



PUBLIC MEETING NOTICE AND AGENDA

January 10, 2020

A public meeting of the Arizona Game and Fish Commission will be held on **January 24, 2020** at the **Arizona Game and Fish Department, 5000 W. Carefree Hwy, Phoenix, Arizona 85086**, as authorized by A.R.S. § 17-201(D). Members of the public may attend the meeting in person or view the meeting at www.azgfd.gov/commissioncam. 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 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, January 24, 2020 - 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. **Approve Memorandum of Chevelon Canyon Ranch Wildlife Area Property Use License Agreement. Presenter: Clay Crowder, Habitat, Evaluation, and Lands Branch Chief.** The Commission may approve entering into a License Agreement with the neighboring allotment holder at Chevelon Canyon Ranches Wildlife Area, Apache County, AZ.

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5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

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

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
Brandi Cooley	2019-0033	Possess Unlawfully Taken Wildlife Trout (4).
Justin Bradford	2019-0034	Possess Unlawfully Taken Wildlife Trout (4).
Jim Chavarela	2020-0001	Obtain Resident Hunt License by Misrepresentation. Obtain Resident Deer Tag by Misrepresentation.
Richard Raidy	2020-0002	Obtain Resident Hunt License by Misrepresentation.
Rodney Raidy	2020-0003	Obtain Resident Hunt License by Misrepresentation. Obtain Resident Elk Tag by Misrepresentation.
Jean Sharp	2020-0004	Take Mountain Lion with Unlawful Method (.22 rimfire). Take Mountain Lion with Unlawful Method (trap).
Beau Swisher	2020-0005	Trap Without a Valid License. Possession of an Unlawfully Taken Mountain Lion.
Donald Roskopf	2020-0006	Obtain License by Misrepresentation. Obtain Resident Elk Tag by Misrepresentation. Obtain Resident Antelope Tag by Misrepresentation.
Braden Cooper	2020-0007	Take Bighorn Sheep Without a Valid Tag.
Anthony Covell	2020-0011	Take Black-tailed Rattlesnake in Closed Area. Possess Unlawfully Taken Black-tailed Rattlesnake.

- 9. Wildlife Center Ribbon Cutting. Presenter Kellie Tharp, Education Branch Chief.** The Commission will gather at the new Wildlife Center for a brief ribbon cutting ceremony.

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

- 10. Request to Approve the Article 8 Wildlife Areas and Department Property Five-year Rule Review Report, for Submission to the Governor's Regulatory Review Council (G.R.R.C.). Presenter: Jim Ruff, Land and Water Program Supervisor.** The

Department will request Commission approval to the Five-year Rule Review Report for Article 8 addressing wildlife areas and department property, for submission to G.R.R.C.

11. **Request to Renew a 340-yard-long Road Closure on State Trust Land Approximately Forty-three Miles Southwest of Tucson, Arizona. Presenter: Don Larsen, Landowner Relations Program Supervisor.** The Commission may approve a request submitted by Walter Lane to renew a road closure on State Trust Land located approximately forty-three miles southwest of Tucson, Arizona.

Agenda Item #12 is a first read item. 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.

12. **Utility Permit Agreement Renewal with Tucson Electric Power. Presenter: Clay Crowder, Habitat, Evaluation, and Lands Branch Chief.** Utility Permit Agreement with Tucson Electric Power Company for the purpose of providing power to the Region 5 office.
13. **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.
14. **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.
15. **Future Agenda Items and Action Items.**
16. **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); *Hamberlin v. State of Arizona, et al.*, CV 2018-010149; *State of Arizona v. Hamberlin, No. 1 CA-CV 18-0435*; *State of Arizona v. Tim Downs, Pinal County Justice Court No. CM2018-000584*; *State of Arizona v. James Hamberlin, Pinal County Justice Court No. CM2018-000583*; *Slater v. State of Arizona, et al.*, CV 2018-097090; Center for Biological Diversity's NOI concerning the New Mexico

jumping mouse on A-S National Forest; *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.

- 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. **Contract Negotiations.** The Commission may vote to meet in executive session pursuant to A.R.S. § 38-431.03(A)(4) for purposes of discussion or consultation with the Commission's legal counsel in order to consider its position and instruct legal counsel regarding the Commission's position on negotiations over the GCNP Draft Bison Reduction Agreement.
 - 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.
17. **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); *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; *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.

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Saturday, January 25, 2020, the Commission will attend the Annual Commission Awards Banquet to be held at the Pointe Hilton Tapatio Cliffs Resort, 11111 N. 7th Street, Phoenix, Arizona 85020.

At the Commission Awards Banquet, the Commission will socialize with its constituents and recognize the award winners. No legal action will be taken by the Commission. Members of the public can participate by submitting an rsvp along with \$65 per person by December 31, 2019 and \$75 after. All RSVP's are due by January 10, 2020. For additional information, visit <https://www.azgfd.com/agency/commission/awards/>

The following approximate agenda will be followed.

5:00 p.m. Social Hour – Courtyard outside the Grande Ballroom

5:50 p.m. Dinner guest are seated - Grande Ballroom

6:00 p.m. Presentation of Color and National Anthem

6:15 p.m. Director's welcome, introductions and announcements

6:25 p.m. Dinner is served concurrently with Award presentations

6:35 p.m. Chairman's welcome and comments

6:50 p.m. Awards Presentations:

- Award of Excellence: Jackie Meck and Department of Defense/BMG Range
- Youth Conservationist of the Year: Arielle O'Connor
- Media of the Year: Cronkite News
- Conservation Organization of the Year: Arizona Mule Deer Organization
- Conservationist of the Year: Bob Jacobs
- Natural Resource Professional of the Year: Richard Meyers
- Volunteer of the Year: Randy Stalcup
- Educator of the Year: Dr. Jim Stroger
- Mentor of the Year: William "Bill" Hill
- Advocate of the Year: Representative Regina E. Cobb and Ray Suazo
- Business Partner of the Year: Mother Road Brewing Company

- Buck Appleby Hunter Education Instructor of the Year: Russ Gunderson
- Wildlife Habitat Steward of the Year: Bar T Bar Ranch
- North American Model Commissioners Award: Angela Davis and Niki Hamilton
- Special Recognition Award: Hunter Moore
- Chairman’s Award: Arizona Desert Bighorn Sheep Society

8:00 p.m. Outgoing Commissioner Awards and Comments.

Adjourn



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”