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**PUBLIC MEETING NOTICE AND AGENDA**  
**REVISION #1**

**February 9, 2022**

A public meeting of the Arizona Game and Fish Commission will be held on **February 11, 2022**, at the **Mohave Community College, Lake Havasu City Campus, 1977 Acoma Blvd. West, Building 600, Lake Havasu City, AZ 86403**. The public may attend the meeting in person but the number of people allowed in the meeting facility could be limited if necessary to comply with social distancing requirements for the facility. In the alternative, the public **may view the meeting at [www.azgfd.gov/commissioncam](http://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 may only address the Commission by attending in person or from any regional office. **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 THE ALTERNATIVE MEANS PROVIDED HEREIN.** Copies of any presentations, documents, etc. discussed during the meeting will be available by contacting [iguzman@azgfd.gov](mailto:iguzman@azgfd.gov). Unless expressly provided otherwise with any matter, **the Commission may discuss and may vote to take action on the following matters:**

**Friday, February 11, 2022 - 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 on a matter not on the agenda should complete a speaker's card and present it to the host. 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) **A Briefing on Public Comment Received and Proposed Revisions to the Hunt Guidelines for the 2023-2024 through 2027-2028 Hunting Seasons. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission will be briefed on the comment received thus far on the existing hunt guidelines and a preliminary draft of revised guidelines will be presented.
- 3) **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

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**5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086**

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

Commission's legal counsel. Commission members may remove certain items if further public input or discussion is deemed necessary.

- a) **Memorandum of Understanding (MOU) with the Western Association of Fish and Wildlife Agencies (WAFWA) for the Sagebrush Conservation Initiative. Presenter: Clay Crowder, Assistant Director, Wildlife Management Division.** The Commission may vote to authorize the Department to execute a Memorandum of Understanding between the Department and WAFWA for support of the Sagebrush Conservation Initiative.
- 4) **State and Federal Legislation. Presenter: Ed Sanchez, Legislative Liaison, Government Affairs.** 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.
- 5) **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 on Establishing a Comprehensive Wildlife Management Approach.
- 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) **Threatened and Endangered Wildlife Briefing. Presenter: Sky Hedden, Colorado River Basin Native Aquatics Coordinator.** The Commission will be provided a briefing on the Department's efforts on the conservation and management of the Virgin River fishes.

**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:

<b>Name</b>	<b>Docket #</b>	<b>Conviction</b>
Collen Steiner	2022-0007	Take Deer Over Bait.
Michael Lively	2022-0008	Possession Over Limit Of Trout.

- 9) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Dustin Wagner has requested a rehearing regarding the revocation of his license privileges.
- 10) **2022 Wildlife Values Approval. Presenter: Gene Elms, Law Enforcement Branch Chief.** The Commission will review and may approve the 2022 adjustments to wildlife values based the economic factors outlined in R-12-4-127.
- 11) **Requests from Regions I, III, V, and VI for 18 short road closures on State Trust Lands. Presenter: Dan Sturla, Landowner Relations Program Supervisor.** The Commission may approve the requests for 18 road closures on State Trust lands. The roads are less than 1 mile in length, the areas will still be accessible for foot access, and alternate vehicular access points exist on the ranches.

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

- 12) **Approve Notices of Exempt Rulemaking, Rulemaking Docket Opening, Proposed Rulemaking and Economic Impact Statement Amending Rules Within Article 5. Boating and Water Sports. Presenter: Dee Pflieger, FOR4 Wildlife Manager Supervisor.** The Department will ask the Commission to vote to approve the Notices of Exempt Rulemaking, Rulemaking Docket Opening, Proposed Rulemaking and Economic Impact Statement Amending Rules within Article 5. Boating and Water Sports.
- 13) **Approve the Five-year Rule Report for Article 6. Rules of Practice Before the Commission for Submission to the Governor's Regulatory Review Council (G.R.R.C.). Presenter: Kent Komadina, Special Assistant to the Director.** The Department will ask the Commission to vote to approve the Five-year Rule Review Report for Article 6 addressing rules of practice before the Commission for submission to G.R.R.C.
- 14) **Memorandum of Understanding between the Arizona Game and Fish Commission and the Salt River Project Agricultural Improvement and Power District. Presenter: Josh Avey, Terrestrial Wildlife Branch Chief, Terrestrial Branch.** The Commission will be presented with a Memorandum of Understanding to allow the Department to partner with the Salt River Project for conservation and management activities in Arizona for watershed restoration and habitat enhancement.

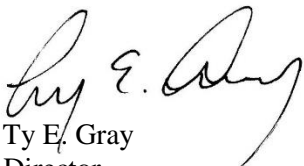
**Agenda Items #15-17 are first read items. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.**

- 15) **Memorandum of Understanding between the Arizona Game and Fish Commission and the Arizona Sportsmen for Wildlife Conservation. Presenter: Dan Sturla, Landowner Relations and Habitat Enhancement Program Manager, Terrestrial Branch.** The Commission will be presented with the renewal for a Memorandum of Understanding with the Arizona Sportsmen for Wildlife Conservation that will allow the Department to partner with them for conservation or education programs.

- 16) **Request for Commission Approval of the Sale of the 10 acre Gibson parcel, Game and Fish Department FOR2 in Coconino County, Arizona. Presenter: Luke Thompson, Habitat Evaluation and Lands Branch Chief.** The Commission will be asked to vote to approve the sale of the 10 acre Gibson parcel, Game and Fish Department Region II in Coconino County, Arizona.
- 17) **Approve the Environmental Analyses Conducted Per the Department's Sharp Spring Rotenone Project Treatment Plan to Use Rotenone for the Removal of Non-native Fish. Presenter: Julie Carter, Aquatic Wildlife Branch Chief.** The Department is requesting the Commission's approval for the Environmental Analyses conducted per the Department's Sharp Spring Rotenone Project Treatment Plan to use rotenone for the removal of non-native fish. (Pursuant to Section 17-481 effective September 13, 2013).
- 18) **Chairman, Commissioners and Director Comments.** The Chairman, Commissioners and Director may provide brief comments 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.
- 19) **Future Agenda Items and Action Items.**
- 20) **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); *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; legal challenge to the U.S. Forest Service Tonto NF TMP.
- 21) **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);, *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; *Zachary Nipp notice of claim; legal challenge to the U.S. Forest Service Tonto NF TMP.*

- 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. **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 cattle trespasses on the Commission’s Coal Mine property and the State Parks & Trails Sonoita Creek State Natural Area.
- e. **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.
- 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.

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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**