

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, April 10, 2015
Saturday, April 11, 2015
The Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

Vice Chairman Kurt R. Davis
Commissioner Edward "Pat" Madden
Commissioner James R. Ammons
Commissioner James S. Zieler

Director Larry D. Voyles
Deputy Director Ty E. Gray
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Linda Pollock

Vice 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 honor of Lance Cpl. Anthony T. DuBeau, who killed Wednesday, March 11, at Marine Corps Air Station Yuma. The Commission and Director Voyles introduced themselves and Director Voyles introduced his staff. Chairman Mansell was not present for this meeting. This meeting followed an agenda revision #1 dated April 8, 2015.

* * * * *

1. Call to the Public

Randy Gray, representing himself, expressed concerns about smoking at the Ben Avery and requested smoking be prohibited or confined to the parking lot.

Vice Chairman Davis stated that the Department will evaluate the issue.

Jim Walker, State Council Member, Trout Unlimited Council of Arizona, briefed the Commission on activities happening in Arizona including the 6th Annual Native and Wild Trout Conference; handouts were provided to the Commission.

Jennifer Jack, representing herself (via video teleconference from Region III), recommended mandatory boater education in Arizona; believes it would substantially reduce boat accidents.

Ronald Turner, Kids Fishing Coordinator, Sun City Grand Fishing Club, expressed concerns about cormorants decimating lakes in Arizona where trout fish are stocked.

Vice Chairman Davis stated that the Department will look into the matter.

Director Voyles stated that the Department is currently in discussions with the USFWS regarding cormorant issues and concerns.

* * * * *

2. Consent Agenda

The following items were grouped together and noticed as consent agenda items to expedite action on routine matters, and/or they were previously presented to the Commission as a “first read” item. These items were provided to the Commission prior to this meeting and the Department requested that the Commission approve these matters as presented, subject to approval or recommendations of the Office of the Attorney General. Director Voyles presented these items to the Commission and no items were pulled for discussion. The Commission took action on the following:

a. Approval of Revised Commission Policy A2.22, Consideration of Economic Impact

Presenter: Sherry Crouch, Funds Planning Branch Chief

The Department requests Commission approval of revised Commission policy A2.22, Consideration of Economic Impact (attached). This policy establishes the Commission's position to consider the economic impacts of wildlife management decisions to the State, industries, local communities, and others for all policies or decisions. The policy was revised to increase clarity and understanding.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE REVISED COMMISSION POLICY A2.22, CONSIDERATION OF ECONOMIC IMPACT.

b. Approval of Community Fishing Program Intergovernmental Agreements, Designation of new Community Fishing Waters, and Commission Order 40 Amendments on new Community Fishing Waters.

Presenter: Chris Cantrell, Fisheries Branch Chief

The Department requests Commission approval for the renewal of Intergovernmental Agreements between the Department and the cities of Casa Grande, Glendale, Youngtown, and Maricopa to continue the Community Fishing Program for the next four fiscal years in those cities. The Department also requests that the Commission designate and amend Commission Order 40 on new Community Fishing Waters in Casa Grande and Youngtown. Commission action is required under the provisions of A.R.S. § 17-231 B.7 to enter into agreements with other entities for the operation of wildlife facilities and the conduct of related wildlife management. Furthermore, A.R.S. § 11-952 F (Intergovernmental Agreement and Contracts) requires that appropriate action by ordinance or resolution or otherwise pursuant to the laws applicable to the governing bodies of agencies (Commission) approving or extending the duration of the agreement or contract shall be necessary before any such agreement, contract or extension may be filed or become effective.

Two agreements are due to expire June 30, 2015 with Maricopa and Glendale, and negotiations are underway with two new communities, Casa Grande and Youngtown, to implement the program at two new waters. Combined, these four agreements would provide estimated revenue of \$33,600 to the program over a four-year duration. Bringing on a new Community Fishing Water in Casa Grande also requires the Commission to designate the waters, setting appropriate the license requirements, as Community Fishing Waters. In addition, the CFP recommends setting proper regulations to ensure stocked fish remain in the water for a longer duration. The

proposed Commission Order 40 amendments for Dave White Park, Casa Grande and Maricopa Lakes, Youngtown the limit recommendation is 2 catfish, 2 trout, 5 sunfish, 1 bass, greater than 13 inches in length, and 1 white amur, greater than 30 inches in length.

The Department recommends THAT THE COMMISSION VOTE TO AUTHORIZE THE DEPARTMENT TO FINALIZE NEGOTIATIONS, EXECUTE, AND AMEND AS NECESSARY INTERGOVERNMENTAL AGREEMENTS BETWEEN THE DEPARTMENT AND THE CITIES OF GLENDALE, MARICOPA, CASA GRANDE AND YOUNGTOWN TO CONDUCT AN COMMUNITY FISHING PROGRAM FOR A PERIOD OF NOT MORE THAN FOUR YEARS, COMMENCING APPROXIMATELY JULY 1, 2015 THROUGH JUNE 30, 2019, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO APPROVE THE AGREEMENTS AS RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL, AND TO DESIGNATE ALL PUBLIC WATERS WITHIN THE MUNICIPAL BOUNDARIES OF CASA GRANDE AS COMMUNITY FISHING WATERS AND AMENDING COMMISSION ORDER 40 AS PRESENTED.

c. Renewal of the Special Land Use Permit with the Arizona State Land Department for the Adobe Mountain Rehabilitation Center

Presenter: Joyce Francis, Habitat Branch Chief

The Department requests Commission approval of the renewal of the Special Land Use Permit for the Adobe Mountain Rehabilitation Center with the Arizona State Land Department. The Arizona Game and Fish Department maintains a wildlife rehabilitation holding center on one acre of land at the Adobe Mountain Correctional Facility located north of Phoenix. The wildlife center is operated by the Information and Education Branch of the Arizona Game and Fish Department, primarily as a rehabilitation center for sick and injured wildlife species. The center also serves as a temporary holding site for wildlife seized as a result of law enforcement investigations and pending court adjudications.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE RENEWAL OF THE SPECIAL LAND USE PERMIT FOR THE ADOBE MOUNTAIN REHABILITATION CENTER WITH THE ARIZONA STATE LAND DEPARTMENT, AND AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL ASSOCIATED DOCUMENTS AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

d. Approval of License Agreement with Up the Creek Grill

Presenter: Joyce Francis, Habitat Branch Chief

The Department requests Commission approval to enter into a license agreement with Up the Creek Grill, pending transfer to Up the Creek Grill of a portion of the Page Springs Hatchery property, Yavapai County, Arizona. The Page Springs Restaurant, now known as Up the Creek Grill, is located on Page Springs Road, northeast of the Bubbling Ponds Hatchery. The restaurant's original building was constructed in 1956 as a general store. In 1974, the general store building was expanded and eventually transformed to a restaurant. A portion of the restaurant, the parking area, and the leach field are on Commission-owned property. Patrons of the restaurant often park on the

south side of Page Springs Road and walk across the road to access the restaurant. Yavapai County has an interest in seeing this issue resolved as it relates to county permitting and the desired improvements the new owners wish to implement.

On June 22, 2012, the Commission approved entering into a license agreement and disposal of a portion of the Page Springs Restaurant, now known as Up the Creek Grill. The restaurant has new owners necessitating a new license agreement. This trespass poses liability issues to the Department in its current state. Approval to enter into a license agreement as an interim solution, while finalizing the disposal, would serve to resolve the trespass and remove the liability currently facing the Department. The Department has determined that these measures will not interfere with the operation of the Fish Hatchery and will also benefit the Commission and the Department by supporting positive relationships with private land owners in the area.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE ENTERING INTO A LICENSE AGREEMENT WITH UP THE CREEK GRILL PENDING TRANSFER TO UP THE CREEK GRILL OF A PORTION OF THE PAGE SPRINGS HATCHERY PROPERTY, AND AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Motion: Ammons moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A, B, C, AND D.

