **Cooperative Agreement with Valle Vista Property Owners Association (VVPOA). Presenter: Esther Rubin, Research Branch Chief.** The Commission may approve a Cooperative Agreement with Valle Vista Property Owners Association to allow the Department the use of ponds at the Valle Vista Golf Course to conduct native fish research and conservation projects.

9. **Land Exchange at the Page Springs Fish Hatchery Property, Yavapai County, Arizona. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve entering into negotiations for the exchange of a portion of the Page Springs Fish Hatchery property for adjacent riparian area.
10. **Preview of Five-year Review Report Recommendations for Article 4 Live Wildlife. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Commission will be asked to review, for future approval, proposed recommendations to be included in the five-year review report for Article 4, regarding Live Wildlife.
11. **Agreement with the U.S. Fish and Wildlife Service for the Department to Act as a Cooperating Agency. Jon Cooley, Endangered Species Coordinator.** The Commission will be asked to review, for future approval, an agreement with the U.S. Fish and Wildlife Service to engage the Department as a Cooperating Agency on the Environmental Impact Statement regarding the revision of the 10(j) rule and associated Management Plan for Mexican Wolves.
12. **Mexican Wolf Planning Principles and Corresponding Objective Statements. Presenter: Jon Cooley, Endangered Species Coordinator.** The Commission will be asked to review, for future approval, planning principles and key objectives for the Mexican Wolf Reintroduction Project in Arizona, which will serve as a framework for developing Department comments to upcoming comment/scoping and Environmental Impact Statement (EIS) development processes on USFWS proposed rules, and to provide a foundation for the Department's ongoing Mexican Wolf planning efforts.

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

13. **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.

TIME CERTAIN AT 2:00 PM

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

Name	Docket #	Count	Conviction
James J. Apodaca	2013-0021	Count A:	Take Wildlife Closed Season (Deer)
Julian R. Milligan	2013-0022	Count A:	Take Wildlife Without Valid Tag In Possession (Deer)
Phillip A. Milligan	2013-0023	Count A:	Take Wildlife Without Valid Tag In Possession (Deer)
Devin R. Davis	2013-0030	Count A:	Knowingly Take Wildlife Closed Season (Antelope)
		Count E:	Unlawful Method of Take (Antelope)
Cody S. Moline	2013-0042	Count C:	Failure to Tag Immediately (Deer)
		Count D:	Waste of Edible Game Meat (Deer)
Kenneth Dodrill	2013-0051	Count A:	Obtain 2009 Resident License by Fraud

			Citation 231029
Mickey Burdette	2013-0052	Count A:	Obtain 2012 Resident License by Fraud
Randall W. Weber	2013-0053	Count A:	Obtain 2012 Resident License by Fraud
Debra K. Weber	2013-0054	Count A:	Obtain 2012 Resident License by Fraud
Taylor E. Haught	2013-0055	Count A:	Obtain License by Fraud
		Count B:	Obtain Elk Permit by Fraud

TIME CERTAIN IMMEDIATELY FOLLOWING LICENSE REVOCATION HEARINGS

15. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Phillip L. Honomichl has requested that the Arizona Game and Fish Commission grant a rehearing regarding the lifetime revocation of his license. The Commission may vote to affirm or modify its decision, or grant a rehearing.
16. **Commission Policy on the Handling of Self-Reported Violations. Presenter: Jim Hinkle, Assistant Director, Field Operations Division.** The Department will present a policy for Commission consideration regarding appropriate law enforcement response to sportsmen who self-report committing accidental or unintentional violations.

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Saturday, August 3, 2013, Meeting begins at 8:00 A.M. Agenda item #1 will be webcast along with the regular meeting at azgfd.gov.

Pledge of Allegiance

1. **Flagstaff Community Forum. Presenter: Craig McMullen, Flagstaff Regional Supervisor.** Department staff, along with community members, will present an overview of ongoing collaborative work to the Commission, community leaders, and members of the public, and then facilitate an open discussion for the same. This item will be covered during an informal roundtable forum to allow for open discussion between participants. Topics of discussion will include:
 - Northern Arizona Fly Casters Club Update and Overview
 - Northern Arizona University/Arizona Game and Fish Department Natural Resource Education Partnership
 - Coconino Sportsmen’s Club Update and Overview
 - Arizona Watchable Wildlife Experience and Rogers Lake Natural Area Update
 - The Diablo Trust-An Update on Twenty Years of Cooperative Conservation
 - Northern Arizona Shooting Range-Update

The Commission may provide the Department guidance or direction on matters covered in this open discussion for future action by the Commission. No discussion or action will be taken by the Commission on topics not listed in the agenda.

Regular Commission Meeting begins at 10:30 A.M.

2. **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.

