



PUBLIC MEETING NOTICE AND AGENDA
REVISION #1

May 27, 2022

A public meeting of the Arizona Game and Fish Commission will be held on **June 10, 2022**, at the **Payson Library, 328 N. McLane Rd. Payson, AZ 85541**. The public may attend the meeting in person but the number of people allowed in the meeting facility could be limited if necessary to comply with social distancing requirements for the facility. In the alternative, the public may view the meeting at www.azgfd.gov/commissioncam or may listen to the meeting by calling 404-397-1516, Access code: 280 046 234##. Members of the public may view the meeting from any Department Regional Office and the Department's Headquarters via video teleconference. Members of the public attending in person wanting to speak on a specific agenda item may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. Members of the public may only address the Commission by attending in person or from any regional office. **THE ABILITY OF THE PUBLIC TO ATTEND THE MEETING IN PERSON IS SUBJECT TO CHANGE IN THE EVENT COVID-RELATED RESTRICTIONS ON PUBLIC EVENTS ARE MODIFIED PRIOR TO THE MEETING. IF THIS OCCURS, OTHER OPTIONS WILL REMAIN FOR THE PUBLIC TO LISTEN, WATCH AND COMMENT VIA THE ALTERNATIVE MEANS PROVIDED HEREIN.** Copies of any presentations, documents, etc. discussed during the meeting will be available by contacting okline@azgfd.gov. Unless expressly provided otherwise with any matter, **the Commission may discuss and may vote to take action on the following matters:**

Friday, June 10, 2022 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Welcome/Introductions

Awards, Recognition, and Regional Highlights

- 1) **Call to the Public.** Those persons wishing to speak on a matter not on the agenda should complete a speaker's card and present it to the host. 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 item is hereby noticed as a consent agenda item 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

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5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

**GOVERNOR: DOUGLAS A. DUCEY COMMISSIONERS: CHAIRMAN LELAND S. "BILL" BRAKE, ELGIN | JAMES E. GOUGHNOUR, PAYSON
TODD G. GEILER, PRESCOTT | CLAY HERNANDEZ, TUCSON | KURT R. DAVIS, PHOENIX DIRECTOR: TY E. GRAY DEPUTY DIRECTOR: TOM P. FINLEY**

Commission's legal counsel. Commission members may remove certain items if further public input or discussion is deemed necessary.

- a) **Renewal of the Cooperative Stewardship Agreement for Hunting Management on Hopi Trust Lands between the Arizona Game and Fish Commission and the Hopi Tribe. Presenter: Larry Phoenix, Regional Supervisor, Region II.** The Commission may approve the renewal of the Cooperative Stewardship Agreement between the Arizona Game and Fish Commission and the Hopi Tribe for continuation of hunting management on Hopi Trust Lands.
- 3) **Approve Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn, Elk, Turkey, Javelina, Bighorn Sheep, Bison, Black Bear, and Mountain Lion for the 2023–2024 Special License-Tag Hunting Seasons. Presenter: Callie Cavalcant, Game Data Manager, Terrestrial Wildlife Branch.** 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 for the 2023–2024 seasons.
- 4) **Authorize Issuance of Special Big Game Hunt License Tags to Wildlife Conservation Organizations for Pronghorn, Bighorn Sheep, Black Bear, Bison, Elk, Javelina, Mountain Lion, Mule Deer, Turkey and White-tailed Deer for 2023–2024. Presenter: Andrew Cavalcant, Habitat Partnership Committee Coordinator.** The Commission will consider and may vote to take action on applications from organizations for 2023–2024 Special Big Game License Tags as per R12-4-120. A detailed description of proposals is available for public review at all Department offices.
- 5) **Amend Commission Order 2 (Deer) to reflect a change in date for Fort Huachuca archery hunt and to adjust the harvest limit for the Game Management Unit 36A archery, white-tailed deer hunt. Presenter: Amber Munig, Big Game Management Program Supervisor.** The Commission will consider and may vote to amend Commission Order 2 (deer) for the 2022-2023 season to correct two errors in the over-the-counter, non-permit-tag archery deer hunts presented to and approved by the Commission on April 15, 2022.
- 6) **Habitat Partnership Committee (HPC) annual update. Presenter: Andrew Cavalcant, Habitat Partnership Committee Coordinator.** Presentation on the status of projects funded with Special big Game License Tag money allocated through the HPC program.
- 7) **Threatened and Endangered Wildlife Briefing. Presenter: Jennifer Presler, Wildlife Specialist I, Terrestrial Branch.** The Commission will be provided a briefing on the Department's efforts on the conservation and management of Black-tailed Prairie Dogs.

