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

**March 7, 2018**

A public meeting of the Arizona Game and Fish Commission will be held on **March 9, 2018** at the **Douglas City Council Chambers, 425 E. 10<sup>th</sup> St., Douglas, Arizona 85607**, 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://livestream.com/azgameandfish>. Members of the public may also view the meeting from any Department Regional Office 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 livestream 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, March 9, 2018 - Meeting begins at 8:00 A.M.**

**Pledge of Allegiance**

**Welcome/Introductions**

**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. Approve Memorandum of Understanding with Ducks Unlimited. Presenter: Johnathan O'Dell, Small Game Biologist, Terrestrial Branch.** The Commission may approve a Memorandum of Understanding to allow the Department to partner with and provide funding for habitat to Ducks Unlimited.

**azgfd.gov | 602.942.3000**

**5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086**

**GOVERNOR: DOUGLAS A. DUCEY COMMISSIONERS: CHAIRMAN, JAMES R. AMMONS, YUMA | JAMES S. ZIELER, ST. JOHNS | ERIC S. SPARKS, TUCSON  
KURT R. DAVIS, PHOENIX | LELAND S. "BILL" BRAKE, ELGIN DIRECTOR: TY E. GRAY DEPUTY DIRECTOR: TOM P. FINLEY**

3. **State and Federal Legislation. Presenter: Ed Sanchez, 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: Kent Komadina, Special Assistant to the Director.** The Department will provide an update on efforts towards accomplishing Commission Priorities and will provide an expanded presentation by Information Systems Branch Chief Doug Cummings regarding Business Enterprise Development. The Commission may discuss and provide additional direction.
5. **Update on the Department's Deployment of the Arizona Management System (AMS). Presenter: Pat Barber, Community Engagement Administrator.** The Department will provide an update on its deployment of AMS methods and tools to reduce waste and build sustainable efficiency in Department systems and processes.
6. **Announcement of the 2018 Heritage Grant Awards. Presenter: Sherry Crouch, Funds Planning Branch Chief.** The Department will announce the applications recommended for the 2018 Heritage Grant awards.
7. **Threatened and Endangered Wildlife Briefing. Presenter: Ryan Mann, Aquatic Research Program Manager, Research Branch.** The Commission will be provided a briefing on the native aquatic conservation efforts at the Department's Aquatic Research and Conservation Center (ARCC).
8. **Federal Lands Planning Update. Presenter: Laura Canaca, Project Evaluation Program Supervisor.** The Commission will be updated on Department activities and involvement with resource management planning and other major actions on federal lands in Arizona.

**TIME CERTAIN AT 10:00 AM**

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

<b>Name</b>	<b>Docket #</b>	<b>Count</b>	<b>Conviction</b>
Robert A. Jayme	2017-0051	Count A:	Take fish in closed area
Justin A. Parish	2018-0012	Count A:	Take mule deer doe without a valid permit tag
		Count B:	Take mule deer doe during a closed season
		Count C:	Take mule deer doe with the aid of a vehicle/shoot across road
Thomas J. Pratt	2018-0014	Count A:	Possess/transport unlawfully taken mule deer doe
Jason A. Stockert	2018-0015	Count A:	Possess/transport unlawfully taken mule deer doe
John W. Braker	2018-0023	Count A:	Take 1x2 mule deer buck from road
		Count B:	Failure to immediately attach tag

10. **Proposed Settlement Agreement. Presenter: Linda Pollock, Assistant Attorney General.** The Commission will consider and take action on a proposed consent agreement between the Commission and Ralph Anderson involving a 2008 revocation and civil assessment for the unlawful take of a bull elk in excess of bag limits.

11. **Appeal of Special License Denial. Presenter: Linda Pollock, Assistant Attorney General.** The Commission will be requested to refer the appeal of James Badman of the Department's denial of his application for a Private Game Farm License to the Office of Administrative Hearings.
12. **A Briefing on the State Wide Public Awareness Campaign. Presenter: Tony Guiles, Assistant Director.** The Department will provide an informational update on the statewide public awareness campaign, Conserve and Protect.

