

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, December 1, 2017
Saturday, December 2, 2017
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

Chairman James R. Ammons
Commission James S. Zieler
Commissioner Kurt R. Davis
Commissioner Edward "Pat" Madden

Director Ty Gray
Deputy Director Tom Finley
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Linda Pollock
Assistant Attorney General John LeSueur

Chairman Ammons called the meeting to order at 8:00 a.m. and led those present through the Pledge of Allegiance followed by a moment of silence in honor and remembrance of Patriots Day on September 11th, the victims in the Las Vegas shooting, the National Fallen Firefighter Memorial Service, victims of the shooting in Sutherland Springs, Texas, and for the passing of Department employee Linda Bock.

The Commission introduced themselves followed by introductions of the Director and the Director's staff. Commissioner Eric Sparks was not present. This meeting followed an agenda revision #1 dated November 29, 2017.

Awards and Recognition

Chairman Ammons presented a Commission Certificate of Appreciation to the Department's Information Systems Branch for their outstanding contributions to the Arizona Game and Fish Department.

* * * * *

1. Call to the Public

John Jordan with Recreational Fishing - Lee's Ferry, addressed the Commission. He is the representative on the Adaptive Management Workgroup, which is a federal advisory committee for the operation of the dam. Mr. Jordan expressed concern about elements in the Parks Service's proposed Environmental Assessment related to mechanical removal of brown trout and the negative impact that could have on the rainbow trout fishery. He is working with the Department and angler groups on the issue.

Commissioner Davis thanked Mr. Jordan for coming to the Commission meeting and asked him to keep the Commission informed of how he views the process and to continue to provide the Commission with information from his perception as this progresses.

* * * * *

2. Consent Agenda

The following items were grouped together and noticed as consent agenda items to expedite action on routine matters, and/or were previously presented to the Commission as a “first read” item. These items were presented to the Commission and none were removed for discussion.

Commissioner Davis requested that the standard language regarding Commission authorities that the Department developed for agreements with federal partners be added to the agreement regarding item b.

a. Approve Hunting and Fishing License Reciprocity Memorandum of Understanding with State of Nevada

Presenter: Chris Cantrell, Aquatic Wildlife Branch Chief

The Department requests Commission approval of a License Reciprocity Memorandum of Understanding (MOU) with the State of Nevada and to authorize the Director, as Secretary to the Commission, to execute agreements with the State of Nevada consistent with Commission guidance on license reciprocity. The Nevada Board of Wildlife Commissioners approved a simplified hunting and fishing license privileges package that will go into effect January 1st, 2018. The Department recommends amendments on the License Reciprocity MOU with the State of Nevada and as part of these ongoing negotiations the Department recommends that the Director be granted authority to execute the agreement on behalf of the Commission consistent with the Commission approved license structure wherein the hunting and fishing opportunities afforded by the Colorado River, Lake Mead and Lake Mohave may be mutually enjoyed by residents and nonresidents of both states.

The Department recommends THAT THE COMMISSION AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE AGREEMENTS WITH THE STATE OF NEVADA CONSISTENT WITH COMMISSION GUIDANCE ON LICENSE RECIPROCITY, AS APPROVED OR AS RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Approve Memorandum of Understanding with the National Forest Foundation

Presenter: Josh Avey, Terrestrial Wildlife Branch Chief

The Department requests Commission approval of a Memorandum of Understanding (MOU) to allow the Department to partner with the National Forest Foundation on conservation and education programs. The Department and the National Forest Foundation propose to work cooperatively for the common purpose of restoring Arizona forests, watersheds, and associated wildlife habitats. This MOU provides a relationship and framework for conservation actions that benefit Arizona wildlife and provide opportunities to inform and educate the public.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL FOREST FOUNDATION AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE

COMMISSION, TO EXECUTE THE AGREEMENT AS APPROVED OR AS RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE ITEMS A AND B ON THE CONSENT AGENDA WITH THE MODIFICATION TO ITEM B OF ADDING THE STANDARD LANGUAGE DEVELOPED BY THE DEPARTMENT FOR AGREEMENTS WITH FEDERAL PARTNERS.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

3. Legislative Engagement and State and Federal Legislation

Presenter: Ed Sanchez, Legislative Liaison

Mr. Sanchez provided a PowerPoint presentation and briefing on the current status of selected state and federal legislative matters. The presentation included the following information and Commission actions:

State Legislative Update

Statewide Initiative by Arizonans for Wildlife:

- A statutory measure that would amend A.R.S: Section 3-2401, Section 17-101, Sec. 17-309 and Title, Chapter 3, article 1 adding Sec. 17-321; New definitions: “Wild Cat” means any live Bobcat, Mountain Lion, Jaguar, Lynx, or Ocelot; “Take a Wild Cat” or “Take of a Wild Cat” means pursuing, shooting, hunting, trapping, capturing, snaring, or netting a wild cat.
- Provisions: Notwithstanding any other provision of law it is unlawful for a person to hunt, trap, or otherwise take a wild cat
- Exemptions:
 - Protection from immediate bodily harm (includes reporting requirement, prohibition on retention)
 - Take by law enforcement officer or licensed veterinarian in course of official duty
 - Activities authorized by federal law
 - Depredations (includes prohibition on special seasons and bag limits)
 - Take with Scientific Collecting license, by Wildlife Rehabilitation licensee, Zoo licensee or by Department employee (includes requirement that take must be “for the purpose of promoting the health and wellbeing of the individual animal or for the benefit of the species”)

Mr. Sanchez provided the Commission with the language that will be on the ballot for this initiative as follows: "Bobcats, mountain lions lynx, jaguars and ocelots, defined in this measure as "wild cats," have significant ecological value and these vulnerable animals should be shielded from trophy hunters looking to kill them for their heads or fur. This measure protects these

species by prohibiting needless killing and inuring of wild cats by shooting, trapping, using packs of hounds, or other inhumane methods. The measure authorizes exceptions for killing wild cats that threaten personal safety, property, or livestock. The measure also allows for conservation activities by researchers, zoos, and rehabilitation facilities."

Commissioner Davis commented as follows: "The Commission, in its routine business, takes positions related to federal and state legislation, and potential things that impact the Department as part of what the Commission does. This is a situation where we are looking at a proposed initiative that has not yet qualified for the ballot, but is a potential initiative that impacts the ability for the Department to manage our state's wildlife. This is what I describe as ballot box wildlife management verses scientific wildlife management. Because the Department has a responsibility for over 800 species in our state and it is an integrated, complicated and complex model that the Department has to manage, I view this kind of ballot box management as very dangerous for the ability of our wildlife professionals and scientist to be able to ultimately effectively manage all the forms of wildlife that it has in the state. We won't even get into the misleading language that occurs in this proposal, but I think it's important for the Commission to send a clear signal that it is in opposition to this initiative because of its potential impact on the Department's ability to manage all of our state's wildlife. It removes tools that are used by the Department when it contemplates the management of species and I think that is a very dangerous path to go down for our public and for our wildlife, and I would hope that the Commission would send a clear message in opposition to this initiative.