Vote: Unanimous
4-0
Mansell not present

* * * * *

3. 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 information and Commission action:

Budget:

The Department did not sustain the level of fiscal impact as other agencies. Most of the Department's funds remain intact, however, the Department will continue to work with the legislature to explain how the Game and Fish Department is different in that it is not a general fund agency and most of its revenues are from license sales, permits, tags and application fees.

State Legislation Update

Commission Sponsored Legislation:

HB2396: Wildlife, guides; firearms

- Signed into law by Governor Ducey

HB2399: G&F; hunter harassment

- Signed into law by Governor Ducey

SB1386: Wildlife Transportation and Release Prohibition

- Stalled but language amended into SB1466

SB1466: Livestock loss board; compensation fund

- Signed into law by Governor Ducey

SB1387: Recreational user immunity; access

- Stalled, but language amended into HB2365

HB2365: Off-highway vehicles; enforcement

- Awaiting Governor's signature

Commission Supported Legislation:

HB2236: ATV and motorcycle passengers

- Signed into law by Governor Ducey

SB1185: Appropriation; wolf recovery; litigation costs

- Stricken in the House (is now guest removal; landlord tenant act)

Bills of Interest:

HCR2014: Hunting and fishing; constitutional rights

- Failed

HB2269: G&F; Appointment recommendation board; repeal

- Failed

SB1422: G&F; veterans; bonus point

- Failed

Postcards to Congress sent by the Arizona Secretary of State:

- SCM1003: S/E amendment, relating to Mexican wolf; urging USFWS to: 1) focus future Mexican wolf introduction efforts on remote areas within the northern Sierra Madre Occidental mountain range; halt additional introductions of Mexican wolves in Arizona; shift the primary responsibility for administration of the Mexican wolf program in Arizona to the AGFD; 2) Requests the Governor and the Attorney General to take appropriate actions to uphold the state's responsibilities with respect to the recovery plan and defend against overreaching federal regulations; and 3) Requests the Secretary of the Interior to develop a recovery plan that includes objective, measureable criteria that will lead to recovery and delisting.
- SCM1012: Endangered species transparency act; Requests Congress to enact the 21st Century Endangered Species Transparency Act. the 21st Century Endangered Species Transparency Act requires annual online disclosure of federal expenditures for civil actions brought under the ESA (H.R. 4315, 113th Congress (as passed by House July 29, 2014).

Congressional Update

S.405: Bipartisan Sportsmen' Act of 2015:

S.405 was split into two bills, S.659 and S.556. These have passed committee markup and are scheduled be heard on the floor.

- S.659: Was heard in the Senate Environment and Public Works Subcommittee on Fisheries, Water, & Wildlife on 3/17/15 and included the following:
 - Modification of Definition of Sport Fishing Equipment under the Toxic Substances Control Act
 - Target Practice and Marksmanship
 - Permits for Importation of Polar Bear Trophies Taken in Sport Hunts in Canada
 - Baiting of Migratory Game Birds
 - Protecting the Right of Individuals to Bear Arms at Water Resources Development Projects
 - North American Wetlands Conservation Act
 - Multinational Species Conservation Funds Reauthorization
 - Interest on Obligations Held in the Wildlife Restoration Fund

- S.556: Seven of the 14 provisions in S.405 were assigned to S556. These provisions were discussed in Senate Energy & Natural Resources Committee on 3/16/15 and included the following:
 - Recreational Fishing, Hunting, and Recreational Shooting on Federal Public Land
 - Annual Permit and Fee for Film Crews of Five Persons or Fewer
 - Federal Action Transparency
 - Bows in the Parks
 - Availability of Land and Water Conservation Fund for Recreational Public Access Projects
 - Identifying Opportunities for Recreation, Hunting, and Fishing on Federal Lands
 - Federal Land Transaction Facilitation Act

The Department recommends that the Commission vote to support S.659 and S.556.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO SUPPORT S.659 AND S.556.

Vote: Unanimous

4-0

Mansell not present

Grand Canyon Bison Management Act:

- S.782: Grand Canyon Bison Management Act, sponsored by Senator McCain
- HR1443: Grand Canyon Bison Management Act, sponsored by Representative Gosar

These House and Senate bills have the same language and include the following: Directs the Department of the Interior to publish a management plan to reduce, through humane lethal culling by skilled public volunteers and other nonlethal means, the population of bison in the Grand Canyon National Park in Arizona that Interior determines are detrimental to the uses of the Park; Permits the removal by such a volunteer of a full bison harvested from the Park;

Instructs Department of Interior to coordinate with the Arizona Game and Fish Commission regarding the development and implementation of the management plan; Requires the Department of Interior, in developing such plan, to comply with all applicable federal environmental laws, including the National Environmental Policy Act of 1969 (NEPA).

The Department will work to ensure a Committee Hearing and notify the Commission should they wish to provide testimony.

Motion: Zieler moved and Madden seconded THAT THE COMMISSION VOTE TO SUPPORT S.782 AND HR1443.

Vote: Unanimous
4-0
Mansell not present

Grand Canyon Watershed National Monument Designation:

The Department is tracking S.437, Improved National Monument Designation Process Act, as well as S.228 and HR900. All three bills require that a designation of a monument must first have the approval from the Governor and legislature of each State in which the proposed national monument is to be located. The Department is also engaged in the Utah Public Lands Initiative.

A postcard was sent to Congress along with a Memorial and Resolution by the State of Arizona Legislature stating opposition to the Grand Canyon Watershed Monument designation.

National Fish Hatchery System Reprioritization Plan

The final Willow Beach Egg Supply and Trout Stocking Agreement was recently executed. Senator McCain and Congressman Gosar were driving forces in daylighting to Congress the National Fish Hatchery System Reprioritization Plan by USFWS.

* * * * *

4. Customer Portal Project

Presenter: Doug Cummings, Branch Chief, Information Systems

Mr. Cummings presented an update using a PowerPoint presentation on the development of the Customer Portal (website with Customer Login capabilities with improved customer access to information, products and services) along with the next steps. The briefing included updates on the development of bundled/subscription services, planning for future releases of the Portal, and discussion of potential paperless sales. The presentation included the following progress to date:

- Completed development of all Portal R1.0 capabilities
- Converted more than 300 legacy website pages to the Portal
- Completed testing
- Launched on March 26, 2015 at 12:15 p.m.
- Initiated intense monitoring and post launch support
- Prepared for Outdoor Expo Portal demonstration tent

Scott Lavin, Wildlife Recreation Branch Chief, provided an overview of the outreach effort and success of the Outdoor Expo Portal demonstration tent. The outreach effort invited Expo attendees to learn more about the Portal and I Support Wildlife. Portal Tent design included an uncluttered, image centric, interactive approach and featured a deliberate call to action. A more mobile version of the Portal demonstration tent will be utilized as an outreach tool at other events and functions.

Mr. Cummings added that as of midnight last night, the Portal had 5,173 Portal accounts established.

Mr. Cummings briefed the Commission on the Department's post Portal launch support efforts in identifying and resolving issues, as well as future Portal projects.

* * * * *

4A. A Briefing on the Development of a Statewide Public Awareness Campaign

Presenter: Tony Guiles, Assistant Director

Mr. Guiles briefed the Commission on Department efforts to devise and implement a statewide outreach campaign. The Department has developed a comprehensive two-year outreach campaign to promote the Department's wildlife restoration accomplishments, explain how the agency is funded and create higher public awareness for the Department and its mission. In October 2014, Off-Madison Ave. (OMA), a Phoenix-based advertising firm, was hired by the Department and began pre-campaign research to shape messaging, identify target audiences, gauge public attitudes and build an outreach strategy.

Mr. Guiles introduced Sasha Howell with OMA who provided the Commission with a PowerPoint presentation and overview of a comprehensive outreach plan centered on a "microsite" website (GameandFishFacts.com), which houses information about the Department that is more accessible to the non-consumptive user, but still acknowledges the conservation contributions of sportsmen. To drive target audiences to the microsite, OMA created ads in a variety of formats (radio, outdoor, online, print and TV). Billboards, radio and TV ads will be placed primarily in metro areas, with online advertising and some print advertising being seen statewide. After considerable input and discussion, the microsite is being completed, with the first ads expected to begin in April.

