



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

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**GOVERNOR**  
DOUGLAS A. DUCEY

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**DEPUTY DIRECTOR**  
TY E. GRAY



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

**September 2, 2015**

A public meeting of the Arizona Game and Fish Commission will be held on **September 4, 2015 at Springerville Town Hall, 418 E. Main Street, Springerville, Arizona 85938**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at [http://www.azgfd.gov/inside\\_azgfd/CommissionCam.shtml](http://www.azgfd.gov/inside_azgfd/CommissionCam.shtml). On Friday only, members of the public may view the meeting from any Department Regional Office via video teleconference, **EXCEPT FOR TUCSON REGIONAL OFFICE WHICH IS UNDER CONSTRUCTION**. The Department's Headquarters will also be available for viewing this meeting via video teleconference **on Friday only**. Members of the public attending in person or viewing via video teleconference may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. The ability to speak to the Commission for those viewing the webcast is not available. Unless expressly provided otherwise with any item on the agenda, the Commission may discuss and vote to take action on the following matters:**

**Friday, September 4, 2015 - Meeting begins at 8:00 A.M.**

**Pledge of Allegiance**

**Introductions and Welcome**

**Special Recognitions and Commendations**

- 1. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
- 2. Consent Agenda.** The following items have been grouped together and are hereby noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission will be asked to approve briefings and updates without further public input or discussion and to approve other matters as presented, subject to approval or recommendations of the Office of the Attorney General. Commission members may remove certain items if further public input or discussion is deemed necessary.
  - a. Approve Revised Commission Policy A2.18, Multiple-Use Management of Public Lands. Presenter: Kent Komadina, Special Assistant to the Director.** The

Department will ask the Commission to approve revised Commission policy A2.18, Multiple-Use Management of Public Lands.

- b. Approve Amended Commission Policy A2.29, Undercover Operations Outside of Title 17 and Title 5. Gene Elms, Law Enforcement Branch Chief.** The Department will ask the Commission vote to approve the amended Commission policy A2.29, Undercover Operations Outside of Title 17 and Title 5.
- 3. State and Federal Legislation. Presenter: Jorge Canaca, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities.
- 4. Key Systems Development Initiatives. Presenter: Doug Cummings, Branch Chief, Information Systems.** The Department will present a progress update on Key Systems Development initiatives, including upcoming Portal releases, Online Systems Rewrites, Portal Operations, online draw, and the development of other related systems driving data integration and the ability to deliver additional functionality and content through the Portal.
- \*REVISED\***
- 5. Wolf Briefing. Presenter: Chris Bagnoli, Pinetop Regional Supervisor.** The Commission will be provided a general wolf briefing with emphasis on issues related to wolf management in Eastern Arizona. The Commission may provide the Department with direction in regards to coordination on Mexican wolf conservation to ensure the USFWS is open and transparent in decision making process with the public.
- 6. Shooting Sports Activities Briefing. Presenter: Marty Fabritz, Shooting Sports Branch Chief.** The Commission will be given an update of Department activities related to shooting sports including shooting programs and shooting range development statewide. The update covers activities that have occurred since the May 2015 Commission meeting.
- 7. Approve Final Rulemaking Amending Article 1 Rules Addressing Definitions and General Provisions, R12-4-302 Addressing 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.** The Department will ask the Commission to approve a Notice Final Rulemaking and Economic Impact Statement amending Article 1 Rules addressing Definitions and General Provisions, R12-4-302 addressing 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.
- 8. Approve Proposed Hunt Guidelines for Fall 2016 through Spring 2018 for Commission Approval. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission will consider and may vote to approve proposed hunt guidelines for fall 2016 through spring 2018. The Commission may choose to consider this agenda item through separate actions on the individual guidelines that address each Commission Order. The Commission may direct the Department to consider changes and/or new opportunities in the hunting and/or trapping guidelines.

9. **Gila Trout Recovery Briefing. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Commission will be presented a briefing on the status of Gila Trout (*Oncorhynchus gilae*) and recovery actions implemented from 2010 to 2015. The Commission will take no action.
10. **Amend Commission Order 40: Fish, for Calendar Year 2016. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Commission will be asked to adopt Commission Order 40: Fish, establishing open seasons, open areas, closures and bag and possession limits for Gila Trout (*Oncorhynchus gilae*) for calendar year 2016.

**\*Moved from #11\***

- 10A. **Approve License Agreement with Navopache Electric Cooperative for Providing Electrical Service to the Show Low Lake Property. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve a License Agreement with Navopache Electric Cooperative for providing electrical service to the Show Low Lake property.

**Agenda Items #11 through #13 are first read items. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.**

11. **\*Moved to 10A\***

12. **Approve Memorandum of Agreement with Southline Transmission, L.L.C. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve a Memorandum of Agreement with Southline Transmission L.L.C. for impacts to Willcox Playa Wildlife Area from the Southline Transmission Line Project.
13. **Cooperative Agreement Renewal at the Lower San Pedro River Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to renew the existing Cooperative Agreement for management of the state grazing and agricultural leases associated with the Lower San Pedro River Wildlife Area.