Commissioner Zieler stated that he also adamantly opposes any kind of a ballot measure such as this that would take away the ability of the Department to manage wildlife in Arizona.

Motion: Davis moved and Zieler seconded THAT THE COMMISSION VOTE TO OPPOSE THE PROPOSED BALLOT INITIATIVE RELATED TO WILD CATS AND TO AFFIRM THAT THE DEPARTMENT HAVE ALL THE TOOLS NECESSARY TO MANAGE ARIZONA'S WILDLIFE.

Vote: Unanimous
4-0
Sparks not present

Budget

The Department does not receive General Funds, but is subject to the budget process. The Executive Budget Proposal should be released by mid-January. The Department will be presenting to the Appropriations Committees its FY18 requests on the following:

- Law Enforcement Vehicle Replacement
- Aquatic Invasive Species Program
- Sperling Springs Hatchery
- Property and Dam Maintenance
- Wildlife Endowment Fund

2018 Legislative Proposals

License Simplification Reauthorization - Introduce and pass legislation to permanently reauthorize the Commission's authority to set license structure by rule.

The passage of this legislation in 2013 has transformed the operations of the Department, allowing the agency to operate like a business, specifically by allowing the Department to offer products and services that suit our customers' needs quickly and efficiently. Prior to the implementation of this business model, changes to license types, tags, permits, stamps and associated fees all required statutory authorization. Under the old process, changes would take between 1 and 3 years. This legislation allows for:

- Repeal of statutory language prescribing fees for licenses, permits, tags and stamps
- Authority for the Game and Fish Commission to set fees by rule
- Option to temporarily waive or reduce fees upon recommendation of the Director.

Included with the reauthorization are the following 2018 proposals:

- Eliminate requirement that licenses be physically signed in ink
- Clarify Commission authority to offer free and discounted licenses for veterans
- Allow third party license dealers to retain a convenience fee for the sale of licenses.

Congressional Update

Tax Reform: The current focus is on tax reform with the hope that it will be done by the end of the year.

Grand Canyon Bison Management Act:

- Bison language amended to SHARE ACT in House NR Committee
- SHARE ACT passed out of House NR Committee
- Bill awaiting final action on House Floor
- No action expected this year.

Wild Horse and Burro:

- BLM Authority to manage excess burros
- Language in House, not in Senate
- Battle will come down to reconcile in Conference Committee.

* * * * *

4. Commission Priorities Update

Presenter: Kent Komadina, Special Assistant to the Director

Mr. Komadina provided an update on the Commission Priorities Report (attached) and highlighted several activities since the last Commission meeting. The Commission sets its priorities on an annual basis with some adjustments during the year. The Department regularly reports to the Commission on its progress for each priority. Currently, the Commission Priorities are as follows:

- Increase Access/Landowner Relations
- Business Enterprise Development
- Comprehensive Wildlife Management
- Facility Maintenance, Improvements & Real Estate Strategies

- Maximize Officer Field Time and Promote Fair Chase
- Public Affairs
- Customer Recruitment, Retention, & Reactivation
- Habitat Improvement & Conservation
- Sportfish Opportunities
- Maintaining Department and State Authorities for Conserving Wildlife
- Process improvements

Terrestrial Wildlife Branch Chief Josh Avey provided a PowerPoint presentation and update on the Department's Comprehensive Wildlife Management. The update included the following:

- Historical view of data management, including surveys and questionnaires
- New survey applications and questionnaires
- New hunter harvest data collection
- New small game questionnaire
- New check-in process for bighorn sheep, bear, mountain lion and bison
- Survey summary reports and availability
- Management of hunt recommendations
- Data collections and central compilations of all species in Arizona
- Wildlife data warehousing and management supports the Arizona Conservation Strategy.

* * * * *

5. Briefing on Department Deployment of Arizona Management System (AMS)

Presenter: Clay Crowder, Wildlife Planner

Mr. Crowder provided a PowerPoint presentation and update on the Department's progress in deploying AMS methods and tools to reduce waste and build sustainable efficiency in the Department's systems and processes. AMS was implemented by Governor Ducey as part of his vision for Arizona to be the number one state to live, play, recreate, retire, visit, do business, and get an education. To achieve this vision, a professional, results-driven management system has been deployed to transform the way Arizona state government thinks and does business as one enterprise. State agencies are doing more good for Arizona by tracking and improving their performance each and every day.

Mr. Crowder's presentation included an update on the Department's performance scorecard, the metrics that track progress and the Department's ability to meet targets or set short term goals to meet long term outcomes. AMS tools being implemented include employee ownership of problem solving, leadership behavior, such as Gemba walks and coaching, and performance management. Also included in the update were several successful employee ideas and projects.

* * * * *

6. Request to Approve Final Expedited Rulemaking Amending Article 6 Rules Addressing Rules of Practice Before the Commission

Presenter: Kent Komadina, Special Assistant to the Director

Mr. Komadina presented a proposed Notice of Final Expedited Rulemaking amending rules within Article 6, addressing rules of practice before the Commission. The Department proposes to amend rules within Article 6 to enact recommendations developed during the preceding Five-year Rule Review Report approved by the Commission at the December 2, 2016 Commission meeting and by G.R.R.C. at the March 7, 2017 Council meeting.

For all rules involving a petition, the Department recommends requiring a petitioner to use a form furnished by the Department to ensure a petition contains the required elements to reduce the regulatory burden. In addition to nonsubstantive changes designed to remove regulatory uncertainty and increase consistency between Commission rules, the Department proposes the following substantive amendments:

R12-4-601. Definitions

- Adopt a rule of definitions to ensure compliance with APA and SOS format and style requirements and standards
- Define the terms “business day”, “Commission Chair” and “respondent” to ensure the consistent interpretation of Commission rules.

R12-4-602. Petition for Rule or Review of Practice or Policy

- Replace the term "Director" with "Department" to make the rule more concise
- Remove the statement that the petition shall be placed in the rule record as this requirement is covered under A.R.S. 41-1056.

R12-4-603. Written Comments on Proposed Rules

- Clarify a written comment submitted by a person on behalf of a group/organization that does not contain all required information is placed in the rule record as the view of that person, not the group/organization.

