



PUBLIC MEETING NOTICE AND AGENDA

May 24, 2019

A public meeting of the Arizona Game and Fish Commission will be held on **June 7, 2019** at the **Quality Inn, Conference Room, 801 North Beeline Hwy., Payson, Arizona 85541**, as authorized by A.R.S. § 17-201(D). Members of the public may attend the meeting in person or view the meeting at <http://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, June 7, 2019 - 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. **Memorandum of Understanding on Virgin River Coalition. Presenter: Julie Carter, Statewide Native Aquatics Program Manager, Aquatic Wildlife Branch.** The Commission may approve a Memorandum of Understanding with Bureau of Land Management, City of Mesquite, Clark County Desert Conservation Program, Friends of Gold Butte, Kokopelli ATV Club, National Park Service, Nevada Department of Wildlife, Nevada Division of Environmental Protection, Partners in Conservation, Rivers Edge West, The Nature Conservancy, U.S. Fish and Wildlife Service, and U.S. Geological Survey to

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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 E. COUGHNOUR, PAYSON **DIRECTOR:** TY E. GRAY **DEPUTY DIRECTOR:** TOM P. FINLEY

provide guidance and procedures for the completion of a Lower Virgin River Integrated Watershed Plan and the initial implementation of strategies to restore and protect the riparian corridor of the Lower Virgin River.

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 regarding the draft Commission Priorities. The Commission may vote to take action on its priorities for the upcoming year. The Department will also provide an expanded presentation by Don Larsen regarding Increase Public Access and Improve Landowners Relations priority.
5. **Federal Lands Planning Update. Presenter: Clay Crowder, Habitat, Evaluation, and Lands Branch Chief.** The Commission will be updated on Department activities and involvement with resource management planning and other major actions on federal lands in Arizona.
6. **Threatened and Endangered Wildlife Briefing. Presenter: Julie Carter, Statewide Native Aquatics Program Manager and Kyle Tulisiak, Western Hatcheries Coordinator.** The Commission will be provided a briefing on native trout recovery and recreational stockings.
7. **Strategic Planning for Revenue Generation and Dedicated Funding for Public Awareness and Education. Presenter: Patrick Barber, Community Engagement Administrator/Ombudsman and Laura Canaca, Division Coordinator Information, Education, and Recreation Division.** The Commission will be briefed on the Department's efforts to identify and vet discretionary funding source ideas to support a consistent, long term public awareness and education strategy. The Commission may provide direction to the Department regarding the next phase of analysis, planning and implementation.
8. **Presentation to the Commission on the Roosevelt Lake Habitat Enhancement Project. Presenter: Curtis Gill, Aquatics Program Manager.** The Commission will be provided an informational overview presentation on the implementation of the Roosevelt Lake Habitat Enhancement Project. The presentation will provide a short description of the project including the types and numbers of fish habitat placed in the lake and a short video.
9. **Approve the Expenditure of Unspent Balances in the Heritage Fund (excluding Acquisition), Arizona Wildlife Conservation Fund, Off-Highway Vehicle Recreation Fund, Wildlife and Sport Fish Restoration, State Wildlife Grants, Coast Guard Grants, Program Income, Endangered Species Act (Section 6 Grants), Capital Improvement Fund, Indirect Cost Recovery Fund and Contracts for Fiscal Year 2020 and any remaining Capital appropriations. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to

approve the expenditure of unspent fund balances from the Heritage Fund (excluding Acquisition), Arizona Wildlife Conservation Fund, Off-Highway Vehicle Recreation Fund, Wildlife and Sport Fish Restoration, State Wildlife Grants, Coast Guard Grants, Program Income, Endangered Species Act (Section 6 Grants), Capital Improvement Fund, Indirect Cost Recovery Fund and Contracts for Fiscal Year 2020 and any remaining Capital appropriations.

