



PUBLIC MEETING NOTICE AND AGENDA

March 8, 2021

A public meeting of the Arizona Game and Fish Commission will be held on **March 19, 2021**, at the **Bullhead City Council Chamber, Conference Room 1255 Marina Blvd., Bullhead City AZ 86442**. The public may attend the meeting in person but the number of people allowed in the meeting facility will be limited based on social distancing requirements. **BE AWARE THE TOWN OF BULLHEAD CITY REQUIRES FACE COVERINGS IN PUBLIC SETTINGS WHERE SIX FEET PHYSICAL DISTANCE CANNOT BE MAINTAINED.** In the alternative, the public may view the meeting at www.azgfd.gov/commissioncam or may listen to the meeting by calling 404-397-1516, Access code: 280 046 234###. 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 wanting to speak on a specific agenda item may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. Members of the public viewing via video teleconference 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. **THE ABILITY OF THE PUBLIC TO ATTEND THE MEETING IN PERSON IS SUBJECT TO CHANGE IN THE EVENT COVID-RELATED RESTRICTIONS ON PUBLIC EVENTS ARE MODIFIED PRIOR TO THE MEETING. IF THIS OCCURS, OTHER OPTIONS WILL REMAIN FOR THE PUBLIC TO LISTEN, WATCH AND COMMENT VIA ELECTRONIC MEANS.** Copies of any presentations, documents, etc. discussed during the meeting will be available by contacting sbernal@azgfd.gov. Unless expressly provided otherwise with any matter, **the Commission may discuss and may vote to take action on the following matters:**

Friday, March 19, 2021 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Welcome/Introductions

Awards, Recognition, and Regional Highlights

- 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.

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5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

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

- a) **Approve License Agreement with AT Ranch. Presenter: Jade Dickens, Water Resources Program Manager.** License Agreement with AT Ranch for removal of six culverts and routine maintenance on Commission-owned property.
- b) **Approve License Agreement with Rogers Ranch. Presenter: Jade Dickens, Water Resources Program Manager.** License Agreement with Rogers Ranch for routine maintenance on Commission-owned property.
- 3) **State and Federal Lands Planning Update. Presenter: Luke Thompson, Habitat, Lands, and Evaluation Branch Chief.** The Commission will be updated on Department activities and involvement with land management planning and other actions regarding state and federal lands in Arizona.
- 4) **Threatened and Endangered Wildlife Briefing. Presenter: Tom Jones, Amphibians and Reptiles Program Manager Chad Rubke, Wildlife Specialist II.** The Commission will be provided a Briefing on the Department’s conservation efforts of the Sonoran Desert Tortoise.
- 5) **Briefing on Research Branch Activities and Projects. Presenter: Esther Rubin, Research Branch Chief.** The Department will provide an informational update on the Research Branch’s projects and activities
- 6) **Drought Conditions Update and Impacts on Wildlife. Presenter: Josh Avey, Terrestrial Wildlife Branch Chief.** Given the ongoing drought conditions throughout the State, the Department will be providing the Commission with a review of the current drought contingency strategies, methods to address wildlife management concerns, and potential conservation actions that may lessen the long-term impact of drought in Arizona.
- 7) **Approval of Law Enforcement Boating Safety Fund (LEBSF) Grant Allocation Formula for FY 2021. Presenter: Gene Elms, Law Enforcement Branch Chief.** The Department will provide the Commission with the proposed LEBSF Grant Allocation Formula per ARS §5-383.

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
Antonio Verdugo	2021-0007	Discharge Arrow Within ¼ mile Of An Occupied Structure While Taking Mule Deer.
Colton Mayer	2021-0014	Take Mule Deer In A Closed Area.
Hurai C. Thang	2021-0015	Take White-Tailed Deer During Closed Season.
Za Kap	2021-0016	Possess/Transport Unlawfully Taken White-Tailed Deer.
Sui L. Thang	2021-0017	Possess Unlawfully Taken White-Tailed Deer.

Take White-Tailed Deer With Artificial Light.

Hlei M Lian

2021-0018

Possess/Transport Unlawfully Taken White-Tailed Deer.

- 9) **Commission Priorities Update. Presenter: Kent Komadina, Special Assistant to the Commission.** The Department will provide an update on the Commission Priorities and Metrics and will provide an expanded presentation by the Terrestrial Wildlife Branch Chief, Josh Avey regarding an Establish a Comprehensive Wildlife Management Approach Priority.
- 10) **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.

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

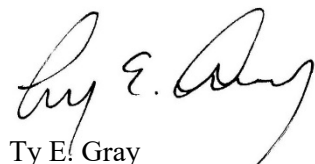
Agenda Item #11 is a first read item. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.

- 11) **Signing onto a Programmatic Agreement between the Bureau of Land Management, Southwest Region Three U.S. Forest Service, U.S. Fish and Wildlife Service, Interior Region Eight, Arizona State Historic Preservation Officer, and Advisory Council on Historic Preservation regarding the effects of vegetation and range management activities in Arizona. Presenter: Ginger Ritter, Project Evaluation Program Supervisor, Habitat, Evaluation, and Lands Branch.** The Commission may approve signing onto a Programmatic Agreement (PA) with other federal and state agencies to streamline cultural resource compliance for collaborative projects occurring on federal and state lands.
- 12) **Commissioner Committee Reports, Director and Commissioner Comments.** Commissioners may provide an update on the subcommittees that they chair regarding current events and issues. 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.
- 13) **Future Agenda Items and Action Items.**
- 14) **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; *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; *Keene v. Cactus RV Center*, CV 2020-01089.

15) 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; *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; *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. 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.
- d. Purchase or Disposal 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 or disposal of real property and for the purpose of discussing and consulting with legal counsel for legal advice.
- e. 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.

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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”