



PUBLIC MEETING NOTICE AND AGENDA
REVISION #1

August 9, 2023

A public meeting of the Arizona Game and Fish Commission will be held on **August 11, 2023**, at the **Cottonwood Recreation Center, 150 S. 6th Street, Cottonwood, AZ 86326**. 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 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. Copies of any presentations, documents, etc. discussed during the meeting will be available by contacting okline@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 11, 2023 – Meeting location opens at 7:45A.M.
Meeting begins at 8:00 A.M.

Pledge of Allegiance

Welcome/Introductions

Awards, Recognition, and Regional Highlights

Swearing-In of Game Rangers

- 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) **Hunt Permit-Tag Application Schedules for 2024 Hunts. Presenter:** Tera Wozniak, Customer Service and Sales Branch Chief. The Department will present the proposed hunt-permit tag application schedules for the 2024 hunts for Commission approval.
- 3) **Bighorn Sheep Management in GMU 12BE. Presenter:** Seth Pierce, Wildlife Manager **GMU 12B, Region II.** The Commission will be provided a briefing on the management of the bighorn sheep population in Game Management Unit 12BE.

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5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

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

- 4) **Species of Greatest Conservation Need (SGCN) Wildlife Briefing. Presenter: Bradford Milbrandt, Wildlife Specialist II, Wildlife Contracts Branch.** The Commission will be provided a Briefing on the Department’s conservation of Bats within mine networks across the west.

- 5) **Approval of Proposed Amendments Resulting from Programmatic Review of Commission Policy A1.35 Cooperating with Tribal Governments. Presenter: Jon Cooley, Tribal Liaison, Wildlife Management Division.** The Department will ask the Commission vote to approve the proposed recommendations resulting from programmatic reviews of the Commission Policy A1.35 Cooperating with Tribal Governments.

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
Har Mat	2023-0038	Take Elk Without Hunting License. Take Elk Without Permit. Take Elk During Closed Season. Possess/Transport Unlawfully Taken Elk. Take Elk at Night.
Har Mat	2023-0039	Take Mule Deer Without Hunting License. Take Mule Deer Without Permit. Take Mule Deer During Closed Season. Possess/Transport Unlawfully Taken Mule Deer. Take Mule Deer at Night.
Har Mat	2023-0040	Take Elk Without Hunting License. (3 Counts) Take Elk Without Permit. (5 Counts) Take Elk During Closed Season. (5 Counts) Possess/Transport Unlawfully Taken Elk. (4 Counts) Take Elk in Excess of Bag Limit. (3 Counts) Take Elk at Night with Artificial Light. (1 Count)

			Possess/Transport Elk Without Tag Attached. (2 Counts) Take Elk at Night. (1 Count)
Har Nit	2023-0041		Possess/Transport Unlawfully Taken Elk. Take Elk at Night.
Har Nit	2023-0042		Possess/Transport Unlawfully Taken Mule Deer. Take Mule Deer at Night.
Har Nit	2023-0043		Possess/Transport Unlawfully Taken Elk. Take Elk at Night.
Abdul Kalam Bin Abdul Hok	2023-0044		Possess/Transport Unlawfully Taken Elk. Take Elk at Night.
Aung Naing	2023-0045		Possess/Transport Unlawfully Taken Elk.
Har San	2023-0046		Possess/Transport Unlawfully Taken Elk. Take Elk at Night.
Maung Ngo	2023-0047		Possess/Transport Unlawfully Taken Mule Deer. Take Mule Deer at Night.
Mohamad Farouk Bin Mohamad Kasim	2023-0048		Possess/Transport Unlawfully Taken Elk. Take Elk at Night.
Sar Hein	2023-0049		Possess/Transport Unlawfully Taken Mule Deer. Take Mule Deer at Night.

LUNCH BREAK (BEGINS AT 12:00 PM)

Agenda items # 7-11 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.

- 7) **Renewal of Memorandum of Understanding between the Arizona Game and Fish Commission and the United States Department of the Interior, National Park Service Intermountain Regional Office. Presenter: Ginger Ritter, Project Evaluation Program, Program Manager.** The Commission may approve the renewal of a Memorandum of Understanding between the Arizona Game and Fish Commission and the United States Department of the Interior, National Park Service Intermountain Regional Office.

- 8) **Renewal of a License Agreement with the Army Corps of Engineers for continued management of Alamo Lake Wildlife Area. Presenter: Jim Ruff, Land and Water Program Supervisor.** The Commission may approve a renewal of an existing License Agreement with the Army Corps of Engineers for continued management of the Alamo Lake Wildlife Area.

- 9) **Renewal of a License Agreement with Qwest Corporation (d/b/a CenturyLink) to operate and maintain a buried fiber optic line through a portion of the Ben Avery Shooting Facility. Presenter: Jim Ruff, Land and Water Program Supervisor.** The Commission may approve the renewal of an existing License Agreement with CenturyLink for the operation and maintenance of an existing fiber optic cable along the eastern boundary of the Ben Avery Shooting Facility.
- 10) **License Agreement with Crown Castle to construct a new wireless telecommunication tower at the Ben Avery Shooting Facility. Presenter: Jim Ruff, Land and Water Program Supervisor.** The Commission will be asked to approve a license agreement with Crown Castle to construct, operate and maintain a new wireless telecommunication tower and related equipment on Ben Avery Shooting Facility to enhance wireless telecommunication coverage in the area.
- 11) **Cooperative Agreement with Cornerstone Developments 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 Cornerstone Developments LLC for the importation of Barramundi for aquaculture production.
- 12) **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.
- 13) **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. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation related to Department responsibilities.
- 14) **Commission Priority Report. Presenter: Kent Komadina, 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 Chris Cantrell and Luke Thompson, Development Branch Chief and Habitat, Lands, and Evaluation Branch Chief, on Developing a Comprehensive Facility Maintenance Program and Real Estate Strategy.
- 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. 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); *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.

18) 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. 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; *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.

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.

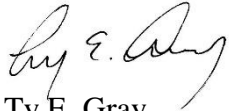
- d. **Legal Advice.** The Commission may vote to meet in executive session in accordance with A.R.S. § 38-431.03(A)(3) for the purpose of discussing and consulting with legal counsel for legal advice regarding cattle trespasses on the Commission's Coal Mine property and the State Parks & Trails Sonoita 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 commercial importation and exportation of restricted live wildlife.

NEW ITEM

- 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 the proposed designation of the Grand Canyon National Monument.

NEW ITEM

- 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. **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. **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.



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”