10. **Approve the amended Fiscal Year 2020 Game and Fish Fund Budget and the Fiscal Year 2021 Game and Fish Fund Budget Request. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve amended Fiscal Year 2020 Commission approved Game and Fish Fund Budget and asked to approve the proposed expenditures from the Game and Fish Fund for Operating and Capital Outlay programs for Fiscal Year 2021.
11. **Approve the amended Fiscal Year 2020 Watercraft Licensing Fund Budget and the Watercraft Licensing Fund Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2020 Commission approved Watercraft Licensing Fund Budget and approve the proposed expenditures from the Watercraft Licensing Fund for Fiscal Year 2021.
12. **Approve the Game, Nongame, Fish and Endangered Species Fund Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the proposed expenditures from the Game, Nongame, Fish and Endangered Species Fund for Fiscal Year 2021.
13. **Approve the Capital Improvement Fund and Conservation Development Fund Budget Request Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the proposed expenditures from the Capital Improvement Fund and Conservation Development Fund for Fiscal Year 2021.
14. **Approve the Wildlife Endowment Fund Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the proposed expenditures from the Wildlife Endowment Fund for Fiscal Year 2021.
15. **Approve the amended Fiscal Year 2020 Off-Highway Vehicle Recreation Fund Budget and the Off-Highway Vehicle Recreation Fund Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2020 Commission approved Off-Highway Vehicle Recreation Fund Budget and to approve the proposed expenditures from the Off-Highway Vehicle Recreation Fund for Fiscal Year 2021.
16. **Approve the amended Fiscal Year 2020 Heritage Fund Budget and the Heritage Fund Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2020 Commission approved Heritage Fund Budget and to approve the proposed expenditures from the Public Access; Identification, Inventory, Acquisition, Protection, and Management; Habitat Evaluation

and Protection; Urban Wildlife and Urban Wildlife Habitat; Environmental Education; and Administration and Support Services (Interest Monies) sub-funds for Fiscal Year 2021. All property acquisition will be brought before the Commission for individual review and approval for actual funding authority.

17. **Approve the amended Fiscal Year 2020 Arizona Wildlife Conservation Fund Budget and the Arizona Wildlife Conservation Fund Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2020 Commission approved Arizona Wildlife Conservation Fund Budget and to approve the proposed expenditures from the Arizona Wildlife Conservation Fund for Fiscal Year 2021.
18. **Approve the amended Fiscal Year 2020 Indirect Cost Recovery Fund Budget and the Indirect Cost Recovery Fund Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2020 Commission approved Indirect Cost Recovery Fund Budget and approve the proposed expenditures from the Indirect Cost Recovery Fund for Fiscal Year 2021.
19. **Approve the amended Fiscal Year 2020 Federal Assistance Funds Budget Request and the Federal Assistance Funds Budget Request for Fiscal Year 2021. Presenter: Tom Finley, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2020 Commission approved Wildlife and Sport Fish Restoration Grants, State Wildlife Grants, Coast Guard Boating Safety Grants and Section 6 Endangered Species Grants and approve the proposed expenditures from the Wildlife and Sport Fish Restoration Grants, Program Income, State Wildlife Grants, Coast Guard Boating Safety Grants, Section 6 Endangered Species Grants and Contracts for Fiscal Year 2021.

TIME CERTAIN AT 10:00 AM

20. **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
Joshua Dix	2019-0017	Take wildlife (mountain lion) without a valid permit.
Michael Figueroa	2019-0018	Possess unlawfully taken wildlife (mule deer). Take wildlife (mule deer) by unlawful method. Unlawful take of wildlife (mule deer).
Alan Christopherson	2019-0024	Take wildlife (mule deer) in closed area. Shoot wildlife (mule deer) from road.

21. **Gillette Ranch Conservation Easement Acquisition. Presenter: Clay Crowder, Habitat Evaluation and Lands Branch Chief.** The Commission may approve the acquisition of a Conservation Easement on the Gillette Ranch, a withholding in the Tonto National Forest, Gila County, Arizona.
22. **License Agreement with APS. Presenter: Clay Crowder, Habitat, Evaluation and Lands Branch Chief.** The Commission may approve a License Agreement with APS for the purpose of accessing, constructing and maintaining electric power lines, appurtenances and electrical services across a State-owned facility in Coconino County, Arizona, for the purpose of providing electric services to property improvements.

