



PUBLIC MEETING NOTICE AND AGENDA

January 13, 2025

A public meeting of the Arizona Game and Fish Commission will be held on **January 24, 2025** at the **Arizona Game and Fish Department, 5000 W Carefree Highway, Phoenix, AZ 85086**. The public may attend the meeting in person or 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. 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. Unless expressly provided otherwise with any matter, the Commission may discuss and may vote to take action on the following matters:

Friday, January 24, 2025 **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

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

- a) **Request for the Commission to Approve an Agreement for a Permit with the City of Tucson for the Purpose of Providing Water Service to the Commission's Tucson Regional Office, Pima County, Arizona. Presenter: Callie Cavalcant, Habitat, Evaluation and Lands Branch Chief.** The Commission will be asked to vote to approve the Agreement for Permit with the City of Tucson for the purpose of providing water service to the Commission's Tucson Regional Office.
- b) **Request for the Commission to Approve a License Agreement Renewal with Graham County for the Purpose of Developing and Maintaining a Roadway for Public Use Across the Commission's Roper Lake and Land Property in Graham County, Arizona. Presenter: Callie Cavalcant, Habitat, Lands and Evaluation Branch Chief.** The Commission will be asked to approve a License Agreement with Graham County for the purpose of developing and maintaining a public roadway across a portion of the Commission-owned Roper Lake and Land property.
- 3) **Species of Greatest Conservation Need (SGCN) Briefing. Presenter: Josh Avey, Terrestrial Wildlife Branch Chief.** The Commission will be provided a briefing on the Department's partnerships in bird monitoring with an emphasis on hummingbirds and potential collaborative opportunities.
- 4) **Approve the Article 8. Wildlife Areas and Department Property Five-year Rule Review Report, for Submission to the Governor's Regulatory Review Council (G.R.R.C) Presenter: Aaron Hartzell, Regional Supervisor, Pinetop.** The Department will ask the Commission to vote to approve the Five-year Rule Review Report for Article 8 addressing wildlife area rules, for submission to G.R.R.C. The Commission may vote to take action on and provide the Department direction on this item.
- 5) **Approve the Notice of Final Rulemaking, and Economic Impact Statement Amending Rules Within Article 1. Definitions and General Provisions. Presenter: Christopher Dean, Ben Avery Shooting Facility Range Manager.** The Department will ask the Commission to vote to approve the Notice of Final Rulemaking and Economic Impact Statement Amending Rules Within Article 1. Definitions and General Provisions; the Commission may provide the Department direction on this item.

TIME CERTAIN AT 10:00 AM

- 6) **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
Anthony Currey	2025-0004	Take Bighorn Sheep Without A Permit/ Tag. Take Bighorn Sheep During Closed Season. Take Bighorn Sheep with An Unlawful Device.
Justin Eakins	2025-0005	Possess/Transport Unlawfully Taken Elk.

7) **Overview of the Department’s Wildlife Center and Outreach Programs. Presenter: Kellie Tharp, Education Branch Chief.** The Department will brief the Commission on the Department’s Wildlife Center, animal ambassadors and the associated outreach programs.

8) **Habitat Partnership Committee (HPC) Annual Update. Presenter: Andrew Cavalcant, Habitat Partnership Committee Coordinator.** Presentation on the status of projects funded with Special Big Game License Tag money allocated through the HPC program.

Agenda items 9 and 10 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.

9) **Cooperative Agreement with the Western Association of Fish and Wildlife Agencies to Fund the YY Fish Consortium. Presenter: Julie Carter, Aquatic Wildlife Branch Chief.** The Commission may approve the Cooperative Agreement with the Western Association of Fish and Wildlife Agencies to support the YY Fish Consortium

10) **Request for the Commission to Approve an Agreement for Permit with Navopache Electric Cooperative for the Purpose of Providing Utility Service to the Commission’s White Mountain Grasslands Wildlife Area, Apache County, Arizona. Presenter: Callie Cavalcant, Habitat, Evaluation and Lands Branch Chief.** The Commission may vote to approve the Agreement for a Permit with Navopache Electric Cooperative for the purpose of providing electrical utility service to the Commission’s White Mountain Grasslands Wildlife Area.

11) **Briefing on Commission-Owned Property: Roper Lake State Park Presenter: Callie Cavalcant, Habitat, Evaluation and Lands Branch Chief.** The Commission will receive a briefing on the Department’s progress on evaluating lease, sale, transfer, or disposal options for the Commission’s Roper Lake property.

12) **State and Federal Legislation. Presenter: Ed Sanchez, Legislative Policy**

Administrator. 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.

- 13) **State and Federal Lands Planning Update. Presenter: Callie Cavalcant, Habitat, Lands and Evaluation Branch Chief.** The Commission will receive an update on Department activities and involvement with land management planning and other actions regarding state and federal lands in Arizona.
- 14) **Commission Priorities Update. Presenter: Luke Thompson, Special Assistant to the Director.** The Department will provide an update on the Commission Priorities and Metrics, and Julie Carter will provide an extended presentation for Commission Priority 4: Increase and Improve Sportfish Opportunities.
- 15) **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.
- 16) **Future Agenda Items and Action Items.**
- 17) **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.; litigation challenging the revised 10(j) rule for Mexican gray wolves.
- 18) **Executive Session. (The Commission will not vote to take on any action during the 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; litigation challenging the revised 10(j) rule for Mexican gray wolves; OAH No. 24A-0001-AH-AZGFD, The Notice of Intent to Sue concerning the Alamo Wildlife Area and *In re Ernesto Bernal* (OAH case).

- 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 the designation of the Grand Canyon National Monument.
- 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 a proposed petition to amend Commission rules related to the lawful methods of take and seasons for taking wildlife.
- 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 regarding trespasses and other unauthorized activities on Commission-owned Wildlife Areas.
- h. Legal Advice.** The Commission may vote to meet in executive session in accordance with A.R.S. §§ 38-431.03(A)(3) & (4) for the purpose of discussions and consulting with legal counsel for legal advice and to instruct Department staff on contract negotiations regarding a license agreement for a transmission line over the Willcox Playa Wildlife Area.
- i. 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.

- j. 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.
- k. 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.



Tom Finley
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”