



THE STATE OF ARIZONA  
**GAME AND FISH DEPARTMENT**

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**GOVERNOR**  
DOUGLAS A. DUCEY

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**DIRECTOR**  
LARRY D. VOYLES

**DEPUTY DIRECTOR**  
TY E. GRAY



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**PUBLIC MEETING NOTICE AND AGENDA REVISION #1**

**January 14, 2015**

A public meeting of the Arizona Game and Fish Commission will be held on **January 16, 2015** at the **Arizona Game and Fish Department, 5000 W. Carefree Highway, Phoenix, Arizona 85086**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at [http://www.azgfd.gov/inside\\_azgfd/CommissionCam.shtml](http://www.azgfd.gov/inside_azgfd/CommissionCam.shtml). Members of the public may view the meeting from any one of the Department's six Regional Offices via video teleconference. Members of the public attending in person or viewing via video teleconference may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. The ability to speak to the Commission for those viewing the webcast is not available.** Unless expressly provided otherwise with any item on the agenda, the Commission may discuss and vote to take action on the following matters:

**Friday, January 16, 2015 - Meeting begins at 8:00 A.M.**

**Pledge of Allegiance**

- 1. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
- 2. Consent Agenda.** The following items have been grouped together and are hereby noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission will be asked to approve briefings and updates without further public input or discussion and to approve other matters as presented, subject to approval or recommendations of the Office of the Attorney General. Commission members may remove certain items if further public input or discussion is deemed necessary.
  - a. Shooting Sports Activities Briefing. Presenter: Marty Fabritz, Shooting Sports Branch Chief.** The Commission will be given an update of Department activities related to shooting sports including shooting programs and shooting range development statewide. The update covers activities that have occurred since the last regular Commission meeting.
  - b. Information, Education and Wildlife Recreation Activities Briefing. Presenter: Anthony Guiles, Assistant Director, Information, Education and Recreation Division.** The Commission will be given an update of Department activities and events related to Information, Education and Wildlife Recreation Programs. The update covers activities and events that have occurred since the last regular Commission meeting including the proposed Wildlife Center project.

- c. **Law Enforcement Program Briefing. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will be updated on the activities and developments relating to the Department's Law Enforcement Program. The update covers activities and events that have occurred since the last Commission meeting.
- d. **Lands and Habitat Program Update. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be provided an update on the latest developments since the last regular Commission meeting relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related thereto.
- e. **Approval of Revised Commission Policy A2.21, Procedures to Address Department Administrative Appeals, Protests, and Objections of a Federal Land and Resource Management or Resource Management Plan. Presenter: Joyce Francis, Habitat Branch Chief.** The Department will ask the Commission to approve revised Commission policy A2.21, Procedures to Address Department Administrative Appeals, Protests, and Objections of a Federal Land and Resource Management or Resource Management Plan.
- f. **Approval of Revised Commission Policy A2.11, Species of Greatest Conservation Need in Arizona. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Department will ask the Commission to approve revised Commission policy A2.11, regarding Species of Greatest Conservation Need in Arizona.
- g. **Approval of New Commission Policy A2.23, Fair Chase. Presenter: Tom Finley, FOR3 Regional Supervisor.** The Department will ask the Commission to approve a new Commission policy A2.23, regarding Fair Chase.
- h. **Approval of Revised Commission Policy A2.31, Predation Management and repeal of Commission Policy A2.9, Aerial Coyote Control. Presenter: Amber Munig, Big Game Supervisor.** The Department will ask the Commission to approve revised Commission policy A2.31, regarding Predation Management. The Department has incorporated Commission policy A2.9, Aerial Coyote Control, into the revision and will ask that the Commission vote to repeal policy A2.9.
- i. **Renewal of a Road Closure on State Trust Land Approximately Three Miles North of Benson, Arizona. Presenter: Mark Weise, Development Branch Chief.** Request for the Commission to approve request submitted by Jeb Pringle to renew a road closure on State Trust Land located approximately three miles north of Benson, Arizona.
- j. **Approval of the Renewal of a Special Land Use Permit for Placing Wildlife Water Catchments on State Trust Lands. Presenter: Joyce Francis, Habitat Branch Chief.** Request for the Commission to Approve the Renewal of a State Land Use Permit with the Arizona State Land Department for the Purpose of placing Wildlife Water Catchments on State Trust Lands.
- k. **Approval of a License Agreement with Arizona Public Service for providing Electrical Service at Robbins Butte Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** Request for the Commission to approve renewal of a License Agreement with Arizona Public Service Company for providing electrical service at Robbins Butte Wildlife Area.
- l. **Approval to transfer of the Arizona State Land Department Right-of-Way for Turley Trail to the City of Prescott. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve the transfer of the Arizona State Land Department Right-of-Way for Turley Trail to the City of Prescott.