The Department will be monitoring to identify what is most effective and will make adjustments as needed. The Commission will be kept apprised of the progress of the campaign.

* * * * *

Meeting recessed for a break at 9:36 a.m.

Meeting reconvened at 9:50 a.m.

* * * * *

5. Wolf Briefing

Presenter: Jim deVos, Assistant Director, Wildlife Management Division

Mr. deVos provided a PowerPoint presentation and a general wolf briefing that included an update on all actions the Department has taken since the last Commission meeting to accomplish the direction provided by the Commission at the August 5, 2014 Commission Meeting. The following summary of activities was provided:

Legal Activity Update

Center for Biological Diversity v. USFWS:

- Plaintiffs filed an amended complaint of March 23, 2015, adding new ESA claims
- The USFWS has until April 22, 2015 to file an answer to the amended complaint
- Arizona Game and Fish will likely file a motion to intervene prior to April 22, 2015

NM Cattle Growers Association v. USFWS:

- USFWS has filed a motion to transfer the case from New Mexico to Arizona and consolidate with CBD v. USFWS
- Cases have common factual and legal issues

WildEarth Guardians et al. NOI to Sue

- On March 24, 2015 WildEarth Guardians and other organizations submitted to the USFWS a 60-day NOI to sue
- Alleging ESA violations with respect to the revised Mexican wolf 10(j) rule.

Summary of AGFD Activities Since the Last Commission Meeting:

- A video was created by the Department's Information Branch with David Majure as producer; the video was published on March 30, 2015
- The video shows that the Department has made a tremendous contribution into the recovery of Mexican wolves and that it is ongoing; it refutes claims the actions of the Commission and Department are inappropriate; and it shows the balance between Mexican wolf recovery and people that are on the working landscape
- The Commission was provided with a viewing of the video at this meeting
- This informative video will be sent to other groups that might be interested, such as CBD, Sierra Club, sportsmen and other organizations
- Other informative printed material is being developed about activities and purpose of what the Department is doing related to Mexican wolves
- The Department will be meeting with some key people to advance the dialogue regarding the importance of Mexico and the need for Mexico to be an active participant

Legislation Monitoring

- As mentioned in the Legislative Update, Governor Ducey signed the Commission supported legislation SB1466; Livestock loss board; compensation fund.

Motion: Madden moved and Ammons seconded THAT THE COMMISSION VOTE TO PROVIDE THE DEPARTMENT DIRECTION TO CONTINUE TO INTERACT WITH THE

FISH AND WILDLIFE SERVICE FOR THE DEVELOPMENT OF AN ACCEPTABLE MANAGEMENT APPROACH FOR THE MEXICAN WOLF.

Vote: Unanimous

4-0

Mansell not present

* * * * *

6. Managing Risk Associated with the Department's In Lieu Fee Program

Presenter: Tim Wade, Chief, Wildlife Contracts Branch

Mr. Wade provided a briefing and PowerPoint presentation regarding the Department's analysis of managing different types of risk associated with the implementation and long term management of the Department's In Lieu Fee (ILF) Program. The Department has a Section 404 In Lieu Fee Mitigation Program. Currently, the Department has the only ILF mitigation program in Arizona that sells mitigation credits statewide and along with those credit sales comes the responsibility to implement the mitigation on behalf of the project proponent who purchased the credits. There are several risks associated with that responsibility. This presentation included an analysis of the potential risks and how those risks are being managed during the pilot phase of the Department's ILF program, and how the Department will manage for the long term associated with long term funding sources and passing this program on to future generations and future Commissions.

Mr. Wade was assisted in his presentation by Sherry Theresa, President of Ecological Solutions Consulting. Ms. Theresa has been working with Mr. Wade on analyzing the value of the credits and making sure they are not undervalued and actually cover the cost (the credits are a full recovery cost credit). The presentation included an overview of risk types including site selection, ecological, regulatory and financial, as well as the benefits of a successful ILF program.

Commissioner Davis commented that this is a very important and essential program because the Department is helping Arizona's economy to grow. This is something that we should share with the Legislature and the Governor's Office.

Director Voyles stated that he wanted this presentation for the Commission because the program provides some huge business opportunities for the Department, but also opportunities for supporting the economic future of the state. It also carries a lot of long term risk, so he has put some limitations on the expansion of the program until solutions are found for some of the risk factors. The Department will keep the Commission apprised as the program evolves.

* * * * *

6A. Approval of Memorandum of Understanding (MOU) with U.S.D.A National Resources Conservation Services (NRCS) Regarding Regional Conservation Partnership Program (RCP) for Northern and Southern Arizona.

Presenter: Al Eiden, Landowner Relations Program Manager

Mr. Eiden briefed the Commission on the development of an MOU between the Department and NRCS on collaboration through RCPP funded proposals for Northern and Southern Arizona. The Department has worked toward the development of an MOU between the Department and NRCS in order to partner for grassland restoration projects and to provide/ensure reliable water supplies that benefit wildlife through approved RCPP funded proposals. This MOU is focused on partnering with NRCS as part of its RCPP in Northern and Southern Arizona focus areas. A copy of this MOU was provided to the Commission prior to this meeting for review and consideration. Mr. Eiden provided the Commission with a map of the focus areas in a PowerPoint presentation.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE THE MOU BETWEEN THE U.S.D.A NATIONAL CONSERVATION SERVICE (NRCS) AND THE DEPARTMENT IN REGARDS TO A REGIONAL CONSERVATION PARTNERSHIP PROGRAM (RCPP) FOR NORTHERN AND SOUTHERN ARIZONA.

Vote: Unanimous
4-0
Mansell not present

* * * * *

6B. Approval of Memorandum of Understanding (MOU) with U.S.D.A National Resources Conservation Services (NRCS) Regarding Regional Conservation Partnership Program (RCPP) for Central Arizona.

Presenter: Al Eiden, Landowner Relations Program Manager

Mr. Eiden briefed the Commission the development of an MOU between the Department and NRCS in order to partner for grassland restoration projects, provide/ensure reliable water supplies, eliminate fencing barriers, and conduct watershed studies/hydrologic monitoring that benefits wildlife through approved RCPP funded proposals. This MOU is focused on partnering with NRCS as part of its RCPP in a Central Arizona focus area. A copy of this MOU was provided to the Commission prior to this meeting for review and consideration. Mr. Eiden provided the Commission with a map of the focus area in a PowerPoint presentation.

Motion: Ammons moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE MOU BETWEEN THE U.S.D.A NATIONAL CONSERVATION SERVICE (NRCS) AND THE DEPARTMENT IN REGARDS TO A REGIONAL CONSERVATION PARTNERSHIP PROGRAM (RCPP) FOR CENTRAL ARIZONA.

Vote: Unanimous
4-0
Mansell not present

* * * * *

7. Approval to Repeal Commission Policy A2.27, Disposal of Exceptional Trophy Quality Heads, Hides, Horns and Antlers

Presenter: Jim Hinkle, Assistant Director Field Operations Division

Mr. Hinkle presented the Commission with the Department's request to repeal Commission policy A2.27, Disposal of Exceptional Trophy Quality Heads, Hides, Horns and Antlers. This Commission policy provided the Commission's position on the value of wildlife parts and associated assets and established the Wildlife Parts and Associated Assets Committee. Since the Commission voted to remove Commissioner participation from the Assets Committee, the Department recommends repealing the Commission Policy and adopting a Department policy establishing requirements for wildlife assets.

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

* * * * *

8. Approval of Memorandum of Understanding (MOU) with Babbitt Ranches L.L.C.

Presenter: Al Eiden, Landowner Relations Program Manager

Mr. Eiden briefed the Commission on the Department's request for Commission approval of an MOU with Babbitt Ranches L.L.C. in order to cooperate regarding Wildlife Related Recreational Access Routes in Game Management Units 7, 9, and 10. Babbitt Ranches L.L.C. and the Department agree to implement the MOU by promoting the Babbitt Ranches Statement of Values which are consistent with the Department Core Concepts and Guiding Principles. Babbitt Ranches L.L.C. and the Department also agree to implement mutually-agreed upon outreach efforts to inform recreational users about land use and recreational ethics. The Commission was provided with copies of the MOU and all related documents prior to this meeting for review and consideration.