TIME CERTAIN AT 10:00 AM

- 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 #	Conviction
Nicholas Escobedo	2022-0018	Apply For Resident Pronghorn Tag By Fraud.
Nicholas Farwell	2022-0023	Take Mule Deer During A Closed Season.
Brandown Farwell	2022-0024	Take Mule Deer During A Closed Season.
Jason Strehlow	2022-0025	Take Mule Deer During A Closed Season.
Austin Lewis	2022-0026	Take Mule Deer Over Bag Limit. Allow Mule Deer To Be Tagged By Another.
Newell Lewis	2022-0027	Attach Tag To Mule Deer Killed By Another.

- 9) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene Elms, Law Enforcement Branch Chief.** Georgia Parker has requested a rehearing regarding the revocation of her license privileges.
- 10) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene Elms, Law Enforcement Branch Chief.** Leslie Moore has requested a rehearing regarding the revocation of her license privileges.
- 11) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene Elms, Law Enforcement Branch Chief.** Terry Parker has requested a rehearing regarding the revocation of his license privileges.
- 12) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene Elms, Law Enforcement Branch Chief.** Zachery Dentler has requested a rehearing regarding the revocation of his license privileges.

13) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene Elms, Law Enforcement Branch Chief.** Dominic D. Rowley has requested a rehearing regarding the revocation of his license privileges.

14) **Game Ranger Swearing-In. Presenter: Tom Finley, Deputy Director.** The Department will present five (5) Wildlife Manager trainees for the reciting of the Game Ranger oath.

LUNCH BREAK (BEGINS AT 12:00 PM)

15) **State and Federal Legislative Update. Presenter: Ed Sanchez, Legislative Liaison, Government Affairs.** 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 related to Department responsibilities.

16) **Commission Priority Report. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will provide an update on the Commission Priorities and metrics and will provide an expanded presentation by Scott Lavin, R3 Branch Chief on the Promote Fair Chase Priority.

17) **State and Federal Lands Planning Update. Presenter: Luke Thompson, Habitat, Lands, and Evaluation Branch Chief.** The Commission will be updated on Department activities and involvement with land management planning and other actions regarding state and federal lands in Arizona.

18) **Election of Commission Chair and Vice-Chair for July 1, 2022 through June 30, 2023. Presenter: Kent Komadina, Special Assistant to the Director.** The Commission will vote to elect a Commission Chair and Vice-Chair for July 1, 2022 through June 30, 2023.

19) **Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2023 and January 2024. 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 2023 and for January 2024.

20) **Chairman, Commissioners and Director Comments.** The Chairman, Commissioners and Director may provide brief comments 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.

21) **Future Agenda Items and Action Items.**

- 22) **Litigation Report.** The Department’s legal counsel may report on the status of the litigation matters: *In re General Stream Adjudication for the Little Colorado River and Gila River; Zuni water rights settlement agreement; Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817 (AZ); *Center for Biological Diversity v. Zinke*, CV 15-00019 (AZ); *Center for Biological Diversity v. Zinke*, CV 18-00047; *WildEarth Guardians v. Ashe*, CV 15-00285 (AZ); *Safari Club International v. Zinke*, 16-00094 (AZ); *The National Trust for Historic Preservation v. Bernhardt*, CV 19-05008; *Wildearth Guardians v. Bernhardt*, CV-19-00441. *State of California v. Bernhardt*, CV 19-06013 and companion cases challenging the USFWS's ESA rule changes; Tonto NF Travel Management Plan.
- 23) **Executive Session (The Commission will not vote to take on 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 *In re General Stream Adjudication for the Little Colorado River and Gila River; Zuni water rights settlement agreement; Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817 (AZ); *Center for Biological Diversity v. Zinke*, CV 15-00019 (AZ); *Center for Biological Diversity v. Zinke*, CV 18-00047; *WildEarth Guardians v. Ashe*, CV 15-00285 (AZ); *Safari Club International v. Zinke*, 16-00094 (AZ);, *et al.*, CV 2018-010149; *Center for Biological Diversity v. U.S. Forest Service*, CV 20-00075; *The National Trust for Historic Preservation v. Bernhardt*, CV 19-05008; *Wildearth Guardians v. Bernhardt*, CV-19-00441; *State of California v. Bernhardt*, CV 19-06013 and companion cases challenging the USFWS's ESA rule changes; *California v. Wheeler*, CV 20-03005; Zachary Nipp notice of claim; Tonto NF Travel Management Plan.
- 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. **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 contract negotiations over access to the Big Boquillas Ranch.
- d. **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 the Commission's authority to close state trust lands to hunting and to close roads providing access to state trust lands.

- e. **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 cattle trespasses on the Commission's Coal Mine property and the State Parks & Trails Sonoita Creek State Natural Area.
- f. **Purchase or Disposal 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 or disposal of real property and for the purpose of discussing and consulting with legal counsel for legal advice.
- g. **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.



Ty E. Gray
Director

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