



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR
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LARRY D. VOYLES

DEPUTY DIRECTOR
TY E. GRAY



PUBLIC MEETING NOTICE AND AGENDA
REVISION #1

February 3, 2016

A public meeting of the Arizona Game and Fish Commission will be held on **February 5-6, 2016** at the **Hilton Garden Inn Yuma Pivot Point Hotel Ballroom, 200 N. Madison Ave., Yuma, Arizona 85364**, 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. On Friday only, members of the public may view the meeting via video teleconference from any one of the Department's Regional Offices, except the Yuma Regional Office. The Department's Headquarters will also be available to view 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, February 5, 2016 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Welcome/Introductions of Commission, Department Staff and Local Community Attendees

Awards and Recognition

- 1. Yuma Community Partnerships Related to the Annual Dove Hunt. Presenter: Pat Barber, Region IV Supervisor.** The Department, as well as representatives of businesses and the tourism organizations, will update the Commission on collaborative efforts to promote and manage the annual early dove hunt to ensure it continues as an annual tradition that supports both the Department mission and the local economy.
- 2. 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.
- 3. 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. **Commission Priorities Update. Presenter: Ty Gray, Deputy Director.** The Department will provide an update on efforts towards accomplishing Commission Priorities. The Commission may discuss and provide additional direction.
- b. **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 Landowner 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.
- c. **Approve Memorandum of Understanding (MOU) with the Lake Havasu Marine Association (LHMA). Presenter: Pat Barber, Yuma Regional Supervisor.** The Commission may approve an MOU with the LHMA to pursue cooperative activities on Lake Havasu.
- d. **Acquisition of a Perpetual Access Easement, Consisting of Three Road Segments across Private Property owned by Larry Merle Young, East of the Muleshoe Road, in Cochise County in Game Management Unit 32. Presenter: Al Eiden, Habitat Enhancement and Landowner 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).
- e. **Renewal of a Road Closure on State Trust Land Southeast of Florence, Arizona. Presenter: Al Eiden, Habitat Enhancement and Landowner 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.
- f. **Renewal of a Road Closure on State Trust Land Approximately Eight Miles East of Gold Canyon, Arizona. Presenter: Al Eiden, Habitat Enhancement and Landowner 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.
- g. **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 Landowner 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).
- h. **Approve 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.

- i. **Renewal of Arizona State Land Department Special Land Use Permit at Arlington Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to renew the existing Arizona State Land Department Special Land Use Permit at Arlington Wildlife Area.
 - j. **Approve Livestock Access Agreement at the Lower San Pedro River Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve a livestock access agreement to allow livestock access over a portion of the Lower San Pedro River Wildlife Area.
 - k. **Renewal of a License Agreement with Mohave Electric Cooperative, Inc. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission may approve the renewal of a license agreement with Mohave Electric Cooperative, Inc. across Topock Marsh.
4. **State and Federal Legislation. Presenter: Jorge Canaca, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities.
 5. **Approve Draft Exempt Rulemaking Amending Article 8, Wildlife Areas and Department Property. Presenter: Pat Barber, Region Manager FOR4.** The Department will ask the Commission to vote to approve a Draft Notice of Exempt Rulemaking amending Article 8, Wildlife Areas and Department Property.
 6. **Commission Authorization for a Temporary Price Reduction for Licenses per A.R.S. § 17-333.B. Presenter: Anthony Guiles, Assistant Director, Information, Education, and Recreation Division.** The Commission may approve temporary price reductions per A.R.S. § 17-333.B for two promotions between April 1 and June 30, 2016. The purpose of the reduction is to facilitate promotions intended to sell more hunting and fishing licenses and expand the Department's customer base.
 - *NEW*
 - 6A. **Petition by Sean Donovan for javelina tags for Spring 2016. Presenter: John Bullington, Assistant Director, Support Services.** The Commission will be presented a summary of the petition as well as the Department's findings for Mr. Donovan's Spring Hunt Application.
 - *NEW*
 - 6B. **Petition by Stephen Mancuso for Merriam Turkey tags for Spring 2016. Presenter: John Bullington, Assistant Director, Support Services.** The Commission will be presented a summary of the petition as well as the Department's findings for Mr. Mancuso's Spring Hunt Application.
 7. **Aquatic Wildlife Update on Native Aquatic Conservation Actions. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission will be provided a briefing on native aquatic conservation actions completed in 2015.

Agenda Items 7A and 7B 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.

