



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR
JANICE K. BREWER

COMMISSIONERS
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ROBERT E. MANSELL, WINSLOW
KURT R. DAVIS, PHOENIX
EDWARD "PAT" MADDEN, FLAGSTAFF
JAMES R. AMMONS, YUMA

DIRECTOR
LARRY D. VOYLES

DEPUTY DIRECTOR
TY E. GRAY



PUBLIC MEETING NOTICE AND AGENDA REVISION #1

March 5, 2014

A public meeting of the Arizona Game and Fish Commission will be held on **March 7-8, 2014** in the **Oro Valley Council Chambers at 11000 N. La Canada Drive, Oro Valley, Arizona 85737**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at http://www.azgfd.gov/inside_azgfd/CommissionCam.shtml. On Friday only, members of the public may view the meeting from any one of the Department's six Regional Offices via video teleconference, except for the Tucson Regional Office. The Department's Headquarters will also be available for viewing this meeting via video teleconference on Friday only. 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, March 7, 2014 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

- 1. 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. **Reprioritization of the U.S. Fish and Wildlife Service's National Fish Hatchery System and the Cessation of Trout Production at Willow Beach National Fish Hatchery. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Commission will be provided an update on the U.S. Fish and Wildlife Service's decision to redirect priorities at the national level to production of native species and the cessation of trout production at Willow Beach National Fish Hatchery. The update covers activities and events that have occurred since the last regular Commission meeting.
- f. **Request to Repeal Unnecessary Commission Policies That Are Outdated or Have Been Incorporated into Other Policies. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission to approve recommendations to repeal the following Commission policies that are no longer necessary: A2.1. Appeals, Reports, and Public Hearings Relative to Relocation Assistance on Federal Aid Land Acquisition Programs; A2.10. Urban Wildlife; A2.14. Flood Control Program for the Middle Gila River 91st Avenue to Gillespie Dam; A2.17. Commission Position Statement on the Verde River; A2.23. Policy Statement on Heritage Fund Acquisitions of Sensitive Habitat for Endangered, Threatened and Candidate Species, as Authorized Under the Provisions of A.R.S. § 17-298; A2.24. Department Five-Year Goals and Objectives; and A2.33. Arizona Wildlife Conservation Fund Expenditures.

NEW

- g. **Ben Avery Shooting Facility Campground Fee Schedule. Presenter: Jay Cook, Shooting Sports Branch Chief.** The Department will provide the Commission with a recommendation for new/increased fees for the campgrounds at the Ben Avery Shooting Facility. The Commission will be asked to approve the recommended fees.
- 2. **State and Federal Legislation. Presenter: Jorge Canaca, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities.
 - 3. **Request to Approve the Final Notice of Exempt Rulemaking to Amend R12-4-802 and 803 addressing Wildlife Areas and Department Property. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Commission will be asked to approve the final Notice of Exempt Rulemaking amending rules within Article 8, addressing wildlife areas and Department property.

NEW

- 3A. **Customer Portal Project. Presenter: Doug Cummings, Branch Chief, Information Systems.** The Department will present an update on the development of the Customer Portal (website with Customer Login capabilities with improved customer access to information, products and services).
- 4. **Update on Status of Out of Cycle Rulemaking Related to Bundled Service Concepts that may include Tag Surrender with Bonus Point Reinstatement and Other Potential Services that Require Rulemaking. Jennifer Stewart, Rules and Risk Branch Chief.** The Commission

will be presented with an update on progress toward the out of cycle rulemaking package addressing tag surrender with bonus point reinstatement concepts and other potential services.

Agenda Items #5 through #8 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.

- 5. Consideration of the Remaining Revenue from the 12A Habitat Stamp. Presenter: Craig McMullen, Flagstaff Regional Supervisor.** The Commission will be asked to approve the expenditure of the remaining funds generated by the Unit 12A (Kaibab) Habitat Stamp.
- 6. Petition to Close a Portion of Three Roads on State Trust Land Approximately Thirty Miles Southwest of Tucson, Arizona. Presenter: Mark Weise, Development Branch Chief.** The Department will be asking the Commission to approve a request by Walter Lane to close a portion of three roads on State Trust Land located approximately thirty miles southwest of Tucson, Arizona.
- 7. Appointment of New Members to the Heritage Public Advisory Committee (HPAC). Presenter: Marty Herrera, Heritage Fund Administrator.** The Commission will be asked to select eight new members from a list of candidates to the Heritage Public Advisory Committee.
- 8. Proposed Amendment to the Heritage Public Advisory Committee (HPAC) Charter Document. Presenter: Marty Herrera, Heritage Fund Administrator.** The Commission will be asked to approve proposed changes to the Heritage Public Advisory Committee (HPAC) Charter.

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

TIME CERTAIN AT 2:00 PM

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

Name	Docket #	Count	Conviction
Michael C. Pryor	2014-0014	Count A:	Take Wildlife Without Valid License
		Count B:	Take Wildlife Without Valid Tag
		Count C:	Possess Unlawfully Taken Wildlife
Porfirio Gonzalez	2014-0017	Count A:	Exceed Bag Limit Wildlife
		Count B:	Take Wildlife Without Valid License
		Count C:	Possess Unlawfully Taken Wildlife
Eric Riggs	2014-0023	Count A:	Take Wildlife Closed Season
		Count D:	Cross Country Travel

NEW

- 9A. Request for Commission to permit the Department to contract with Office of Administrative Hearings (OAH) to conduct a hearing for the Commission. Presenter: Linda Pollock, Assistant Attorney General.** The Commission may elect to have the Arizona OAH conduct the administrative hearing of the appeal of Betsy Lagos, dba Pinal Wildlife Rescue, of the Department's decision to deny renewal of the Lagos Wildlife Holding License.

10. **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.
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; the Forest Service's travel management plans in Arizona; Commission authorities and duties to recognize license revocations from other violator compact member states; Decision of USFWS to designate critical habitat for jaguar in Arizona and New Mexico; *WildEarth Guardians v. James Lane, CIV 12-118*; *Center for Biological Diversity v. U.S. Forest Service, CV 12-0817*.
 - b. **Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) for the purpose of discussing and consulting with legal counsel for legal advice concerning retention and disposal of Commission meeting audio recordings.
 - c. **Personnel Matters.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.03(A)(1) to discuss personnel matters associated with the Director's performance. The Commission may take action in the public session or defer any action to a later date.
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 February 7-8, 2014.
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.

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

Pledge of Allegiance

Awards and Recognition

1. **Tucson Community Forum. Presenter: Raul Vega, Tucson Regional Supervisor.** Regional staff and community residents and leaders will present an overview of ongoing collaborative work to the Commission and attendees, and then facilitate an open discussion for the same. This item will be covered during an informal forum to allow for open discussion between participants during and after the individual presentations. Topics of discussion will include:

- Grassland restoration/Pronghorn Antelope project
- Borderlands Group presentation on habitat restoration projects in the region
- Lower San Pedro Watershed Alliance presentation
- Bighorn Sheep Conservation and Update on the Catalina Bighorn Sheep Project

The Commission may provide the Department guidance or direction on matters covered in this open discussion for action at a future Commission meeting.

2. **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”