

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, June 12, 2015
Saturday, June 13, 2015
Mazatzal Hotel (Fireside Room)
Highway 87, Mile Marker 251
Payson, Arizona 85541

PRESENT: (Commission)

(Director and Staff)

Chairman Robert E. Mansell
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

Chairman Mansell called the meeting to order at 8:00 a.m. and led those present through the Pledge of Allegiance. The Commission and Director Voyles introduced themselves and Director Voyles introduced his staff. This meeting followed an agenda revision #1 dated June 10, 2015.

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1. Call to the Public

Joe Miller, President, Gila Trout Chapter, Trout Unlimited: Provided an update on a project being developed by several organizations on recommendations regarding the management of Glen Canyon Dam and Lee's Ferry fisheries. A final draft report is about finished and will hopefully be presented at the August Commission meeting.

Bill Reno, Vice President, Arizona Catfish Conservation Association (ACCA): Provided a briefing on ACCA; ACCA is concerned about bowfishing for catfish while they are spawning; currently working to gather data and be able to do something about it.

James Goughnour, representing self: Discussed gizzard chad at Roosevelt Lake and all the partnership efforts to control it; also appreciates the habitat efforts in the lake. Thanked the Department and Commission for all they do, especially the Department Officer who rescued the bull elk with a trash can lid on his head.

Paul Pavlich, representing self: Supports expanding Champ hunts; read a letter of support for expanding Champ hunts from a person that qualifies and participates in the Champ hunts.

Jim Olsson, representing self: Opposes poisoning brown and rainbow trout at Haigler Creek in order to introduce Gila trout.

Jack Swartwood, representing self: Agrees with Mr. Olsson and supports preserving Haigler Creek as it is with brown and rainbow trout.

Dennis Pirch, representing self: Supports efforts at Roosevelt Lake in regards to the largemouth bass; expressed concerns regarding poisoning of existing trout at Haigler Creek.

Glen Whitlock, representing self: Strongly opposed to poisoning of existing trout at Haigler Creek.

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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. Director Voyles presented these items to the Commission and no items were pulled for discussion. The Commission took action on the following:

a. Right of Way Agreement Renewal with the US Bureau of Land Management

Presenter: Joyce Francis, Habitat Branch Chief

The Department requests Commission approval to renew a Right of Way Agreement with the Bureau of Land Management for road access for administrative purposes at the Robbins Butte Wildlife Area. The Commission currently has an agreement with the Bureau of Land Management for legal access across federal land to provide administrative access from Robbins Butte Wildlife Area to Powers Butte Wildlife Area. Formal Rights-of-way are necessary for legal access through federal lands on existing roads. The original right-of-way began in 1985 with the construction of the road by the Department for this purpose. The current agreement expires July, 2015. Therefore, the Department is requesting authorization to renew the agreement. The terms and conditions would remain the same.

The Department recommends THAT THE COMMISSION APPROVE THE RENEWAL OF A RIGHT OF WAY AGREEMENT WITH THE US BUREAU OF LAND MANAGEMENT AND AUTHORIZE THE DEPARTMENT TO ENTER INTO ALL RELATED DOCUMENTS NECESSARY TO COMPLETE THE RENEWAL.

b. Renewal of a Road Closure on State Trust Land Approximately Five Miles North of Chino Valley, Arizona.

Presenter: Mark Weise, Development Branch Chief

The Department requests Commission approval of a request submitted by Ann Nelson Harrington to renew a road closure on State Trust Land. Ann Nelson Harrington has requested renewal of a road closure on State Trust land located approximately five miles north of Chino Valley. The road is approximately one half mile long and dead ends at Game and Fish property on Granite Creek. This closure has been in effect through a previous closure petition, which was granted by the Commission in 2005. The primary purpose of this proposed road closure is to protect the sensitive riparian habitat along Granite Creek from being damaged by motorized vehicles. A walk through gate welcomes non-motorized access and people often visit the area by foot, bike, and horseback. Regional personnel support the restricted access, which greatly assists with the protection of the riparian areas and native fish of the Upper Verde River Wildlife Area. The Nature Conservancy also expressed its support for continuing this closure to motorized

vehicles, which reduces the risk of vehicular habitat damage to their Verde Springs Preserve. The Arizona State Land Department supports this closure for natural resource protection.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE REQUEST TO RENEW A ROAD CLOSURE ON STATE TRUST LAND LOCATED APPROXIMATELY FIVE MILES NORTH OF CHINO VALLEY.

c. Upper Verde River Wildlife Area Right of Way Agreement Renewal with the Arizona State Land Department

Presenter: Joyce Francis, Habitat Branch Chief

The Department requests that the Commission approve renewal of a Right of Way Agreement with the Arizona State Land Department for the purpose of legal access at the Upper Verde River Wildlife Area. The Commission currently has an agreement with the Arizona State Land Department for legal access to the Granite Creek parcel of the Upper Verde River Wildlife Area. A formal right-of-way is necessary for legal access through State Trust lands on an existing road. The original right-of-way began in 2005. The current agreement expires August 2015; therefore, the Department is requesting authorization to renew the agreement. The terms and conditions would remain the same.

The Department recommends THAT THE COMMISSION APPROVE RENEWAL OF A RIGHT OF WAY AGREEMENT WITH THE ARIZONA STATE LAND DEPARTMENT FOR THE PURPOSE OF LEGAL ACCESS AT THE UPPER VERDE RIVER WILDLIFE AREA AND AUTHORIZE THE DEPARTMENT TO ENTER INTO ALL RELATED DOCUMENTS NECESSARY TO COMPLETE THE RENEWAL.

d. Shooting Range Development Grant Requests for FY 2016

Presenter: Marty Fabritz, Shooting Sports Branch Chief

The Department's Shooting Range Development Grant Program received nine grant applications for fiscal year 2016 and the Department requests Commission approval for seven of the applications for a total of \$99,551.50 (out of \$100,000 available). The following is a summary of the grant applications received for the FY16 Shooting Range Grant cycle and Department recommendations:

Papago Archery Range, City of Phoenix Parks and Recreation Department (Phoenix): Requested \$30,000 for construction of a shade canopy over shooting line, increase backstop berm height and signage for added safety at Papago Park. Department recommends funding total amount requested.

White Mountain Trap and Skeet Club (Show Low): Requested \$6,844.00 for equipment to provide additional sporting clay and five stand opportunities. Department recommends funding total amount requested.

Yuma Trap and Skeet Club (Yuma) : Requested \$11,507.50 to install new and replace old lighting on trap/skeet fields and to install new fluorescent lighting in clubhouse classroom. Department recommends funding total amount requested.

Tri-State Shooting Park (Bullhead City): Requested \$31,700.00 for construction of ADA accessible restrooms, sidewalks and septic system. Department recommends funding total amount requested.

White Mountain Trap and Skeet Club (Show Low): Requested \$6,000.00 to improve access to the range by applying materials on the roadways. Department recommends funding total amount requested.

Pima Pistol Club (Catalina): Requested \$26,248.14 for construction of new shade ramada and concrete slab. Department recommends partial funding \$6,500.00 of total amount requested.

Heroes Regional Park Archery Range (City of Glendale): Requested \$33,024.00 for construction of an archery range at Heroes Regional Park. Department recommends partial funding \$7,000.00 of total amount requested.

Mohave Sportsman Club, 7-Mile Shooting Range (Kingman): Requested a total \$14,800.00 in two grant applications for archery range upgrades and 1000 yard range improvements. Department recommends not funding.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE SHOOTING RANGE GRANT APPLICATIONS FOR THE FY16 GRANT CYCLE FOR A TOTAL OF \$99,551.50.

e. Informational briefing of the report that showed no findings, from the recent statewide audit of the Use of Voluntary Taxpayer Donations Procedural Review Report - July 1, 2011 through April 30, 2014.

Presenter: Kevin Hodgkins, Acting CFO, Business & Finance

The Department provided the Commission with a briefing and report that showed no findings, from the recent statewide audit of the Use of Voluntary Taxpayer Donations Procedural Review Report - July 1, 2011 through April 30, 2014. The report dated April 2015 showed no findings for the Arizona Game and Fish Department.

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

Vote: Unanimous

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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:

State Legislation Update

- July 3, 2015 is the effective date for legislation passed in this past session
- The Department is preparing an end-of-session report to be provided to the Commission
- The Department is working to implement enacted legislation including the Livestock Loss Board, Mexican Wolf Compensation Fund, OHV LE changes, and Recreational User Immunity
- The Department is currently reviewing legislative proposals for 2016 and will present an overview of those at the August Commission meeting.
- Arizona is anticipating a ruling in favor of the Arizona State Legislature regarding the lawsuit between the Arizona State Legislature and the Arizona Independent Redistricting Commission. This would result in a special session and likely the redraw of the new congressional district lines for the 2016 general elections. A ruling against will maintain the status quo
- The Department was nominated for the Best of the Capitol in the Lawn Event category for the Arizona Game and Fish Legislative Day event

Congressional Update

S. 782: GC Bison Management Act

The Department has been working with partners for a hearing of S.782. Letters of support from AZSFWC, CSF, the Commission and others partners were successful and a hearing was held before the Senate Subcommittee on National Parks, Committee on Energy and Natural Resources. Comments and discussion included pinning down a due date for a bison management plan, bison overpopulation at the Grand Canyon National Park, and culling by the National Park Service vs. paid or volunteer hunters doing the culling.

H.R. 2406: Sportsmen's Heritage and Recreational Enhancement Act of 2015 (SHARE Act)

H.R. 2406 will: (1) Make the existing exemption from EPA regulation for lead shot permanent, and adds lead tackle as an exempted product; (2) Extend and increase states' authority to allocate Pittman-Robertson funding for shooting ranges on public lands; (3) Permanently establish the Wildlife and Hunting Heritage Conservation Council Advisory Council to advise the Secretaries of Interior and Agriculture on wildlife and habitat conservation, hunting, and recreational shooting; (4) Authorize the lawful possession of firearms pursuant on water resource development project lands managed by U.S. Army Corps of Engineers; Dams-waterfowl hunters; (5) Authorizes the lawful transportation of bows and crossbows on National Park Service lands; and (6) Requires (BLM) and (USFS) lands to be open for hunting, fishing, and recreational shooting unless specifically closed; among other provisions.

The Department recommends that the Commission vote to support H.R. 2406.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO SUPPORT H.R. 2406, SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2015.

Vote: Unanimous

S. 1416: Prohibiting Reserve Water Rights

S. 1416 is a bill to limit the authority to reserve water rights in designating a national monument. It prevents the president from changing the federal water-rights designation of lands declared to be national monuments. When the United States reserves public land for uses such as Indian reservations, military reservations, national parks, forest, or monuments, it also implicitly reserves sufficient water to satisfy the purposes for which the reservation was created. Both reservations made by presidential executive order or those made by an act of Congress have implied reserved rights. The date of priority of a federal reserved right is the date the reservation was established. This measure would simply restrict the type of water rights that are associated with the monument when it is designated without congressional approval.

The Department recommends the Commission vote to support S. 1416.

Motion: Zieler moved and Madden seconded THAT THE COMMISSION VOTE TO SUPPORT S.1416, PROHIBITING RESERVE WATER RIGHTS.

Vote: Unanimous

Selection of Commission Legislative Representatives

Historically the Commission has selected two members to represent the Commission at the Legislature on emergency issues and matters on which the Commission has taken official positions. During circumstances when budgetary challenges arise, potential disruptive amendments are offered on the floor or in Committee and an immediate response is warranted, the Commission delegates their authority to the two legislative representatives.

The Commission will make their selection of legislative representatives during agenda item #34.

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1. Call to the Public (continued)

From the Phoenix HQ:

Bob Hernbrode, former Game and Fish Commissioner, representing self: Recommended the Commission direct the Department to begin human dimension or social science research to begin to understand birders and determine what the Department must do to entice birders to participate in a user pay concept.

Terry Morris, representing self: Expressed concerns regarding the states intent to manage the endangered wolf populations; appreciates what the Department has done, but believes the USFWS should oversee the Mexican wolf project.

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4. Key Systems Development Initiatives

Presenter: Doug Cummings, Branch Chief, Information Systems

Mr. Cummings presented an overview of key systems development initiatives using a PowerPoint presentation. The presentation included future functionality for the Customer Portal, Portal Operations, online draw, and the development of other related systems driving data integration and the ability to deliver additional functionality and content into the Portal. The following information was included in the presentation:

Online Fall Draw Processing

- Online draw applications totaled 114,534 for the 2015 online fall draw (15% increase) versus 99,469 for the 2014 online draw applications
- 2015 vs 2014 (Effect of early draw application incentive)
 - 2014 36% prior to final week
 - 2015 42% prior to final week (8% Shift)
- 2015 Deadline Day
 - 24,961 applicants for the day
 - 3,632 applicants between 5:00 p.m. and 7:00 p.m.
 - 6,158 applicants between 7:00 p.m. and 11:59 p.m.
- Cybersource, the Department's Payment Processor, had an outage for approximately two hours; The outage was widespread - not just AGFD; There were no major impacts to the draw, since it did not happen on deadline day.

Overview of Results of Draw Application Changes

- Early draw application incentive shifted 8% of applicants to apply earlier
- 11:59 p.m. deadline allowed for a natural taper off of online applications
- Draw application software changes: The queuing architecture resulted in improved customer experience – response times a fraction of a second and ability to handle peak loads.

Portal Post Launch Support

- Ongoing site monitoring
- Currently running Portal 1.13 Maintenance Releases approximately every 3 weeks
- Advertising aggressively targeted for summer 2015.