NEW

7A. Inter-Governmental Agreement with the White Mountain Apache Tribe. Presenter: Chris Bagnoli, Pinetop Regional Supervisor. The Commission will be presented an Inter-Governmental Agreement with the White Mountain Apache Tribe (WMAT) to provide support in the form of law enforcement related training and investigation support for WMAT Department of Public Safety Game Rangers.

NEW

7B. Memorandum of Understanding with the Eastern Arizona Counties Organization. Presenter: Jim deVos, Assistant Director, Wildlife Management Division. The Commission may approve a Memorandum of Understanding to allow the Department to cooperate with the Eastern Arizona Counties Organization on forest restoration efforts through the Four Forests Restoration Initiative.

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

TIME CERTAIN AT 2:00 PM

8. 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
Harrison Neff	2016-0010	Count A:	Take wildlife in closed area (Trout)
		Count C:	Trespass in a closed area
Louis A. Birruete	2016-0012	Count A:	Take wildlife without a license (Turkey)
		Count B:	Take wildlife without a tag (Turkey)
		Count C:	Take wildlife in a closed season (Turkey)
		Count D:	Take wildlife from a vehicle (Turkey)
		Count E:	Take wildlife from roadway (Turkey)
Juan Carlos Vega-Robles	2016-0013	Count A:	Take wildlife during closed season (Mule Deer)
		Count B:	Knowingly waste edible portion of game meat (Mule Deer)
Jason Pryor	2016-0016	Count A:	Obtain 2015 resident hunt/fish license by misrepresentation Citation A06863
Ira Hoeffliger	2016-0018	Count A:	Obtain 2014 resident hunting license by fraud Citation A06866
		Count A:	Obtain 2011 resident hunting license by fraud

9. 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; *WildEarth Guardians v. Sandoval*, CV 12-118 (NM); *Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817 (AZ); Big Sandy River-Planet Ranch Water Rights Settlement Agreement (Planet Ranch); *Center for Biological Diversity v. Jewell*, CV 15-00019 (AZ); *State of Arizona v. Jewell*, CV 15-00245 (AZ); *WildEarth Guardians v. Ashe*, CV 15-00285 (AZ); *Harrison v. Dennerline* CV 15-01060 (AZ); *Safari Club International v. Jewell*, 15-0930 (NM); *WildEarth Guardians v. Jewell*, 15-02173 (DC); *WildEarth Guardians v. Heather Provencio*, CV 16-0810.

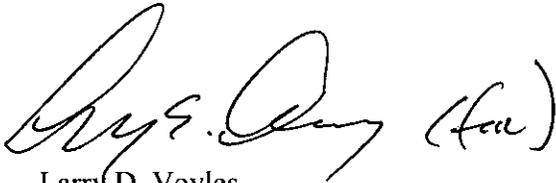
- b. **Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) for the purpose of discussing and consulting with legal counsel for legal advice regarding Open Meeting Law and the Santa Catalina Bighorn Sheep Advisory Committee.
 - c. **Litigation 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.
10. **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*, CV 12-118 (NM); *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176 (AZ); Big Sandy River-Planet Ranch Water Rights Settlement Agreement (Planet Ranch); *Center for Biological Diversity v. Jewell*, CV 15-00019 (AZ); *State of Arizona v. Jewell*, 15-CV-00245 (AZ); *WildEarth Guardians v. Ashe*, 15-CV-00285 (AZ); *Safari Club International v. Jewel*, 15-0930 (NM); *WildEarth Guardians v. Jewell*, 15-02173 (DC).
11. **Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from January 15-16, 2016.
12. **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.
13. **Future Agenda Items and Action Items.**

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Saturday, February 6, 2016

Field Trip: From 8:00 a.m. to 2:00 p.m., the Commission and Department staff will travel by carpool to the Sonoran pronghorn captive breeding facility on the Kofa National Wildlife Refuge. Staff will provide a briefing on the Sonoran pronghorn recovery program and the captive breeding program.

Regional staff will meet with Commissioners and other Department staff at the Hilton Garden Inn Yuma Pivot Point at 8:00 a.m. and lead a convoy north on Highway 95 to a staging area at the intersection of Highway 95 and the King Valley Road. Attendees will switch to multi-passenger vehicles to travel to the Kofa NWR Sonoran pronghorn captive breeding pen. Staff will provide a briefing on the Sonoran pronghorn recovery program in general, and offer a specific briefing and demonstration of the captive breeding program. If time permits regional staff will also take the tour to a nearby buried water catchment to demonstrate this new design developed by Region IV. The Commission may provide the Department guidance or direction on matters covered in this briefing for future action. No legal action will be taken by the Commission during the field trip.



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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”