3. **Stakeholder Resolution Workgroup Recommendations to Reduce and Fund Operation and Maintenance Costs for Heritage Acquired Properties. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission will be presented with an evaluation of potential options put forth by a Department lead stakeholder resolution workgroup to address increasing operation and maintenance costs for Heritage acquired properties.
4. **State and Federal Legislation. Presenter: Jorge Canaca, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities.
5. **Customer Portal Project. Presenter: Doug Cummings, Branch Chief, Information Systems.** The Department will present an update on the development of the Customer Portal (website with Customer Login capabilities with improved customer access to information, products and services). The presentation will include an update on the development of the Customer Portal Website as well as the development of Bundled/Subscription services for consideration to be made available through the Customer Portal.
- 5A. **\*NEW\* Public Safety Personnel Retirement System Briefing. Presenter: Kevin Hodgkins, Acting CFO, Business and Finance.** The Department will provide the Commission an informational briefing on the Public Safety Personnel Retirement System. The briefing will include history, current status, projections, and potential short and long-term implications.

**Agenda Items #6 through #10 are first read items. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.**

6. **\*REMOVED\*** (Approval of M.O.U. and Collection Agreement with TreadLightly!).
7. **\*REMOVED\*** (Approval of Revised Commission Policy A2.18, Commission Policy Statement on Multiple-Use).
8. **Approval of Revised Commission Policy A2.34, Reintroduction of Federally Listed Wildlife. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Department will ask the Commission to approve revised Commission policy A2.34, Reintroduction of Federally Listed Wildlife.
9. **Approval of Request for the Department to Conduct a Supplemental Translocation of Bison to Raymond Wildlife Area from a National Park Service Unit. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission may approve a supplemental translocation of bison to Raymond Wildlife Area from a National Park Service Unit.
10. **Approval of Memorandum of Understanding among the Arizona Game and Fish Commission, the New Mexico Department of Transportation and the New Mexico Department of Game and Fish. Presenter: Tim Wade, Chief, Wildlife Contracts Branch.** The Commission will be presented a Memorandum of Understanding among the Arizona Game and Fish Commission, New Mexico Department of Transportation and the New Mexico Department of Game and Fish to allow the Department to enter into contracts to implement wildlife studies in cooperation with the two State of New Mexico agencies.

**Agenda Item #11 is a second read item. The Commission may choose to take action on second read items as needed or may direct the Department to place second read items on the consent agenda for approval at the next Commission meeting.**

- 11. Approval of Base Property License at Horseshoe Ranch. Presenter: Jay Cook, Mesa Regional Supervisor.** The Commission will be asked to approve a base property license with JH Cattle Company at Horseshoe Ranch for livestock operations.
- 12. Update on Status of Article 1 Rulemaking Activities and Public Outreach Plan for Article 1 Rules Regarding Definitions and General Provisions. Presenter: Amber Munig, Big Game Supervisor.** The Department will provide a briefing on progress toward rulemaking and public outreach plan for Article 1 rules regarding Definitions and General Provisions. The presentation is informational and rulemaking recommendations will be presented at a future meeting.

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

**TIME CERTAIN AT 2:00 PM**

- 13. 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:

<b>Name</b>	<b>Docket #</b>	<b>Count</b>	<b>Conviction</b>
Frank A. Esparza	2015-0002	Count B:	Take wildlife in a closed area
Zachary J. Meyer	2015-0003	Count B:	Take wildlife in a closed area (Rainbow Trout)
		Count C:	Possess/transport unlawfully taken wildlife (Rainbow Trout)
Jace A. Hall	2015-0004	Count B:	Take wildlife in a closed area (Rainbow Trout)
		Count C:	Possess/transport unlawfully taken wildlife (Rainbow Trout)
Ryan M. Parks	2015-0005	Count A:	Take wrong sex (Cow Elk w/bull permit)
Hai Cong Le	2015-0017	Count C:	Exceed bag limit (Catfish)
Travis P. Price	2015-0019	Count A:	Take wildlife by unlawful method (Antelope)
		Count B:	Take wildlife in wrong unit (Antelope)
		Count C:	Possess unlawfully taken wildlife (Antelope)
William T. Fansler	2015-0020	Count B:	Obtain 2013 deer tag while revoked

- 14. \*REMOVED\*** (Appeal by applicant Lynn Northern-Spanganberg of Private Game Farm License Denial)
- 15. \*REVISED\*** Request to Commission to permit Department to contract with the Arizona 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 Darlene Braastad, dba Forever Wild Animal Rehabilitation Center, of the Department's decision to deny a Wildlife Holding License for a red-tailed hawk and an American kestrel.

