



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

5000 W. CAREFREE HIGHWAY  
PHOENIX, AZ 85086-5000  
(602) 942-3000 • WWW.AZGFD.GOV

**GOVERNOR**  
DOUGLAS A. DUCEY

**COMMISSIONERS**  
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JAMES R. AMMONS, YUMA  
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ROBERT E. MANSELL, WINSLOW

**DIRECTOR**  
LARRY D. VOYLES

**DEPUTY DIRECTOR**  
TY E. GRAY



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

**January 13, 2016**

A public meeting of the Arizona Game and Fish Commission will be held on **January 15, 2016** at the **Arizona Game and Fish Department, 5000 W. Carefree Highway, Phoenix, Arizona 85086**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at [http://www.azgfd.gov/inside\\_azgfd/CommissionCam.shtml](http://www.azgfd.gov/inside_azgfd/CommissionCam.shtml). On Friday only, members of the public may view the meeting from any one of the Department's six Regional Offices via video teleconference. Members of the public attending in person or viewing via video teleconference may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. The ability to speak to the Commission for those viewing the webcast is not available.** Unless expressly provided otherwise with any item on the agenda, the Commission may discuss and vote to take action on the following matters:

**Friday, January 15, 2016 - Meeting begins at 8:00 A.M.**

**Pledge of Allegiance**

**Awards and Recognition**

- 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 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. Renewal of a Gate Closure on State Trust Land Approximately Two Miles East of Gold Canyon, Arizona. Presenter: Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve a request submitted by Dee Johnson to renew a gate closure on State Trust Land located approximately two miles east of Gold Canyon, Arizona.
  - b. Renewal of a Road Closure on State Trust Land Approximately Seven Miles West of Springerville, Arizona. Presenter: Al Eiden, Habitat Enhancement and Land Owner**

**Relations Program Supervisor.** The Commission may approve a request submitted by Maryhelen “Sug” Peters to renew a road closure on State Trust Land located approximately seven miles west of Springerville, Arizona.

- c. **Renewal of a Road Closure on State Trust Land Approximately Ten Miles West of Springerville, Arizona. Presenter: Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve a request to renew a road closure on State Trust Land located approximately ten miles west of Springerville, Arizona.
  - d. **Renewal of APS Utility License at Silver Creek Hatchery. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve the renewal of the existing Utility License with APS at Silver Creek Hatchery.
  - e. **Renewal of the Right-of-Way with the Arizona State Land Department for Access to Stanford Creek and Pridham Creek. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve the renewal of the Right-of-Way for access to Stanford Creek and Pridham Creek with the Arizona State Land Department.
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. **Terrestrial Wildlife Update on Sonoran Pronghorn. Presenter: Francisco Abarca, Mexico and Borderlands Program Supervisor, Wildlife Management Division.** The Commission will be provided a briefing highlighting Sonoran Pronghorn Conservation and Recovery efforts.
  5. **Update on Department Efforts to Address Wildlife Impacts resulting from Overpopulations of Burros in Arizona. Presenter: Pat Barber, Yuma Regional Supervisor.** The Commission will be presented an informational update on the Department’s efforts working with partners to ensure more effective management of burros in the state.
  6. **Commission Resolution regarding Feral Burros. Presenter: Pat Barber, Yuma Regional Supervisor.** The Commission may approve a Resolution regarding the management of feral burros to reduce adverse impacts to wildlife habitat and public safety.
  7. **Approve the Article 5 Boating and Water Sports Five-year Rule Review Report, for Submission to the Governor's Regulatory Review Council (G.R.R.C.). Presenter: Gene Elms, Law Enforcement Branch Chief.** The Department will ask the Commission to approve the Five-year Rule Review Report for Article 5 regarding boating and water sports, for submission to G.R.R.C.
  8. **Approve the Article 7 Heritage Grants Five-year Rule Review Report, for Submission to the Governor's Regulatory Review Council (G.R.R.C.). Presenter: Sherry Crouch, Funds and Planning Branch Chief.** The Department will ask the Commission to approve the Five-year Rule Review Report for Article 7 regarding Heritage Grants, for submission to G.R.R.C.
  9. **Approve Intergovernmental Agreement (IGA) with Bullhead City for construction of facilities at Tri-State Shooting Park. Presenter: Marty Fabritz, Shooting Sports Branch**

**Chief.** The Commission will be asked to approve an IGA with Bullhead City authorizing construction of Department approved facilities at Tri-State Shooting Park.