Key System Development Initiatives

ADOA authorized AGFD to exit ADOA Data Center and ADOA Amazon Cloud into an AGFD Amazon Cloud. The Department is currently working on the following:

Category One:

- Exit ADOA Physical Data Center
- Exit ADOA Cloud
- Portal Maintenance Releases
- Tag Surrender targeted to be completed by the end of 2015

Category Two:

- Game Data Management 1.0
- Fish Information Systems 2.0
- Hatchery Management System 1.0
- LE Mobile License Verification

Next Steps

- Establish proposed timeline
- Get Leadership alignment and propose to Commissioner Davis
- Propose to Commission – September 2015 Commission Meeting

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Meeting recessed for a break at 9:16 a.m.

Meeting reconvened at 9:36 a.m.

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5. Wolf Briefing

Presenter: Jim deVos, Assistant Director, Wildlife Management Division

Mr. deVos provided a PowerPoint presentation that included an overview of the Mexican wolf reintroduction program, the Department's involvement, and the current status of Department activities and accomplishments. This update is provided to the Commission on a regular basis and includes 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 update included the following:

Legal Activity Update**State of Arizona v. Jewell:**

- On June 8, 2015, the State of Arizona filed suit against Secretary Jewell and the USFWS
- Arizona alleges the USFWS has unlawfully failed to develop a new recovery plan for the Mexican wolf that complies with the Endangered Species Act.

Center for Biological Diversity v. USFWS:

- Plaintiffs filed an amended complaint on March 23, 2015, adding new ESA claims
- The USFWS filed an answer to the amended complaint on April 22
- Arizona Game and Fish filed a motion to intervene on April 15
- On May 12, 2015, the court ordered New Mexico case (CV 15-00179) consolidated with this case

- On May 12, 2015, the court granted Arizona's motion to intervene
- On May 26, 2015, Arizona filed motion to dismiss
- On June 1, 2015, court order setting case management conference for July 9, 2015
- On June 8, 2015, federal defendants filed response taking no position on Arizona's motion to dismiss.

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
- Court granted the motion to transfer the case to the district court in Arizona
- Cases have common factual and legal issues
- On May 12, 2015, the court granted motion to consolidate with CBD v. USFWS.

Legislative Monitoring

SB1466: Livestock loss board; compensation fund: Establishes a 9-member Livestock Loss Board to address the depredation of wolves on livestock operations; Board to establish and implement procedures to compensate landowners, lessees or livestock operators for livestock depredation caused by wolves; Signed by Governor Ducey and effective July 3, 2015. The Department held an internal meeting to discuss the next steps. A list of sportsmen with livestock knowledge has been developed to submit to the Governor's staff for consideration. The Department is working with FSA to develop a funding mechanism.

Public Comment

Jim O'Haco, ACGA 1st Vice President, Winslow rancher: Supports the Arizona Game and Fish Department and its efforts to manage the Mexican wolf.

Sandy Bahr, Chapter Director, Sierra Club – Grand Canyon Chapter: Supports the recovery of Mexican wolf; opposes the Department's lead on Mexican wolf program.

Wink Crigler, ranch owner, Diamond Ranch, opposes expansion of the Mexican wolf area; encouraged the Commission to protect the livestock industry.

Brittney Walsh, MELP, LMT: Supports Mexican wolf recovery; encouraged the Commission to use the best available sound science.

Andy Groseta, rancher, AZ Cattle Growers Association/Yavapai Cattle Growers: Supports the Department taking the lead on the Mexican wolf program; supports the new Livestock Loss Board.

Roxanne George, representing self: Would like to see increased wolf numbers; there are plenty of elk to share with hunters.

Jim Chilton, ranch owner, Southern AZ Cattlemen's Protective Association: Does not believe ranchers should have to sacrifice so much for the reintroduction of Mexican wolves.

Minnie Richards, representing self: Supports Mexican wolf reintroduction; would like to see wolves able to roam as all wildlife before us.

Keith Cannon, rancher, AZ Cattle Growers Association/Yavapai Cattle Growers: Approves of the Department's lawsuit against the USFWS; Appreciates the Department's efforts to compensate rancher loses.

Roy Williams, ranch owner, Williams Ranch: Opposes the reintroduction of the Mexican wolf; ranchers are subject to bad experiences because of Mexican wolf reintroduction.

Kathy Walsh, Co-Leader, Phoenix Broad Band, Great Old Broads for Wilderness: Supports Mexican wolf reintroduction; appreciates all the work done by the Department for the program.

James Goughnour, representing self: Supports the Department's lawsuit against the USFWS; believes it is necessary to take action now before things get a lot worse.

Carolyn Eppler, representing self: Appreciates the Department's effort to balance the issues; appreciates that the Department has recognized the USFWS has failed to follow the law and failed to address issues.

Dennis Pirch, representing self: Supports the Department and its active role in management of the Mexican wolf.

Don Moore, ranch manager, Yavapai Apache Nation: Opposes the Mexican wolf reintroduction; decisions need to be made based on the people who live in areas where the program effects them.

Sue Chilton, former Arizona Game and Fish Commissioner, representing Chilton Ranch: Expressed concerned about litigation taking priority and preventing the Department from managing all other species and natural resources.

Public Comment from AGFD Region II Office via video teleconference:

Kelly Burke, Executive Director, Grand Canyon Wildlands Council: Would like to see the application of the best available science in the Mexican wolf reintroduction program; strongly supports the reintroduction program.

Toni Prothero, Education and Outreach Coordinator, Grand Canyon Wolf Recovery Project: Supports the recovery of the Mexican wolf in Arizona; Does not believe the Department should be in charge of the program.

Emily Renn, Executive Director, Grand Canyon Wolf Recovery Project: Does not agree with limiting the number of wolves to 325.

Kathleen Cheatham, representing self: Supports increased wolf numbers and increased range.

Julia Allison, representing self: Supports increased wolf numbers and increased range; wants to see 750 wolves south of I-40.

Matt Davis, speaking on behalf of Jean Myers, who had to leave the meeting, representing Volunteer for Grand Canyon Wolf Recovery Project: Supports wolf recovery; believes wolves are essential for healthier wildlife and nature.

Public Comment from Phoenix HQ Office via video teleconference:

Karen Michael, Member of Board of Directors, Animal Defense League of Arizona: Appreciates the Department's effort in the Mexican wolf reintroduction program; however, does not believe the Department fully appreciates the important role that wolves play in the ecosystem of Arizona.

Dina Milstead, representing self: Supports Mexican wolf reintroduction; believes that science has proven that no less than 750 wolves should be in the wild.

Mr. deVos pointed out that the Department did not define 325 wolves as the recovery level, but that it is the number for a self-sustaining population. The Department believes a recovery plan is essential, so that science is brought bear to decide what constitutes recovery.

Motion: Madden moved and Zieler 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

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

Meeting reconvened at 11:45 a.m.

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The Commission was briefed on the following budget items (agenda items #6-16) at the May 2015 Commission meeting and was briefed individually prior to this meeting. All information and documents related to the budget items were provided to the Commission prior to this meeting and were available to the public.

6. Request to approve the Expenditure of Unspent Balances in the Heritage Fund, Arizona Wildlife Conservation Fund, Off Highway Vehicle Fund, Wildlife and Sport Fish Restoration, State Wildlife Grants, Coast Guard Grants, Program Income, Endangered Species Act (Section 6), Capital Improvement Fund, Indirect Cost Recovery Fund and Contracts for Fiscal Year 2016.

Presenter: Ty Gray, Deputy Director

These requests will ensure that remaining unspent balances in the Heritage Fund, including all of its sub-funds, Arizona Wildlife Conservation Fund, Off Highway Vehicle Fund, Wildlife and Sport Fish Restoration, State Wildlife Grants, Coast Guard Grants, Program Income, Endangered Species Act (Section 6), Capital Improvement Fund, and Indirect Cost Recovery Fund are available for expenditure in Fiscal Year 2016 for additional qualifying projects and to allow the Department to respond to revenue shortfalls and unforeseen needs. All property acquisition

proposals utilizing unspent Heritage Acquisition monies will be brought before the Commission for individual review and approval for actual funding authority.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE EXPENDITURE OF UNSPENT FUND BALANCES FROM THE HERITAGE PROGRAMS AND SUB-PROGRAMS; ARIZONA WILDLIFE CONSERVATION FUND, OFF HIGHWAY VEHICLE FUND, WILDLIFE AND SPORT FISH RESTORATION, STATE WILDLIFE GRANT, COAST GUARD GRANT, PROGRAM INCOME, ENDANGERED SPECIES ACT (SECTION 6), CAPITAL IMPROVEMENT FUND, AND THE INDIRECT COST RECOVERY FUND AND CONTRACTS FOR FISCAL YEAR 2016.

Vote: Unanimous

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7. Request to approve the amended Fiscal Year 2016 Game and Fish Fund Budget and the Fiscal Year 2017 Game and Fish Fund Budget.

Presenter: Ty Gray, Deputy Director

The Game and Fish Fund consists primarily of revenue generated from the sale of licenses and tags. The appropriation is \$35,949,600 for Fiscal Year 2016 and the appropriation request is \$42,502,400 for Fiscal Year 2017 (which includes \$3.02 million over 3 years in the Capital Budget Request for the renovation of the Sterling Springs Hatchery). The appropriation request for Fiscal Year 2017 represents an increase of the Fiscal Year 2016 appropriation. The additional Fiscal Year 2016 and Fiscal Year 2017 appropriation requests represent specific use of the Game and Fish Fund prior year unspent balances.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$580,800:

- \$610,800 Personal Services and Benefits Adjustment
- \$30,000 Facilities Maintenance Specialist
- (\$60,000) Backup and Recovery for Field and Cloud (moved to Indirect)

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget (\$789,000):

- (\$125,000) WHEI-Wildlife Habitat Enhancement Initiative (app fees)
- (\$250,000) Wildlife Center Funding (app fees)
- (\$125,000) Access (app fees)
- (\$75,000) License Marketing (app fees)
- \$60,000 Property Maintenance (300K is split 60GF & 240PR - 12 properties)
- \$320,000 AG Support
- \$289,200 PSPRS
- (\$800,000) Vehicles (moved purchase into FY 2015)
- (\$83,200) Soft Body Armor Replacement (moved purchase into FY2015)

FY 2017 Proposed Base Increases of \$2,414,500:

- \$801,400 PSPRS
- \$14,300 Travel
- \$350,000 Wildlife Habitat Enhancement Initiative (application fees)
- \$350,000 Access Programs (application fees)
- \$150,000 Wildlife Center Funding (application fees)
- \$125,000 License Marketing Campaign (application fees)
- \$50,000 Security Analysis Project
- \$120,000 Network/Infrastructure Refresh
- \$320,000 Ag Support
- \$37,000 Employee Training
- \$36,000 Soft Body Armor Replacement
- \$30,000 Facilities Maintenance
- \$20,800 Utilities
- \$10,000 Wildlife Assets Sales

FY 2017 Proposed One-Time Increases of \$5,542,000:

- \$592,800 Portal Development
- \$909,500 Fleet Replacement
- \$3,020,000 Sterling Springs Hatchery Renovation (3 year project)
- \$132,700 Statewide Communication System Upgrade
- \$60,000 Property Maintenance
- \$30,000 Covered Patrol Equipment Parking And Storage
- \$10,000 Conference Room Furniture
- \$787,000 Building Renewal

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED CHANGES TO THE FISCAL YEAR 2016 COMMISSION APPROVED GAME AND FISH FUND BUDGET AND APPROVE THE PROPOSED EXPENDITURES FROM THE GAME AND FISH FUND FOR OPERATING AND CAPITAL OUTLAY PROGRAMS FOR FISCAL YEAR 2017.

Vote: Unanimous

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8. Request to approve the amended Fiscal Year 2016 Watercraft Licensing Fund Budget and the Watercraft Licensing Fund Budget Request for Fiscal Year 2017

Presenter: Ty Gray, Deputy Director

Watercraft Licensing monies are generated from watercraft registration and boating infrastructure surcharge fees. The appropriation is \$5,128,400 for Fiscal Year 2016 and the appropriation request is \$8,602,800 for Fiscal Year 2017. The appropriation request for Fiscal Year 2017 represents an increase of the Fiscal Year 2016 appropriation. The additional Fiscal Year 2016 and Fiscal Year 2017 appropriation requests represent specific use of the Watercraft Licensing Fund prior year unspent balances.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$18,900:

- \$13,100 Personal Services and Benefits Adjustment
- \$5,800 Watercraft Indirect

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget (\$1,003,300):

- (\$568,300) Boats - Watercraft (partial funding in CG)
- (\$70,000) Outreach and Advertising (moved to CG)
- (\$142,500) Vehicles (FOR3 and FOR4)
- (\$32,500) Personal Watercraft (2 - FOR3)
- (\$53,000) Aquatic Invasive Species Quagga
- (\$37,000) Cash Register Replacement (moved to CG)
- (\$50,000) Floating Docks (moved to CG)
- (\$50,000) Safety Education Program

FY 2017 Proposed Base Increases of \$440,500:

- \$228,800 Aquatic Invasive Species Outreach and Management
- \$116,700 Conservation Enforcement Officer
- \$70,000 Officer Pick-Off
- \$25,000 Postage and Printing of Renewal Notices

FY 2017 Proposed One-Time Increases of \$3,581,400:

- \$2,500,000 Watercraft Safety, Aquatic Invasive Species and Facilities Enhancements
- \$580,000 Fleet Replacement
- \$180,000 Boat Lifts and Awning Sunshades for Patrol Boats
- \$151,500 Officer Pick-Off
- \$94,900 Covered Patrol Equipment Parking and Storage
- \$50,000 Boating Safety and Navigation Rules Pamphlet
- \$25,000 Program Administration

Motion: Zieler moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED CHANGES TO THE FISCAL YEAR 2016 COMMISSION APPROVED WATERCRAFT LICENSING FUND BUDGET AND APPROVE THE PROPOSED EXPENDITURES FROM THE WATERCRAFT LICENSING FUND FOR FISCAL YEAR 2017.

