THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
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GOVERNOR
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COMMISSIONERS
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JAMES S. ZIELER, ST. JOHNS
ERIC S. SPARKS, TUCSON
DIRECTOR
LARRY D. VOYLES
DEPUTY DIRECTOR
TY E. GRAY

PUBLIC MEETING NOTICE AND AGENDA

May 20, 2016

A public meeting of the Arizona Game and Fish Commission will be held on **June 10-11, 2016 at the Mazatzal Hotel (Fireside Room), Highway 87, Mile Marker 251, Payson, Arizona 85541,** 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 from any one of the Department's six Regional Offices and the Department Headquarters 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, June 10, 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. **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. **State Land Grazing Lease at Raymond Wildlife Area Renewal. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve renewal of an existing state land Grazing Lease at Raymond Wildlife Area.

   b. **Resolution Copper Project Cost Share Position Cooperative Agreement. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to

approve a Cooperative Agreement for a cost-shared position within the Department's Project Evaluation Program to assist in environmental analyses for impacts to state trust resources.

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. **Commission Priorities Update. Presenter: Scott Lavin, Wildlife Recreation Branch Chief.** The Department will provide an update on efforts towards accomplishing Commission Priorities. The Commission may discuss and provide additional direction.

5. **Landowner-Lessee/Sportsman Relations Committee Appointment. Presenter: Al Eiden, Habitat Enhancement and Landowner Relations Program Supervisor.** The Department's Landowner Relations Program has received nominations for two individuals to fill two vacant spots on the Landowner-Lessee/Sportsman Relations Committee. Mr. Doug Beach and Mr. Jarrett Babincsak are both interested in helping to improve access issues. The Commission may vote to take action on, or provide the Department direction on this item.

6. **Approve Final Rulemaking Amending Article 7 Rules Addressing Heritage Grants. Presenter: Sherry Crouch, Funds Planning Branch Chief.** The Department will ask the Commission to approve the Notice of Final Rulemaking and Economic Impact Statement amending Article 7 rules addressing Heritage Grants.

TIME CERTAIN AT 10:00 AM

7. **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
Casey Kreager	2016-0041	Count A:	Take mule deer in closed area
		Count B:	Possess unlawfully taken mule deer
Jason Rollinger	2016-0048	Count A:	Possess unlawfully taken javelina
		Count B:	Take javelina without a valid tag
James Ellis	2016-0049	Count A:	Possess unlawfully taken mule deer
Nicholas Cloyd	2016-0050	Count A:	Take mule deer in closed season
		Count B:	Possess unlawfully take mule deer
		Count C:	Waste edible game meat
		Count D:	Take mule deer without a valid tag
Conner Strahm	2016-0051	Count B:	Possess unlawfully taken mule deer
Terry Fulks	2016-0054	Count A:	Possess unlawfully taken elk
David Long	2016-0055	Count A:	Possess unlawfully taken elk
Brandon Pearce	2016-0056	Count A:	Take Gila monster in closed season
Andrew Cates	2016-0057	Count A:	Guide without a license
Daniel Cervantes	2016-0058	Count A:	Take mule deer in closed season

8. **Approve Law Enforcement Boating Safety Fund (LEBSF) Grant Allocation Formula for FY 2017. Presenter: Gene Elms, Law Enforcement Branch Chief.** The Department will provide the Commission with the proposed LEBSF Grant Allocation Formula per ARS §5-383.

9. **Petition by James Griffin to provide Resolution for his 2015/2016 Elk/Antelope Draw Application Issues. Presenter: John Bullington, Assistant Director, Support Services.** James Griffin is petitioning the Commission to receive an elk tag. The Department will be present a summary of the petition as well as the Department's findings for Mr. Griffin's 2015/2016 elk/antelope draw issue.

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

Agenda Item #11 is a first read item. 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. **Approve a Cooperative Agreement and License Agreement at the Lower San Pedro River Wildlife Area. Presenter: Joyce Francis, Habitat, Evaluation and Lands Branch Chief.** The Commission will be asked to approve a Cooperative Agreement and License Agreement with G&H Land and Cattle Company at the Lower San Pedro River Wildlife Area for management of the grazing and agricultural leases and associated deeded property.

11. **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 2017.** The Commission will be asked to approve the expenditure of unspent fund balances. The Commission will also be asked to approve the expenditure of unspent fund balances from 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 2017.

12. **Approve the amended Fiscal Year 2017 Game and Fish Fund Budget and the Fiscal Year 2018 Game and Fish Fund Budget Request. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve amended Fiscal Year 2017 Commission approved Game and Fish Fund budget and asked to approve the proposed expenditures from the Game and Fish Fund for Operating and Capital Outlay programs for Fiscal Year 2018.

13. **Approve the amended Fiscal Year 2017 Watercraft Licensing Fund Budget and the Watercraft Licensing Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2017 Commission approved Watercraft Fund budget and approve the proposed expenditures from the Watercraft Licensing Fund for Fiscal Year 2018.

