



PUBLIC MEETING NOTICE AND AGENDA

April 2, 2021

A public meeting of the Arizona Game and Fish Commission will be held on **April 16, 2021**, at the **City of Buckeye Council Chamber, Conference Room 530 E. Monroe Ave., Buckeye AZ 85326**. 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 BUCKEYE 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, April 16, 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) **Threatened and Endangered Wildlife Briefing. Presenter: Allen Zufelt, Region 2 Game Specialist.** The Commission will be provided a Briefing on the Department's conservation efforts of the California Condor.
- 3) **California Condor Reintroduction Program MOU Renewal. Presenter: Allen Zufelt, Region 2 Game Specialist.** The renewal and revision of the Memorandum of Understanding which outlines how the Department and the multiple state, federal, tribal, and NGO partners work cooperatively to manage the repatriation efforts of the California condor in Arizona/Utah.

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

- 4) **Lower Gila River Collaborative and Rio Reimagined Information Update. Presenter: Kelly Wolff, Habitat Evaluation and Lands Program Manager, Mesa.** Informational Presentation on the Landscape Scale Collaboration occurring along the Lower Gila River.
- 5) **Memorandum of Understanding with the National Audubon Society, Inc. Presenter: Josh T. Avey, Terrestrial Wildlife Branch Chief, Terrestrial Branch.** The Commission will be briefed and may approve a Memorandum of Understanding with the National Audubon Society, Inc. for the purpose of conservation and management of wildlife and related educational programs, primarily to benefit SGCN through Important Bird Areas and other similar projects.
- 6) **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.
- 7) **Consideration of Proposed Commission Orders 2, 6-10, and 26 for 2021–22 Hunting Seasons and Commission Orders 13 and 23 for the 2021–22 and 2022-23 Seasons. Presenter: Amber Munig, Big Game Management Program Supervisor.** The Commission will consider and may approve Commission Orders 2 (deer), 6-10 (javelina, bighorn sheep, bison, bear, and mountain lion), and 26 (population management) establishing seasons and season dates, bag, permit numbers, and open areas for the 2021–22 seasons. The Commission will also consider and may approve Commission Orders 13 (predatory and fur-bearing mammals) and 23 (trapping), establishing season dates, legal species, open and closed areas, and bag and possession limits for the 2021–22 and 2022-23 seasons. A detailed description of proposals is available for public review at Department offices.
- 8) **Consideration of Proposed Commission Orders 11-18 (Small Game and Predator/Furbearer) for 2021-2022 and 2022-2023 hunting seasons and Commission Orders 19–22 and 24 (Migratory Game Birds) for the 2021-2022 hunting season. Presenter: Dr. Larisa Harding, Small Game Management Program Supervisor.** The Commission will consider and may approve Commission Orders 11 (tree squirrel), 12 (cottontail rabbit), 13, (predator/furbearer), 14 (other birds and mammals), 15 (pheasant), 16 (quail), 17 (chukar partridge), 18 (dusky grouse), establishing seasons and season dates, bag and possession limits, and open areas for the 2021-2022 and 2022-2023 seasons. The Commission will also consider and may approve Commission Orders 19-22 (dove, band-tailed pigeon, waterfowl, and snipe) and 24 (sandhill crane), establishing season dates, open and closed areas, bag and possession limits, and permit numbers (for CO 24 sandhill cranes only) for the 2021-2022 hunting season. A detailed description of proposals is available for public review at Department offices.

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 #	Conviction
Medusa Hurst	2021-0011	Unlawful Sale Of Rattlesnakes. Exceed Possession Limit Of Rattlesnakes (2 counts).
Johnathan Warbis	2021-0012	Unlawful Sale Of Rattlesnakes (3 Counts).
Felix Vasquez	2021-0019	Obtain Resident Hunt/Fish License By Misrepresentation.
Jonathon Handley	2021-0020	Attach Another's Tag To Elk. Possess Unlawfully Taken Elk. Hunt Elk Without Valid Tag.
Julia D. Vasquez	2021-0021	Possession Of Unlawfully Taken Elk.
Ralph W. Dubois	2021-0022	Knowingly Take Deer Over Edible Substances (3 Counts). Possess/Transport Unlawfully Taken Deer.

- 10) 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 Aquatic Wildlife Branch Chief, Julie Carter regarding an Increase and Improve Sportfish Opportunities.
- 11) 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 related to Department responsibilities.

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

- 12) Hunt Permit-Tag Application Schedule for 2021 Fall Hunt. Presenter: Jennifer Stewart, Customer Service Branch Chief.** The Department will present the proposed revision to the fall 2021 hunt schedule for Commission approval.

Agenda Item #13 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.

- 13) FY 2023 Proposed Budget & FY 2022 Modification. Presenter: Jennifer Alspaw, Business and Finance Chief.** The Department will provide the Commission with a presentation on the FY '23 draft budget and proposed modifications to the FY '22 budget.
- 14) 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.

15) Future Agenda Items and Action Items.

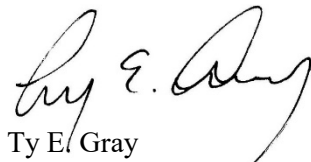
16) Litigation Report. The Department's legal counsel may report on the status of the litigation matters: *In re General Stream Adjudication for the Little Colorado River and Gila River; Zuni water rights settlement agreement; Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817 (AZ); *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.

17) 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; John Hudson's warning of possible legal action against Game and Fish for failing to prevent trespassing livestock from entering Salero Ranch.
- 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”