Vote: Unanimous

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9. Request to approve the Game, Nongame, Fish and Endangered Species Fund Budget Request for Fiscal Year 2017.

Presenter: Ty Gray, Deputy Director

The Game, Nongame, Fish and Endangered Species Fund consists of revenue generated from the Arizona Income Tax Check-Off. The appropriation is \$346,800 for Fiscal Year 2016 and the

appropriation request is \$346,800 for Fiscal Year 2017. The budget request for Fiscal Year 2017 represents a continuation of the Fiscal Year 2016 budget.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED OPERATING EXPENDITURES FROM THE GAME, NONGAME, FISH AND ENDANGERED SPECIES FUND FOR FISCAL YEAR 2017.

Vote: Unanimous

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10. Request to approve the Capital Improvement Fund Budget Request for Fiscal Year 2017.

Presenter: Ty Gray, Deputy Director

Revenues for the Capital Improvement Fund are generated from fund transfers from the Conservation Development Fund, which receives revenues from surcharges on the sale of fishing, hunting, and combination hunting/fishing licenses. The appropriation/budget is \$1,005,200 for Fiscal Year 2016 and the appropriation request is \$1,505,500 for Fiscal Year 2017. The appropriation request for Fiscal Year 2017 represents an increase of the Fiscal Year 2016 appropriation. The additional Fiscal Year 2016 and Fiscal Year 2017 appropriation requests represent specific use of the Capital Improvement Fund prior year unspent balances.

The Department Requests A One-Time Increase of \$500,300:

- \$500,000 Dam and Property Maintenance
- \$300 Building Lease Payment

Motion: Davis moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE CAPITAL IMPROVEMENT FUND FOR FISCAL YEAR 2017.

Vote: Unanimous

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11. Request to approve the Wildlife Endowment Fund Budget Request for Fiscal Year 2017.

Presenter: Ty Gray, Deputy Director

The Wildlife Endowment Fund receives revenues from the sale of lifetime hunting and fishing licenses. This appropriation facilitates an annual interest transfer to the Game and Fish Fund per ARS §17-271. The appropriation is \$16,000 for Fiscal Year 2016 and the appropriation request is \$16,000 for Fiscal Year 2017. The budget request for Fiscal Year 2017 represents a continuation of the Fiscal Year 2016 budget.

Motion: Zieler moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE WILDLIFE ENDOWMENT FUND FOR FISCAL YEAR 2017.

Vote: Unanimous

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12. Request to approve the amended Fiscal Year 2016 Off-Highway Fund Budget and the Off-Highway Vehicle Fund Budget Request for Fiscal Year 2017.

Presenter: Ty Gray, Deputy Director

The Off-Highway Vehicle Fund consists of revenues generated from motor vehicle fuel taxes and off-highway vehicle decal sales. Annual revenue projections are estimated to be \$1,725,000 for Fiscal Year 2017. The amended budget is \$2,276,300 for Fiscal Year 2016 and the proposed request is \$2,134,600 for Fiscal Year 2017. The budget request for Fiscal Year 2017 represents a decrease of the Fiscal Year 2016 budget. The additional Fiscal Year 2016 and Fiscal Year 2017 budget requests represent specific use of the Off-Highway Vehicle Fund prior year unspent balances.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$57,000:

- \$37,100 Personal Services and Benefits Adjustment
- \$16,300 PSPRS
- \$3,600 OHV Indirect

FY 2017 Proposed Base Increases of \$28,200:

- \$28,200 Employer Related Expense

FY 2017 Proposed One-Time Increases of \$269,400:

- \$2,400 Level One Fingerprint Clearance Cards
- \$267,000 Fleet Replacement (includes one trailer)

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED CHANGES TO THE FISCAL YEAR 2016 COMMISSION APPROVED OFF-HIGHWAY VEHICLE FUND BUDGET AND APPROVE THE PROPOSED EXPENDITURES FROM THE OFF-HIGHWAY VEHICLE FUND FOR FISCAL YEAR 2017.

Vote: Unanimous

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13. Request to approve the amended Fiscal Year 2016 Heritage Fund Budget and the Heritage Fund Budget Request for Fiscal Year 2017.

Presenter: Ty Gray, Deputy Director

The Heritage Fund consists of revenues generated from Arizona lottery proceeds. The fund will provide up to \$10,000,000 for Fiscal Year 2017. The amended budget is \$11,036,800 for Fiscal Year 2016 and the proposed request is \$11,374,900 for Fiscal Year 2017. The budget request for

Fiscal Year 2017 represents an increase of the Fiscal Year 2016 budget. The additional Fiscal Year 2016 and Fiscal Year 2017 budget requests represent specific use of the Heritage Fund prior year unspent balances.

Environmental Education:

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$9,100:

- \$7,000 Personal Services and Benefits Adjustment
- \$2,100 Heritage EE - Indirect

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget \$100,000:

- \$100,000 Wildlife Center Capital Campaign

FY 2017 One-Time Increases of \$104,900:

- \$100,000 Wildlife Center Capital Campaign
- \$4,900 Level One Fingerprint Clearance Cards

Habitat Evaluation and Protection:

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$100,900:

- \$50,000 ESRI Enterprise-Wide License
- \$55,000 Zuni Water Rights (moved from Heritage IIAPM)
- \$300 Heritage HE - Indirect
- (\$4,400) Personal Services and Benefits Adjustment

FY 2017 Proposed Base Increase of \$15,000:

- \$15,000 Geographic Information System web map software

FY 2017 Proposed One-Time Increases of \$48,300:

- \$41,300 Pinal Open Space cost share position
- \$7,000 for a large format printer

Public Access:

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget (\$15,500):

- \$19,700 Personal Services and Benefits Adjustment
- \$2,300 Heritage PA – Indirect
- (\$37,500) Adopt-A-Ranch

FY 2017 Proposed One-Time Increase of \$51,000:

- \$51,000 Vehicle

Acquisition:

All property acquisition proposals utilizing the Acquisition account will be brought before the Commission for individual review and approval for actual funding authority.

Identification, Inventory, Acquisition, Protection, and Management (IIAPM):**FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget (\$401,900):**

- \$14,000 Black Footed Ferret Interns
- \$111,100 California Condor Management
- \$8,900 Heritage IIAPM - Indirect
- (\$88,500) Personal Services and Benefits Adjustment
- (\$46,500) Black Footed Ferret (1 FTE Reduction)
- (\$37,400) Sensitive Wildlife Management AOO Reduction all Regions
- (\$75,000) Vera Cruz Model (moved to SWG)
- (\$100,000) Mexican Wolf
- (\$133,500) Border Lands (moved to SWG)
- (\$55,000) Zuni Water Rights (moved to Heritage HE)

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget (\$100,000):

- (\$115,000) Audubon Support (moved to PR)
- \$15,000 California Condor GPS Transmitters

FY 2017 Proposed Base Increase of \$10,000:

- \$10,000 Amphibians and Reptiles Program

FY 2017 Proposed One-Time Increases of \$229,000:

- \$29,000 Prairie Dog Population Density
- \$200,000 Fleet Replacement

Urban Wildlife and Urban Wildlife Habitat:**FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget (\$129,400):**

- \$9,100 PSPRS
- (\$51,500) Personal Services and Benefits Adjustment
- (\$78,500) FOR5 & FOR6 Customer Service Representative 0.5 FTE (moved to CG)
- (\$8,500) AOO Adjustment

FY 2017 Proposed Base Increase of (\$4,200):

- \$15,800 PSPRS
- (\$20,000) Grant Program

Motion: Zieler moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED CHANGES TO THE FISCAL YEAR 2016 COMMISSION APPROVED HERITAGE FUND BUDGET AND TO APPROVE PROPOSED EXPENDITURES FROM THE PUBLIC ACCESS; IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION AND MANAGEMENT; HABITAT EVALUATION AND PROTECTION; URBAN WILDLIFE AND URBAN WILDLIFE HABITAT; ENVIRONMENTAL EDUCATION; AND

ADMINISTRATION AND SUPPORT SERVICES (INTEREST MONIES) FOR FISCAL YEAR 2017.

Vote: Unanimous

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14. Request to approve the amended Fiscal Year 2016 Arizona Wildlife Conservation Fund Budget and the Arizona Wildlife Conservation Fund Budget Request for Fiscal Year 2017.

Presenter: Ty Gray, Deputy Director

The Arizona Wildlife Conservation Fund monies are generated from shared gaming revenues, through the Arizona Benefits Fund, with the State of Arizona and local governments, to support specified state and local programs. Annual revenue projections are estimated to be \$6,280,000 for Fiscal Year 2017. The amended budget is \$7,728,800 for Fiscal Year 2016 and the proposed request is \$7,311,700 for Fiscal Year 2017. The budget request for Fiscal Year 2017 represents a decrease of the Fiscal Year 2016 budget. The additional Fiscal Year 2016 and Fiscal Year 2017 budget requests represent specific use of the Arizona Wildlife Conservation Fund prior year unspent balances.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$49,700:

- \$19,200 Personal Services and Benefits Adjustment
- \$30,500 WCF Indirect

FY 2017 Proposed Base Increase of \$119,400:

- \$119,400 Hatchery Operating Costs

FY 2017 Proposed One-Time Increase of \$50,500:

- \$50,500 Vehicle

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED CHANGES TO THE FISCAL YEAR 2016 COMMISSION APPROVED ARIZONA WILDLIFE CONSERVATION FUND BUDGET AND TO APPROVE THE PROPOSED EXPENDITURES FROM THE ARIZONA WILDLIFE CONSERVATION FUND FOR FISCAL YEAR 2017.

Vote: Unanimous

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15. Request to approve the amended Fiscal Year 2016 Indirect Cost Recovery Fund Budget and the Indirect Cost Recovery Fund Budget Request for Fiscal Year 2017.

Presenter: Ty Gray, Deputy Director

The Indirect Cost Recovery Fund is used to collect and recover indirect costs from federal grants and agreements, Heritage Fund, Off Highway Vehicle Fund, Watercraft Fund and Arizona

Wildlife Conservation Fund. Monies are recovered by transferring a set percentage of personal services costs from the subject accounts. In FY 2017, estimated recoveries are \$5,348,000. The amended budget is \$5,386,600 for Fiscal Year 2016 and the proposed request is \$5,549,500 for Fiscal Year 2017. The budget request for Fiscal Year 2017 represents an increase of the Fiscal Year 2016 budget. The additional Fiscal Year 2016 and Fiscal Year 2017 budget requests represent specific use of the Indirect Cost Recovery Fund prior year unspent balances.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$152,200:

- \$92,200 Personal Services and Benefits Adjustment
- \$60,000 Backup/Recovery for Field and Cloud

FY 2017 Proposed Base Increase of \$312,900:

- \$109,900 Database Administrator
- \$89,000 System Administrator
- \$76,000 Information Technology Interns
- \$20,000 Bandwidth At Headquarters
- \$18,000 Land And Water Use Fees

FY 2017 Proposed One-Time Increase of \$50,000:

- \$50,000 Bandwidth at FOR3

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE PROPOSED CHANGES TO THE FY2016 COMMISSION APPROVED INDIRECT COST RECOVERY FUND BUDGET AND TO APPROVE THE PROPOSED FISCAL YEAR 2017 EXPENDITURES FROM THE INDIRECT COST RECOVERY FUND.

Vote: Unanimous

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16. Request to approve the amended Fiscal Year 2016 Federal Assistance Funds Budget Request and the Fiscal Year 2017 Federal Assistance Funds Budget Request.

Presenter: Ty Gray, Deputy Director

The Federal Assistance request for the Department is summarized in the attached schedules. The Fiscal Year 2016 Pittman Robertson Wildlife Restoration modified budget increased approximately \$2.4 million for a total of \$23.9 million. The Fiscal Year 2017 Pittman Robertson Wildlife Restoration proposed budget decreased approximately \$4.3 million for a total of \$19.6 million. The Fiscal Year 2017 Dingell Johnson Sport Fish Restoration proposed budget increased by \$642 thousand for a total of \$8.4 million (includes boating access).