R12-4-605. Ex Parte Communication

- Remove references to the service of a memorandum as a result of a comparison of this rule to rules governing rehearing or review made by other self-supporting agencies: the Arizona Medical Board, State Board of Dental Examiners, and State Board of Accountancy
- Remove the reference to "hearing officer" as the Administrative Hearing Office is governed by R2-19-205 Ex Parte Communications.

R12-4-606. Standards for Revocation, Suspension, or Denial of a License

- Include additional offenses for which the Commission may revoke, suspend, or deny a license to reflect statutory amendments made to A.R.S. § 17-309(A)(1)
- Require a revocation hearing only upon the recommendation of the Department to reduce burdens and costs to persons regulated by the rule.

R12-4-608. Rehearing or Review of Commission Decisions

- Indicate a person who fails to file a timely motion for rehearing or review is prohibited from seeking a judicial review of the Commission's decision to increase clarity
- Extend the time in which the Commission may initiate a rehearing or review

- Specify the time-frame in which the Commission shall hold the rehearing or review to increase clarity.

R12-4-609. Commission Orders

- Allow the Commission to hold a meeting to review an order establishing a special season, allowing fish to be taken by additional methods on waters where a fish die-off is imminent, as soon as possible.

The Commission approved the Notice of Proposed Expedited Rulemaking at the September 2017 Commission Meeting. The rulemaking record was open for public comment from September 15 to October 15, 2017; the Department did not receive any public or stakeholder comments in response to the proposed expedited rulemaking. If approved by the Commission and in accordance with the exemption authorized by the Governor's Office, the Department will submit the final rulemaking package to the Governor's Regulatory Review Council (G.R.R.C.) for review and placement on a future agenda.

Commissioner Zieler asked what the additional offenses are for which the Commission could revoke a hunt/fish license.

Mr. Komadina stated that they are 1) bartering, selling or offering to sell unlawfully taken wildlife parts; 2) knowingly allowing another person to use a person's big game tag except as provided in statute; and 3) unlawfully using aircraft to take, assist in taking, harass, chase, drive, locate or assist in locating wildlife in violation of statute.

Commissioner Madden confirmed with Mr. Komadina that the term aircraft definition includes drones.

Motion: Zieler moved and Madden seconded THT THE COMMISSION VOTE TO APPROVE THE NOTICE OF FINAL EXPEDITED RULEMAKING AMENDING RULES WITHIN ARTICLE 6 RULES OF PRACTICE BEFORE THE COMMISSION.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

7. Request to Approve Final Expedited Rulemaking Amending Article 11 Rules Addressing Aquatic Invasive Species.

Presenter: Chris Cantrell, Aquatics Branch Chief

Mr. Cantrell presented a Notice of Final Expedited Rulemaking amending rules within Article 11, addressing aquatic invasive species. The Department proposes to amend rules within Article 11 to enact recommendations developed during the preceding Five-year Rule Review Report approved by the Commission at the December 2, 2016 Commission meeting and by the Governor's Regulatory Review Council (G.R.R.C.) at the March 7, 2017 Council meeting.

The Department recommends moving and renumbering the Article and rules (from 11 to 9) and amending R12-4-1102 to require a person to remove all plugs and devices, except those that are sealed and exist for maintenance purposes only, and any other barriers that prevent water drainage while the watercraft, vehicle, conveyance, or equipment is in transport after leaving any affected waterbody.

The Commission approved the Notice of Proposed Expedited Rulemaking at the September 2017 Commission Meeting. The rulemaking record was open for public comment from September 15 to October 15, 2017; the Department did not receive any public or stakeholder comments in response to the proposed expedited rulemaking. If approved by the Commission and in accordance with the exemption authorized by the Governor's Office, the Department will submit the final rulemaking package to G.R.R.C. for review and placement on a future agenda.

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE NOTICE OF FINAL EXPEDITED RULEMAKING AMENDING RULES WITHIN ARTICLE 11 AQUATIC INVASIVE SPECIES AS PRESENTED.

Vote: Unanimous

* * * * *

8. Preview of Rulemaking Recommendations for Article 3 Taking and Handling of Wildlife

Presenter: Jay Cook, FOR6 Regional Supervisor

Mr. Cook provided a PowerPoint presentation and preview of rulemaking recommendations currently under review for Article 3 rules, regarding the taking and handling of wildlife. The presentation summarized recommendations for proposed amendments to rules within Article 3, which address the taking and handling of wildlife. The recommendations are the result of amendments proposed in the most recent Article 3 Five-year Review Report (approved by the Commission on March 1, 2017); and, after evaluating the scope and effectiveness of the proposed amendments specified in the review, additional amendments to further implement original proposals. Recommendations include amendments intended to address:

- Use of drones
- Artificial flies and lures
- Edible portions of game meat
- Single point barbless hooks
- Defining terms commonly referenced in Commission Orders and rules
- Full-jacketed ammunition
- Crossbow permit
- Lawful methods and devices
- Unlawful methods and devices
- Trail cameras
- Foot pounds of energy requirements for pneumatic devices
- Feet per second requirements for archery devices
- Ceramic and ceramic-coated broadheads
- Gifting of wildlife taken with a valid license

- Authorization for use of drugs indemnifying language
- Group Fishing Permit
- Native baitfish
- Fishing seasons

This agenda item was continued after agenda item #22.

* * * * *

Meeting recessed for a break at 9:50 a.m.

Meeting reconvened at 10:00 a.m.

* * * * *

9. 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

Records of these proceedings are maintained separately.

* * * * *

10. Rehearing Request Regarding Previous License Revocation

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Mr. Elms presented a rehearing request by Brandon M. Balascio regarding the revocation of his license privileges. On June 10, 2016, Brandon M. Balascio was convicted in the Tucson Animal Welfare Court for take of a 4X4 trophy mule deer without a permit tag, take 2X2 mule deer and allow edible portions to go to waste, take 3X3 mule deer in excess of bag limit, and six counts of take javelina without a valid permit. On March 3, 2017, the Commission revoked Mr. Balascio's hunting, fishing and trapping licenses permanently to take wildlife in the State of Arizona. Mr. Balascio has requested a rehearing of this matter and decision because he feels he was given excessive penalties and he would like to be able to maintain his fishing privileges. Mr. Balascio was notified of this hearing to consider his request by certified mail.

Mr. Balascio was present and addressed the Commission on behalf of his request. He thanked the Commission for letting him speak and explained some of the circumstances regarding his case. He accepts responsibility for what he did and for not reading Arizona's hunt regulations. His hunting and fishing licenses have been suspended for life and he is only 22 years old. He asked the Commission to consider lowering the time period for his revocation or to allow him to have a fishing license. He has a fly fishing business in Ohio and would like to be able to fish.

