



PUBLIC MEETING NOTICE AND AGENDA

June 1, 2020

A public meeting of the Arizona Game and Fish Commission will be held on **June 11-12, 2020**. The public may view the meeting at www.azgfd.gov/commissioncam or may listen to the meeting by calling 602-666-0783, Access code: 280 046 234##. Members who listen by phone should keep their phones on mute. **Members of the public wanting to speak to the commission on specific agenda items can call 602-962-8790 and follow the prompts to say your name, where you are calling from, and the agenda item you wish to speak about.**

If prior to the meeting, the Governor modifies guidance to allow the congregation of groups up to 50 people, the public will be permitted to attend the meeting in person. The number of attendees will be limited in the main auditorium and overflow rooms will be available to listen to the meeting.

Copies of any presentations, documents, etc. discussed during the meeting will be available on the Department's webpage prior to the meeting. Members of the Commission may attend in person or by telephone conference call. Unless expressly provided otherwise with any matter, **the Commission may discuss and may vote to take action on the following matters:**

Thursday, June 11, 2020 - Meeting begins at 1:00 P.M.

- 1. 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 FY 2022 Proposed Budget & FY 2021 Modification. Presenter: Tom Finley, Deputy Director.** Approve FY 2022 proposed budget and the proposed modifications to the FY 2021 budget.

Agenda Item #2 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.

- 2. Horseshoe Ranch Research Area Property Use License Agreement. Presenter: Clay Crowder, Habitat, Evaluation, and Lands Branch Chief.** The Commission may approve entering into a License Agreement with Northern Arizona University and the

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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 | TODD G. GEILER, PRESCOTT **DIRECTOR:** TY E. GRAY **DEPUTY DIRECTOR:** TOM P. FINLEY

Desert Botanical Garden for continued research at Horseshoe Ranch, Yavapai County, AZ.

3. **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 2020 Commission Awards to be presented at the January 2021 Commission Awards Banquet. The Commission may vote to take action or provide the Department further direction on this item.
4. **Election of Commission Chair and Vice-Chair for July 1, 2020 through June 30, 2021 and Revisions to and Appointments to Standing Committees by Chairman-Elect. Presenter: Kent Komadina, Special Assistant to the Director.** The Commission will vote to elect a Commission Chair and Vice-Chair for July 1, 2020 through June 30, 2021. The Commission Chair-Elect will appoint individual Commissioners to the committees. The Commission may vote to establish or dissolve committees.
5. **Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2020, 2021 and January 2022. 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 remainder of 2020, all of 2021 and for January 2022.
6. **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 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; Owens notice of claim; Center for Biological Diversity's NOI for Mexican spotted owl; legal action related to restricting outdoor recreation on federal public lands in Arizona due to COVID-19; *California v. Wheeler*, CV 20-03005.

- 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 meet in executive session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purposes 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 an alleged criminal damage claim against an individual the Commission has taken license revocation action.
- 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.

Friday, June 12, 2020 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Welcome/Introductions

TIME CERTAIN AT 8:15 AM

- 7. Commission Rulemaking. Presenter: James Odenkirk, General Counsel.** The Commission will consider whether or not to direct the Department to initiate rulemaking to regulate the use of game cameras.

TIME CERTAIN AT 11:00 AM

- 8. 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 2021–2022 Special License-Tag Hunting Seasons. Presenter: Amber Munig, Big Game Management Program Supervisor, Terrestrial 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. A detailed description of all proposals is available for public review at all Department offices.
- 9. 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 2021–2022. 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 2021–2022 Special Big Game License Tags as per R12-4-120. A detailed description of proposals is available for public review at all Department offices.
- 10. Petition by Mr. Allen Clark to be allowed to purchase PointGuard after the fact. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Clark is requesting he be allowed to purchase PointGuard after the fact due to COVID-19.
- 11. Petition by Mr. Ignacio Chavez to have an application submitted with new hunt numbers for the 2020 fall draw for deer. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Ignacio Chavez is requesting to have an application submitted with new hunt numbers for the 2020 fall draw for deer.
- 12. Petition by Mrs. Dena Clark to be allowed to purchase PointGuard after the fact. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mrs. Clark is requesting he be allowed to purchase PointGuard after the fact due to COVID-19.