Pittman-Robertson (Federal Assistance in Wildlife Restoration): The federal apportionment for Fiscal Year 2016 is \$20.4 million; an increase of 6.8% for Wildlife Restoration and an increase of 5% for Hunter Education from Fiscal Year 2015. The apportionment for Fiscal Year 2017 is anticipated to be \$20 million. We are projecting the total federal contribution from "Federal Assistance in Wildlife Restoration" to be \$18 million in Fiscal Year 2017.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$706,400:

- \$202,700 Personal Services and Benefits Adjustment
- \$5,500 WAFWA Grasslands Coordinator Assessment
- \$115,000 Audubon Support (moved from IIAPM)
- \$110,000 Wildlife Game Specialist (1 FTE)
- \$28,400 PSPRS
- \$2,500 Kaibab Check Station
- \$152,300 Sonoran Pronghorn (moved to base from one time)
- \$90,000 Non-Lead Program (moved to base from one time)

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget \$437,300:

- \$240,000 Property Maintenance (300K is split 60GF & 240PR - 12 properties)
- \$42,500 Vehicles (FOR2 Game Specialist)
- \$90,000 Heavy Equipment (FOR4 water truck)
- (\$35,600) Temporary Funding Birds and Mammals Program
- \$5,000 Marshall Lake Renovation/Habitat
- \$190,000 Upgrade of Game Data Management System
- \$7,000 Bison Movement Patterns
- \$39,800 Silver Bell Mountains Bighorn Sheep Monitoring
- \$100,000 Research Project on River Otter Abundance
- \$20,000 Kaibab Wetlands Improvement
- \$50,000 Wolf Human Dimension Survey
- (\$200,300) Black Footed Ferret (moved to IIAPM)
- (\$111,100) CA Condor Management (moved to IIAPM)

FY 2017 Proposed Base Increase of \$544,700:

- \$49,100 for Personal Services and Employer Related Expense Increases
- \$84,000 Video production (1 new FTE)
- \$75,000 LRP GIS (1 existing FTE)
- \$56,600 Wildlife Health technician (1 existing FTE)
- \$250,000 LRP Habitat Enhancements
- \$30,000 Recreational Shooting on Public Lands (section 4)

FY 2017 Proposed One-Time Increases of \$5,922,400:

- \$1,000,000 Wildlife Habitat Enhancement Initiative
- \$750,000 Water Catchment Construction
- \$564,200 Vehicles (11 Vehicles And 1 Trailer)
- \$605,000 Heavy Equipment (Bobcat, Water Truck, Front End Loader And Transport Trailer)
- \$500,000 East Yard Improvements
- \$240,000 Property Maintenance (12 Properties)
- \$196,000 Helicopter Surveys
- \$130,000 Hunter Questionnaire
- \$100,000 River Otter Research

- \$97,000 Biometrician (1 FTE)
- \$31,400 Interns for Bighorn Sheep and Habitat Program
- \$30,000 Motor Pool Up Fits and Paint for Cessna
- \$26,000 Equipment (ultra-low freezer and optics)
- \$25,000 Gambel's Quail Harvest Rate and Population Estimation
- \$24,400 Research Branch Administrative Assistant
- \$20,000 Kaibab Wetlands Improvements
- \$10,000 Mesquite Bosque Restoration
- \$500,000 Statewide Range Developments
- \$350,000 Hunter Education Enhancements
- \$300,000 Ben Avery Main Range Center/Operations
- \$200,000 Ben Avery Clay Target Trap Line/Operations
- \$150,000 Ben Avery Main Range Berm Maintenance
- \$50,000 Hunting And Shooting Sports
- \$23,400 Level One Fingerprint Clearance Cards

Program Income: Ben Avery Shooting Range is supported with the Wildlife Restoration grant, as a result, gross revenues are spent in support of the range and reported annually to U.S. Fish and Wildlife Service. Estimated revenue is \$3.15 million for Fiscal Year 2016 and \$3.2 million for Fiscal Year 2017.

Dingell-Johnson/Wallop-Breaux (Federal Assistance in Sport Fish Restoration): The federal apportionment for Fiscal Year 2016 is \$6.8 million. The apportionment for Fiscal Year 2017 is anticipated to be \$6.8 million. With the addition of carry forward funds from unspent grant balances, we are projecting the total federal contribution from "The Federal Assistance in Sport Fish Restoration" to be \$7.4 million in Fiscal Year 2017.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$(219,000):

- (\$170,300) Personal Services and Benefits Adjustment
- \$3,400 PSPRS
- (\$52,100) FOR1 Fish Position (1 FTE Reduction)

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget \$157,500:

- \$42,500 Vehicle
- \$15,000 Hatchery Building Repair and Maintenance
- \$100,000 Sport Fish FINS Module Development

FY 2017 Proposed Base Increases of \$227,500:

- \$9,200 Personal Services and Employer Related Expense
- \$193,300 Community Fishing Program
- \$15,000 Warm Water Fish Stocking
- \$10,000 Motor pool/AOO

FY 2017 One-Time increases of \$575,800:

- \$332,700 Vehicles (6 vehicles)
- \$100,000 Sport Fish FINS Module
- \$90,000 Hatchery Water Flow Meters
- \$30,000 Hatchery Connectivity
- \$20,000 Recoat Raceways at Page Springs
- \$3,100 Level One Fingerprint Clearance Cards

State Wildlife Grants: State Wildlife Grants (SWG) are only eligible for expenditure on Species of Greatest Conservation Need as identified in Arizona's State Wildlife Action Plan, which was developed following eight elements required by Congress for state eligibility in the program. SWG is matched with Heritage IIAPM funds. Collectively, these funds support the Nongame and Endangered Wildlife Conservation Program, with focus areas being native birds, mammals, fish, amphibians, reptiles and some invertebrates. Implementation is conducted by the Phoenix, regional, and associated remote location field offices. The funding is appropriated annually and fluctuates from year to year. The federal allocation for Fiscal Year 2016 is \$1.15 million, and the projected federal allocation for Fiscal Year 2017 is estimated to remain the same. The funds are utilized for multi-year projects, and revenues will be received over the course of the project periods. The estimated funding in Fiscal Year 2017 will allow for continuation of projects to conserve wildlife.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$208,900:

- (\$25,600) Personal Services and Benefits Adjustment
- \$20,000 Intern Positions
- \$75,000 Vera Cruz Model
- \$139,500 Border Lands

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget \$180,600:

- \$35,600 Birds and Mammals Program
- \$75,000 Mexican Wolf Recovery Actions
- \$70,000 Mexican Wolf Working Group

FY 2017 Proposed One-Time increases of \$145,000:

- \$75,000 Mexican Wolf Recovery Actions
- \$70,000 Mexican Wolf Working Group

Coast Guard Boating Safety: The federal allocation is \$1.4 million for Fiscal Year 2016 and \$1.3 million for Fiscal Year 2017. The budget request for Fiscal Year 2017 represents a reduction of the Fiscal Year 2016 budget. The additional Fiscal Year 2016 and Fiscal Year 2017 budget requests represent specific use of Coast Guard prior year unspent balances.

FY 2016 Proposed Base Amendments to the Commission Approved FY 2016 Budget \$73,200:

- \$27,600 Personal Services and Benefits Adjustment
- (\$1,400) Coast Guard Indirect
- \$23,200 Shift in .5 FTE (moved from Heritage) FOR6 CSR
- \$18,200 Restore .5 FTE FOR5 CSR
- \$5,600 PSPRS

FY 2016 Proposed One-Time Amendments to the Commission Approved FY 2016 Budget \$725,300:

- \$70,000 Outreach and Advertising (from Watercraft)
- \$37,000 Cash Register Replacement (from Watercraft)
- \$50,000 Floating Docks (from Watercraft)
- \$568,300 Boats (partial from Watercraft)

FY 2017 Proposed Base increase of \$9,800:

- \$9,800 Employer Related Expense

FY 2017 Proposed One-Time increase of \$3,900:

- \$3,900 Level One Fingerprint Clearance Cards

Section 6, Endangered Species Act: Section 6 funds are only eligible for expenditure on candidate, threatened, and endangered species. For nearly a decade, AGFD has allocated the majority of this grant to the Mexican wolf reintroduction project. The funds, coupled with annual federal contracts provided specifically for the wolf program, are used to support personnel services and project costs of the Department's Interagency Field Team, which typically consists of up to five personnel. The budget request for Fiscal Year 2017 represents a continuation of the Fiscal Year 2016 budget. The projected allocation for Fiscal Year 2017 is anticipated to be \$300,000.

Contract Monies: The estimated budget for Fiscal Year 2017 represents a continuation of the Fiscal Year 2016 budget. Projected revenue for Fiscal Year 2017 is anticipated to remain stable at approximately \$6.95 million each year. These are generally contracts for wildlife inventory and research.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE MODIFIED BUDGET FOR WILDLIFE AND SPORT FISH RESTORATION GRANTS, STATE WILDLIFE GRANT AND COAST GUARD BOATING SAFETY GRANT FOR FISCAL YEAR 2016 AND THE WILDLIFE AND SPORT FISH RESTORATION GRANTS, PROGRAM INCOME, STATE WILDLIFE GRANTS, COAST GUARD BOATING SAFETY AND SECTION 6 ENDANGERED SPECIES GRANT AND CONTRACTS FOR FISCAL YEAR 2017.

Vote: Unanimous

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17. Request to Approve Exempt Rulemaking Amending R12-4-504, Watercraft Fees; Penalty for Late Registration; Staggered Registration Schedule.

Presenter: Jennifer Stewart, Rules and Risk Branch Chief

Ms. Stewart briefed the Commission on a Notice of Exempt Rulemaking prepared by the Department for R12-4-504, Watercraft Fees; Penalty for Late Registration; Staggered Registration Schedule. This proposed change transfers fees previously established in statute into

rule in response to previous legislative changes. The Department proposes to amend R12-4-504 to establish by rule the following fees:

- Transfer of a watercraft - \$4
- Duplicate certificate of number or annual decal - \$2
- Dealer watercraft certificate of number (for demonstration purposes, only) - \$2.50.

If approved by the Commission, and in accordance with the exemption authorized by the Governor's office, the Department will submit this exempt rulemaking to the Secretary of State's office for publication in the *Arizona Administrative Register*. These changes will become effective immediately upon filing with the Secretary of State's office.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE THE NOTICE OF EXEMPT RULEMAKING AMENDING R12-4-504, WATERCRAFT FEES; PENALTY FOR LATE REGISTRATION; STAGGERED REGISTRATION SCHEDULE.

Vote: Unanimous

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35. Executive Session

The Commission was in consensus 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.

The Commission had a working lunch during Executive Session

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Meeting recessed for lunch at 12:15 p.m.

Meeting reconvened at 1:45 p.m.

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17A. Request to Approve Proposed Rulemaking Amending Article 1 Rules Addressing Definitions and General Provisions, R12-4-302 Use of Tags, R12-4-611 Addressing Petition for a Hearing Before the Commission When No Remedy is Provided in Statute, Rule, or Policy, and R12-4-804 Addressing Public Solicitation or Event on Department Property.

Presenter: Amber Munig, Big Game Supervisor

Ms. Munig provided the Commission with a PowerPoint presentation and briefing on the Department's proposed Notice of Rulemaking Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement amending Article 1 Rules Addressing Definitions and General Provisions, R12-4-302 Use of Tags, R12-4-611 Addressing Petition for a Hearing Before the Commission When No Remedy is Provided in Statute, Rule, or Policy, and R12-4-804 Addressing Public Solicitation or Event on Department Property. The Department proposes to amend rules within Article 1 to enact recommendations developed during the preceding Five-year Review Report approved by the Commission in January 2014 and by the Governor's Regulatory Review Council in April 2014; incorporate direction provided in August 2014

regarding bundled services; and address legislative amendments related to tag transfer. The Department proposes the following rule amendments:

R12-4-103. Duplicate Tags and Licenses

- Establish that duplicate licenses expire 12/31 when the expiration date cannot be verified.

R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by Drawing Computer Draw and Purchase of Bonus Points

- Prohibit a person who reached the bag limit specified in Commission Order from applying for another hunt permit-tag during the same year to increase consistency between rules.
- Clarify manual and electronic fee requirements in response to customer comments.
- Establish that overpayments of \$5 or less will not be refunded and are considered a donation to the Game and Fish Fund as the processing costs are greater than the refund.
- Allow a person to retain accrued loyalty and bonus points when the payment submitted is less than the required fees, but sufficient to cover the application/license fees in response to customer comments.

R12-4-105 License Dealer's License

- Establish a deadline by which a license dealer is required to transmit license/permit fees to align rule with statute and that the Department may allow a license dealer to issue licenses and permits via an online License Dealer Portal.

R12-4-106. Special Licenses Licensing Time-frames

- Establish time-frames for the Authorization for Use of Drugs on Wildlife.

R12-4-107. Bonus Point System

- Enable the Department to remove any bonus point fraudulently obtained to increase consistency between Commission rules.
- Establish that the Department shall restore bonus points when a person donates or surrenders a tag in compliance with R12-4-118 or R12-4-121.
- Simplify the military member/bonus point reinstatement process to provide better customer service (this change is in response to customer comments) and clarify that the requirements of R12-4-118 do not apply to a military member requesting reinstatement of bonus points.
- Allow a person to retain accrued loyalty and bonus points when the payment submitted is less than the required fees, but sufficient to cover the application/license fees in response to customer comments.

R12-4-110. Posting and Access to State Land

- Specify the Commission's interpretation of the recreational permit exemption provided by the State Lands Department.
- Indicate a license holder shall not operate motor vehicles off-road or on roads that are closed to the public, except to pick up lawfully taken big game animals to increase consistency between Commission Rules.

R12-4-111. Identification Number

- Remove language that allows a person to use their SSN as a Department ID number.

R12-4-113. Small Game Depredation Permit

- Establish that the Department shall determine allowable methods of take to ensure non-target wildlife health.

R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags

- Remove descriptive tag features to provide the Department with greater flexibility in procuring tags and allow for a paperless process.
- Reserve one hunt permit-tag for a hunt that has more than one but less than five hunt permit-tags to be available in the bonus pass of the computer draw.
- Establish the Department shall not issue more than 50% of the hunt permit-tags available to nonresidents through the initial bonus point pass of the computer draw to increase opportunity for nonresidents with low or no bonus points.
- Prohibit a person who reached the bag limit specified in Commission Order from applying for another hunt permit-tag during the same year to increase consistency between rules.
- Remove the 10% nonresident cap for javelina by hunt number to increase the odds for a nonresident to draw a tag.