Commissioner Zieler asked Mr. Balascio about the pictures of him fishing on his business website.

Mr. Balascio stated that the pictures were from before the revocation and that where he was fishing in Ohio, a person can fish in the tributaries without a fishing license.

Commissioner Zieler asked how much of the civil assessment Mr. Balascio has paid so far.

Mr. Balascio stated he has not started paying yet. He was waiting until after this hearing.

Commissioner Zieler stated he is not inclined to vote for a rehearing.

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO AFFIRM ITS ORIGINAL DECISION IN THE CASE OF BRANDON M. BALASCIO AND THAT THE REHEARING REQUEST BE DENIED.

Vote: Unanimous

* * * * *

12. Appeal of the Department's denial of applications for Wildlife Holding Licenses.

Presenter: Jay Cook, Mesa Regional Supervisor

Mr. Cook briefed the Commission on the decision issued by the Arizona Office of Administrative Hearings (OAH) Administrative Law Judge in the matter of Lynn Northern-Spanganberg's Wildlife Holding License applications for the purpose of Commercial Photography and for a Wildlife Holding License for the purpose of Education. In a letter dated January 26, 2017, the Department denied the application of Lynn Northern-Spanganberg for a Wildlife Holding license to possess restricted wildlife (African serval) for commercial photography per A.A.C. R12-4-417 (A), (C.4), (C.5), (G) and (H.5). In a second letter dated January 26, 2017, the Department denied the application of Lynn Northern-Spanganberg for a Wildlife Holding license to possess restricted wildlife (African serval) for education per A.A.C. R12-4-417 (A), (C.5), (G) and (H.2). Ms. Northern-Spanganberg timely filed an appeal for both license denials pursuant to A.A.C. R12-4-409(F)(4).

The Office of Administrative Hearings (OAH), conducted a hearing on May 22, 2017, and July 25, 2017, and a decision by the Administrative Law Judge, Diane Mihalsky, was issued on August 24, 2017. In the Decision, Judge Mihalsky issued a recommended order upholding the Department's denial of Ms. Northern-Spanganberg's special license applications for Wildlife Holding licenses to obtain or possess an African serval for the purposes of education or commercial photography. A.R.S. § 41-1092 authorizes the Commission to accept, reject, or modify Judge Mihalsky's decision. If the Commission rejects or modifies the Decision, the Commission must provide the parties and OAH with a written justification setting forth the reasons for the rejection or modification.

Eric English, attorney for Ms. Northern-Spanganberg, addressed the Commission on behalf of Ms. Northern-Spanganberg. They are going to respectfully decline to speak and let the Commission make its ruling off the decision of the Office of Administrative Hearings.

Motion: Zieler moved and Madden seconded THAT THE COMMISSION VOTE TO ACCEPT THE ADMINISTRATIVE LAW JUDGE'S FINDINGS OF FACT AND CONCLUSIONS OF LAW AND

ORDER THAT THE DEPARTMENT'S REGION VI DENIAL OF LYNN NORTHERN-SPANGANBERG'S APPLICATIONS FOR WILDLIFE HOLDING LICENSES BE AFFIRMED.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

13. Petition by Mr. Argyros for 2018 elk tag due to an accident on the first day of his 2017 hunt.

Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch

Ms. Gottlieb presented a petition by Mr. Argyros asking for a 2018 elk tag due an accident on his first day of his 2017 hunt. Mr. Argyros was drawn for hunt 3116. His elk tag was valid for archery-only elk (bull). The hunt dates were from September 15 – September 28, 2017 in unit 1, 2B and 2C. Mr. Argyros submitted a petition to the Department dated September 20, 2017. His petition states that on September 18, during his first day of hunting, he was bucked off his mule, suffered injuries and was flown to a hospital in Phoenix. Due to the severity of the injuries, surgery was required and he was unable to return to his hunt. Mr. Argyros is requesting the Department grant him the same tag in 2018 and/or his bonus points reinstated.

Mr. Argyros addressed the Commission on behalf of his request. He had purchased point guard and was able to donate the tag to a wounded veteran, who was able to harvest a bull elk. The spirit of point guard was met and he was hoping to get his points reinstated or get a tag. His hunt had already started and there is no provision for that.

Commissioner Davis stated that he is sympathetic for what happened to Mr. Argyros, but the rules regarding point guard are clear. If you think about it, the Commission could have thousands of people that would have various reasons, after the start of a hunt, to request bonus points back or another tag. That is why the rules of the program are very specific. It's not about lack of compassion for what you went through, but there has to be concrete rules related to a product like point guard.

Commissioner Zieler commented to Mr. Argyros that he recognizes and appreciates Mr. Argyros coming before the Commission and that he donated his tag to Hunts for Heros. Mr. Argyros is the kind of sportsmen the Commission likes to see. This is a tough situation, but the Commission really has no remedy for it. There is no rule that would allow the Commission to reinstate his bonus points or another tag.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO DENY THE PETITION BY MR. ARGYROS.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

22. Executive Session

The Commission voted 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.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous
4 to 0
Sparks not present

The Commission had a working lunch during Executive Session.

* * * * *

Meeting recessed for lunch at 12:09 p.m.

Meeting reconvened at 1:30 p.m.

* * * * *

8. (continued) Preview of Rulemaking Recommendations for Article 3 Taking and Handling of Wildlife

Presenter: Jay Cook, FOR6 Regional Supervisor

Mr. Cook continued his presentation and preview of rulemaking recommendations currently under review for Article 3 rules, regarding the taking and handling of wildlife.

Mr. Cook stated that it has taken some time to get authorization to move forward with rulemaking and asked the Commission to move the proposed rulemaking from the January 2018 Commission meeting to the February 2018 Commission meeting. Also, the Department would like to get more information at the upcoming Shot Show that pertains to emerging technology.

The Commission was in consensus to push the rulemaking out a month.

Commissioner Zieler asked about the edible portions of game meat, specifically neck meat, and asked about the enforcement of it.

Mr. Cook stated that neck meat wasn't included originally because there was some issues with enforcement on what's edible and what's not edible. The Department will give direction to its officers to use discretion and reasonableness when determining how much of the neck and a reasonable effort to recovery neck meat. The Department will be doing a lot of public education on this issue and others rule changes to make sure the public is aware.

The Department will consider any direction provided and a proposed rulemaking package to the Commission for approval at a future Commission Meeting.