13. **Petition by Mr. Pat Frable to be allowed to purchase PointGuard after the fact. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Pat Frable requests to be allowed to purchase PointGuard after the fact.
14. **Petition by Mr. Bernard “Charles” Ryan to be allowed use PointGuard after the fact. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Ryan requests to be allowed to use PointGuard after the fact.
15. **Petition by Mr. Manuel Sias to be allowed to provide payment and for the tag in which payment was declined during the draw process. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Sias to be allowed to provide payment and for the tag in which payment was declined during the draw process.
16. **Petition by Mr. Travis Skogstad to be allowed to purchase PointGuard after the fact. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Skogstad is requesting he be allowed to purchase PointGuard after the fact because he was drawn for a tag he didn’t intend to apply for.
17. **Petition by Mr. Daniel Stadeli to be allowed to purchase a Bonus Point after deadline day. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Stadeli requests to be allowed to purchase a Bonus Point after deadline day.
18. **Petition by Mr. Darwin Steele to be allowed to purchase PointGuard after the fact. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Steele is requesting he be allowed to purchase PointGuard after the fact due to COVID-19 pandemic causing a financial burden.
19. **Petition by Mr. Travis Skogstad to be allowed to purchase PointGuard after the fact. Presenter: Jennifer Stewart, Branch Chief, Customer Support and Sales Branch.** Mr. Skogstad is requesting he be allowed to purchase PointGuard after the fact because he was drawn for a tag he didn’t intend to apply for.
20. **Petition to Lock 3 Gates on State Trust Land Near Concho, Arizona. Presenter: Don Larsen, Landowner Relations Program Supervisor.** As part of continued implementation of the joint protocol for management of motor vehicle access on State Trust lands (STL) between the Arizona Game and Fish Department (AGFD) and Arizona State Land Department (ASLD), the Commission may approve a petition submitted by Marcelino Diez to lock 3 gates on STL located just south of Concho, Arizona. The Commission may vote to take action on, or provide the Department direction on this item.
21. **Renewal of a Road Closure on State Trust Land in Paulden, Arizona. Presenter: Don Larsen, Landowner Relations Program Supervisor.** The Commission may approve a request submitted by Ann Nelson Harrington to renew a road closure on State Trust Land located in Paulden, Arizona. This one half mile long closure has been in effect since 2005; it assists with the protection of the riparian areas and native fish of the

Upper Verde River Wildlife Area. The Commission may vote to take action on, or provide the Department direction on this item.

TIME CERTAIN AT 1:30 PM

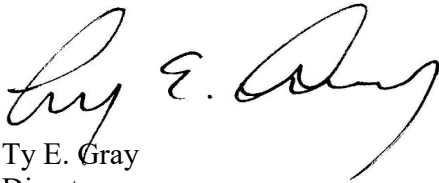
22. Hearings on License Revocations for Violations of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife. Presenter: Gene F. Elms, Law Enforcement Branch Chief. The Commission will consider and take action on the license revocations and/or civil assessments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

Name	Docket #	Conviction
Andrew Schmuker	2020-0021	Take Wildlife (Javelina) Without A Valid Permit Tag. Take Wildlife (Javelina) During A Closed Season. Exceed The Bag Limit.
Jeree Schmuker	2020-0022	Take Wildlife (Javelina) Without A Valid Permit Tag. Take Wildlife (Javelina) During A Closed Season.
Blake R. Owens	2020-0036	Criminal Simulation (Intent To Defraud With Article Submitted To Eastmans' Bowhunting Journal) (Class 6 Open Felony). Criminal Simulation (Intent To Defraud With Application To Pope And Young Club) (Class 6 Open Felony). Possess Or Transport Any Wildlife (4x4 200" Mule Deer) Or Parts Of The Wildlife That Was Unlawfully Taken.
Blake R. Owens	2020-0037	Take Big Game (3x3 Drop Tine Mule Deer) During a Closed Season.
Blake R. Owens	2020-0038	Possess Or Transport Any Wildlife (6x6 Mule Deer) Or Parts Of The Wildlife That Was Unlawfully Take.
Blake R. Owens	2020-0039	Take Wildlife (Black Bear) with an Unlawful Method. Attempted Fraudulent Schemes and Practices (Class 6 open felony).
Blake R. Owens	2020-0040	Possess Or Transport Any Wildlife (Coati) Or Parts Of The Wildlife That Was Unlawfully Taken.

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| Blake R. Owens | 2020-0041 | Possess Or Transport Any Wildlife (5x4 Mule Deer) Or Parts Of The Wildlife That Was Unlawfully Taken. |
| Thomas Purinton | 2020-0042 | Attempted Fraudulent Schemes And Practices (Attempt To Defraud AGFD) (Class 6 Open Felony).

Knowingly Possess Or Transport Any Wildlife Or Parts Of The Wildlife (3x3 Drop Tine Mule Deer) That Was Unlawfully Taken (Class 1 Misdemeanor). |
| Thomas Purinton | 2020-0043 | Take Wildlife (4x4 Mule Deer) Without A Valid License. |
| Thomas Purinton | 2020-0044 | Possess Or Transport Any Wildlife Or Parts Of The Wildlife (6x6 Mule Deer Antlers) That Was Unlawfully Taken. |
| Thomas Purinton | 2020-0045 | Knowingly Take Wildlife (5x4 Mule Deer) During The Closed Season. |

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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”