**Agenda Items #10 through #20 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.**

- 10. Memorandum of Understanding (MOU) with the Lake Havasu Marine Association (LHMA). Presenter: Pat Barber, Yuma Regional Supervisor.** The Commission will be presented a MOU with the LHMA to pursue cooperative activities on Lake Havasu.
- 11. Intergovernmental Agreement between the Arizona Game and Fish Commission and the City of St. Johns, Arizona designating Patterson Ponds as a “Community Fishing Water”. Presenter: Chris Cantrell, Chief of Fisheries.** The Commission may authorize the Director, as Secretary to the Commission, to finalize negotiations, execute, and amend as necessary an Intergovernmental Agreement between the Commission and the City of St. Johns to implement Patterson Ponds as Community Fishing Program (CFP) water.
- 12. Renewal of a Road Closure on State Trust Land Southeast of Florence, Arizona. Presenter: Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve a request by Gale Brimhall to renew a road closure on State Trust Land located approximately ten miles southeast of Florence, Arizona.
- 13. Renewal of a Road Closure on State Trust Land Approximately Eight Miles East of Gold Canyon, Arizona. Presenter: Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve a request by Region VI to renew a road closure on State Trust Land located approximately eight miles east of Gold Canyon, Arizona.
- 14. Petition to Lock a Gate on State Trust Land Approximately Eight Miles North of Winkelman, Arizona. Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve a request submitted by Elmo Holt to lock a gate on State Trust Land located approximately eight miles north of Winkelman, Arizona.
- 15. Acquisition of a Perpetual Access Easement, encompassing two road segments across Private Property owned by Gary and Shana Hollowell, on Devil’s Canyon Road, in Mohave County, Game Management Unit 15A (GMU15A). Presenter: Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve the acquisition of a perpetual access easement across private land securing public access over BLM land to the Music Mountains accessing ~15,000 acres of Bureau of Land Management (BLM) lands.
- 16. Acquisition of a Perpetual Access Easement, across Private Property owned by Bartley D. McGuire and Catherine E. McGuire, west of the Sunrise Road, in Cochise County, Game Management Unit 29 (GMU29). Presenter: Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve the acquisition of a perpetual access easement across private land securing public access to the Chiricahua Mountains ~20,000 acres of Coronado National Forest lands (CNF).

17. **Acquisition of a Perpetual Access Easement, consisting of three road segments across Private Property owned by Larry Young, east of the Muleshoe Ranch Road, in Cochise County, Game Management Unit 32 (GMU32). Presenter: Al Eiden, Habitat Enhancement and Land Owner Relations Program Supervisor.** The Commission may approve the acquisition of a perpetual access easement across private land securing public access over State Trust land to the Galiuro and Winchester Mountain Ranges accessing ~18,000 acres of State Trust and Coronado National Forest lands (CNF).

**\*NEW\***

- 17A. **Memorandum of Understanding with the Arizona Desert Bighorn Sheep Society for Cooperative Activities. Presenter: Al Eiden, Habitat Enhancement and Landowner Relations Program Supervisor.** The Commission may approve a Memorandum of Understanding to allow the Department to cooperate with the Arizona Desert Bighorn Sheep Society on projects for public information and wildlife habitat enhancement.
18. **Memorandum of Understanding between the Department and the Arizona Big Game Super Raffle. Presenter: Ty Gray, Deputy Director.** The Commission may approve a Memorandum of Understanding with the Arizona Big Game Super Raffle that sets forth methods of collaboration between the Department and the Arizona Big Game Super Raffle, Inc.
19. **Livestock Access Agreement at the Lower San Pedro River Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve a livestock access agreement to allow livestock access over a portion of the Lower San Pedro River Wildlife Area.
20. **Agreement with SunZia Transmission, LLC. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission may approve an Agreement with SunZia Transmission, LLC to Mitigate for Impacts from the SunZia Southwest Transmission Project.

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

**TIME CERTAIN AT 2:00 PM**

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

<b>Name</b>	<b>Docket #</b>	<b>Count</b>	<b>Conviction</b>
Jordan H. Gaiser	2016-0002	Count A: Count B:	Failure to tag big game immediately (Elk) Knowingly waste edible portion of game meat (Elk)
Mindy A. Tatera	2016-0003	Count A:	Exceed bag limit (Elk)
Michael R. Williams	2016-0004	Count A:	<b>Citation A09086</b> Obtain 2012 resident fishing license by misrepresentation.
Steve D. Bryant Jr.	2016-0005	Count A:	Possess/Transport wildlife or parts of wildlife which was unlawfully taken (Gila monster)
James C. Carroll III	2016-0007	Count A:	<b>Citation A08933</b> Apply for/obtain 2014 resident deer tag by

William M. Ferrin	2016-0008	Count A:	misrepresentation Apply for/obtain license/permit/tag by fraud or misrepresentation
Anthony Lee Schaible	2016-0009	Count A:	<b>Citation A02261</b> Litter while hunting
		Count A:	<b>Citation A02263</b> Take wildlife by unlawful method (Bait Bears)
		Count A:	<b>A02264</b> Take wildlife with aid of vehicle

- 22. Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Derrick M. Zimmerman has requested a rehearing regarding the revocation of his license privileges.