* * * * *

11. Approval of Law Enforcement Boating Safety Fund (LEBSF) Grant Allocation Formula for FY 2019

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms presented the proposed LEBSF Grant Allocation Formula per ARS §5-383. During the 2011 Legislative Session, ARS §5-383 was modified to require the Arizona Game and Fish Commission to annually approve the funding allocation formula for the Law Enforcement Boating Safety Fund (LEBSF) and the responsibility for administering the fund allocation was transferred to the State Treasurer. The LEBSF apportionment is derived from the watercraft licensing revenue and distributed pursuant to ARS §5-323. The Commission is required to approve the formula annually. The basis of the proposed formula is derived from the historical formula developed by State Parks prior to 2009. This formula was traditionally updated every three years to reflect current Watercraft Survey boater use data and revised annually to include the most current deputy salary data obtained from the counties.

In 2016, the Commission directed the Department to review the LEBSF allocation formula and determine if there was a more equitable distribution with regard to boater use and its impact on the counties, while considering the tax base for rural counties and ensuring each boating safety program remained viable. County representatives and the Department met on several occasions throughout the year and consensus was reached to present the adjusted formula to the Commission. The revised formula implementation was delayed until FY19 to allow counties to plan for anticipated adjustments to the allocations. For FY19, the allocation formula has been updated and the current allocation formula was provided to the Commission prior to this meeting for review (attached).

Motion: Zieler moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE LAW ENFORCEMENT BOATING SAFETY FUND ALLOCATION FORMULA FOR FISCAL YEAR 2019 AS PRESENTED.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

14. Lands and Habitat Program Update

Presenter: Laura Canaca, Project Evaluation Program Supervisor

Ms. Canaca provided a PowerPoint presentation and update on major developments relating to resource management plans and actions on federal lands in Arizona. The update was provided to keep the Commission informed of major federal land planning actions in Arizona, and included an overview of the following:

A-S National Forest

- Travel Management Plan
 - NOI re-released w/out comment period
 - Department submitted comments: Request opportunity for public to see and comment on significant changes and updates to the DEIS (2010)
 - Identifying need for a reasonable range of alternatives (MBGR)

Coronado National Forest

- Travel Management Planning – by District
 - Safford – Final Decision Notice signed October 30
 - Douglas – Objection Resolution meeting October 30
 - Santa Catalina - Final Draft EA expected ~~September 2017~~ August 2018
- Fee Proposals – Released November 13, 2017
 - Opportunity for public engagement/input over next 6 months
 - Fee Increases: Day-use Sites \$8/day (from \$5); Coronado Annual Pass \$40 (from \$20); Campground Fees \$20/night (from \$10); Group sites (picnic and camping) \$50 flat fee, plus \$10/vehicle
 - New Fees: 23 day-use sites, 5 campgrounds, and 7 group sites

BLM Planning

- Recreational Shooting
 - Sonoran Desert National Monument: Final EIS/Proposed Amendment; Awaiting ROD – Governor’s Consistency Review
 - Route Evaluations Completed: Buckeye Hills, Bouse, and Cactus Plain

Department Webpage for Federal Land Management

- Federal Land Management Planning in Arizona
- <https://www.azgfd.com/searchresults/?q=federal%20land%20management>

* * * * *

15. Threatened and Endangered Wildlife Briefing

Presenter: Kenneth (Tuk) Jacobson, Raptor Management Coordinator

Mr. Jacobson provided a PowerPoint presentation and briefing on recent bald eagle telemetry efforts to improve data gathering for management recommendations. The presentation highlighted Department efforts to gather data on urban nesting bald eagles and included the following:

- Urban eagle tracking using satellite and cellular GPS technologies
- Breeding habitat and management of urban nest sites
- Additional avian protection efforts
- Tracking process, data collection and results
- Successes and next steps

* * * * *

16. Approve Cooperative Agreement for Activities Associated with the Transition of Ownership on EC Bar Ranch

Presenter: Joyce Francis, Habitat Evaluation and Lands Branch Chief

Ms. Francis provided a PowerPoint presentation and briefing on a proposed cooperative agreement with Mr. James Crosswhite for activities associated with the transition of ownership of the EC Bar Ranch in Nutrioso, Apache County, Arizona. The Department is currently in escrow to purchase 392 acres known as the EC Bar Ranch in Apache County. The real property transaction is on schedule to close escrow upon completion of the terms and conditions in the Purchase Agreement. Department staff and the current landowner have agreed that the transition of management of the property would best be accomplished with a cooperative agreement. The agreement will be mutually beneficial for both parties as the Department acquires the deeded land.

Motion: Zieler moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE A COOPERATIVE AGREEMENT AT THE EC BAR RANCH, AND AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

17. Commercial Public Records Request Policy

Presenter: Kent Komadina, Special Assistant to the Director

Mr. Komadina briefed the Commission on the Department's Commercial Public Records Request Policy. The Commission previously instructed the Department to provide names and mailing addresses in response to a commercial request for mailing lists. With increasing privacy concerns over personal information, the Department recommends the Commission reconsider its previous direction and direct the Department to no longer release personal identifying information in response to a commercial request. The Department has been working to assist those that have historically requested personal identifying information for commercial purposes by developing alternatives for marketing access through the Department's Portal and other advertising opportunities.

Motion: Davis moved and Madden seconded THAT THE COMMISSION VOTE TO RECONSIDER IT'S PREVIOUS DIRECTION AND DIRECT THE DEPARTMENT TO NO LONGER PROVIDE PERSONAL IDENTIFYING INFORMATION IN RESPONSE TO COMMERCIAL RECORDS REQUEST AND TO CONTINUE TO WORK WITH COMMERCIAL REQUESTORS TO PROVIDE MARKETING AND ADVERTISING SOLUTIONS AS ALTERNATIVES TO THE RELEASE OF PERSONAL IDENTIFYING INFORMATION.

Vote: Unanimous

4 to 0

Sparks not present

* * * * *

18. Memorandum Of Understanding (MOU) between Arizona Game and Fish Department and Forever Resorts.

Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch

Ms. Gottlieb provided a PowerPoint presentation and briefing on a proposed MOU with Forever Resorts to accept complimentary items of value for Department use as incentive awards to market the Departments' products and services. Forever Resorts is an organization incorporated with the similarity in purpose, coupled with the benefits of developing marketing partnerships, it is to the Parties' mutual benefit, and in turn to the benefit of Arizona's natural resources, that the Parties use the MOU to formalize a framework for collaborating with each other where possible and practical. Where it is feasible and to the mutual benefit of the Parties the Department would like to enter into an MOU in order to accept from Forever Resorts complimentary items of value for use as incentive awards to market the Departments' products and services. The Department agrees where feasible and within the Department's discretion, to use the Departments website to provide Forever Resorts with public recognition of the complimentary items of value. By entering into this MOU the Department and Forever Resorts can identify areas of mutual interest and work collaboratively to develop programs that benefit Arizona's resources and increase online services.