- 16. Wolf Briefing. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Department will provide an update on any new information or negotiations with the U.S. Fish and Wildlife Service regarding resolution of issues associated with the Mexican Wolf proposed 10(j) rule and the associated environmental impact statement (DEIS) since the last Commission meeting. Discussions will include evaluation of the final environmental impact statement and 10(j) rule or any other related document pending its release prior to the Commission meeting.
- 17. Executive Session (The Commission will not vote to take any action during Executive Session).**

  - a. Litigation and Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission’s position concerning *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Wagner v. Personnel Board*, LC2011-000683; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817; *Red Wolf Coalition v. North Carolina Wildlife Resource Commission*, 2013-60; HSUS petition to ban the use of lead ammunition for hunting purposes on federal DOI lands; CBD petition to USFWS to revise its Recovery Plan for the Grizzly Bear to include its native range in the western United States; Decision of USFWS to designate critical habitat for jaguar in Arizona and New Mexico; Phase One Bill Williams River Water Rights Settlement Agreement (Planet Ranch); Proposed Amendments to Mexican Wolf 10(j) Rule; Army Corps of Engineers proposed rules concerning “waters of the U.S.”
  - b. Litigation and Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission’s position concerning the legal strategy recommendations from the Department’s legal strategies team.
  - c. Personnel Matters.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.03(A)(1) to discuss personnel matters associated with the Director’s duties, responsibilities and performance. The Commission may take action in the public session or defer any action to a later date.
- 18. Litigation Report.** The Department’s legal counsel may report on the status of the litigation matters: *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Wagner v. Personnel Board*, LC2011-000683; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176.
- 19. Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from December 5-6, 2014 and December 29, 2014.
- 20. Director and Commissioner Comments.** The Director and the Commissioners may provide brief comment on current events and issues. This item is for information only. Items requiring discussion, deliberation or legal action must be placed on a future Commission meeting agenda.
- 21. Future Agenda Items and Action Items.**

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**Saturday, January 17, 2015. the Commission will attend the Annual Commission Awards Banquet held at the Carefree Resort and Conference Center, 37220 Mule Train Road, Carefree, Arizona 85377. There will be no "Meet the Commission" meeting prior to the banquet.**

At the Commission Awards Banquet, the Commission will socialize with its constituents and recognize the award winners. No legal action will be taken by the Commission. Members of the public may attend by submitting an rsvp along with \$55 per person by January 9, 2015. For additional information, visit [http://www.azgfd.gov/inside\\_azgfd/commission\\_awards.shtml](http://www.azgfd.gov/inside_azgfd/commission_awards.shtml).

The following approximate agenda will be followed.

5:00 p.m. Social Hour - Kachina Courtyard and Opera House

5:40 p.m. Dinner guests are seated – Opera House

5:50 p.m. Honor Guard Presentation of Colors

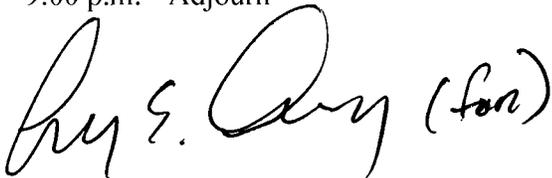
6:00 p.m. Dinner is served

6:45 p.m. Chairman's Welcome and Commission Introductions

7:00 p.m. Award Presentations:

- Award of Excellence: Arizona Sheriff's Association/Western States Sheriff's Association
- Youth Environmentalist of the Year: Carter Lawrence
- Outdoor Writer of the Year: Cheryl Hartz
- Media of the Year: Don McDowell
- Conservation Organization of the Year: Catalina Bighorn Sheep Reintroduction Advisory Committee
- Conservationist of the Year: Tom Mackin
- Natural Resource Professional of the Year: Lorraine Christian
- Volunteer of the Year: Jared Young
- Educator of the Year: John Warren and Topock Elementary School
- Mentor of the Year: Terry Herndon
- Advocates of the Year: Congressman Paul Gosar and Arizona House Representative Frank Pratt
- Buck Appleby Hunter Education Instructor of the Year: Keith and Jan Nash
- Wildlife Habitat Steward of the Year: John Holbrook
- North American Model Commissioners Award: Craig McMullen
- Chairman's Award: Jerry Ostwinkle
- Outgoing Commissioner Awards and Comments

9:00 p.m. Adjourn

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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”**