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

* * * * *

11. Approval of Petition to Close a 340-yard-long Road on State Trust Land Approximately Forty-three Miles Southwest of Tucson, Arizona.

Presenter: Al Eiden, Landowner Relations Program Manager

Mr. Eiden briefed the Commission on a request by Walter Lane to close a road on State Trust Land located approximately forty-three miles southwest of Tucson, Arizona as part of a multi-year access agreement. The Commission was provided with a map of the area in a PowerPoint presentation. Santa Margarita Ranch (Walter Lane) has requested a closure to vehicular access on a portion of road on State Trust lands in Pima County. The petition is to lock an existing gate which is 340 yards north of the private property where the ranch headquarters is located. This

closure will not negatively impact the current hunter access situation in this area. Department regional personnel support this closure because it is a part of a multi-year access agreement with the Santa Margarita Ranch, which has the ability to lock off access to approximately 40% of GMU 36C. The access agreement will provide for a large scale grassland restoration project and assured access to GMU 36C. The Arizona State Land Department has also provided concurrence for this closure.

Commissioner Davis stated that this is one of those agenda items that he would like to see the Commission go ahead and take quick action as part of being a good partner with the ranch.

Motion: Zieler moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE REQUEST BY SANTA MARGARITA RANCH TO CLOSE A ROAD ON STATE TRUST LAND LOCATED APPROXIMATELY FORTY-THREE MILES SOUTHWEST OF TUCSON AS PART OF A MULTI-YEAR ACCESS AGREEMENT.

Vote: Unanimous
4-0
Mansell not present

* * * * *

12. Approval of Memorandum of Understanding (MOU) with the University of Pittsburgh

Presenter: Amber Munig, Big Game Management Program Supervisor

Ms. Munig briefed the Commission on the development of an MOU that would allow the Department to establish a framework for collaboration and cooperation between the Department and the University of Pittsburgh. This MOU would establish formal lines of communication and provide a legal and procedural framework for subsequent collaboration at the project level, both of which will help assure the quality and high standards of the Department's work. The University of Pittsburgh conducts research that has relevance to wildlife management in the southwest and has recognized expertise in wildlife research. Therefore, the University of Pittsburgh represents a valuable research partner for the Department. This MOU would establish a working partnership with Regents of the University of Pittsburgh for mutually beneficial research opportunities for the common purpose of guiding wildlife management decisions.

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

* * * * *

13. Approval of El Coronado Ranch Forest Legacy Conservation Easement and All Associated Agreements

Presenter: Joyce M. Francis, Habitat Branch Chief

Ms. Francis briefed the Commission and provided a PowerPoint presentation on the Department's request to hold a Conservation Easement on the El Coronado Ranch, located in

Cochise County, Arizona, through a USFS Forest Legacy Grant, in partnership with The Trust for Public Land and the Arizona State Forester. El Coronado Ranch is 1,920 acres held by private landowners and is located within a critical watershed along Turkey Creek in the Chiricahua Mountains. The Arizona State Forester and The Trust for Public Land (TPL) worked very closely with the landowners to apply for the USDA Forest Service (USFS) Forest Legacy Program (FLP) grant, which was awarded funding in January, 2015, for the purchase of a conservation easement on the El Coronado Ranch. Turkey Creek Canyon consists of riparian forest habitat with Madrean pine-oak woodland along its slopes. Forest Legacy funds require that the holder be a government agency.

The protection of this ranch with a Forest Legacy conservation easement will prevent habitat fragmentation and degradation of a very important creek and riparian habitat and offer multiple benefits for wildlife habitat. If the Commission holds this conservation easement, the landowners have agreed to allow the Department access to the El Coronado Ranch for project specific needs, such as non-native, invasive species eradication, access to the turkey barn, and access to their other ranches through separate agreement, on a project specific basis. Protection of the ranch also furthers the federal recovery plan for the Fishes of the Rio Yaqui, which specifically identifies West Turkey Creek's population in the U.S. for federally-listed fish included in that recovery plan. As holders of the conservation easement, the Department would be responsible for the required yearly monitoring and reporting as well as enforcement. Annual monitoring of the easement will be provided by a non-governmental organization through agreement.

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

* * * * *

14. Approval of Law Enforcement Boating Safety Fund (LEBSF) Grant Allocation Formula for FY 2016

Presenter: Kevin Hodgkins, Acting CFO, Business & Finance

Mr. Hodgkins briefed the Commission on the Department's proposed LEBSF Grant Allocation Formula per ARS §5-383. ARS §5-323 requires that 35% of watercraft registration fees shall be allocated as follows: 15% to the state lake improvement funds to be used as prescribed by section §5-382, and 85% to the law enforcement boating safety fund to be used as prescribed in section §5-383. In the 2011 Legislative Session, ARS §5-383 was modified to require the Arizona Game and Fish Commission to annually approve the funding allocation formula for the Law Enforcement Boating Safety Grants and the responsibility for administering the fund was transferred to the State Treasurer. The Commission is required to approve the formula annually. The proposed formula is the historical formula which has been used by State Parks to distribute funds to the counties. This formula is updated every three years to reflect current Watercraft Survey data and revised salary data from the counties. For FY 16, the data has been updated and the current allocation formula has been provided to the Commission prior to this meeting for review and consideration.

Commissioner Madden asked if the Department routinely checks to make sure the counties still have viable programs.

Mr. Hodgkins stated that in discussion with the Department's Boating Law Administrator, it was discussed that the funds were being directed to law enforcement and it was his understanding that the programs were still viable.

Vice Chairman Davis commented that this formula has been used continually for several years and asked if this was the best formula and if there were alternatives or options.

Assistant Director Guiles clarified for the Commission that this was from legislation passed several years ago. The Department went to the Legislature in conjunction with the counties to ensure that the counties were getting a stable amount of funding. This is the formula that has been used historically and ensures the counties a consistent level of funding so they can budget accordingly. As for programs, the Department works in conjunction with the counties, and the Department provides a watercraft report annually that includes their combined forces.

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

Director Voyles stated that the Department will review the rationale for the formula as it is and any potential options, and will bring this back on the consent agenda unless an additional briefing is appropriate.

* * * * *

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

Meeting reconvened at 1:00 p.m.

* * * * *

17. 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: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

* * * * *

15. 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.

* * * * *

Meeting recessed for a break at 3:57 p.m.

Meeting reconvened at 4:07 p.m.

* * * * *

16. Petition by Ronnie D. De Loach for the reinstatement of bonus points.

Presenter: Kevin Hodgkins, Acting CFO, Business & Finance

Mr. Hodgkins presented the Commission with a petition by Ronnie D. De Loach requesting that his bonus points be reinstated due to his inability to use his tag. Mr. De Loach was drawn for a fall 2014 Bull Elk tag in Unit 4B valid from Nov. 28 through Dec. 4. In a letter from Mr. De Loach dated January 2, 2015, he explains that he was unable to go on his hunt due to illness. The Department responded to Mr. De Loach advising him of the statutes and that his circumstances did not qualify for bonus points to be reinstated. The Department also provided the process to petition the Commission. Mr. De Loach is requesting the reinstatement of his bonus points. There is currently no provision in rule to allow the Department to provide any relief under these circumstances.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO DENY THE PETITION BY MR. RONNIE D. DE LOACH TO REINSTATE HIS BONUS POINTS.

Vice Chairman Davis stated for the record that the Commission does not have the ability to reinstate bonus points, however, the Department has a rule package underway that, if approved, will give them the ability to make changes in the future.

Vote: Unanimous

4-0

Mansell not present

* * * * *

18. Litigation Report

There were no comments or questions on the Litigation Report.

* * * * *

17. (continued) 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 Madden seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

* * * * *

Meeting adjourned at 5:00 p.m.

* * * * *

* * * * *

Meeting reconvened Saturday at 8:00 a.m.