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

* * * * *

19. The Commission may approve acceptance of a perpetual access easement dedicated by the South Eastern Arizona Sportsmen Club to the Department.

Presenter: Al Eiden, Habitat Enhancement and Landowner Relations Program Manager

Mr. Eiden provided a PowerPoint presentation and briefing on a proposed perpetual access easement. The South Eastern Arizona Sportsmen Club proposes to dedicate a perpetual access easement it currently holds to the Department. This easement provides public recreational access into the east side of the BLM's Santa Teresa Wilderness. This easement secures motorized access for the public and a campsite on the edge of the wilderness area for the public to use in perpetuity.

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

* * * * *

20. License Agreement with Maricopa County for a Trail at Baseline and Meridian Wildlife Area.

Presenter: Joyce Francis, Habitat Evaluation and Lands Branch Chief

Ms. Francis briefed the Commission on a proposed License Agreement with Maricopa County authorizing a county trail to cross Baseline and Meridian Wildlife Area. Maricopa County has requested that the Commission authorize use of the old 115 Avenue roadway alignment that traverses the Baseline and Meridian Wildlife Area for a walking and hiking trail. The trail would be for non-motorized use only and access would be restricted to the existing roadway. The trail will not require new ground disturbance aside from the potential placement of several signs for safety and assisting hikers with navigating the trail. Maintenance of the trail itself shall continue to be the responsibility of the Department. Maintenance of signage and other improvements placed by the County shall be the responsibility of the County. This use should not adversely affect the purposes for which the Baseline and Meridian Wildlife Area was established.

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

* * * * *

21. Request to Approve Substantive Policy Statement; SP.002 - Permits Issued Under A.R.S. § 17-238(B).

Presenter: Jim Odenkirk, Assistant Attorney General

Mr. Odenkirk briefed the Commission on a draft substantive policy statement; SP.002 - Permits Issued Under A.R.S. § 17-238(B). After final approval of an amendment to R12-4-402 requiring federal agencies and employees to obtain permits to release wildlife, there will be a need for a Commission approved substantive policy statement that provides context for implementing A.R.S. § 17-238(B) with respect to the federal government. The Department requests approval of the draft substantive policy statement; SP.002 - Permits Issued Under A.R.S. § 17-238(B) as presented.

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

* * * * *

23. Litigation Report

There were no comments or questions regarding the Litigation Report.

* * * * *

24. Approval of Minutes

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM SEPTEMBER 8-9, 2017 AND NOVEMBER 3-4, 2017.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

25. Commissioner Committee Reports

Commissioner Zieler reported on the Hunt Recommendations Committee. The process has been streamlined and is going a lot more smooth thanks to Josh, Amber and their staff.

Commissioner Madden reported on the Fair Chase Committee. It is going well as seen in the Article 3 presentation by Jay Cook. Also, Chairman Ammons joined the Fair Chase Committee.

Commissioner Davis stated that the Cast and Blast with several legislators went very well. The Chair of Natural Resources as well as the now Acting Appropriations Chairman were among those that attended. It was a great opportunity to talk with them about how funding works for the Department and the need for the Department to drive revenue.

* * * * *

26. Director and Commissioner Comments

Director Gray stated that he and Deputy Director Finley have spent a lot of time over the past three months meeting with a variety of groups, including government partners, Governor's Office, legislators, sportsmen, traditional customers, industry people, and a lot of time going around the Department meeting with various work units.

Chairman Ammons stated that Jim with the Arizona Sportsmen for Wildlife Conservation told him he was very happy about Director Gray and Deputy Director Finley attending their meetings.

* * * * *

22. (continued) Executive Session

The Commission voted 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.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

Motion: Ammons moved and Madden seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

* * * * *

Meeting recessed for the day at 4:30 p.m.

* * * * *

* * * * *

Meeting reconvened on Saturday, December 2, 2017 at 8:00 a.m.

* * * * *

Chairman Ammons called the meeting back to order at 8:00 a.m. The Commission and Director Gray introduced themselves and the Director's staff.

Awards and Recognition

Chairman Ammons presented Brown "Skip" Harris with a Commission Commendation of Achievement for his partnership with the Department in achieving its mission of the conservation of native wildlife.

Director Gray and Deputy Director Finley presented Service Pin Awards to the following Department employees:

30 Year Service Pin

Chris Bagnoli

25 Year Service Pin

Amber Munig

Tim Snow

Todd Buck

Brad Fulk

Deanna Pfleger

Shelly Shepherd

Candy Holod

Daniel Urquidez

David Clark

Mike Ingraldi

20 Year Service Pin

Fred Bloom

Joseph Currie

Jim Garrett

Teena Wellman

Jill Bright

Clint Adams

Robyn Beck

Dana Warnecke

Raul Vega

* * * * *

Meeting recessed for a break at 8:43 a.m.

Meeting reconvened at 8:55 a.m.

* * * * *

1. Call to the Public

There were no requests to speak.

* * * * *

2. Consideration of Proposed Commission Orders 3, 4, and 26 for 2017 Hunting Season and Amendment to Commission Order 8 for the 2017 Spring Season.

Presenter: Amber Munig, Big Game Program Supervisor

Amber Munig, Big Game Program Supervisor

Ms. Munig presented the Commission with Commission Orders 3 (pronghorn antelope), 4 (elk), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers or authorized limits, and open areas for the respective 2018 and 2019 fall hunting seasons. Ms. Munig provided a PowerPoint presentation that included charts and graphs of historical and current survey data, as well as weapon type data and young/female and male/female ratios. A detailed description of all proposals was provided to the Commission prior to this meeting for review and consideration, and was available for public review at all Department offices and on the Department's website.

Hunt structures and recommendations were formulated based on the five-year hunt guideline package approved in September 2017. The following hunt recommendations for fall 2018 and 2019 pronghorn antelope, elk, and population management seasons are based on the guidance provided by that document. All Regions hosted events at one or more local businesses within their region to discuss and answer questions about the hunt recommendations and game management in general. The regions did a good job advertising these events through local media outlets and within the businesses. Participation and interest varied, as expected with this initial approach to outreach. As outlined in the new hunt guidelines, more formal public meetings will be conducted once a year to address all three cycles of hunt recommendations.

In accordance with Hunt Guidelines, the Department will continue to allocate a proportion of the permits for pronghorn antelope and elk within Units 4A, 5A, and 5B to Hopi tribal members based on the estimated populations of pronghorn antelope and elk that occupy those lands. In exchange, the Hopi tribe will grant access to Hopi Trust Lands for permit draw hunters within the open hunt area. Likewise, Hopi tribal members that draw from their allotted permits will have access to the entire open area in the hunt area.