R12-4-115. Supplemental Hunts and Hunter Pool

- Enable the Commission to approve a supplemental hunt by Commission Order to establish a more efficient process.

R12-4-116. Reward Payments

- Increase the reward value for all wildlife listed under this rule to \$500. Reward amounts were established in 1991 and have not changed since that time.

R12-4-118. Hunt Permit-tag Surrender

- Establish an online membership program that includes tag surrender, bonus point reinstatement, and tag re-issuance requirements.

R12-4-121. Big Game Permit or Tag Transfer

- Allow a person to transfer an unused big game tag to a 501(c)(3) organization that provides hunting opportunities and experiences to a veteran of the U.S. Armed Forces with a service connected disability to align the rule with statute.
- Clarify that a tag may not be transferred to a person who has reached the applicable annual or lifetime bag limit for that genus to increase consistency between Commission laws and rules.
- Establish requirements for the reinstatement of bonus points when a person donates a tag to a qualified 501(c)(3) organization.

R12-4-124. Public Solicitation or Event on Department Property

- Amend and renumber to R12-4-804.
- Allow mid-level managers to approve minor, incidental solicitations on Department properties to increase efficiency and eliminate unnecessary administrative delay.

- Require a vendor who is working under a sponsor to provide certificates of insurance to the Department, when applicable.
- Remove the ability for the Department to waive a requirement due to an applicant's inability to pay a deposit, an insurance premium, or a service provider to reduce the Department's and State's liability.
- Require a sponsor who intends to serve alcohol at an event to present a valid liquor license and liquor liability rider (included with the insurance certificate).
- Prohibit the possession and use of unlawful drugs to reduce the Department's and State's liability.

R12-4-125 Proof of Domicile

- Establish a list of documents that may be used as proof of domicile as authorized under 17-101(A)(7).

R12-4-302. Use of Tags

- Remove descriptive tag language to provide the Department with greater flexibility when procuring tags or implementing new tag features.

R12-4-611. Petition for Hearing Before the Commission When No Remedy is Provided in Statute, Rule, or Policy

- Prohibit persons from petitioning the Commission for reinstatement of any expended bonus points, except as authorized under R12-4-107(J) and (M) and the proposed rule, R12-4-118.

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

Motion: Ammons moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE THE NOTICE OF RULEMAKING DOCKET OPENING, NOTICE OF PROPOSED RULEMAKING, AND ECONOMIC IMPACT STATEMENT AMENDING RULES WITHIN ARTICLE 1 DEFINITIONS AND GENERAL PROVISIONS, R12-4-302 USE OF TAGS, R12-4-611 PETITION FOR A HEARING BEFORE THE COMMISSION WHEN NO REMEDY IS PROVIDED IN STATUTE, RULE, OR POLICY, AND R12-4-804 PUBLIC SOLICITATION OR EVENT ON DEPARTMENT PROPERTY.

Vote: Unanimous

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19. Intergovernmental Agreement with Mohave County

Presenter: Chris Cantrell, Fisheries Branch Chief

Mr. Cantrell briefed the Commission on an Intergovernmental Agreement between the Department and Mohave County to initiate trout stockings on the Colorado River below Davis Dam in 2015 and 2016. 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.

Mohave County identified fifty thousand dollars (\$50,000) in an effort to contribute towards a short term stocking plan while Willow Beach National Fish Hatchery undergoes repair and is offline. The funds will be used to stock Rainbow Trout (*Oncorhynchus mykiss*) in the Colorado River in the Fall/Winter 2015 and 2016. The terms of the agreement are as follows:

- Mohave County will transfer fifty-thousand dollars (\$50,000) to the Arizona Game and Fish Department
- The Department will accept the funding and use the funding to stock Rainbow Trout in the Colorado River below Davis Dam.

The plan is to use the funding to purchase Rainbow Trout through a contracted vendor and stock Fall/Winter 2015 and 2016. Numbers of trout and timing are dependent upon actual cost of the trout and availability for delivery.

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO AUTHORIZE THE DEPARTMENT TO FINALIZE NEGOTIATIONS, EXECUTE, AND AMEND AS NECESSARY A INTERGOVERNMENTAL AGREEMENT BETWEEN THE DEPARTMENT AND MOHAVE COUNTY AS PRESENTED.

Vote: Unanimous

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20. Cooperative Agreement regarding Apache Trout eggs between the Arizona Game and Fish Commission and the White Mountain Apache Tribe.

Presenter: Chris Cantrell, Fisheries Branch Chief

Mr. Cantrell briefed the Commission on a proposed 10 year Cooperative Agreement with the White Mountain Apache Tribe, institutionalizing a partnership on recreational fishing and recovery through the annual transfer of Apache Trout eggs. 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. The Arizona Game and Fish Department (Department) and White Mountain Apache Tribe (Tribe) have developed a framework to further institutionalize a long term cooperative recreational fishing partnership between the two agencies. The terms of the agreement are as follows:

- The Department will pay the Tribe Ten thousand dollars (\$10,000) annually for a 10 year period.

- The Tribe will supply 160,000 Apache Trout eggs annually to the Department for a 10 year period.

If executed, the agreement will bring to a close a multi-year effort of which the Department and the Tribe have sought to secure recreational and recovery fishing opportunities for Apache Trout into the future.

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

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21. License Agreement renewal with the City of Show Low at the Fool Hollow Wildlife Area

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis briefed the Commission the Department's proposed renewal of a License Agreement with the City of Show Low for development and maintenance of a hiking trail at the Fool Hollow Lake Wildlife Area. The Commission currently has an agreement with the City of Show Low for the development and maintenance of a hiking trail located at the Fool Hollow Lake Wildlife Area and within the City of Show Low. The trail will be part of the White Mountain Trail System and will allow for more beneficial use of the area by residents and visitors to the area. The Department and City determined that maintenance and management of this trail can be more efficiently performed by the City since the trail will be within the City boundaries. Lack of funds precluded construction of the trail under the current agreement. The Department and City still feel it is a worthwhile project and would like to renew the agreement, which expires in September, so that the trail can be built should funds become available.

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

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22. License Agreement renewal with the Town of Pinetop-Lakeside for a trail

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis briefed the Commission on the Department's proposed renewal of a License Agreement with the Town of Pinetop-Lakeside to maintain and manage a trail at the Pinetop Regional Office. The Commission currently has a license agreement with the Town of Pinetop-Lakeside (Town) for the management and maintenance of a trail at the Pinetop Regional Office. A license agreement is necessary for the Town to continue to maintain and manage the trail on Commission owned property. The original agreement began in 1994. The current agreement expires August, 2015. Therefore, the Department is requesting authorization to renew the agreement. The terms and conditions would remain the same.

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

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23. Approve License Agreement renewal with the Federal Aviation Administration (FAA) for the Purpose of Maintaining a Telecommunications Navigation Beacon

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis briefed the Commission on the Department's request for approval to renew a License Agreement with the FAA for the purpose of maintaining a telecommunications navigation beacon on the Three Points Shooting Range. The Commission currently has an agreement with the FAA authorizing them to maintain a telecommunications navigation beacon and telecommunications facilities located on the Three Points Shooting Range located in southern Arizona. The Department has had an agreement with the FAA for this purpose since 1981. The current agreement expires in September of 2015 and the FAA has expressed a desire to renew it. Therefore, the Department is requesting authorization to renew the agreement. The terms and conditions would remain the same and the agreement has been vetted through the AGO, ADOA and the BLM.

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

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25. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Gene Elms, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director's Office.

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

Meeting reconvened at 4:07 p.m.

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

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms presented a request for rehearing by Daniel K. Kollinger regarding the revocation of his license privileges. On November 5, 2014, Mr. Kollinger was convicted in the Flagstaff Justice Court for take wildlife without a valid tag (Turkey). On March 6, 2015, the Commission revoked Mr. Kollinger's hunting, fishing and trapping licenses for a period of three years and further required him to complete a Hunter Education Course before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Kollinger, through his attorney P. Eric English, has requested a rehearing of this matter and decision because he feels he was not adequately prepared to present his case to the Commission on March 6, 2015, and because he has newly

discovered evidence that could not, with reasonable diligence, have been discovered and produced at the original hearing. Mr. Kollinger has been notified of the re-hearing by certified mail. The Commission was provided with all documents related to this case for review and consideration.

The Commission confirmed with Mr. Elms that they received the letter from Mr. Kollinger's attorney and other letters of character reference from Mr. Kollinger's neighbors.

Chairman Mansell confirmed with Mr. Elms that there was no new evidence and that the Commission originally based their decision on Mr. Kollinger's guilty plea.

Mr. English addressed the Commission on behalf of Mr. Kollinger stating that the new evidence is that Mr. Kollinger's neighbors have a very high opinion of him. He recognizes that the Commission was lenient in the three year suspension, but requests a lesser suspension time. Additionally, since a decoy is not really wildlife, it can't be considered as pursuit of wildlife.

Mr. Kollinger was present, but did not address the Commission.

Evonne VanVliet addressed the Commission on behalf of Mr. Kollinger's character and requested that the Commission reconsider and provide additional leniency.

Chairman Mansell stated this the Commission has already been lenient with the three year license suspension.

Motion: Ammons moved and Madden seconded THAT THE COMMISSION VOTE TO DENY MR. DANIEL K. KOLLINGER'S REQUEST FOR A REHEARING.

Commissioner Davis explained that he will vote no because he struggles with these kinds of cases. He believes that in a case like this there should not be charges made unless there is a release of the arrow or pulling of the trigger. You can't assume what someone would do, because they could change their mind at the last minute.

Vote: Aye - Mansell, Madden, Ammons

Nay - Davis, Zieler

Passed 3 to 2

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27. Discussion with Commission on proposed renewal of Private Game Farm License of Dona Mae Dougherty, holder of Private Game Farm License #SP654715.

Presenter: Jay Cook, Region VI Supervisor

Mr. Cook discussed with the Commission the results of an informal settlement conference granting the application for a Private Game Farm License with added stipulations related to possession of African Servals. Dona Mae Dougherty (appellant) appealed a decision from Region VI to deny her application to renew her Private Game Farm License to possess African Servals after the Department determined that appellant had sold an African Serval to an Arizona

resident not licensed to legally possess restricted live wildlife. The Commission voted on March 6, 2015, to refer the appeal to the Office of Administrative Hearings.

Following an informal settlement conference at Region VI on April 7, the Department and Ms. Dougherty reached a settlement of her appeal, in which the Department agrees to issue a 2015 Private Game Farm License to appellant with several stipulations attached as license conditions. These stipulations require the appellant to microchip all Servals in her possession, and to not propagate or to allow the propagation of Servals with non-wildlife species. The appellant is further directed to document how her disposal of Servals, only by export from Arizona, will promote the conservation of the species and is not in furtherance of the pet trade industry.

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28. Consent Agreement and Order For Revocation of License for Darlene Braastad (dba Forever Wild Animal Rehabilitation Center)

Presenter: Raul Vega, Regional Supervisor, Region V

Mr. Vega briefed the Commission on a proposed Consent Agreement and Order for Revocation of License. Region V special license administrator and other supporting Department staff conducted an administrative inspection of the Braastad, Darlene, dba Forever Wild Animal Rehabilitation, facility on December 19, 2014. Braastad holds a Department special license for wildlife rehabilitation. During the inspection staff noted numerous, and in many cases, persistent violations of R12-4-428 (Captivity Standards), R12-4-423 (Wildlife Rehabilitation), and R12-4-409 (General Provisions and Penalties for Special Licenses). Rule violations observed included: failure to provide adequate veterinary care, unlawful possession of wildlife, unsanitary conditions, lack of appropriate shelter, unsound structures, improper perching, and inadequate ventilation. Braastad further refused entry to Department representatives to inspect the facility's avian center, food processing center and mammal enclosure area in violation of Department rule. The Department summarily suspended Braastad's license following the inspection and required Braastad to surrender all wildlife in her possession.

The December 19, 2014 inspection of Braastad's facility documented many of the same violations the Department had found during a February 27, 2014 inspection and years prior. Since 2010 the Region V special license administrator repeatedly attempted to correct these and other infractions by continuously providing Braastad guidance on how to improve conditions and meet captivity standards through informal visits, administrative inspections, and written and verbal communications. Despite Department efforts, Braastad was unable or unwilling to properly care for wildlife.

The Commission voted on February 4, 2015 to have the Office of Administrative Hearings conduct a hearing for the Commission on Braastad's appeals of the Department's summary suspension; the Department's denials of various Braastad applications for wildlife holding licenses and possible further Department actions based on the December 2014 inspection. The next day, February 5, Region V received an Operation Game Thief (OGT) complaint reporting that Braastad was unlawfully holding a bobcat and two common ravens at her facility. Wildlife Managers and staff investigated the call and confirmed Braastad was in unlawful possession of the restricted wildlife while her license was under suspension. All three animals were being held

in locations at the facility where staff had been denied access during the December 2014 administrative inspection. The animals were confiscated and taken to the Department's Wildlife Center in Phoenix. In the interest of a prompt and judicious settlement, and with the Commission's approval, Braastad and the Department will enter into a Consent Agreement as a final disposition of this matter.

Ms. Braastad was not present.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO ACCEPT THE CONSENT AGREEMENT AND ORDER FOR REVOCATION OF LICENSE FOR DARLENE BRAASTAD, DBA FOREVER WILD ANIMAL REHABILITATION; THAT THE LICENSE(S) AND/OR LICENSE PRIVILEGES OF DARLENE BRAASTAD TO POSSESS RESTRICTED LIVE WILDLIFE OR TO HUNT, FISH OR TRAP IN THE STATE OF ARIZONA BE REVOKED AND SHE BE DENIED THE RIGHT TO APPLY FOR ANOTHER LICENSE FOR A PERIOD OF FIVE (5) YEARS; THAT CURRENT WILDLIFE REHABILITATION LICENSE NO. SP673997 BE SUSPENDED AS OF THIS DATE, AND THAT THE LICENSE BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; AND FURTHER ORDER THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO ISSUE THESE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER IN THIS MATTER.