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

**TIME CERTAIN AT 2:00 PM**

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

Name	Docket #	Count	Conviction
Rebecca L. Stevenson	2015-0063	Count A:	Take wildlife in closed area (Trout)
Jonathan Q. McCollester	2015-0064	Count B:	Take wildlife in closed area (Rainbow Trout)
		Count C:	Possess wildlife that were unlawfully taken (Rainbow Trout)
Dustin J. McNeil	2015-0065	Count A:	Obtain duplicate 2013 hunting license by fraud
Kyran Demar Walker	2015-0067	Count A:	Shoot from/across roadway
Michael A. Rivera Jr.	2015-0068	Count A:	Take wildlife during closed season (Antelope)

		Count B:	Waste game meat (Antelope)
		Count C:	Take wildlife with unlawful method (Antelope)
		Count D:	Take wildlife from a vehicle (Antelope)
Garrett A. Means Jr.	2015-0069	Count C:	Take wildlife with unlawful method (Antelope)
Aaron A. Rivera	2015-0070	Count A:	Transport unlawfully taken wildlife (Elk)
Randy M. Lupardus	2015-0071	Count A:	Obtain 2012 resident fishing license by misrepresentation <b>Citation A08586</b>
Derrick Zimmerman	2015-0072	Count A:	Obtain 2010 resident hunt/fish license by misrepresentation
Joseph S. Martinez	2015-0073	Count A:	Obtain 2015 fishing license by misrepresentation
Phillip S. Mathews	2015-0074	Count A:	Take wrong species (Mule deer)
Virginio L. Baca	2015-0075	Count A:	Take wrong species (Mule deer)

**15. 2015 Annual Commission Awards Selection. Presenter: Jim Paxon, Special Assistant to the Director.** The Department will provide an overview of the 2015 Commission award nominees and will ask the Commission to vote to select the 2015 Commission award recipients.

**16. Executive Session (The Commission will not vote to take any action during Executive Session).**

- a. **Litigation and Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission’s position concerning *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Wagner v. Personnel Board*, LC2011-000683; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817; Phase One Bill Williams River Water Rights Settlement Agreement (Planet Ranch); *Center for Biological Diversity v. Jewell*, CV 15-00019-LAB; *State of Arizona v. Jewell*, 15-CV-00245-CKJ; *WildEarth Guardians v. Ashe*, 15-CV-00285; *Harrison v. Dennerline* CV-15-01060.
- b. **Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) for the purpose of discussing and consulting with legal counsel for legal advice regarding Open Meeting Law and the Santa Catalina Bighorn Sheep Advisory Committee.
- c. **Litigation and Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission’s position concerning the legal strategy recommendations from the Department’s legal strategies team.
- d. **Purchase of Real Property and Legal Advice.** The Commission may vote to meet in Executive Session pursuant to A.R.S § 38-431.03(A)(3) and (7) for the purpose of discussion or consultation with Department staff in order to consider its position and instruct its representative regarding the purchase of real property and for the purpose of discussing and consulting with legal counsel for legal advice.

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

**17. Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Wagner v. Personnel Board*, LC2011-000683; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176; Arizona Game and Fish Department's Notice of Intent Regarding Mexican Wolf Recovery Planning; *Center for Biological Diversity v. Jewell*, CV 15-00019-LAB; *State of Arizona v. Jewell*, 15-CV-00245-CKJ; *WildEarth Guardians v. Ashe*, 15-CV-00285.

**18. Approve and Sign Minutes.** The Commission may approve and sign the Commission meeting minutes from August 7-8, 2015.

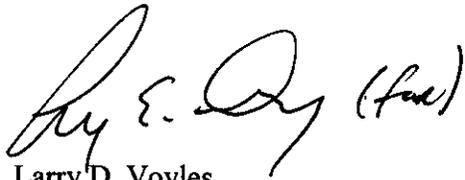
**19. Director's Comments and Commission Committee Reports.** The Director may provide comments on current events and issues, and Commissioners may report on their individual Commission Committees. This item is for information only. Items requiring discussion, deliberation or legal action must be placed on a future Commission meeting agenda.

**20. Future Agenda Items and Action Items.**

**Saturday, September 5, 2015 at 8:00 A.M.**

**1. Tour of P.S. Ranch Wildlife Area.** The Commission and Department staff will carpool from the El Jo Motor Inn, 425 E. Main St., Springerville, Arizona to the P.S. Ranch Wildlife Area for a tour of the property. There will also be a discussion of Aspen management within the Wallow Fire area on the Apache Sitgreaves National Forest as part of the tour. No action will be taken. P.S. Ranch is located approximately 30 miles south of Eagar within the Apache Sitgreaves National Forest. From the junction of Highway 260 and South Mountain Avenue/Main Street in Eagar travel west on Highway 260 approximately 3 miles to the junction with Highway 261 (Big Lake road); turn south on Highway 261 and travel approximately 17.3 miles to the intersection with Highway 273; turn south on Highway 273 and travel approximately 3 miles to the junction of Forest Service (FS) road 249E; turn west of FS 249E and travel approximately 0.6 miles to the junction of FS road 24; turn south on FS road 24 and travel approximately 2.2 miles to the junction of FS road 8943. This will be the tour stop for the Aspen discussion. From this stop travel approximately 7.2 miles south on FS road 24 to the junction of FS road 25; turn west on FS road 25 and travel approximately 0.7 miles to the junction of FS road 25J; turn north on FS road 25J and travel approximately 0.3 miles to the junction of FS road 8944; turn west on FS road 8944 and travel approximately 0.4 miles to P.S. Ranch. This will be the location of the PS Ranch Wildlife Area briefing regarding the cabin and planned management of the wildlife area.

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Larry D. Voyles  
Director

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

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

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

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

**"Managing Today for Wildlife Tomorrow"**