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## **PUBLIC MEETING NOTICE AND AGENDA**

**July 29, 2024**

A public meeting of the Arizona Game and Fish Commission will be held on **August 9, 2024** at the **Little America Hotel, 2515 E Butler Ave, Flagstaff, AZ 86004**. The public may attend the meeting in person or 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. **\*DUE TO THE MEETING LOCATION, PUBLIC COMMENT WILL NOT BE AVAILABLE FROM THE FLAGSTAFF REGIONAL OFFICE.** 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. Copies of any presentations, documents, etc. discussed during the meeting will be available by contacting [sprice@azgfd.gov](mailto:sprice@azgfd.gov). Unless expressly provided otherwise with any matter, the Commission may discuss and may vote to take action on the following matters:

**Friday, August 9, 2024**      **Meeting location opens at 7:45 a.m.**  
**Meeting begins at 8:00 a.m.**  
**Lunch Break at 12:00 p.m.**

**Pledge of Allegiance**

**Welcome/Introductions**

**Awards and Recognition**

**Swearing-In of Game Rangers**

**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) **Consent Agenda.** The following items are hereby noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The

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

**GOVERNOR:** KATIE HOBBS **COMMISSIONERS:** CHAIRMAN CLAY HERNANDEZ, TUCSON | MARSHA PETRIE SUE, SCOTTSDALE | JEFF BUCHANAN, PATAGONIA  
JAMES E. GOUGHNOUR, PAYSON | TODD G. GEILER, PRESCOTT **DIRECTOR:** TY E. GRAY **DEPUTY DIRECTOR:** TOM P. FINLEY

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) **Cooperative Agreement with Mainstream USA, LLC for the Importation of Barramundi for Aquaculture Production. Presenter: Julie Carter, Aquatic Wildlife Branch Chief.** The Commission will be presented with a Cooperative Agreement with Mainstream USA, LLC for the importation of Barramundi for aquaculture production.
- 3) **State and Federal Legislative Update. Presenter: Ed Sanchez, Legislative Liaison, Government Affairs.** The Commission will be briefed on the status of state and federal legislation and may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation related to Department responsibilities.
- 4) **Consideration of Proposed Commission Orders 5 and 8 for the 2025 Hunting Season. Presenter: Callie Cavalcant, Habitat, Evaluation & Lands Branch Chief.** The Commission will consider and may vote to approve Commission Orders 5 (fall turkey) and 8 (bison) establishing seasons and season dates, bag and possession limits, permit numbers or authorized limits, and open areas for the 2025 hunting seasons. The Commission will consider and may vote to amend Commission Order 5 (spring turkey) for the spring 2025 season.
- 5) **Hunt Permit-Tag Application Schedules for 2025 Hunts. Presenter: Tera Wozniak, Customer Service and Sales Branch Chief.** The Department will present the proposed hunt-permit tag application schedules for the 2025 hunts for Commission approval.

**Agenda items 6 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.**

- 6) **Cooperative Agreement with BSST Arizona, LLC for the Importation of Barramundi for Aquaculture Production. Presenter: Julie Carter, Aquatic Wildlife Branch Chief.** The Commission will be presented with a Cooperative Agreement with BSST, LLC for the importation of Barramundi for aquaculture production.

#### **TIME CERTAIN AT 10:00 AM**

- 7) **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>
John Miller	2024-0039	Exceed Bag Limit (Elk).
Matthew Crockett	2024-0040	Possess Another's Tag While Hunting. Take Wildlife Without A Valid Permit.
Wayne Karlen	2024-0041	Take White-Tailed Deer Contrary To Tag. Possess Unlawfully Taken White-Tailed Deer. Waste of Game Meat.
Paulina Estrada-Bustamante	2024-0042	Take Mule Deer During Closed Season.
Bradley Bezanson	2024-0043	Take Mountain Lion Without Tag. Possess Unlawfully Taken Mountain Lion.
Gary Sherfey	2024-0044	Take Wrong Sex (Mule Deer).

- 8) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Timothy McNeel has requested a rehearing regarding the revocation of his license privileges.
- 9) **Commission Order 40 Change for Three New Waters. Presenter: Curtis Gill, Aquatic Wildlife Branch Chief.** The Commission will be presented with a proposed amendment to Commission Order 40 (Fish) to establish fishing regulations at one Community Fishing Program Water - Bender's Pond in Gila Bend, and two non-Community Fishing Program Waters - Blossom Rock Pond in Painted Sky Park in Apache Junction and Frontier Family Park in Queen Creek.
- 10) **Petitions to close three roads on State Trust Land near Congress, Arizona. Presenter: Dan Sturla, Landowner Relations Program Manager.** Petitions submitted by Woody Grantham to close three roads on State Trust Land (STL) located just east of Congress, Arizona will be presented to the Commission. The roads provide vehicle access to the ranch which is a combination of leased STL, private and BLM land. Alternative vehicular routes have been identified. The Commission may vote to take action on, or provide the Department with direction on these items.