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

**Agenda Items #13 through #17A are first read items. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.**

13. **Cooperative Agreement for Hunting Management between the Hopi Tribe, State of Arizona and the Arizona Game and Fish Department. Presenter: Scott Poppenberger, Flagstaff Regional Supervisor.** The Commission may direct the Department to renew an Agreement between the Department and the Hopi Tribe for Wildlife Management, Hunting Management and Big Game Permit Allocations to Hopi Tribal Members on Hopi Trust Land.
  14. **Agreement between the Arizona Game and Fish Department and Coconino County. Presenter: Rob Nelson, Region 2 Habitat, Evaluation and Lands Program Manager.** The Commission may approve an agreement between the Arizona Game and Fish Commission and Coconino County for a shared Urban Wildlife Planner position.
  15. **Memorandum of Understanding (MOU) with the Organization Vida Silvestre A.C. Presenter: Josh T. Avey, Terrestrial Wildlife Branch Chief.** The Commission may approve a MOU with the Organization Vida Silvestre A.C. for the purpose of conservation and management of wildlife and related educational programs, primarily to benefit SGCN through Southern Wings projects.
  16. **Petition to Lock a Gate on State Trust Land Approximately Fourteen Miles East of Tombstone, Arizona. Presenter: Josh Avey, Terrestrial Wildlife Branch Chief.** The Commission may approve a request by Linda Telles to lock a gate on State Trust Land located approximately fourteen miles east of Tombstone.
  17. **Park Central Farm Conservation Easement. Presenter: Clayton Crowder, Habitat, Evaluation and Lands Branch Chief.** The Commission may approve purchase of a Conservation Easement on Park Central Farm, Yavapai County, Arizona.
- \*NEW\***
- 17A. **New Commission Policy A2.15 Commission Per Diem Compensation and Expense Reimbursement. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will ask the Commission to approve a new Commission policy, A2.15 Commission Per Diem Compensation and Expense Reimbursement.
  18. **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 the *United States v. Freeport-McMoRan Corporation* (the Morenci Mine NRDA Settlement); Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP); *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; Land Management Plans for the Prescott and 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); *Safari Club International v. Jewell*, 16-00094 (AZ); *WildEarth Guardians v. Heather Provencio*, CV 16-0810; *New Mexico Game and Fish Department v. USFWS*, 16-2189; *Dennis Scarla v. Arizona Game and Fish Commission*, LC2017-000019-001 DT; *Ralph Anderson v. Arizona Game and Fish Department*, 2 CA-CV 2010-0098; Slater notice of claim; *Hererra v Wyoming*.
  - 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. **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 limits on Department communications related to ballot measures.
  - 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 on Arizona's Public Records Law and disclosure of personal identifying information.
  - e. **Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(2) for the purpose of discussion or consideration of the Office of the Inspector General's Draft Audit Report.
  - f. **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 regarding the proposed Alamo Dam Flushing Flow Release.
  - g. **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.
  - h. **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.
19. **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, CV 16-00094; WildEarth Guardians v. Heather Provencio, CV 16-0810; New Mexico Game and Fish Department v. USFWS, 16-2189; Land Management Plans for the Prescott and Apache-Sitgreaves National Forests; Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP); Dennis Scarla v. Arizona Game and Fish Commission, LC2017-000019-001 DT; Alamo Dam Flushing Flow Release.*

20. **Approval of Minutes.** There will be no minutes for approval at Commission may approve the Commission meeting minutes from February 16, 2018.
21. **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.
22. **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.
23. **Future Agenda Items and Action Items.**

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**Saturday, March 10, 2018**

**Field Trip:** At 7:00 a.m., the Commission and Department staff will depart from the Best Western Hotel in Douglas and travel to Malpai Ranch for a presentation and tour of the Malpai Museum. From there, they will travel to Slaughter Ranch and tour the Slaughter Ranch Museum. The field trip will end at approximately 11:00 a.m. The Commission will not take any action during the field trip.

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Ty E. Gray  
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”**