* * * * *

Vice Chairman Davis called the meeting back to order at 8:00 a.m. The Department's Honor Guard presented the Colors and Vice Chairman Davis led those present through the Pledge of Allegiance, followed by a moment of silence in honor of former Arizona Governor Raul Castro who died Friday, April 10, 2015 at the age of 98. The Commission and Director Voyles introduced themselves and Director Voyles introduced his staff.

* * * * *

1. Awards and Recognition

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

<u>35 Year Service Pin</u>	<u>30 Year Service Pin</u>	<u>25 Year Service Pin</u>	<u>20 Year Service Pin</u>
Marc Dahlberg	Connie Adams	Francisco Abarca	William Burger
	Pat Crouch	George Andrejko	Michael Sumner
	Linden Piest	Bob Birkeland	John Windes
		Dave Dorum	Jennifer Zuffranieri

* * * * *

Meeting recessed for a break at 8:50 a.m.

Meeting reconvened at 9:10 a.m.

* * * * *

2. Call to the Public

John Koleszar, representing himself, recommended that 20% of funds raised from special tags be allocated to Hunt Units 13A and 13B for habitat projects.

* * * * *

3. Approval of Proposed Commission Orders 2, 5-10, 13, and 26 for 2015-2016 Hunting Season.

Presenter: Amber Munig, Big Game Management Program Supervisor

Ms. Munig presented the Commission with a Power Point 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, buffalo, bear, and mountain lion), and 26 (population management) establishing seasons and

season dates, bag and possession limits, permit numbers, and open areas for the 2015–2016 season. A detailed description 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.

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 buffalo, fall bear, and mountain lion), 13 (predatory and furbearing mammals), and 26 (population management seasons) for 2015–2016 according to hunt guidelines approved by the Commission in September 2013. The current hunt guidelines were approved by the Commission for a 2-year period that extends through spring 2016. Public meetings to discuss harvest prescriptions for the 2015–2016 seasons were held in each Region prior to meeting with the Game 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 4 to 8 at public meetings where population trends were discussed, with the exception of the presentation made at the Yuma Valley Rod and Gun Club meeting in Yuma where over 80 members were present.

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.

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.

Daylong seasons are recommended to continue for coyote and mountain lion seasons in specific areas and during specific periods as adopted in September 2013, although some adjustments to open units are recommended. Season length and structure differ from guidelines, and if adopted, the Department will amend guidelines in accordance with Commission action.

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

Commission Order 2 – Deer

The Department is recommending 41,613 general deer permits in 2015, a decrease of 522 permits statewide from 2014. Archery deer are recommended to decrease by 300 (decrease of 50 in Units 3A/3C, decrease of 250 in Unit 12AW). Muzzleloader permits are recommended at 1,125, a 25-permit increase from 2014. Youth-only general permits are recommended to increase by 34 to 2,324 and youth-only muzzleloader permits are recommended to remain unchanged at 45 permits. CHAMP permits are recommended to remain unchanged at 10. The net change to recommended permits overall is a decrease of 712 from 2014 to a grand total of 45,922 permits.

Relatively minor changes to individual unit deer permits are recommended this year. Youth permits are recommended at 5.5% of general. This recommendation includes combining the Unit 12AW antlerless deer hunts into a single hunt with an increase of 50-permits, which is consistent with allowing population growth on the Kaibab described in the hunt guidelines. Unit 12AW has seen 3 consecutive years of high fawn to doe ratios, and last year the adult deer population grew by an estimated 6-7% (which is within guidelines). The projected harvest from the recommended permit level should continue to allow the Kaibab deer population to grow between 5–10% as described in hunt guidelines. December general mule deer hunts are recommended in Units 17B, 23, and 27. December any antlered deer muzzleloader seasons are again recommended in Units 8, 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 11, 2015.

The archery deer over-the-counter nonpermit tag season recommendation includes adding Units 2A, 2B, 2C, and 4A to the January time frame. 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 11–17, 2015.

Hopi tribal members are recommended to receive 27 general deer permits and 6 youth-only permits in Units 4A, 5A, and 5B.

2015 Deer Hunt Summary

General	41,613 (-522)
Hopi	
Youth General	2,324 (+34)

CHAMP	10 (same)
Muzzleloader	1,125 (-24)
Youth Muzzleloader	45 (same)
Archery (permitted)	705 (-300)
Archery OTC	

- Adding 2A, 2B, 2C, and 4A to Jan 1-31, 2016
- Limiting Unit 37A to Jan 1-15, 2016

Bonus Point

Total Permits **45,822 (-812)**

Public Comment

David Myrick, Desert Christian Archers, approves the recommendations of adding a January archery deer hunt in Units 2 and 4A.

Randy Phillips, Arizona Bowhunter Association, approves the entire package and especially appreciates the late season hunts.

Dan Gaska, representing himself, opposes the current recommendations in Units 7, 8 and 9 in the Kaibab National Forest; does not believe the survey data is accurate and that hunt success should have a higher consideration; also, in regards to hunter days, archers or higher end hunters have more opportunity than rifle hunters.

Mike Ornoski, representing himself, requested that in the future the Commission consider restoring December archery opportunities in Units 42 and 23 based on hunter success.

Commissioner Ammons recommended adding a footnote regarding the dangers that hunters could encounter in the units along the border.

Motion: Ammons moved Madden seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 2, DEER, AS RECOMMENDED WITH THE ADDITION OF A MORE APPROPRIATE NOTIFICATION WARNING OF POSSIBLE DANGER IN THE BORDER UNITS.

Vote: Unanimous

4-0

Mansell not present

Commission Order 5 – Turkey

The fall limited-weapon shotgun-shooting-shot turkey season is recommended to run October 2–8, 2015 with 5,050 permits, which is a decrease of 425 permits from 2014. Increases are recommended in Units 1 and 5B South, whereas decreases are recommended in Units 3C, 4A, 4B, 5A, 6B, 7, 8, 10, and 22. 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 2014). 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 21–September 10, 2015 with no change to open units from 2014.

2015 Fall Turkey Hunt Summary

Limited Weapon Shotgun	5,050 (-425)
<ul style="list-style-type: none"> • Increased permits in Units 1, 5BS • Decreased permits in Units 3C, 4A/4B, 5A, 6B, 7, 8/10, 22 	
Archery Only	Nonpermit-tag
Youth Only	Nonpermit-tag
<ul style="list-style-type: none"> • Units 1, 4A, 4B, 6A, 12A, 23, and 27 	

Bonus Point

Total Permits **5050 (-425)**

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 5 – TURKEY, AS PROPOSED.

Vote: Unanimous
4-0
Mansell not present

Commission Order 6 – Javelina

For fall 2015, the Department recommends fall youth-only javelina seasons, 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 9-15 or a November 20-26, 2015 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.

2015 Fall Javelina Hunt Summary

Youth – General	780 (-25)
Archery OTC	nonpermit-tag
<ul style="list-style-type: none"> • Aug 21- Sep 10 • Units 1, 2A, 2B, 2C, 3A, 3B, 3C, 4A, 4B, 5A, 5B, 7, and 9 	

Bonus Point Open to all hunters

Total Permits **780 (-25)**

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

Vote: Unanimous

4-0

Mansell not present

Commission Order 7 – Bighorn Sheep

Bighorn sheep permits are recommended at 117, an increase of 13 from last year. Permit increases are recommended in Units 12B East, 22, 37A, 40A, 44B North, 44B South, 45A, 45B, 46A, 46B, and Upper Blue River Hunt Area in Unit 27. Units 46A and 46B are also recommended for stratification into east and west subunits. Units 23 and 24A and the Black River Hunt Area in Units 1 and 27 are recommended as new hunts with 1 permit each. Permit decreases are recommended in Units 16B, Lower Blue River Hunt Area in Unit 27, and Unit 27 South/28 North (stratification eliminated).