- 11) **Update on Outreach Collaboration with REI. Presenter: Colby Walton, Wildlife Manager III.** The presentation will highlight efforts taking place in Flagstaff to provide outreach and education in the form of a free hunting and fishing class at a local REI (Recreational Equipment Inc.) store.
- 12) **Species of Greatest Conservation Need (SGCN) Briefing. Presenter: Holly Hicks, Small Mammal Project Coordinator.** The Commission will be provided a briefing on the Black-footed Ferret project and update on current management practices.
- 13) **Update on Article 10. Off-highway Vehicles Five-year Rule Review Report. Presenter: Micah White, Off-highway Vehicle Law Enforcement Program Manager.** The Department will update the Commission on the Five-year Rule Review Report for Article 10 addressing off-highway vehicles. The passage of SB1567 during the last legislative session has necessitated an extension of the rule review process, and the Department will provide the Commission with a status update of new timelines for this Article.
- 14) **State and Federal Lands Planning Update Presenter: Callie Cavalcant, Habitat, Evaluation & Lands 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.
- 15) **Commission Priorities Update. Presenter: Luke Thompson, Special Assistant to the Director.** The Department will provide an update on the Commission Priorities and Metrics. The Department will also provide an extended presentation by Callie Cavalcant, Habitat, Evaluation & Lands Branch Chief & Nara Sin, Chief Engineer, on Developing a Comprehensive Facility Maintenance and Real Estate Strategy.
- 16) **Revised Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2025 and January 2026. Presenter: Kent Komadina, Special Assistant to the Director.** The Department has updated the proposed March and June meeting dates. The Commission may consider and select the new proposed meeting dates and locations for March and June, 2025.
- 17) **Request for Approval of Settlement Agreement. Presenter: Patrick Boyle, Assistant Attorney General.** The Department has come to an agreement with Lisa Bates, dba Tucson Wildlife Center to resolve her appeal of her denied Wildlife Rehabilitation License. The Commission may approve the terms of the Settlement Agreement and authorize the Department to execute such Agreement.
- 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.

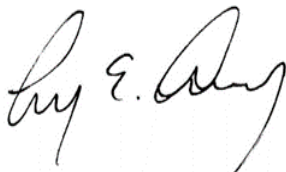
- 19) **Future Agenda Items and Action Items.**
- 20) **Litigation Report.** The Department’s legal counsel may report on the status of the litigation matters: *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Center for Biological Diversity v. Zinke*, CV 15-00019 (AZ); *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); *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; Tonto NF Travel Management Plan; litigation challenging the revised 10(j) rule for Mexican gray wolves.
- 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*; *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; *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; litigation challenging the revised 10(j)rule for Mexican gray wolves; *In the Matter of Thomas Rose, Respondent*, OAH No. 24A-0001-AH-AZGFD, The Notice of Intent to Sue concerning the Alamo Wildlife Area.
- 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. **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 Commission authority over license revocation and civil penalties for wildlife-related criminal violations under Title 13, Arizona Revised Statutes.
- f. **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 designation of the Grand Canyon National Monument.
- g. **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 non-resident guide license fees that differ from resident guide license fees.
- h. **Legal Advice.** The Commission may vote to meet in executive session in accordance with A.R.S. § 38-431.03(A)(3) for the discussing and consulting with legal counsel for legal advice regarding the BLM's plan for recreational shooting within the Sonoran Desert National Monument.
- i. **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 regarding trespasses and other unauthorized activities on Commission-owned Wildlife Areas.
- j. **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.
- k. **Purchase and Disposal of Real Property.** The Commission may vote to meet in Executive Session pursuant to A.R.S § 38-431.03(A)(7) for the purpose of discussion or consultation with Department staff on action items from the Commission's prior decision to delay consideration of any proposals for disposal of land within the Ben Avery Shooting Range protection zone.

- l. 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 Commission practices related to communication, agendas and public records.
- m. 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.
- n. Personnel Matters and Legal Counsel Regarding the Hiring of a New Agency Director.** The Commission may vote to meet in executive session in accordance with A.R.S. 38-431.03(A) (1) and (A) (3) to review applications and select candidates for interview and discuss interview questions, and to receive legal advice from counsel regarding the process for hiring a new Agency Director.

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Ty E. Gray  
Director

*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”**