3. **Consent Agenda moved to Friday agenda #3A.**

NEW

- 3B. **Request for the Commission to Approve a Memorandum of Understanding with City of Tucson for Cooperative Activities. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will be asked to vote to approve a Memorandum of Understanding to allow the Department to cooperate with the City of Tucson on projects for hunting, public information, and wildlife habitat enhancement. The Commission may vote to take action on, or provide the Department direction on this item.

NEW

- 3C. **Consideration of Amendment to Commission Order 19 (Dove) for 2013–2014 Hunting Seasons. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will consider and may vote to approve amendments to Commission Order 19 (Dove) to add Note 21 opening certain properties in Avra Valley for hunting.

4. **Consideration of Proposed Commission Orders 5, 6, 8, and 9, for Spring 2014 Hunting Seasons. Presenter: Amber A. Munig, Big Game Management Supervisor.** The Commission may approve Commission Orders 5, 6, 8, and 9 (spring turkey, spring javelina, spring buffalo, and spring bear) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for spring 2014.

5. **Hunt Permit-Tag Application Schedule for Spring 2014 Hunts. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide the Commission with a presentation related to the proposed hunt-permit tag application schedule for spring 2014 hunts. The Commission will be asked to vote to approve the application schedule.

6. **Consideration of Proposed Commission Order 21 and 22 for the 2013–2014 Hunting Season. Presenter: Johnathan C. O'Dell, Small Game Biologist.** The Commission may approve Commission Order 21 (waterfowl) and Commission Order 22 (snipe), establishing seasons and season dates, bag and possession limits, and open areas for 2013–2014.

7. **Petition by Larry Wartenbe for the elk tag he was drawn for and then rejected due to the failure of the credit card to process. Presenter: Lizette Morgan, CFO, Business and Finance.** Mr. Wartenbe used his visa card to apply electronically for the 2013 elk draw. This card processed successfully for the application fee of \$7.50. The card failed when the Department attempted to charge it for the elk permit fee when Mr. Wartenbe was drawn. Mr. Wartenbe has provided documentation from the bank indicating that his card was in good standing at the time transaction occurred.

8. **Petition by Tavish Snow for the reinstatement of bonus points. Presenter: Lizette Morgan, CFO, Business and Finance.** Mr. Snow mistakenly applied for antlerless elk hunts instead of bull elk hunts online and wishes to have his bonus points reinstated and he is willing to donate the tag fees to the Department.

9. **Notice of Final Exempt Rulemaking - Final License and Fee Structure. Presenter: Ty Gray, Deputy Director.** The Department will ask the Commission to approve the Final Notice of Exempt Rulemaking amending multiple rules within A.A.C. Title 12, Chapter 4 as necessary to implement the new license and fee structure.

NEW

- 10. Colorado River and Lake Powell License Reciprocity Agreements. Presenter: Ty Gray, Deputy Director.** The Department will ask the Commission to grant authority to the Director, as Secretary to the Commission, to execute agreements with the States of California, Nevada and Utah consistent with Commission guidance on license reciprocity.

- 11. Executive Session (The Commission will not vote to take any action during Executive Session).**
 - a. Litigation and Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission's position concerning *In re General Stream Adjudication for the Little Colorado River and Gila River; Wagner v. Personnel Board, LC2011-000683*; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. James Lane, CIV 12-118*; *Center for Biological Diversity v. U.S. Forest Service, CV 12-0817*; SB 1334 City of Tucson Avra Valley Memorandum of Understanding.

 - b. Personnel Matters.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.03(A)(1) to discuss personnel matters associated with the Director's performance. The Commission may take action in the public session or defer any action to a later date.

- 12. Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *In re General Stream Adjudication for the Little Colorado River and Gila River; Wagner v. Personnel Board, LC2011-000683*; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. James Lane, CIV 12-118*; *Center for Biological Diversity v. U.S. Forest Service, CV 12-08176*.

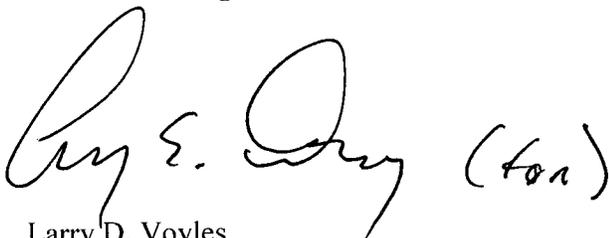
- 13. Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from June 14-15, 2013.

- 14. Director's and Chairman's Reports.** The Director and the Chairman will report on Department and Commission activities since the last meeting. This item will be for information only. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

- 15. Commissioners' Reports.** The Commissioners will report on their activities since the last meeting related to Game and Fish Commission duties and responsibilities. This item will be for information only. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

- 16. Future Agenda Items and Action Items.**

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Larry D. Voyles
Director

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

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

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

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

“Managing Today for Wildlife Tomorrow”