**\*NEW\***

- 22A. Petitions by Dan Larkin and Tim Armbrust for Missing 2016 Spring Hunt Applications. John Bullington, Assistant Director, Support Services.** The Commission will be presented a summary of the petitions as well as the Department's findings for the individual applications.

**\*NEW\***

- 22B. Petition by Karen Brogdon for Refund of her Boat Registration Fee. Presenter: Kevin Hodgkins, Acting CFO, Business & Finance.** The Commission will be presented a summary of the petition as well as the Department's findings for Mrs. Brogdon's Watercraft Renewal.

- 23. Proposed Commission Policy Supporting the North American Model of Wildlife Conservation and Managing Wildlife Resources in the Public Trust. Presenter: Ty Gray, Deputy Director.** The Commission may adopt a Commission Policy that recognizes the importance of the North American Model of Wildlife Conservation including the foundational tenet that wildlife resources are held in public trust for the use and enjoyment of current and future generations.

- 24. Commission Priorities Update. Presenter: Ty Gray, Deputy Director.** The Department will provide an update on efforts towards accomplishing Commission Priorities. The Commission may approve the updated Commission Priorities as discussed at the November 2015 Commission workshop.

- 25. 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; *Land Management Plan for the Apache-Sitgreaves National Forests*; *In re General Stream Adjudication for the Little Colorado River and Gila River*; 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; Big Sandy River-Planet Ranch 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; *Safari Club International v. Jewell*.

- 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.
26. **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*; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176; Big Sandy River-Planet Ranch 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; *Safari Club International v. Jewell*.
27. **Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from November 13-14, 2015, November 30, 2015 and December 4-5, 2015.
28. **Director and Commissioner Comments.** The Director and the Commissioners may provide brief comment on current events and issues. This item is for information only. Items requiring discussion, deliberation or legal action must be placed on a future Commission meeting agenda.
29. **Future Agenda Items and Action Items.**

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**Saturday, January 16, 2016, the Commission will attend the Annual Commission Awards Banquet to be held at the Arizona Grand Resort, South Mountain Ballroom, 8000 S. Arizona Grand Parkway, Phoenix, Arizona 85044.**

At the Commission Awards Banquet, the Commission will socialize with its constituents and recognize the award winners. No legal action will be taken by the Commission. Members of the

public can participate by submitting an rsvp along with \$65 per person by January 8, 2016. For additional information, visit [http://www.azgfd.gov/inside\\_azgfd/commission\\_awards.shtml](http://www.azgfd.gov/inside_azgfd/commission_awards.shtml)).

The following approximate agenda will be followed.

5:00 p.m. Social Hour

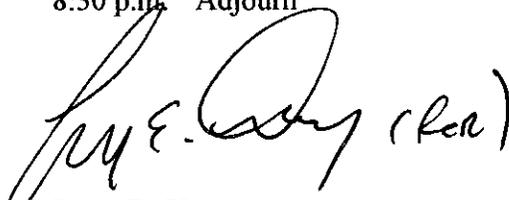
6:00 p.m. Presentation of Colors and National Anthem

6:15 p.m. Dinner Concurrent with Award Presentations:

- Award of Excellence: Hildy Angius
- Award of Excellence: Mark Brnovich
- Youth Environmentalist of the Year: KJ Aldridge
- Outdoor Writer of the Year: Margaret Anderson
- Media of the Year: Rosie Romero Jr.
- Conservation Organization of the Year: Heritage Park Zoological Sanctuary
- Conservationist of the Year: Steve Clark
- Natural Resource Professional of the Year: Ray Suazo
- Volunteer of the Year: Chad Villamor
- Educator of the Year: Melanie Engstrom
- Mentor of the Year: Richard Williams
- Advocate of the Year - State: David Gowan Sr., Speaker of the House
- Advocate of the Year – Federal: Senator John McCain
- Buck Appleby Hunter Education Instructor of the Year: Patrick Headington
- Wildlife Habitat Steward of the Year: Spider Ranch
- North American Model Commissioners Award: Carol Lynde
- Chairman’s Award: SolidMen Hunt Club

Outgoing Commissioner Awards and Comments

8:30 p.m. Adjourn



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”**