



PUBLIC MEETING NOTICE AND AGENDA
REVISION #1

August 1, 2018

A public meeting of the Arizona Game and Fish Commission will be held on **August 3, 2018** at the **Little America Hotel, 2515 E. Butler Ave., Flagstaff, AZ 86004**, 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 view the meeting from any Department Regional Office and the Department's Headquarters via video teleconference with the exception of the Flagstaff Office. 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, August 3, 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 Commission's legal counsel. Commission members may remove certain items if further public input or discussion is deemed necessary.
 - a. **Renewal of Utility Permit Agreement with Citizens Telecommunications Company. Presenter: Clay Crowder, Habitat, Evaluation and Lands Branch Chief.** The Commission may approve renewal of a Utility Permit Agreement with the Citizens Telecommunications Company of the White Mountains, Inc. to use a portion of the Commission's land at the Pinetop regional office property for a right-of-way to construct, operate and maintain underground telephone lines and services.

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5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

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

evolving new technologies and methods regarding collecting and using data to inform and support management processes and recommendations.

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:

Name	Docket #	Count	Conviction
Vincent J. Conti	2018-0035	Count A:	Take wrong sex (mule deer doe)
G. Eric Neils Jarman	2018-0040	Count A:	Take three jackrabbits and two cottontail rabbits with the aid of artificial light
		Count B:	Possess/transport unlawfully taken wildlife
Richard D. McCord	2018-0041	Count A:	Take mule deer without a tag (Citation A24383)
		Count B:	Possess unlawfully taken mule deer (Citation A24383)
		Count A:	Take mule deer without a tag (Citation A24384)
		Count B:	Possess/transport unlawfully taken mule deer (Citation A24384)
		Count A:	False statements to law enforcement officer (Citation A24385)
Angie G. Blalock	2018-0044	Count B:	Knowingly take elk with the aid of edible or ingestible substances

- 10. Volunteering for Wildlife. Presenter: Jamie Lyons, Volunteer Coordinator.** The Commission will be briefed on its partners in wildlife conservation, which contribute thousands of annual volunteer hours that benefit wildlife, wildlife habitats, or programs at AZ Game and Fish Department. This presentation will include an overview of volunteer program achievements.

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

Agenda Items #11 through #16 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.

- 11. Memorandum of Understanding with Arizona Deer Association and the Mule Deer Foundation. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission will be briefed on a potential Memorandum of Understanding to allow the Department to partner with and share funding for conservation, habitat projects and education programs with the Arizona Deer Association and the Mule Deer Foundation. The Commission may vote to take action on, or provide the Department direction on this item.

12. **Commission Policy on Customer Removal for Statewide Commissioned Own Ranges. Presenter: Christopher Dean, Range Manager, BASF.** The Department will provide the Commission with a presentation regarding the establishment of a policy for revoking shooting privileges for rule violators at statewide ranges.
13. **Memorandum of Understanding with Arizona Mule Deer. Org. Presenter: Josh Avey, Terrestrial Wildlife Branch Chief.** The Commission may approve a Memorandum of Understanding to allow the Department to partner with and share funding for conservation, habitat projects and education programs to Arizona Mule Deer. Org.
14. **Intergovernmental Agreement (IGA) with Gila River Indian Community. Presenter: Kelly Wolf, Region VI Habitat, Evaluation and Lands Program Manager.** The Commission may approve an IGA with the Gila River Indian Community to remove tamarisk from a portion of the Base and Meridian Wildlife Area in exchange for growing native plant seed source at the Robbins Butte and/or Powers Butte Wildlife Area(s).
- 14A. **Lease Agreement with DS Services of America, Inc. Presenter: Clay Crowder, Branch Chief Habitat, Evaluation and Lands Branch.** The Commission may approve a 5-year lease agreement with DS Services of America, Inc to lease 200 acre-feet of the Commission's excess Type II Non-Irrigation Grandfathered Groundwater Rights.
15. **Cooperative Agreement with Washington State University. Presenter: Julie Carter, Statewide Native Aquatics Program Manager.** The Commission may approve a Cooperative Agreement with Washington State University to conduct genetic analyses on Sonora Tiger Salamander.
16. **Extension of Memorandum of Understanding on Virgin Spinedace Conservation Agreement and Strategy. Presenter: Julie Carter, Statewide Native Aquatics Program Manager.** The Commission may approve the extension of the MOU for the Virgin River Spinedace Conservation Agreement and Strategy. The MOU is with the following signatories: Utah Department of Natural Resources, Nevada Department of Wildlife, Washington County Water Conservancy District, USFWS, USFS, NPS, and BLM
17. **Consideration of Proposed Commission Orders 5, 6, 8, and 9 for Spring 2019 Hunting Seasons and Commission Order 5 for Spring 2020 Hunting Seasons. Presenter: Amber A. Munig, Big Game Management Supervisor.** The Commission will consider and may approve Commission Orders 5, 6, 8, and 9 (spring turkey, spring javelina, spring buffalo, and spring bear) for spring 2019 and Commission Order 5 (spring turkey) for spring 2020, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas.
18. **Hunt Permit-Tag Application Schedule for Spring 2019 Hunts. Presenter: Jennifer Stewart, Customer Support and Sales Branch Chief.** The Department will provide the Commission with a presentation related to the proposed hunt-permit tag application schedule for spring 2019 hunts.
19. **Proposed Dates for the January 2020 Commission meeting and Awards Banquet. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will ask the Commission to consider dates for the January 2020 Commission meeting and Awards Banquet.

20. 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 Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP); *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *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. Jewell*, CV 15-00019 (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; *Dennis Scarla v. Arizona Game and Fish Commission*, LC2017-000019-001 DT; 2 CA-CV 2010-0098; Slater notice of claim; *Hererra v Wyoming*; *State of Arizona v. U.S. Army Corps of Engineers*, CV-18-00069.
- 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 the conservation benefits and economic costs with the Department's In Lieu Fee program.
- 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 limits on Department communications related to ballot measures.
- 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 on Arizona's Public Records Law and disclosure of personal identifying information.
- f. 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.
- 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 Adair Shooting Range and for the purpose of discussing and consulting with legal counsel for legal advice.
- h. 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.

- i. **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.

21. **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; *WildEarth Guardians v. Ashe*, 15-CV-00285; *Safari Club International v. Jewell*, CV 16-00094; *WildEarth Guardians v. Heather Provencio*, CV 16-0810; Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP); *Dennis Scarla v. Arizona Game and Fish Commission*, LC2017-000019-001 DT; *State of Arizona v. U.S. Army Corps of Engineers*, CV-18-00069.

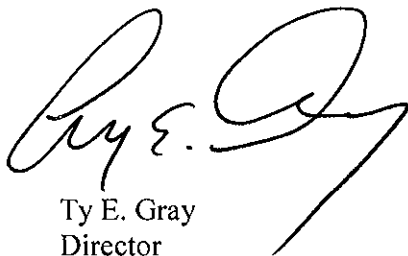
22. **Approval of Minutes.** The Commission may approve the Commission meeting minutes from May 5, 2018, June 8, 2018, and June 21, 2018.

23. **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.

24. **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.

25. **Future Agenda Items and Action Items.**

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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”