The following information was presented with subsequent Commission input and action:

(The Commission was provided with all details of the Department's recommendations prior to this meeting for review and consideration.)

Commission Order 3 - Pronghorn

The statewide buck to doe ratio is above guidelines at 32:100, whereas fawn to doe ratio is below the guidelines at 27:100. In Region 3, public access is an ongoing concern and influences permit recommendations; however, there are a number of ranches that do allow public access

facilitating pronghorn antelope hunting. Big Boquillas Ranch in Unit 10 continues to charge a fee to enter the Ranch. About 60% of the hunters with pronghorn antelope permits are paying the fee to hunt on the Big Boquillas Ranch.

The following permit recommendations and changes are for the 2018 hunts.

General season permits are recommended to decrease by 28 from last year for a total of 443 permits. Permit recommendations are 264 for archery pronghorn antelope (a decrease of 12) and 82 for muzzleloader pronghorn antelope (an increase of 4). It is recommended that Hopi tribal members are allocated 15 general permits (an increase of 2), 6 archery-only permits, and no muzzleloader permits in Units 4A, 5A, and 5B. The Raymond Wildlife Area will be open to all pronghorn antelope hunters in this unit. The hunts for pronghorn antelope on Fort Huachuca in Unit 35A are recommended to remain closed. The Camp Navajo archery hunt is recommended to remain at 6 permits.

For 2019 hunts, all recommendations are no change from 2018.

Pronghorn 2018 Permit Summary

• Bonus Point		
• General	458	(-26)
○ Increase in Units 4A, 4B, 5B, 6A 12A/12B, 13A, 30A , and 31/32		
○ Decrease in Units 3A, 3C, 7, 9, 10, 18A 18B, and 21		
• Muzzleloader	82	(+4)
○ Increase in Unit 2B		
○ Decrease in Unit 15A/15B		
• Archery	276	(-12)
○ Increase in Units 12A/12B and 31/32		
○ Decrease in Units 9, 10, 18A, and 21		
• Hopi Tribal Permits (4A, 5A, 5B) and Camp Navajo		
• Total (includes Hopi and CN permits)	816	(-34)

Pronghorn 2019 Permit Summary

• Bonus Point		
• General	458	(no change)
• Muzzleloader	82	(no change)
• Archery	276	(no change)
• Hopi Tribal Permits (4A, 5A, 5B) and Camp Navajo		
• Total (includes Hopi and CN permits)	816	(no change)

Commissioner Zieler stated that the Hunt Recommendations Sub-committee concurs with the Department's recommendations.

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 3 – PRONGHORN ANTELOPE FOR THE 2018 AND 2019 SEASONS AS PRESENTED.

Vote: Unanimous
4 to 0
Sparks not present

Commission Order 4 – Elk

The statewide bull to cow ratio is within guidelines at 34:100; the calf to cow ratio remains within guidelines at 35:100. As with pronghorn antelope, a proportion of the permits in Units 4A, 5A, and 5B are recommended to be allocated to Hopi tribal members.

Elk harvest is recommended to allow limited population growth in some areas where growth is possible as identified in the Elk Management Plan; individual populations may be managed according to current habitat and environmental conditions.

This recommendation package continues to adjust bull to cow ratios to meet or move toward management guidelines.

The following permit recommendations and changes are for the 2018 hunts.

General season permits are recommended at 14,494 permits, an increase of 93 permits from last year. An additional 31 general bull and 12 general antlerless permits are recommended for allocation to Hopi tribal members in Units 4A, 5A, and 5B. The Raymond Wildlife Area will be open to all elk hunters in this unit.

Under the new hunt guidelines, the permit allocation for youth increased from 5% to 8% of permits. The permit allocation in this package for youth-only antlerless elk permits represents 8% of elk permits. Youth-only general antlerless elk permit numbers are recommended at 1,967 permits, an increase of 657 from 2017. Eleven permits are recommended to be allocated to Hopi tribal members in Unit 4A and 5A.

Muzzleloader permits are recommended to increase by 140 permits to 1,308 (the change is mainly a result of increasing harvest and stratifying hunts in Unit 3B). No muzzleloader permits are recommended for Hopi tribal members.

Archery-only elk permits are recommended to decrease by 140 to 5,644. Hopi tribal members are recommended to receive 20 archery-only bull and 5 archery-only antlerless permits in Units 4A, 5A, and 5B.

CHAMP hunts are recommended for Units 4A, 6A, and 10 as these units have good access and sizeable elk populations. The 10 permit Unit 1 CHAMP is recommended to move into Unit 4A with 29 permits and 1 Hopi tribal member permit. Permit levels are recommended at 69, an increase of 20. The CHAMP hunt in Unit 10 will continue to overlap the muzzleloader bull hunt in that unit.

Limited opportunity general hunts are recommended to decrease by 277 general permits to 1,390 (the Unit 12A, 12B, 13A, and 13B limited opportunity recommendation is not included in this total; the recommendation is addressed below) and limited opportunity archery-only hunts are recommended for 135 permits, an increase of 15. The limited opportunity muzzleloader hunts in Unit 3B North are recommended limited opportunity HAM hunts; this area will be further stratified to direct hunter pressure and target areas with recent elk depredation issues. Hopi tribal members are recommended to receive 80 antlerless general limited opportunity permits in Units 4A North, 5A, and 5B North.

Seasons on Camp Navajo in Unit 6B will continue to be offered as military, disabled veteran, wounded warrior, or other. Permits are recommended as 140 military (an increase of 16), 47 disabled veteran/ wounded warrior (an increase of 6), and 55 other (an increase of 8).

The Department recommends continuing the 750-permit limited opportunity draw hunt, with season dates of May 1 – October 11 and October 26 – December 31, 2018. The cost of the elk hunt permit-tag for this hunt only will be reduced to \$35. The following note will be included in the regulations and will pop-up during the online application process if the hunt number for this hunt is selected.

Units 12A, 12B, 13A, and 13B have an extremely low-density elk population, about 40-50 elk combined for all four units. These units are specifically managed for wildlife values other than elk, and an established elk population is not desirable. The intent of this hunt is to eliminate this elk population. The cost of the tag has been reduced to \$35 to help achieve this objective. The Department cautions you that due to extremely low elk densities, hunt success will be very low, likely less than 5%. If you apply for this hunt during the draw, you will almost certainly draw it, which will cause you to lose your bonus points. If you pick up one of these tags during the first come-first served process your bonus points will not be affected.