2015 Bighorn Sheep Hunt Summary

General 117(+13)

- Increases in Units 22, 37A, 40A, 44B, 45A, 45B, 46A East, 46A West, 46B East, 46B West, and Upper Blue River Hunt Area
 - New hunts in Units 23/24A and Black River Hunt Area
- Decreases in Units 16B, 27S/28N, and Lower Blue River Hunt Area

Bonus Point

Total Permits 117 (+13)

Public Comment

Pete Cimellaro, representing himself, recommended separating the difficult sheep hunts so that people know what they are applying for; this would increase the odds for people who want that difficult hunt.

Mike Ornoski, representing himself, requested five of the additional tags to be for an archery only hunt, possibly in November; also suggested a one-horn sheep hunt.

David Myrick, Desert Christian Archers, suggested for the future that the Commission create an archery only sheep hunt, possibly in November before the rifle hunt.

Gary Drake, Arizona Desert Bighorn Sheep Society, recommended split seasons in the high concentrated areas to decrease hunter density.

Jim deVos, Assistant Director, Wildlife Management Division, commented that the Department looked at the split season concept. Through review of the pros and cons it was decided that the 31 day hunt was the most appropriate. It allows additional time in case something comes up that interferes with a person's hunt.

Commissioner Ammons recommended highlighting those hunts that are particularly challenging.

Motion: Ammons moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 7 – BIGHORN SHEEP AS PROPOSED WITH THE ADDITION OF A SPECIAL SECTION IN THE HUNT REGULATIONS FOR HUNTS 46B EAST AND 46B WEST AND THE SUPERSTITION WILDERNESS HUNT THAT NOTES THAT THESE ARE CHALLENGING HUNTS, AND SEPARATE THEM FROM THE OTHER BIGHORN SHEEP HUNTS.

Vote: Unanimous

4-0

Mansell not present

Commission Order 8 – Buffalo

No buffalo hunts are recommended for the Raymond herd in Units 5A and 5B. This is a decrease of 5 permits for the Raymond herd.

For the House Rock herd in Units 12A, 12B, and 13B, the recommendation includes a series of any buffalo and cow-only limited opportunity hunts for general, muzzleloader, and archery. The any buffalo and cow-only hunts are recommended to run concurrently. The recommendation consists of 13 2-week hunts beginning on August 14, 2015 for all of Units 12A, 12B, and 13A; one 6-week hunt starting in late November through December for all of Units 12A, 12B, and 13A; and 2 hunts from September 11 to December 31, 2015 for 12A East, 12B, and 13A. Total permits for consideration include 60 general, 10 muzzleloader, and 20 archery permits; this is an increase of 34 permits for the House Rock herd.

2015 Buffalo Hunt Summary

Raymond Herd	0 (-5)
• 3 General hunts eliminated	
House Rock Herd	90 (+34)
• Added 16 House Rock Herd Hunts (10 Limited Opportunity General, 2 Muzzleloader, 4 Archery)	

Bonus Point

Total Permits **90 (+29)**

Public Comment

David Myrick, Desert Christian Archers, appreciates the “any buffalo” in the archery only season.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 8 – BUFFALO AS PROPOSED.

Vote: Unanimous

4-0

Mansell not present

Commission Order 9 - Bear

During 2015, fall bear seasons are recommended to occur during August 7–20, from August 21 for up to 38 days, or October 2 through the end of the 2015 calendar year. The season in Units 4A and 5A is recommended to begin on October 29 and run through the end of the calendar year. General seasons may occur during any of these season dates and archery seasons may occur during the 38 day season beginning on August 21, 2015. This structure maintains open seasons while allowing Regions to manage female harvest and maintain sites to relocate nuisance bears if necessary. The 2015 recommendation is for a cumulative female harvest limit of 103 for general (an increase of 1 in Unit 3C) and 21 for archery season.

The annual female harvest limit will apply to fall seasons. Annual female harvest limits were established in August 2014 for the units with 2015 spring hunts. Those units that have both spring and fall hunts were considered in the spring 2014 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.

2015 Black Bear Hunt Summary

Seasons

- August 7-20, August 21-Sep 10, and Oct 2-Dec 31
- Units 4A & 5A as Nov 6-Dec 31
- Unit 27 as Oct 2-29 and Oct 30-Dec 31

Female Harvest Limit

- Each hunt area has female harvest limits specific to each season and an annual limit
- FHL increased in 3C to 2
- FHL re-allocated in Unit 27 hunts.
- Annual limit includes Department take
- Season limits
 - General 104
 - Archery 21
- Continuation of mandatory check out procedures (designee may check out)

Ms. Munig noted one change in the recommendations since posting on March 30. Unit 24B was originally listed as an early August season and has been modified to an October 2-31 season.

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

Vote: Unanimous

4-0

Mansell not present

Commission Order 10 – Mountain Lion

The Department recommends an open mountain lion season for daylight hours from July 1, 2015 to June 30, 2016 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 (new), Units 16A South and 18B South, Unit 21 (new), Unit 28 South, and Unit 37B North. The multiple bag limit seasons within Units 13B South and 22 South are recommended for removal. The restricted hunt in the Pusch Ridge Hunt Area in Unit 33 is recommended to remain in place. 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.

Mountain Lion Hunt Summary

Statewide general seasons and archery only season will have daylight shooting hours season from July 1, 2015 through June 30, 2016

Multiple Bag Limit Areas

- Daylong shooting hours in Units 15B West/15C/15D, 16A North, 16A South and 18B South, 21, 28 South, and 37B North
- Removing Units 13B South and 22 South

Recommend retention of restricted season in Pusch Ridge hunt area in Unit 33

Minimal Occurrence Zone

- Units 39, 40A, 40B, 41, 42, 43A, 43B, 44A, and 44B
- Annual bag limit of 3
- Daylong shooting hours

Continuation of mandatory check out procedure

Public Comment

Charlie Kelly, Arizona Desert Bighorn Sheep Society, made the following recommendations: 1) supports ongoing multiple bag limit in 16A South and 18B South, but multiple bag limit of 15 is excessive; 2) supports the addition of 16A North to the multiple bag limit area to make sure that

the Wildlife Habitat Enhancement Initiative for mule deer in that area is a success; and 3) does not support removing Unit 22 from the multiple bag areas; recommends adding Unit 24B to the multiple bag units.

Ms. Munig stated that the Department is not seeing an increase in mountain lion harvest or use of the multiple bag in the two units recommended for removal from the multiple bag limit hunt structure. The triggers have been met in Unit 22 South; in Unit 13B South there has been no increase harvest since the multiple bag was put into place. With the multiple bag structure highlighting more intense removal of mountain lions, the Department felt it was appropriate remove some units from the multiple bag structure as other units are added, especially when the triggers direct us to do so.

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

Vote: Unanimous

4-0

Mansell not present

Commission Order 26 – Population Management Seasons

The majority of population management hunts were approved by the Commission in December when elk and pronghorn hunts were authorized. This recommendation is specific to javelina companion tags associated with youth deer hunts.

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 600 for general 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.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS AS PROPOSED.

Vote: Unanimous

4-0

Mansell not present

Commission Order 13 – Predatory and Fur-bearing Mammals

Consistent with hunt guidelines, the Department recommends daylong seasons for coyote within Units 4A, 4B (north of I-40), 5A, 5B, 8, 10, 12A, 12B, 13A, 13B, 15A, 15B, 15C, 15D, 16A, 17A, 17B, 18A, 18B, 19A, 19B, 20A, 31, 32, 42, and 44A from December 1, 2015 to May 31, 2016. Pronghorn or mule deer populations in each of these units currently experience fawn

recruitment below guidelines. No other changes to predatory and fur-bearing mammal seasons are recommended.

Motion: Ammons moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 13 – PREDATORY AND FURBEARING MAMMAL SEASONS AS PROPOSED.

Vote: Unanimous
4-0
Mansell not present

* * * * *

Meeting recessed for a break at 10:50 a.m.

Meeting reconvened at 11:05 a.m.

* * * * *

4. Hunt Permit-Tag Application Schedule for Fall 2015 Hunts

Presenter: Kevin Hodgkins, Acting CFO, Business & Finance

Mr. Hodgkins presented the Commission with the draft hunt permit-tag application schedule (attached) for the Fall 2015 hunting seasons. The application schedule identifies proposed acceptance dates and deadline dates for all hunts associated with the draw process. In addition, 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.