Vote: Unanimous

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29. Petition by Noel Allen for the issuance of a 2015 antelope tag or issuance of additional bonus points.

Presenter: Kevin Hodgkins, Acting CFO, Business & Finance

Mr. Hodgkins briefed the Commission on a request by Noel Allen to be issued a 2015 antelope tag or issued additional bonus points to be brought up to the maximum currently available to any hunter. Mr. Allen applied online on February 10, 2015 for an antelope tag submitting two hunt choices and was issued a receipt for his transaction. Due to issues with the online environment, the Department received his payment, but never received the data for Mr. Allen's application. Once the Department was aware of the issue, every attempt was made to identify applicants and rectify the issue. The Department identified Mr. Allen's payment and through research determined his intention to submit an antelope application. The error for Mr. Allen was identified in April 2015 at which point he was contacted and his bonus points reinstated including a bonus point for the recent draw in accordance with the approved Department resolution for this situation.

Mr. Allen was not present.

Chairman Mansell stated that he understands Mr. Allen's frustration over the error, but that he cannot support Mr. Allen's request for remedy.

Motion: Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO DENY THE REQUEST BY MR. NOEL ALLEN.

Vote: Unanimous

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30. Petition by Jon Copple for the reinstatement of bonus points.

Presenter: Kevin Hodgkins, Acting CFO, Business & Finance

Mr. Hodgkins presented a petition by Mr. Jon Copple for the reinstatement of his bonus points. Mr. Jon Copple states in his petition that he attempted to apply online on January 29, 2015, but that he encountered an error when he tried to include the purchase of a license since he already had a valid license. He aborted that purchase and called the Department the following day, and spoke with Department staff who explained how to resolve the license issue. Mr. Copple also requested hunt numbers from the employee, for an Antelope bonus point and the Bull Elk hunt in Unit 7 East, with the intention of completing the application at that time. He was unable to complete the application due to work, but states he had written down the hunt numbers provided by the Department employee. On January 31, Mr. Copple again entered the online system and this time was able to complete his application for both the license and the draw. Mr. Copple noticed the charge to his credit card a few months later and since he had only applied for one hunt, he knew he had been drawn. He pulled up his receipt to get the hunt number and then went to the Department's website to look at the details. According to his petition it was at this time he realized the hunt code he had used was for the correct area but for an antlerless elk. He called the Department and was referred to the Draw Unit. He emailed his situation to the Draw Unit Supervisor. When he was contacted, it was explained that the Department and the Commission are only able to reinstate bonus points, if there was an error by the Department. Mr. Copple chose to escalate his request to petition the Commission.

Mr. Copple was not present.

The Commission discussed that they sympathize with Mr. Copple, but that the application was online and there are drop down boxes that ask you what you want to apply for. Applicants have a certain level of responsibility to know what they are putting in for.

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO DENY THE REQUEST BY MR. JON COPPLE.

Vote: Unanimous

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Meeting recessed for a break at 3:08 p.m.

Meeting reconvened at 3:22 p.m.

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18. State of the Hatcheries Report Briefing

Presenter: Chris Cantrell, Fisheries Branch Chief

Mr. Cantrell provided a PowerPoint presentation and briefing on the state of the hatcheries, including current budget status, existing maintenance needs, future plans for hatchery renovations, and potential funding sources needed to meet the demand from our angling customers. The Arizona Game and Fish Department manages and operates six fish hatcheries. Five of these fish hatcheries are used for cold water production and play a major role in providing good trout fishing in Arizona. The sixth hatchery is dedicated to warm water fish production. Warm water fish management in Arizona consists of both native and non-native sport fish. Every year, Department fish hatcheries contribute to the state economy by producing on average 385,000 pounds of fish and stock them into 118 locations throughout the state, which contributes \$530 million annually to the state economy.

The Department fish hatcheries are aging and are in need of renovations and updates. The current demand for sport fish in Arizona and the decreasing hatchery spring flows (water supply) have resulted in an annual shortfall of approximately 110,000 pounds of trout and 230,000 pounds of warm water sport fish including the Community Fishing Program. In order to continue with the current production of trout it is necessary to increase maintenance of the hatcheries' infrastructure. Planning for the future is necessary to maintain and increase current production in order to meet current and future demand of sport fish in Arizona. Renovation on some hatcheries will ensure the Department's ability to meet the current demand for fish and eliminate the production shortfall. The fish hatcheries were renovated approximately 25 years ago with an anticipated lifespan of 20 years.

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24. A Briefing on Public Comment Received and Proposed Revisions to the Hunt Guidelines for the 2016-2017 and 2017-2018 Hunting Seasons.

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig presented a PowerPoint presentation and briefing on comments received thus far on the existing hunt guidelines and a preliminary draft of revised guidelines. Comments were received at public meetings and through written correspondence.

The Department provided a briefing to the Commission on March 6, 2015 on comments received to that date on existing hunt guidelines. The Department has continued to receive comments since that date. An internal team analyzed the comments received and has proposed revisions to existing guidelines for further consideration. The draft guidelines were posted on the Department's web site in late May. The draft guidelines were also shared at 10 public meetings held around the state from May 26–June 8, 2015. Based on comments specific to the draft hunt guidelines, received at the public meetings and written comments, the Department drafted the proposed hunt guidelines for the 2016-2017 and 2017-2018 hunting seasons. The purpose of this presentation was to provide the Commission with an opportunity to review the proposed revisions and provide the Department with additional options to consider for final analyses, as well as provide specific measures and metrics they would like to receive to make final determinations at the September Commission meeting. The Commission was provided with all comments and materials for review and consideration.

Public Comment

Speaker cards were submitted by Darr Colburn, Randy Phillips and David Myrick, but they were not present for this item.

The Commission discussed the low public comment in the hunt guidelines process, specifically the targeted email solicitation to active deer and elk hunters, and concluded that there were no significant issues with hunt guidelines and hunters in general were not unhappy.

Ms. Munig stated that in the draft hunt guidelines contained the concept of allowing limited weapon shotgun shooting shot season to open first with the youth season following the next week. All attendees at the 10 public meetings as well as the Arizona Chapter of the National Wild Turkey Federation opposed this concept; therefore, the Department did not recommend this change in the proposed hunt guidelines.

Commissioner Davis confirmed with Ms. Munig regarding the quail season that it is recommended to start two weeks later than it currently does. Hunter days will be reduced by two weeks because it is not extended on the other side.

Chairman Mansell did not agree with reducing hunter days regarding the quail season recommendation.

The Commission was in consensus to direct the Department to not change the quail season to start two weeks earlier.

Chairman Mansell commented on some changes that he agreed with such as adding some January deer hunts in Regions 1 and 2 and making some changes in the late archery bull.

Commissioner Ammons discussed with Ms. Munig the muzzleloader or rifle bull elk hunt being moved to before the archery bull elk hunt.

Ms. Munig stated that the Department's view of implementing that structure, putting a firearms (general or muzzleloader) hunt in front of an archery hunt, is to maintain it at a low level with only one or two hunts and rotating the unit in which the hunt occurs into a different unit each year. After a season or two, we will be able to determine what the interest is and how well those hunts, both the firearms and archery hunts, are received. We will then be able to determine from there whether to expand or decrease that hunt structure.

Chairman Mansell discussed with Ms. Munig some of the email comments the Commission received stating that it was against the North American Model to have a structure that puts firearms in front of an archery hunt. Chairman Mansell confirmed with Ms. Munig that setting season dates has nothing to do with the North American Model other than bringing it forward in a public setting. The Department can adjust harvest based on season timing and weapon choice and regulate biologically in that way. There is no real scientific or biological reason to pick one weapon choice over another unless there is a significant reason to control harvest. Chairman Mansell also confirmed with Ms. Munig that during the rut, bull elk are very vulnerable. Also, back in the 1990's there was discussion of an allocation formula where harvest was allocated

between weapon types. It is not a Commission policy, but is a formula that the Department uses in the distribution of tags by weapon of choice. Currently for elk, about a third of the harvest is archery, about 60% of the harvest is rifle, and 5-7% is muzzleloader.

Chairman Mansell added that the current Commission is the most pro-archery Commission that there has been in many years and pointed out several changes that the current Commission has made that was good for archery hunters.

The Commission was in consensus for the Department to move forward with the hunt guideline process.

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31. Update of Commission Awards

Presenter: Ty Gray, Deputy Director

Mr. Gray presented the Commission with a list of award categories for the 2015 Commission Awards to be presented at the January 2016 Commission Awards Banquet.

Commissioner Davis recommended two Advocates of the Year awards, one for state and one for federal.

The Commission was in consensus to continue with the same categories as the previous year with one addition as recommended by Commissioner Davis. The following is a list of approved categories:

AWARD OF EXCELLENCE: Any individual, group, organization, club, foundation, or agency that has excelled in efforts to benefit wildlife, wildlife habitats, or programs of the Arizona Game and Fish Department.

YOUTH ENVIRONMENTALIST OF THE YEAR: Any individual, 18 years of age or younger, who has excelled in efforts to benefit wildlife and the mission of the Arizona Game and Fish Department.

OUTDOOR WRITER OF THE YEAR: Any professional or freelance writer who has excelled in highlighting issues or activities pertaining to the welfare of wildlife and the mission of the Arizona Game and Fish Department.

MEDIA OF THE YEAR: Any media source (radio, television, magazine, newsletter, or periodical) that has published articles or materials beneficial to public interest about wildlife or wildlife related topics and the mission of the Arizona Game and Fish Department.

CONSERVATION ORGANIZATION OF THE YEAR: Any organization, group, foundation, or agency that has excelled in efforts to enhance the welfare of wildlife, wildlife related recreation, and the mission of the Game and Fish Department.

CONSERVATIONIST OF THE YEAR: Any individual, not associated with a professional agency, which has excelled in efforts to enhance, conserve, and manage wildlife or their habitats.

NATURAL RESOURCE PROFESSIONAL OF THE YEAR: Any individual who through a professional agency affiliation has excelled in efforts to enhance, conserve, and manage wildlife or their habitats.

VOLUNTEER OF THE YEAR: Any individual who, as a *registered volunteer* with the Department, has excelled in efforts to support and benefit the mission of the Arizona Game and Fish Department.

EDUCATOR OF THE YEAR: Any individual whose educational activities have advanced and supported the welfare of wildlife, wildlife related recreation, or the mission of the Arizona Game and Fish Department.

MENTOR OF THE YEAR: Any individual who has acted in the role of a mentor and whose efforts have resulted in the promotion and support of future wildlife conservation efforts and the development of future wildlife conservation leaders in Arizona.

ADVOCATE OF THE YEAR - STATE: Any individual that has engaged in political advocacy for the betterment of wildlife conservation and in the support of the mission of the Arizona Game and Fish Department.

ADVOCATE OF THE YEAR - FEDERAL: Any individual that has engaged in political advocacy for the betterment of wildlife conservation and in the support of the mission of the Arizona Game and Fish Department.

LICENSE DEALER OF THE YEAR: Any license dealer who actively promotes Game and Fish license and tag sales through innovative approaches, community involvement and a customer service focus that benefits the citizens of Arizona and supports the Game and Fish's mission of wildlife conservation.

BUCK APPLEBY HUNTER EDUCATION INSTRUCTOR OF THE YEAR AWARD: Any hunter education instructor who actively participates in hunter education activities and demonstrates the highest level of customer service, dedication and professionalism during these activities.

WILDLIFE HABITAT STEWARD OF THE YEAR: Nominations solicited by SSDV (Troy Christensen) and reviewed and ranked by LLSRC for Commission consideration.

GAME AND FISH NORTH AMERICAN MODEL OF THE YEAR: Selected by the Commission from a list of Department employee award recipients.

CHAIRMAN'S AWARD: At the sole discretion of the Commission Chair. (Nominations not taken).

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32. Commission Meeting Travel Considerations

Presenter: Ty Gray, Deputy Director

Mr. Gray provided a PowerPoint presentation and facilitated discussion with the Commission regarding Commission meeting travel cost considerations and guidelines. The Commission has been committed to conducting its regular Commission meetings throughout the state, including at the Phoenix Headquarters office in order to better serve all of Arizona, enhance public trust and build relationships and partnerships with constituents. This commitment was reaffirmed at the June 2014 meeting. As part of this, the Department works regularly with the Commission to consider ways to help limit travel costs associated with Commission meetings while still meeting their public trust responsibilities and service to all of Arizona.