For 2019 hunts, the recommendations include the change to the hunts dates due to the calendar shift and are no change for all hunts with the following exceptions:

- The Unit 1, 2B, and 2C early muzzleloader bull hunt will become a general early bull hunt.
- The Unit 27 early general bull hunt will become a muzzleloader early bull hunt.
- The Unit 6A early general bull hunt will rotate out and Unit 6B will rotate into the early general bull hunt structure.
- The Unit 7 West early muzzleloader bull will rotate out of this unit.
- The Unit 9 early general bull hunt will become a muzzleloader early bull hunt.
- The Unit 10 youth antlerless hunt will start a week later to coincide with the Columbus Day school holiday.

In summary, the total permit changes for 2019 include the general season permits decreasing by 40 permits from 2018 and muzzleloader season permits increasing by 10 permits from 2018.

This hunt recommendation package was coordinated with land management agencies, local habitat partnership committees, and the Forage Resource Study Group in Region 2. Permits for bull and antlerless harvest were managed to meet management guidelines for bull to cow ratios and forage use as noted in the hunt guidelines and the Elk Management Plan.

Elk 2018 Permit Summary

• Bonus Point	
• General	14,653 (+123)
• Youth Only	1,978 (+657)
• Limited Opportunity (Gen)	1,470 (-277)
• Units 12A, 12B, 13A, and 13B	750 (same)
• CHAMP	70 (+20)
• Muzzleloader	1,329 (+140)
• Limited Opportunity (HAM)	55 (same)
• Archery	5,728 (-15)
• Limited Opportunity (Arch)	150 (+15)
• General / Archery Nonpermit Tag	
• Hopi Tribal (4A, 5A, 5B) and Camp Navajo Permits	
• Total (includes Hopi and CN permits)	26,183 (+663)

Elk 2019 Permit Summary

• Bonus Point	
• General	14,613 (-40)
• Youth Only	1,978 (same)
• Limited Opportunity (Gen)	1,470 (same)
• Units 12A, 12B, 13A, and 13B	750 (same)
• CHAMP	70 (same)
• Muzzleloader	1,339 (+10)
• Limited Opportunity (HAM)	55 (same)
• Archery	5,728 (same)
• Limited Opportunity (Arch)	150 (same)
• General / Archery Nonpermit Tag	
• Hopi Tribal (4A, 5A, 5B) and Camp Navajo Permits	
• Total (includes Hopi and CN permits)	26,153 (-30)

Public Comment

Ted Brittain addressed the Commission in regards to elk tags in Unit 10. Over the past few years he has noticed a large decline in the elk population. Tags have increased with a 35% success ratio. Last season he was out during the youth hunt and did not see any cows in his area. There are a lot of ranchers in the area and he understands it is complex, but he would like to see a slight reduction in the number of tags for Unit 10 and build the herd back up.

Commissioner Zieler asked Ms. Munig to respond to Mr. Brittain's concerns.

Ms. Munig stated that in Unit 10 the Department is recommending a decrease in bull hunt opportunity currently because we haven't hit the 50 bulls per 100 cows ratio. Two years ago with the hunt guideline cycle, we increased the bull to cow ratio to manage for over 50 bulls per 100 cows and we have been gradually moving there. So we are decreasing permits to allow the bull population to age out in the area. We decreased last year in the early bull timeframe and this year the recommendation are during the later bull timeframe. We are also recommending moving permits from the antlerless hunt opportunity in the general season into the youth opportunity. Overall, we are not recommending growing the population, but we are recommending increasing the bull to cow ratio.

Commissioner Zieler stated that the Hunt Recommendations Sub-committee concurs with the Department's recommendations.

Motion: Zieler moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 4 – ELK FOR THE 2018 AND 2019 SEASONS AS PRESENTED.

Commissioner Zieler commented to Mr. Brittin that the Department is aware and will keep track of it. The Commission has a lot of faith in the Department staff that set these numbers and keep within the Commission guidelines.

Vote: Unanimous

4 to 0

Sparks not present

Commission Order 26 – Population

The following permit recommendations and changes are for the 2018 and 2019 hunts.

Population management seasons are recommended for implementation in generally the same units, seasons, and permit levels as last year. "Designated deer," "designated elk," or "designated bison" is the legal wildlife in each of the population management seasons so that the Director may designate the desired legal animal for harvest if the permits are issued. Although the Department is recommending that the Commission authorize 1,725 deer (1,600 general and 125 archery only), 1,985 elk (1,205 general, 150 muzzleloader, 25 HAM, and 605 archery only), 770 javelina (360 general, 250 HAM, and 160 archery only), 170 bison (all general), and 122 bear (68 general, 26 HAM, and 28 archery only), these permits will not be issued unless approved by the Director following a determination from the population management hunt review and approval process.

The Department recommends discontinuing the archery turkey population management hunts, which were available as "companion tags" to hunters who draw archery elk permits in the corresponding unit and season date. Very few hunters were participating in this hunt opportunity.

Population Management Hunt Summary

- Population Management Seasons:
 - January 1 – December 31, 2018
 - January 1 – December 31, 2019
- Recommended for the same seasons and similar permit authorization levels as 2017
- Adding Unit 2C to the general elk PMH
- Adding Units 2A, 2B, and 2C to the archery elk PMH
- Discontinue the archery turkey companion tag PMH
- Other PMH companion permits are authorized at April 2018 Commission Meeting with their companion hunts

Motion: Zieler moved and Sparks seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT HUNTS FOR THE 2018 AND 2019 SEASONS AS PRESENTED.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

3. Hunt Permit-Tag Application Schedule for 2018 Antelope and Elk Hunts

Presenter: Rachel Gottlieb, Customer Service & Sales Branch Chief, SSD

Ms. Gottlieb provided the Commission with a brief presentation relating to the proposed hunt permit-tag application schedule for the 2018 Antelope and Elk hunting seasons. The application schedule (attached) identifies proposed acceptance dates and deadline dates for all hunts associated with the draw process. In addition, the proposed dates for when hunt permit-tags and refund warrants will be mailed are also identified, along with information relating to the first-come/first-serve process for any permits that may still be available.

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR THE 2018 ANTELOPE AND ELK HUNTS.

Vote: Unanimous
4 to 0
Sparks not present

* * * * *

4. Future Agenda Items and Action Items

Deputy Director Finley captured the following future agenda/action items from this meeting:

- The Department will change the color coding designation on the Commission Priority Report to yellow for progress and red for slow progress

- Regarding Article 3, the Department will clarify that tracking devices and projectiles are a prohibited device.

* * * * *

Motion: Madden moved and Zieler seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

These minutes were approved by the Commission at the January 12, 2018 Commission meeting.

A handwritten signature in black ink, appearing to read 'J. Ammons', is written over a horizontal line.

James R. Ammons, Chairman