Mr. Hodgkins noted a significant change for deadline day only, June 9th from 5:00 p.m. to 11:59 p.m., the Department can be reached for online assistance. Also, on deadline day only, applications will be accepted at regional offices and headquarters until 11:59 p.m.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR THE 2015 ANTELOPE AND ELK HUNTS.

Vote: Unanimous
4-0
Mansell not present

* * * * *

5. Approval of Minutes and Signing of Minutes

Motion: Ammons moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM MARCH 6-7, 2015.

Vote: Unanimous
4-0

Mansell not present

The Commission signed the minutes following approval.

* * * * *

6. Director and Commissioner Comments

Director Voyles commented on several of his activities since the last Commission meeting including the following:

- Attended the North American in Omaha, NE, and had the honor of presiding over AFWA meetings there; the Department, as usual, played a large role at the conference
- Attended ADBSS Banquet with a couple of Commissioners
- Lunch with Maria Baier, who is in charge of marketing with the Phoenix Suns and is interested in forging a relationship between the Phoenix Suns and the Arizona Game and Fish Department
- Attended a meeting of the Council to Advance Hunting and Shooting Sports in Denver; the council is approaching the completion of a national plan for recruitment and retention
- Attended Blue Ribbon Panel meeting in Denver that is bringing together a broad base of industry to discuss funding for wildlife conservation
- Attended multiple meetings with the State Forester, Jeff Whitney; one of the meeting topics was forest management plans the Forest Services' interest in integrating wildlife management plans into the forest management plans
- Taped a radio interview for Bass Pro Shops
- Attended a tour with Senator McCain, Chairman Mansell and Vice Chairman Davis that included the signing of the historic agreement with USFWS regarding the Willow Beach Fish Hatchery
- Attended a dedication of the Laguna Project of the Multispecies Conservation Program

Commissioner Madden commented that he is very pleased with the launching of the Department's Community Outreach Program and the launching of the Department Portal.

Vice Chairman expressed his appreciation for the tour with Senator McCain and thanked the Attorney General for supporting the Department's position relating to buffalo and the introduction of the federal bill.

* * * * *

7. Future Agenda Items and Action Items

Deputy Director Gray recapped action items from this meeting as follows:

- The Department will discuss the issue of smoking restrictions at the Ben Avery Shooting Facility and report on that in the next Shooting Sports Update
- The Department will look into the issue brought up regarding cormorants and will report back to the Commission

- The Department will review the watercraft formula item (LEBSF) and if changes are needed, the Department will bring that back as a regular agenda item.

* * * * *

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

Vote: Unanimous

* * * * *

Meeting adjourned at 11:45 p.m.

* * * * *



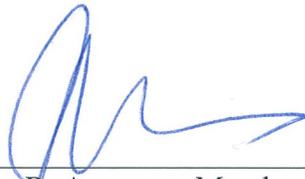
Robert E. Mansell, Chairman



Kurt R. Davis, Vice Chair



Edward "Pat" Madden, Member



James R. Ammons, Member



James S. Zielet, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
May 1-2, 2015**

The Assistant Attorneys General for the Arizona Game and Fish Commission and the Arizona Game and Fish Department are representing these agencies in the following matters in litigation. This report does not include claims and lawsuits for damages against these agencies in which the agencies are represented by Assistant Attorneys General in the Liability Defense Section of the Attorney General's Office.

1. *Center for Biological Diversity v. Jewell, CV-15-00019-JGZ.* Plaintiffs filed this lawsuit on January 15, 2015, alleging violations of the Endangered Species Act ("ESA") and the National Environmental Policy Act ("NEPA"). Plaintiffs contend that the U.S. Fish and Wildlife Service's ("FWS") final revised rule governing the Mexican wolf experimental nonessential population, and a research and recovery permit issued under Section 10(a)(1)(A) of ESA impede Mexican wolf recovery and survival. Plaintiffs also allege the final environmental impact statement ("EIS") and a biological opinion associated with the final rule are inadequate. Plaintiffs seek a court order to set aside and remand to the FWS portions of the final rule, the permit and final EIS.

On April 15, 2015, the State of Arizona on behalf of Game and Fish filed a motion to intervene in support of the FWS. At the same time, Arizona filed a motion to dismiss the lawsuit because the Court lacks subject matter jurisdiction. The federal defendants filed an answer to the complaint on April 22, 2015.

2. *Center for Biological Diversity et al. v. United States Forest Service, CV-12-8176-PCT-SMM.* Plaintiffs filed an action in the U.S. District Court for Arizona on September 4, 2012. The lawsuit alleges the U.S. Forest Service ("USFS") is violating the Resource Conservation Recovery Act ("RCRA") by allowing the disposal of lead ammunition on the Kaibab National Forest, and the disposal results in significant harm to the California condors and other avian wildlife. Plaintiffs are seeking declaratory and injunctive relief requiring the USFS to abate the harm.

On November 4, 2012, the State of Arizona, on behalf of the Arizona Game and Fish Commission, filed a limited motion to intervene for the sole purpose of filing a motion to dismiss on the grounds that the State of Arizona is a required party but joining the State is not feasible due to sovereign immunity. Because the State is a required party that cannot be joined, the case must be dismissed. Plaintiffs filed a response to the State's motion on November 20, 2012. Plaintiffs did not object to the State's intervention but argued that the State does not meet the requirements of a required party.

The National Rifle Association (NRA) and Safari Club International (SCI) filed motions to intervene on November 21, 2012. The State filed a reply on December 4, 2012, to the Plaintiffs' response to the State's motion to intervene. The USFS filed a motion to dismiss on December 14, 2012, on the basis the Court lacks jurisdiction. Plaintiffs filed a response to NRA's motion to intervene on January 4, 2013. On January 22, 2013, the National Shooting Sports Foundation (NSSF) filed a separate motion to intervene.

On February 5, 2013, the plaintiffs filed a response to the USFS' motion to dismiss. On February 22, 2013, the District Court issued an order granting the USFS until March 25, 2013 to file a reply in support of its motion to dismiss. On March 25, 2013, the Forest Service filed a reply in support of its motion to dismiss. The parties are awaiting an oral argument hearing on the motion to dismiss.

On July 2, 2013, the court granted the Forest Service's motion to dismiss. The court agreed with the Forest Service that CBD did not have standing to bring the RCRA challenge against the Forest Service. The court found that CBD could not satisfy the requirements for standing because redressability was speculative on two grounds. First, in order for the Forest Service to regulate the use of lead ammunition, it would need to undertake a rulemaking process, comply with NEPA and consult with the Arizona Game and Fish Commission. Due to uncertainty with this process, the court found the outcome of the process speculative. Second, the court found that condors range in an area well beyond the Kaibab National Forest and into areas that do not prohibit the use of lead ammunition. Therefore, even if the Forest Service banned lead ammunition, this would not necessarily reduce the level of lead ingestion in condors.

Plaintiffs filed a notice of appeal on August 21, 2013. On November 27, 2013, plaintiffs (now appellants) filed an opening brief with the Ninth Circuit Court of Appeals. The Forest Service filed its opening brief on January 29, 2014 and the Commission filed its amicus brief on February 7, 2014. Plaintiffs filed their reply brief on March 21, 2014.

3. *WildEarth Guardians v. James Lane*, 12-00118 (LFG-KBM). Plaintiff challenges New Mexico's failure to regulate trapping in the Mexican wolf occupied range to avoid take of any wolves. The Commission authorized the filing of an amicus curiae brief in support of New Mexico. The Court granted the Commission's motion for leave to file an amicus brief and on September 19, 2012, the Commission filed its amicus brief. Plaintiff filed a response on October 9, 2012, and the Commission filed a reply on October 30, 2012.

The Court issued an order on December 3, 2012, granting Defendants' motion to dismiss for failure to state a claim. Plaintiff filed a notice of appeal on December 28, 2012. The Tenth Circuit issued a briefing schedule on January 3, 2013, ordering Plaintiff to file an opening brief within forty days.