This presentation and discussion was provided in accordance with the Auditor General's December 2013 Performance Audit Report recommendation (1.3 The Department should work with the Commission to regularly consider ways to help limit travel costs associated with its commission meetings). The Department has developed a policy (DOM C3.5) to help minimize costs associated with holding meetings around the state. The policy includes the following guidelines:

- Ex-Staff and Commission Assistant will attend all regular meetings
- Presenters will be in attendance for their item(s) with the following exceptions:
 - Consent items that likely will not be pulled based on Commission feedback
 - Minor agenda items that can be handled by Assistant Director or other staff
 - LE Officers will attend revocation hearings via teleconferencing from their RO unless case circumstances dictate otherwise
 - Non-presenting Support Staff will attend via webcast/teleconferencing unless circumstances dictate otherwise (i.e. budget, hunt recommendations)
 - Staff attending to present or provide support for single/few items on same day will consider feasibility of traveling to and from the meetings in the same day
 - The assigned Public Information Officer will monitor and take meeting notes via webcast from Phoenix
 - Hosting Regional Supervisors will attend and recommend to conduct Community Forums or alternate activity
 - Non-hosting Regional Supervisors will view the Commission meetings and Community Forums via webcast/teleconference
 - Staff interested in particular agenda items but are not presenting or providing support will view the meeting via webcast unless circumstances dictate otherwise
 - Interested staff positioned where the meeting is being hosted are encouraged to attend in person
 - Staff are directed to utilize the most cost effective methods for travel as feasible/appropriate (car-pooling, etc.)
 - DO in coordination with Regional staff and local Commissioner (if applicable) will evaluate meeting and hotel room accommodations based on cost and functionality.

The Commission discussed that holding the Commission meetings around the state has been highly successful and valuable and was in consensus to continue.

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33. Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2016 and January 2017

Presenter: Ty Gray, Deputy Director

Mr. Gray provided the Commission with proposed meeting dates and locations for the Year 2016 and for January 2017. The dates for the January 2016 Commission meeting and Commission Awards Banquet (January 15-16, 2016) were set at the June 2014 Commission meeting. The dates and locations for the remainder of calendar year 2016 and January 2017 were proposed as follows:

| <u>Date</u> | <u>Location</u> |
|---------------------|-------------------------|
| January 15-16, 2016 | Phoenix |
| February 5-6 | Region IV |
| March 4-5 | Region V |
| April 8-9 | Phoenix (hunt orders) |
| May 6-7 | Region III |
| May TBD | Workshop |
| June 10-11 | Region VI (hunt orders) |
| August 5-6 | Region II (hunt orders) |
| September 2-3 | Region I (fish orders) |
| November 4-5 | Workshop |
| December 2-3 | Phoenix (hunt orders) |
| January 13-14, 2017 | Phoenix |

The Commission was in consensus to approve the dates for 2016 and January 2017 as proposed.

Chairman Mansell requested moving this year's November 7-8, 2015 workshop to the following week, making it November 13-14, 2015. The Commission was in consensus.

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34. Election of Commission Chair and Vice-Chair for July 1, 2015 through June 30, 2016 and Election of Positions and Appointments to Standing Committees.

Presenter: Ty Gray, Deputy Director

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO APPOINT COMMISSIONER KURT DAVIS AS THE COMMISSION CHAIRMAN FOR THE TERM OF JULY 1, 2015 TO JUNE 30, 2016 AND COMMISSIONER PAT MADDEN AS COMMISSION VICE CHAIRMAN FOR THE SAME TERM.

Vote: Unanimous

Chairman Elect Davis proposed the following Commission committee assignments and selected the following Commissioner appointments to committees and chairs:

- Heritage and Habitat Committee (New – Consists of both HPAC and HPC) Commissioner Ammons as Chair and Commissioner Mansell as Vice Chair
- Legislative Committee, Commissioner Davis as Chair and Commissioner Madden as Vice Chair
- Budget and Commission Priorities Committee (New) Commissioner Zieler as Chair and Commissioner Davis as Vice Chair
- Constituency and Landowner Partnerships Committee (New – Consists of both LLSRC and SCG) Commissioner Madden as Chair and Commissioner Ammons as Vice Chair
- Hunt Orders, Guidelines, and Rules Committee (New) Commissioner Mansell as Chair and Commissioner Zieler as Vice Chair.

The Commission was in consensus for the changes and committee/chair assignments.

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36. Litigation Report

There were no comments or questions on the Litigation Report.

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35. (continued) Executive Session

The Commission was in consensus 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.

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Chairman Mansell adjourned this meeting for the day.

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Meeting adjourned at 6:00 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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Chairman Mansell called the meeting back to order and led those present through the Pledge of Allegiance, followed by introductions.

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1. Call to the Public

There were no requests from the public to speak.

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2. Approve Proposed Commission Orders 19, 20, and 24 for the 2015–2016 Hunting Season.

Presenter: Anis Aoude, Small Game Management Supervisor

Mr. Aoude presented the Commission with the Department's proposals for Commission Order 19 (dove), 20 (band-tailed pigeons), and 24 (sandhill cranes) establishing seasons and season dates, bag and possession limits, and open-closed areas. A Power Point presentation was provided that included historical information, graph comparisons, survey data, and maps. A detailed description of all proposals was provided to the Commission prior to this meeting for review and consideration and was also available for public review at all Department offices. Information provided to the Commission included the following:

Commission Order 19 – Dove

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

Mourning dove—HIP harvest data for the 2013 dove seasons indicated the number of hunters hunting mourning doves increased 13.1% from the 2012 season. Similarly, the number of days, hunters spent in the field increased by 21.2% in 2013. According to HIP, the total mourning dove harvest in 2013 was 774,800 birds, an increase of 28.8% from the previous year's harvest. HIP data for 2014 is not yet available.

White-winged dove—HIP harvest data for the 2013 seasons indicate 100,000 white-winged doves were harvested, a 16.3% increase from 2012. HIP data for 2014 is not yet available.

Dove call counts—White-winged dove call counts are conducted each year during the last half of May. The Department is temporarily conducting distance sampling mourning dove call counts to refine the National Harvest Plan, but we have moved to using banding data to manage this species. We conducted our annual white-winged dove call count surveys but the data was not available when this memo was written. The 2014 call count index for White-winged doves was 35.2 a marked increase from the 2013 index (25.3).

Changes to Mourning dove bag and possession limits—In March 2013, the Pacific Flyway Council adopted a new harvest strategy for mourning doves for implementation in the 2014-2015 season. This harvest strategy does not use roadside surveys, but instead relies on mourning dove absolute abundance estimated from band recovery and harvest data. This is a much more reliable monitoring method that allows us to harvest more doves. Regulatory alternatives (packages) are prescribed based on abundance thresholds depicted as percentages of the population size. There are 3 packages Standard, Restrictive and Closed. Current (2013) Western management Unit

(WMU) mourning dove abundance estimate is 48,180,645. This number qualifies Arizona to have a standard package, which allows for a 15 mourning dove bag limit and a 60 day season.

Season Structure Recommendation:

The Department recommends no change to the season structure for mourning doves and white-winged doves from the 2014 recommendation. The 2015 recommendation is for a September season of 15 days from September 1–15 as per Federal Frameworks. The late season recommendation is for the season to be open from November 26, 2015 to January 9, 2016 for mourning doves only. This recommendation is the maximum number of days allowed under Federal Frameworks.

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

The dates for the Robbins Butte junior's-only hunt are recommended for September 5-6, 2015. Within the area, shooting stations will be established to accommodate 2 junior hunters each. Should demand exceed supply, shooting stations will be assigned by a drawing at 4:45 a.m. at the Robbins Butte Wildlife Area headquarters. To facilitate hunt operation, hunters will be required to check in and out. Bag limits and shooting hours will be the same as for the general season. Personnel from the Hunter Education Program and Region 6 will conduct the hunt.

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

The Department recommends that Eurasian collared dove season to remain open yearlong (September 1, 2015 through August 31, 2016) with an unlimited bag limit. Falconry remains a recommended legal method of take with an open season yearlong for Eurasian collared doves. Pneumatic weapons are recommended as a lawful method of take for Eurasian collared doves.

Commission Order 20 – Band-tailed Pigeon

In 1997, the Harvest Information Program (HIP) replaced Arizona's harvest survey protocol for band-tailed pigeon. Band-tailed pigeons have always been difficult to survey for both harvest and population information. The principle management difficulty with these birds is that few hunters hunt them, so harvest information is difficult to estimate since traditional surveys often miss the majority of band-tail pigeon hunters. In addition, band-tailed pigeon distribution is spotty and changes from year to year. Birds typically congregate where mast and other food sources are abundant, but those areas differ from year to year and may even change mid-summer.

Harvest information obtained from band-tailed pigeon hunters for the 1999–2013 seasons indicate Arizona has between 400 and 2,300 active hunters; 400 hunters were estimated in 2013.

HIP harvest estimates indicate variable harvest of band-tails over 2003–2013 (1,400, 1,400, 2,200, 500, 1,000, 1,300, 2,300, 700, 1,000, 1,300 and 900respectively). Data from 2014 is not yet available.

Season Structure Recommendation:

Based upon a declining population trend from the Breeding Bird Survey data and unpredictable harvest over time the Federal Frameworks for band-tailed pigeons within the four-corner states has been modified. The modifications reduce the season length from 30 consecutive days between September 1 and November 30 to 14 consecutive days. They also reduce the bag and possession limit from 5 and 15 to 2 and 6, respectively.

The Department is recommending that the season be September 4–September 17, 2015 which allows for 2 weekends of hunting opportunity. The Department also recommends a bag and possession limits of 2 and 6, respectively.

To address the deficiency in band-tailed pigeon harvest information, the Department recommends a voluntary, free online registration for all hunters that wish to hunt band-tailed pigeons. This will allow us to identify and survey those hunters resulting in a better harvest estimate than we currently get through HIP.

Commission Order 24 – Sandhill Crane

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

The Pacific Flyway Council approved an updated RMP plan in March 2007. The RMP Cooperative Flyway Management plan established population objectives, a survey to monitor recruitment, and harvest levels that are designed to maintain a stable abundance of a three year average between 17,000–21,000 birds. The plan contains a formula for calculating allowable annual harvests to achieve population objectives. All sandhill crane hunters in the range of the RMP must obtain a state permit to hunt cranes. This provides the sampling frame for independent state harvest estimates and allows for assignment of harvest quotas by state. In many areas, harvest estimates are supplemented by mandatory check station reporting. The Federal Frameworks cite the management plans approved by both the Central and Pacific Flyway Councils.

In 2014, the Department conducted check stations for sandhill crane hunts in Arizona. Check stations for RMP cranes are mandated every 3 years; the next check station for RMP cranes will be in fall 2017. Of 143 birds checked in 2014, 25 were determined to be RMP cranes. Arizona's allocation of RMP cranes for 2014 was 45. Arizona remained well within the allocation last year. Since the inception of the hunt in 1981, Arizona has never exceeded its allocation for RMP cranes.

Arizona's allocation for 2015 is 62 RMP cranes. The three year average that includes the most recent 2014 population estimate for RMP cranes was 18,482. This allocation is a reflection that RMP crane populations are within the population objective (17,000–21,000) defined in the management plan for sandhill cranes in the Pacific Flyway.

Arizona has conducted its own January survey of MCP and RMP sandhill cranes since 1978 and that survey shows a steady increase in the numbers of cranes wintering in the state. In 1978, the Department counted 4,264 wintering cranes in Arizona. In the 2015 survey, 20,832 cranes were counted. Wintering habitat in both White-Water Draw and Wilcox Playa and widespread corn production in the Sulfur Springs Valley is the primary reason Arizona winters so many sandhill cranes.

Season Structure Recommendation:

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

The Department recommends discontinuing the archery only hunt. This hunt has poor participation and those wishing to hunt with archery equipment can do so during the general hunt. The Department recommends 425 hunter permits distributed into the following hunts. Each permitted hunter is allowed to harvest 3 cranes.

General Sandhill Crane

| | | |
|---------------------|---------------------------|------------|
| Nov 13 - 15 2015 | Units 30A, 30B, 31 and 32 | 90 Permits |
| Nov 17 - 19 2015 | Units 30A, 30B, 31 and 32 | 90 Permits |
| Nov 21 - 23 2015 | Units 30A, 30B, 31 and 32 | 90 Permits |
| Nov 25 - 27 2015 | Units 30A, 30B, 31 and 32 | 90 Permits |
| Nov 21 - 23 2015 | Unit 28 | 10 Permits |
| Nov 25 - 27 2015 | Unit 28 | 10 Permits |
| Nov 29 - Dec 1 2015 | Unit 28 | 10 Permits |
| Dec 4 - 6 2015 | Unit 28 | 10 Permits |

Youth-Only Sandhill Crane

| | | |
|----------------|---------------------------|------------|
| Dec 4 - 6 2015 | Units 30A, 30B, 31 and 32 | 25 Permits |
|----------------|---------------------------|------------|

With the recommended season structure, the Department estimates a total harvest will be between 300 to 425 cranes. The predicted RMP harvest is estimated at 40–60 birds. This is within the 2015 RMP allocation for Arizona (62).

Motion: Zieler moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 19: DOVE, COMMISSION ORDER 20: BAND-TAILED PIGEON, AND COMMISSION ORDER 24: SANDHILL CRANE, AS PRESENTED.

Vote: Unanimous

* * * * *

3. Approve Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Black Bear, and Mountain Lion for the 2016–2017 Special License Tag Hunting Seasons.

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig presented the Commission with the Department's proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Black Bear, and Mountain Lion for the 2016–2017 Special License Tag Hunting Seasons. A detailed description of all proposals was available for public review at all Department offices and was provided to the Commission prior to this meeting for review and consideration. A.R.S. 17-346 authorizes the Commission to set seasons for up to three (3) special license tags for each big game species.

The only recommended changes are for pronghorn antelope and bighorn sheep. For pronghorn antelope Unit 34B is closed to the general hunter and the recommendation is to close that unit to the Special Big Game Hunt License Tag holders. For bighorn sheep, the recommendation is to add the Black River Hunt Area in Units 1 and 27 and Units 23 and 24A to the third special license-tag (Rocky Mountain bighorn sheep subspecies).