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

Agenda Items #23 through #24 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.

23. **Cooperative Agreement with MainStream Aquaculture LLC. Presenter: Erin Raney, Aquatic Invasive Species Coordinator.** The Commission may authorize the Department to finalize negotiations, execute, and amend as necessary a Cooperative Agreement between the Department and the MainStream Aquaculture LLC. for the importation and exportation of live Barramundi in Arizona
24. **Intergovernmental Agreement (IGA) with Willcox-San Simon Natural Resources Conservation District (NRCD). Presenter: Josh Avey, Terrestrial Wildlife Branch Chief.** The Commission may vote to authorize the Department to execute and amend as necessary an Intergovernmental Agreement with the Willcox-San Simon NRCD for the purpose of funding cultural resource surveys required for the implementation of wildlife habitat projects.

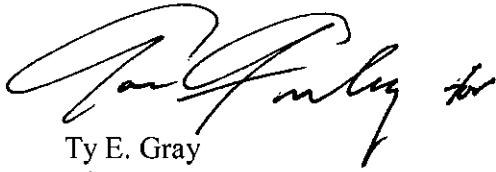
TIME CERTAIN AT 2:00 PM

25. **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 2020–2021 Special License Tag Hunting Seasons. Presenter: Amber Munig, Big Game Management Program Supervisor, Terrestrial Branch.** 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 2020–2021 Special License Tag Hunting Seasons.
26. **Strategy for a modifying the Special Big Game License Tags Allocation Process: An Impartial Approach for the Selection and Distribution of Tags. Presenter: Amber Munig, Big Game Management Program Supervisor, Terrestrial Branch.** The presenter will discuss a new process for the strategy of selecting Special Big Game License Tags recipients and awarding special tags. The Commission may vote to take action to implement this new method on applications from organizations for 2020–2021 Special Big Game License Tags.

27. **Authorize Issuance of Special Big Game Hunt License Tags to Wildlife Conservation Organizations for Pronghorn, Bighorn Sheep, Black Bear, Buffalo, Elk, Javelina, Mountain Lion, Mule Deer, Turkey and White-tailed Deer for 2020–2021. Presenter: Amber Munig, Big Game Management Program Supervisor, Terrestrial Branch.** The Commission will consider and may vote to take action on applications from organizations for 2020–2021 Special Big Game License Tags as per R12-4-120. A detailed description of proposals is available for public review at all Department offices.
28. **Update of Commission Awards. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will present the Commission with a list of award categories for the 2019 Commission Awards to be presented at the 2020 Commission Awards Banquet.
29. **Election of Commission Chair and Vice-Chair for July 1, 2019 through June 30, 2020 and Election of Positions and Appointments to Standing Committees. Presenter: Kent Komadina, Special Assistant to the Director.** The Commission will vote to elect a Commission Chair and Vice-Chair for July 1, 2019 through June 30, 2020. The incoming Commission Chair will then appoint individual Commissioners to chair the committees from July 1, 2019 through June 30, 2020. The Commission may establish or dissolve committees.
30. **Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2020 and January 2021. 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 2020 and for January 2021.
31. **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); WildEarth Guardians v. Provencio, CV 16-0810; Herrera v Wyoming; Hamberlin v. State of Arizona, et al., CV 2018-010149; State of Arizona v. Hamberlin, No. 1 CA-CV 18-0435; Slater v. State of Arizona, et al., CV 2018-097090, Owen Notice of Claim.*
 - 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 regarding the Department's legal authority when stray livestock present the potential for catastrophic destruction to wildlife.
 - 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. **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.
 - f. **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.
32. **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); *WildEarth Guardians v. Heather Provencio*, CV 16-0810; *Hererra v Wyoming*; *State of Arizona v. U.S. Army Corps of Engineers*, CV-18-00069; *Hamberlin v. State of Arizona, et al.*, CV 2018-010149; *State of Arizona v. Hamberlin, No. 1 CA-CV 18-0435*; *Slater v. State of Arizona, et al.*, CV 2018-097090; *Owens Notice of Claim*.
 33. **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.
 34. **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.
 35. **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”