14. **Approve the Game, Nongame, Fish and Endangered Species Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to

approve the proposed operating expenditures from the Game, Nongame, Fish and Endangered Species Fund for Fiscal Year 2018.

15. **Approve the Capital Improvement Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to approve the proposed expenditures from the Capital Improvement Fund for Fiscal Year 2018.

16. **Approve the Wildlife Endowment Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to approve the proposed expenditures from the Wildlife Endowment Fund for Fiscal Year 2018.

17. **Approve the amended Fiscal Year 2017 Off-Highway Fund Budget and the Off-Highway Vehicle Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2017 Commission approved Off-Highway Vehicle Fund budget and to approve the proposed expenditures from the Off-Highway Vehicle Fund for Fiscal Year 2018.

18. **Approve the amended Fiscal Year 2017 Heritage Fund Budget and the Heritage Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2017 Commission approved Heritage Fund budget and to approve the 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) sub-funds for Fiscal Year 2018.

19. **Approve the amended Fiscal Year 2017 Arizona Wildlife Conservation Fund Budget and the Arizona Wildlife Conservation Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2017 Commission approved Arizona Wildlife Conservation Fund budget and to approve the proposed expenditures from the Arizona Wildlife Conservation Fund for Fiscal Year 2018.

20. **Approve the amended Fiscal Year 2017 Indirect Cost Recovery Fund Budget and the Indirect Cost Recovery Fund Budget Request for Fiscal Year 2018. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2017 Commission approved Indirect Cost Recovery Fund budget and to approve the proposed Fiscal Year 2018 expenditures from the Indirect Cost Recovery Fund.

21. **Approve the Amended Fiscal Year 2017 Federal Assistance Funds Budget Request and the Fiscal Year 2018 Federal Assistance Funds Budget Request.** The Commission will be asked to 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 2017 and the Wildlife and Sport Fish Restoration Grants, Program Income, State Wildlife Grants, Coast Guard Boating Safety, Section 6 Endangered Species Grant and Contracts for Fiscal Year 2018.

22. **Commission Meeting Travel Considerations. Presenter: Ty Gray, Deputy Director.** The Department will discuss Commission meeting travel cost considerations and guidelines with the Commission.

23. **Update of Commission Awards. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will present the Commission with a list of award categories for the 2016 Commission Awards to be presented at the January 2017 Commission Awards Banquet. The Commission may vote to take action or provide the Department further direction on this item.

24. **Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2017 and January 2018. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will ask the Commission to consider and select proposed meeting dates and locations for the Year 2017 and for January 2018.

25. **Election of Commission Chair and Vice-Chair for July 1, 2016 through June 30, 2017 and Election of Positions and Appointments to Standing Committees. Presenter: Kent Komadina, Special Assistant to the Director.** The Commission will vote to elect a Commission Chair and Vice-Chair for July 1, 2016 through June 30, 2017. The incoming Commission Chair will then appoint individual Commissioners to chair the committees from July 1, 2016 through June 30, 2017. The Commission may vote to establish or dissolve committees.

TIME CERTAIN AT 2:00 PM

26. **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 2017–2018 Special License Tag Hunting Seasons. Presenter: Amber Munig, Big Game Management Supervisor**. The Commission will consider and may vote to approve Commission Order 29: Special Hunts, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License Tags. A detailed description of all proposals is available for public review at all Department offices.

27. **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 2017–2018. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission will consider and may vote to take action on applications from organizations for 2017–2018 Special Big Game License Tags as per R12-4-120. A detailed description of proposals is available for public review at all Department offices.

28. **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; Zuni water rights settlement agreement;* Proposed Rosemont Copper Mine Project; *Center for Biological Diversity v. U.S. Forest Service,* CV 12-0817 (AZ); *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. Heather Provencio, CV 16-0810; New Mexico Game and Fish Department v. USFWS.*

b. **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.

c. **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.

d. **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.

29. 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; Center for Biological Diversity v. U.S. Forest Service, CV 12-08176; 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; WildEarth Guardians v. Heather Provencio, CV 16-0810; New Mexico Game and Fish Department v. USFWS.*

30. Approve and Sign Minutes. The Commission may approve and sign the Commission meeting minutes from May 5-6, 2016 and May 6-7, 2016.

31. Commissioner Committee Reports. Commissioners may provide an update on the subcommittees that they chair regarding 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.

32. 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.

33. Future Agenda Items and Action Items.

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Saturday, June 11, 2016

Field Trip: From 8:30 a.m. to 11:30 a.m. the Commission and Department staff will participate in a Tour of Ellison Falls, Ben Avery cabin site and Cold Springs Ranch at 1965 S Forest Service Road 420, Payson, AZ 85541. No legal action will be taken by the Commission during the field trip.

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"