The following note will be added to the Commission Order 29 Buffalo Special License Tag hunt:

An unsuccessful hunter, or hunter who did not hunt, with a buffalo special license tag for the House Rock herd shall check out in person or by telephone at either the Department's Flagstaff regional office (928-774-5045) or the House Rock Wildlife Area headquarters within three days following the close of the season. A successful buffalo hunter shall report information about the kill to the Department within three business days after taking the buffalo either in person at the House Rock Wildlife Area headquarters or in person or by telephone at the Department's Flagstaff regional office. If the kill is reported by telephone, the report shall include the name of the hunter, the hunter's tag number, the sex of the buffalo taken, the number of days hunted, and a telephone number where the hunter can be reached for additional information (R12-4-306).

It is recommended that all special big game license tag hunt seasons be open yearlong, with the season for each species commencing on August 15, 2016 and ending on August 14, 2017.

Recommended open areas for the special license-tag hunts are as follows:

Mule Deer: Special license tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

White-tailed Deer: Special license tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Antelope: Special license tags will be valid for Units 1–10 (except Camp Navajo), 11M, 12A, 12B, 13A, 13B, 15A, 15B, 17A, 17B, 18A, 18B, portions of 19A, 19B, 21, 30A, 31, and 32.

Elk: Special license tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Javelina: Special license tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Turkey: Special license tags will be valid for Units 1, 3B–10 (except Camp Navajo in Unit 6B), 11M, 12A, 13A, 13BS, 17A, 17B, 20A, 22, 23, 27, 29, 33, 34A, and 35A (except Fort Huachuca in Unit 35A).

Bighorn Sheep: One special license tag will be valid for Units 9, 10, 12A, 12B, 13A, 13B, 15B West, 15C, 15D, and 16A (except Mohave County Park Lands). A second special license tag will be valid for Units 16B, 22, 24B, 28 (south of US Hwy 70), 31, 32, 37A, 37B, 39, 40A, 40B, 41, 42, 43A, 43B, 44A (west of the Swansea Road and south of Bill Williams River Rd.), 44B, 45A, 45B, 45C (including the Kofa NWR), 46A, and 46B (including the Cabeza Prieta NWR). A third special license tag will be valid for Units 6A, Unit 22 North, Unit 23/24A, portions of Units 1, portions of Unit 27, and portions of Unit 28.

Buffalo: Special license tags will be valid for Units 12A, 12B, and 13A.

Black Bear: Special license tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Mountain Lion: Special license tags will be valid statewide (except National Wildlife Refuges, Mohave County Park Lands).

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 29: SPECIAL HUNTS AS PRESENTED.

Vote: Unanimous

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4. Authorize Applications for Special Big Game Hunt License Tags for Pronghorn Antelope, Bighorn Sheep, Black Bear, Buffalo, Elk, Javelina, Mountain Lion, Mule Deer, White-tailed Deer, and Turkey for 2016–2017

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig presented the Commission with applications from organizations for 2016–2017 Special Big Game License Tags as per R12-4-120. A detailed description of all proposals were available for public review at all Department offices and were provided to the Commission prior to this meeting for review and consideration.

The Department received the following applications for Special Big Game License Tags from the nonprofit organizations in accordance with A.R.S. 17-346 and Commission Rule R12-4-120:

Arizona Antelope Foundation (AAF): Requests two (2) Special Antelope License Tags for auction and one (1) Special Antelope Tag for raffle. In lieu of their own request for a raffle tag, the AAF supports the issuance of a Special Antelope License Tag by the Commission to the Arizona Big Game Super Raffle. One of the tags for auction will be sold at an Arizona Antelope Foundation sponsored event and the other will be auctioned at the Wild Sheep Foundation Convention in Reno, NV during January 21 – 23, 2016. The Arizona Antelope Foundation would also like to request to be considered as recipient of any leftover tags.

Arizona Big Game Super Raffle (AZBGSR): Requests one tag for each of Arizona's ten big game species. The request is for: One (1) Antelope, one (1) Desert Bighorn Sheep, one (1) Black Bear, one (1) Buffalo, one (1) Coues Whitetail, one (1) Elk, one (1) Javelina, one (1) Mountain Lion, one (1) Mule Deer, and one (1) Turkey Special Big Game License Tags. All tags will be sold in the Arizona Big Game Super Raffle.

Arizona Bowhunters Association (ABA): Requests one (1) Special Javelina License Tag, one (1) Black Bear Special License Tag and one (1) Buffalo Special License Tag. All tags will be auctioned at the 2016 ABA Annual Awards Banquet/2016 Bowhunter Happening. The ABA also supports the Arizona Big Game Super Raffle and is in favor of one tag for each species to be awarded to that organization.

Arizona Deer Association (ADA): Requests two (2) Special Mule Deer License Tags, and two (2) Special Whitetail Deer License Tags, all to be auctioned at the 2016 ADA Annual Fundraiser or other ADA sponsored event. The ADA also supports the issuance of one of each Big Game Special License Tags to the Arizona Big Game Super Raffle Committee. If for some reason the tags would not be given to the Arizona Big Game Super Raffle directly, the ADA request that they be granted the mule deer and whitetail deer tags to be raffled through the Arizona Big Game Super Raffle, or to be auctioned at the ADA's 2016 fundraiser or another ADA sponsored event.

Arizona Desert Bighorn Sheep Society (ADBSS): Requests two (2) Special Bighorn Sheep Tags: One (1) Special Bighorn Sheep License Tag for a *Mexicana* desert bighorn sheep in the southern GMUs, with the auction occurring at either the Wild Sheep Foundation 2016 Convention, the Safari Club International 2016 Convention, or the Arizona Desert Bighorn Sheep Society 32nd Annual Fundraising Banquet, February 27, 2016; and one (1) Special Bighorn Sheep License Tag for Rocky Mountain bighorn sheep in the eastern and central GMUs, to be auctioned at the ADBSS Fundraising Banquet on February 27, 2016 or by the Wild Sheep Foundation at its 2016 Convention. ADBSS also requests one (1) mountain lion tag, which they will either auction or raffle at their February 27, 2016 fundraiser. Additionally, ADBSS supports the issuance of the third Special Bighorn Sheep License Tag for the *Nelsoni* species to the Arizona Big Game Super Raffle Committee. The *Nelsoni* desert bighorn sheep tag would encompass the northern GMUs as it has in the past. If the Commission does not issue this tag to the Arizona Big Game Super Raffle directly, ADBSS requests that it be granted the tag to be raffled through the Arizona Big Game Super Raffle or to be auctioned at the ADBSS fundraiser on February 27, 2016. ADBSS is also willing to auction any other Special Big Game License Tags the Commission would like to issue at their fundraiser banquet in February 2016 if there is an opportunity.

Arizona Elk Society (AES): Requests one (1) Special Elk License Tag and one (1) Special Buffalo License Tag, both to be auctioned at the Arizona Elk Society's 2016 Fundraising Banquet. The AES supports the awarding one of the Special Elk License Tags to next year's Arizona Big Game Super Raffle. In the event that there are tags unapplied for in this year's distribution of tags, the AES is willing to auction any other special tags at their fundraising banquet in March 2016 that the Commission may elect to issue to their organization.

Mule Deer Foundation (MDF): Requests one (1) Special Mule Deer License Tag and one (1) Special Whitetail Deer License Tag. Both tags will be auctioned at the MDF's National Convention in Salt Lake City, UT on February 11-14, 2016 in conjunction with the Western Hunting and Conservation Expo. MDF would also be willing to auction any other tags that haven't been requested through their local Arizona banquets.

National Wild Turkey Federation (NWTF): Requests two (2) Special Turkey License Tags, one to be raffled by the Arizona Chapter of the NWTF and the other for auction by the Arizona Chapter of NWTF in conjunction with the Safari Club International-Arizona Chapter (SCI-AZ) fundraising banquet. NWTF also requests that one (1) Special Turkey License tag be given to the Arizona Big Game Super Raffle.

Rocky Mountain Elk Foundation (RMEF): Requests one (1) Special Elk License Tag, to be auctioned during their special Hunter's Rendezvous event to be held in Tucson, Arizona, Saturday March 26, 2016.

Safari Club International – Arizona Chapter (SCI-AZ): Requests one (1) Special Whitetail Deer License Tag, one (1) Special Black Bear License Tag, one (1) Special Mountain Lion License Tag, one (1) Special Mule Deer License Tag and one (1) Special Javelina License Tag. All tags will be sold by auction at their fundraiser.

Public Comment

The following members of the public addressed the Commission on behalf of their respective organization's requests:

- Terry Herndon, Mule Deer Foundation
- John Koleszar, AZ Big Game Super Raffle and the Arizona Deer Association
- Rich Williams, Arizona Elk Society and National Wild Turkey Federation

The Commission discussed and agreed to make two motions, one for the AZBGSR and another for all other special big game tags.

Motion: Mansell moved and Madden seconded THAT THE COMMISSION VOTE FOR AZBGSR TO RECEIVE ONE TAG FOR EACH SPECIES.

Vote: Unanimous

Motion: Ammons moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE THE ALLOCATION OF SPECIAL BIG GAME TAGS ACCORDING TO THE

CHART AS PRESENTED WITH THE EXCEPTION OF ONE MULE DEER TAG AND ONE WHITE-TAIL TAG TO AZBGSR, ADA AND MDF.

Vote: Unanimous

Final Chart as selected and voted by the Commission:

| | Antelope | Black Bear | Bighorn Sheep | Buffalo | Elk | Javelina | Mule Deer | Turkey | White-tail Deer | Mtn Lion |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------------|-----------------|---------------------|
| AAF | 2 Auction | | | | | | | | | |
| AZ BGSR | 1 Super Raffle | 1 Super Raffle | 1 Super Raffle |
| ABA | | 1 Auction | | 1 Auction | | 1 Auction | | | | |
| ADA | | | | | | | 1 Auction | | 1 Auction | |
| ADBSS | | | 2 Auction | | | | | | | 1 auction or raffle |
| AES | | | | 1 Auction | 1 Auction | | | | | |
| MDF | | | | | | | 1 Auction | | 1 Auction | |
| NWTF | | | | | | | | 1 Auction 1 Raffle | | |
| RMEF | | | | | 1 Auction | | | | | |
| SCI-AZ | | 1 Auction | | | | | 1 Auction | | | 1 Auction |

* * * * *

5. Approval of Minutes and Signing of Minutes

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM MAY 1-2, 2015.

Vote: Unanimous

The Commission signed the minutes following approval.

* * * * *

6. Director and Commissioner Comments

Chairman Mansell commented on his tenure on the Commission, which will come to an end at the end of this year. Being on the Commission has been wonderful, difficult, hard, exciting, challenging, frustrating, but overall an experience he wouldn't trade anything for and he thanked everyone for all they do for conservation and thanked his wife Sandy for all her support.

The Commission and Director Voyles thanked Chairman Mansell for all his work, time and accomplishments.

* * * * *

7. Future Agenda Items and Action Items

Future agenda items and action items:

- Legislative – look at potential/option for extended revocation periods associated with multiple citations/convictions but not necessarily previous revocations
- Guidelines – move quail season opener back to Oct 1
- Commissioner Committee – review new Assignments and determine if/make any changes needed to policy, charter, scheduling, communications, etc.

* * * * *

Motion: Davis moved and Mansell seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

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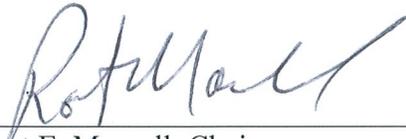
Meeting adjourned at 8:50 a.m.

* * * * *

8. Tour of Canyon Creek Fish Hatchery and Surrounding Area

Following the regular meeting, the Commission participated in a tour of the Canyon Creek Fish Hatchery and surrounding area from 9:00 a.m. to 12:00 p.m. No Commission business was discussed and no legal action was taken during the tour.

* * * * *



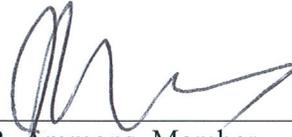
Robert E. Mansell, Chairman



Kurt R. Davis, Vice Chair



Edward "Pat" Madden, Member

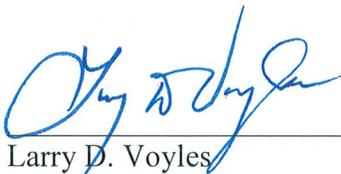


James R. Ammons, Member



James S. Zieler, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
June 12-13, 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. *State of Arizona v. Jewell, CV 15-00245-CKJ.* On June 8, 2015, the State of Arizona filed suit against the Secretary of Interior and the U.S. Fish and Wildlife Service ("FWS") for violations of the Endangered Species Act ("ESA"). Arizona alleges in the lawsuit that the FWS has failed to develop a new recovery plan for the Mexican wolf that complies with the requirements of ESA. The FWS prepared an original recovery plan for the Mexican wolf in 1982, but that plan has since expired, and it does not include the necessary elements ESA requires for a recovery plan. Arizona will seek declaratory and injunctive relief compelling the FWS to develop a new recovery plan within a reasonable period.

2. *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.

On May 12, 2015, the court granted a motion to consolidate a case from New Mexico brought by various livestock organizations and local governments. On May 12, 2015, the court also granted Arizona's motion to intervene and authorized Arizona to file either a motion to dismiss or an answer. On May 26, 2015, Arizona filed a motion to dismiss. On June 1, 2015, the court issued an order setting a case management conference for July 9, 2015. On June 8, 2015, the federal defendants filed a response taking no position on Arizona's motion to dismiss.

3. *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.

4. *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 **was filed, and oral argument was held June 3 before a three-judge panel. A decision is expected shortly.**