On February 12, 2013, WildEarth Guardians filed an opening brief. On February 15, 2013, the Tenth Circuit issued an order extending the time to file an answering brief until April 17, 2013. The Commission's amicus brief is due seven days after the date the answering brief is filed. The Appellees filed the answering brief on April 17, 2013 and the State of Arizona filed an amicus curiae brief on April 23, 2013. Guardians filed its reply brief on May 20, 2013.

Oral argument occurred on January 24, 2014. The Court's questions focused primarily on the jurisdictional issues of sovereign immunity and standing. The Court issued an opinion on February 19, 2014. The Court held that Plaintiffs had no standing due to a lack of redressability because the Chair of the New Mexico Commission had no authority alone to correct any alleged violations. The Court ordered the case remanded back to the District Court with instruction to dismiss the case without prejudice to allow Plaintiffs to refile the case.

On March 7, 2014, the Tenth Circuit granted New Mexico's motion for clarification, in which New Mexico requested that the Court's decision would not affect the District Court's

decision dismissing as to Director Lane. The District Court's decision as to Director Lane stands. On March 18, 2014, the District Court dismissed without the prejudice the case against the Chairman.

On April 17, 2014, New Mexico filed a motion for attorney fees and costs. New Mexico is seeking reimbursement for \$580,000.00 in costs and fees. This represents 1231 hours for six different lawyers who worked on the case.

3. *Holden and Guynn v. Arizona Game and Fish Commission*, Maricopa County Superior Court CV 2014-013211 (filed October 14, 2014). The Plaintiffs, whose Title 17 criminal charges were dismissed by the justice court (Guynn) or resulted in an acquittal following a justice court bench trial (Holden) were civilly assessed by the Commission for the loss of wildlife to Arizona. Their 28-page complaint alleges that A.R.S. §17-314 does not authorize the Commission to impose civil assessments and claims several due process violations in the manner in which the hearing was noticed and conducted. They seek an order from the court declaring the Commission's actions unlawful, enjoining the Department and Commission from levying the civil assessments, and requiring the Department to issue resident/nonresident hunting licenses to Plaintiffs and permitting them to apply for big game tags.

On November 13, 2014 the Department filed a motion to dismiss the complaint in its entirety for lack of subject matter jurisdiction. Plaintiffs filed a motion to disqualify the Attorney General's Office from representing the Department and Commission which the superior court granted, relying on a relict 1929 statute (A.R.S. §17-103). The Commission voted to appeal the decision to the Court of Appeals. A special action petition will be filed in the Court of Appeals by April 30.

Hunt Permit-tag Application Schedule – Fall 2015

Hunt permit-tag applications will be accepted and processed in accordance with R12-4-104 and R12-4-114 and this schedule.

Drawing				
	ACCEPTANCE DATES¹	DEADLINE DATES²		
HUNT	Applications accepted on or after:	Deadline 11:59 p.m. (MST) in Department offices on:	Hunt permit-tags mailed out by	Refund warrants mailed out by:
Deer	(See notes 1, 2, 3)	June 9, 2015	Aug. 7, 2015	Aug. 17, 2015
Turkey	(See notes 1, 2, 3)	June 9, 2015	Aug. 7, 2015	Aug. 17, 2015
Javelina	(See notes 1, 2, 3)	June 9, 2015	Aug. 7, 2015	Aug. 17, 2015
Bighorn Sheep	(See notes 1, 2, 3)	June 9, 2015	Aug. 7, 2015	Aug. 17, 2015
Buffalo	(See notes 1, 2, 3)	June 9, 2015	Aug. 7, 2015	Aug. 17, 2015
Pheasant	(See notes 1, 2, 3)	June 9, 2015	Aug. 7, 2015	Aug. 17, 2015
Sandhill Crane	Aug. 3, 2015 ³	Aug. 28, 2015 ³	Sept. 25, 2015	N/A
Raptor	Feb. 16, 2016 ³	March 8, 2016 ³	March 25, 2016	N/A

First Come⁴		
	Applications accepted by mail on or after 8:00 a.m. (MST):	Permits available for purchase with a completed application at all Department offices after 8:00 a.m. (MST):
HUNT	ACCEPTANCE DATES	ACCEPTANCE DATES
Deer	August 3, 2015	Aug. 10, 2015
Turkey	August 3, 2015	Aug. 10, 2015
Javelina	August 3, 2015	Aug. 10, 2015
Bighorn Sheep	August 3, 2015	Aug. 10, 2015
Buffalo	August 3, 2015	Aug. 10, 2015
Pheasant	August 3, 2015	Aug. 10, 2015
Sandhill Crane	Sept. 14, 2015	N/A
Raptor	March 21, 2016	N/A

Online Applicants⁵
Deadline for updating your credit or debit card information online by 11:59 p.m. (MST)
Thursday July 9, 2015

Notes:

- The Department will accept Hunt Permit-tag Applications for big game and Pheasant listed above as soon as the applicable year's hunt information is available on the Department's website (www.azgfd.gov), or from any Game and Fish Department office or license dealer, unless otherwise noted in the Hunt Permit-tag Application schedule.
- Department offices at Flagstaff, Kingman, Mesa, Phoenix, Pinetop, Tucson and Yuma will close for business at 5 p.m. (MST); completed applications will be accepted at these locations until 11:59 p.m. (MST) on deadline days. No applications will be accepted after this time regardless of the postmark. Deadline dates and times will apply to online as well as paper applications. Deadline dates may be extended in the event of a Department-related system failure that prevents the public from submitting an application within the deadlines listed above. The online system slow down due to heavy traffic is not considered a Department-related system failure and may not result in a deadline extension. Applicants are encouraged to apply early to avoid the last minute rush. Application assistance can be obtained Monday through Friday (8 a.m.–5 p.m. MST) by contacting the Department. Only on deadline day, from 5 p.m. to 11:59 p.m., after the close of normal business, the Department can be reached at 623-236-7424 for online application assistance.
- Sandhill Crane and Raptor applications are accepted by mail only at the following addresses: P.O. Box 74020, Phoenix, AZ 85087-1052; or at 5000 W. Carefree Highway, Phoenix, AZ 85086-5000. These applications may not be hand delivered to any Department office.
- First come permits are issued if available and will sell very quickly. Applicants are advised to check with the Department before submitting an application for leftover permits. No person, including Youth, may submit more than one valid application per genus for the First Come process, with the exception of javelina (see the javelina bag limit description). A listing of leftover permits is available online at www.azgfd.gov under "Big Game Draw" or at any Department office. To submit first come applications by U.S. mail only, please send to: 5000 W. Carefree Highway, Phoenix, AZ 85086, ATTN: DRAW/FIRST COME.
- Online applicants are encouraged to keep their payment information current. If your payment is rejected at the time of the draw, your application may be rejected. The Department will attempt to contact the payee and/or applicant A three times within two business days to accept an alternate payment method if a phone number and/or email is provided.



A2.22 Consideration of Economic Impact

Effective: ##/##/20##

Policy Process Owner: Funds Planning Branch Chief

~~A.R.S. § 17-231(B)(12) says the Commission may consider the adverse and beneficial short term and long term economic impacts on resource dependent communities, small businesses and the State of Arizona, of policies and programs for the management, preservation and harvest of wildlife by holding a public hearing to receive and consider written comment and public testimony from interested persons.~~

~~The Commission will always provide opportunity for the public to provide testimony on a matter, which is on the agenda for open meeting and will consider all comments in making their decision. If the Commission determines that such testimony indicates that economic impact should be considered further, it may direct that further evaluation be conducted.~~

Wildlife and other related outdoor recreation is an important economic driver for Arizona, especially to the State's rural economies. As such, wildlife resources and related recreation greatly contribute to the quality of life for many Arizonans.

It is the policy of the Arizona Game and Fish Commission to consider:

1. The contributions of Arizona's diverse wildlife resources to the quality of life in Arizona, which includes economic benefits from wildlife recreation activities.
2. The best available biological and social science to inform wildlife management and related recreation decisions.
3. The economic impacts of wildlife management decisions to the State, industries, local communities, and others.