



PUBLIC MEETING NOTICE AND AGENDA
REVISION #1

June 12, 2024

A public meeting of the Arizona Game and Fish Commission will be held on **June 14, 2024** at the **Payson Town Hall Council Chambers, 303 N Beeline Highway, Payson, AZ 85541**. 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 spruce@azgfd.gov. Unless expressly provided otherwise with any matter, the Commission may discuss and may vote to take action on the following matters:

Friday, June 14, 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

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) **Approve Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn, Elk, Turkey, Javelina, Bighorn Sheep, Bison, Black Bear, and Mountain Lion for the 2025–2026 Special License-Tag Hunting Seasons. Presenter: Callie Cavalcant, Big Game Management Program Supervisor.** The Commission will consider and may vote to approve Commission Order 29: Special Hunts, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License-Tags for the 2025–2026

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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**

seasons.

- 3) **Authorize Issuance of Special Big Game Hunt Tags to Wildlife Conservation Organizations for Pronghorn, Bighorn Sheep, Black Bear, Bison, Elk, Javelina, Mountain Lion, Mule Deer, Turkey and White-tailed Deer for 2025–2026. Presenter: Andrew Cavalcant, Habitat Partnership Committee Coordinator.** The Commission will consider and may vote to take action on applications from organizations for 2025–2026 Special Big Game Tags as per R12-4-120. A detailed description of proposals is available for public review at all Department offices.
- 4) **Rim Country Outreach and Education. Presenter: Joe Sayer, Senior Wildlife Manager.** The presentation will highlight efforts taking place in Rim Country to provide outreach, education, and mentoring in the form of an Outdoor Skills Camp to help meet statewide R3 program goals and objectives.
- 5) **Hunter Education Deferral Update. Presenter: Danielle Klaas, Hunting & Shooting Sports Program Manager.** The Commission will be briefed on the status of the Hunter Ed Deferral, resulting demand, and Program actions to improve customer service.

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
James Martin	2024-0018	Take Deer by Unlawful Device (Trail Camera). Take Deer by Unlawful Method (Bait). Take Deer Without License/Tag.
Michael Diamond	2024-0024	Take Wildlife (Trout) in Closed Area.
Thomas Diamond	2024-0025	Take Wildlife (Trout) In Closed Area.
Matthew Koerner	2024-0036	Take Deer by Unlawful Device (Trail Camera).
Douglas Kleck	2024-0037	Take Deer by Unlawful Device (Trail Camera).

- 7) **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Jonathan E. Snowden has requested a rehearing regarding the revocation of his license privileges.
- 8) **Hearing on Administrative Law Judge Decision recommending the Department's revocation notice issued to Thomas Rose be quashed for lack of a criminal conviction in the Santa Cruz County Justice Court involving the take of a white-tailed deer (In the Matter of Thomas Rose, Respondent, No. 24A-0001-AH-AZGFD). Presenter: Jim Odenkirk, General Counsel.** The Commission will consider and take action on the Decision and Recommended Order. The Commission may accept, reject or modify the Decision.
- 9) **Referral to OAH. Presenter: Jim Odenkirk, General Counsel.** The Commission may consider and take action referring the issue of whether Thomas Rose committed an unlawful take of a white-tailed deer in Santa Cruz County to the Office of Administrative Hearings, which will conduct a hearing and prepare a report and recommendation to the Commission on the issue of whether civil penalties should be assessed against Thomas Rose pursuant to A.R.S. § 17-314.
- 10) **Memo of Understanding with The Foundation for Conservation of Arizona's Wildlife (DBA Wildlife for Tomorrow Foundation). Presenter: Jim Odenkirk, General Counsel.** The Department will provide the Commission with an amended Memorandum of Understanding with The Foundation for Conservation of Arizona's Wildlife (DBA Wildlife for Tomorrow Foundation) for their consideration and approval.

Agenda items 11 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.

- 11) **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.
- 12) **Heritage Data Management System (HDMS). Presenter: Tiffany Sprague, HDMS Program Manager.** The Commission will be provided a briefing on the Department's Heritage Data Management System as it relates to SGCN species.

- 13) **Department's Process, Engagement and Tracking of Renewable Energy Statewide Development Projects. Presenter: Luke Thompson, Special Assistant to the Director.** The Commission will be provided a briefing on Department process, engagement and tracking of renewable energy statewide development projects including renewable energy and mining projects.
- 14) **State and Federal Lands Planning Update. Presenter: Luke Thompson, Special Assistant to the Director.** 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) **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.
- 16) **Commission Priorities Update. 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 Dan Sturla, Wildlife Specialist Supervisor, on Increasing Public Access and Improving Landowner Relations.
- 17) **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 will ask the Commission to consider and select proposed meeting dates and locations for the Year 2025 and for January 2026.
- 18) **Election of Commission Chair and Vice-Chair for July 1, 2024 through June 30, 2025. Presenter: Kent Komadina, Special Assistant to the Director.** The Commission will vote to elect a Commission Chair and Vice-Chair for July 1, 2024 through June 30, 2025.
- 19) **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.
- 20) **Future Agenda Items and Action Items.**
- 21) **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

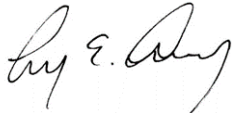
cases challenging the USFWS's ESA rule changes; Tonto NF Travel Management Plan; litigation challenging the revised 10(j) rule for Mexican gray wolves.

22) 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.
- 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 OAH recommended decision in the Thomas Rose matter.
- 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 the formal Attorney General opinion interpreting A.R.S. § 17-213.
- 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 Commission's authority to close state trust lands to hunting and to close roads providing access to state trust lands.
- 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 cattle trespasses on the Commission's Coal Mine property and the State Parks & Trails Sonoita Creek State Natural Area.

- 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 Commission authority over license revocation and civil penalties for wildlife-related criminal violations under Title 13, Arizona Revised Statutes.
- 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 purpose of discussing and consulting with legal counsel for legal advice regarding the designation of the Grand Canyon 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 for legal advice regarding non-resident guide license fees that differ from resident guide license fees.
- 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 discussing and consulting with legal counsel for legal advice regarding the BLM's plan for recreational shooting within the Sonoran Desert National Monument.
- k. 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.
- l. 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.
- m. 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.
- n. 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”