



PUBLIC MEETING NOTICE AND AGENDA

Revision # 2

December 4, 2024

A public meeting of the Arizona Game and Fish Commission will be held on **December 6, 2024** 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, December 6, 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

- 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 the Notice of Rulemaking Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement Amending Rules Within Articles 1 Definitions and General Provisions, 2 Licenses; Permits; Stamps; Tags, and 3 Taking and Handling of Wildlife. Presenter: Dr. Larisa Harding, Small Game Program Manager.** The Department will ask the Commission to vote to approve the Notice of Rulemaking Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement Amending Rules Within Articles 1 Definitions and General Provisions, 2 Licenses; Permits; Stamps;

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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

Tags, and 3 Taking and Handling of Wildlife; the Commission may provide the Department direction on this item.

REVISED

- 3) **Consideration of Proposed Commission Orders 3, 4, 26, and 30 for 2025-2026 Fall and Spring Hunting Seasons.** The Commission will consider and may approve Commission Orders 3 (pronghorn), 4 (elk), 26 (population management), and 30 (limited-entry) establishing seasons and season dates, bag and possession limits, permit numbers or authorized limits, and open areas for the respective 2025-2026 hunting seasons.

REVISED

- 4) **SGCN Brief: Night Lizard. Presenter: Ryan O'Donnell, Wildlife Specialist Regional Supervisor.** The Commission will be briefed on a Night Lizard project partially funded by Conserve and Protect monies.
- 5) **Approve Article 10. Off-highway Vehicles Five-year Rule Review Report, for Submission to the Governor's Regulatory Review Council (G.R.R.C.). Presenter: Micah White, Off-highway Vehicle Law Enforcement Program Manager.** The Department will ask the Commission to vote to approve the Five-year Rule Review Report for Article 10 addressing off-highway vehicles, for submission to G.R.R.C. The Commission may vote to take action on and provide the Department direction on this item.
- 6) **Hatchery Program Briefing. Presenter: Wayne Jones, Hatchery Program Administrator.** The Commission will be briefed on the status of the Department's hatcheries and future maintenance, modification, and expansion plans.
- 7) **Brief History and Current Status of Arizona's Three Bison Herds. Presenter: Rob Nelson, Region 2 Terrestrial Wildlife Program Manager.** The presentation will highlight a brief history and current management occurring with Arizona's three bison herds.

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.

Name	Docket #	Conviction
Ryan Nelson	2024-0048	Place Leghold Trap on Public Land. Trap without a license.

Vladimir Shal	2024-0049	Take Trout in Excess of Bag Limit.
Alexander Rozinov	2024-0050	Take Trout in Excess of Bag Limit.
Vladimir Rozinov	2024-0051	Take Trout in Excess of Bag Limit.
Jeffrey Allen	2024-0052	Hunter Harassment.

- 9) **Wildlife Values Update. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will consider the proposed changes to the wildlife values for calendar year 2025.
- 10) **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.
- 11) **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.

Agenda items 12 and 13 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.

- 12) **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 property.
- 13) **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, Lands and Evaluation 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.

- 14) **Memorandum of Understanding Between the United States Department of the Interior Bureau of Land Management Arizona State Office, and the United States Department of Agriculture United States Forest Service Southwestern Region, and the State of Arizona Game and Fish Commission through the State of Arizona Game and Fish Department for management of wildlife on Baaj Nwaavjo I'tah Kukveni – Ancestral Footprints of the Grand Canyon National Monument. Presenter: Luke Thompson, Special Assistant to the Director.** The Commission may approve or provide the Department additional direction regarding a Memorandum of Understanding Between the United States Department of the Interior Bureau of Land Management Arizona State Office, and the United States Department of Agriculture United States Forest Service Southwestern Region, and the State of Arizona Game and Fish Commission through the State of Arizona Game and Fish Department for management of wildlife on Baaj Nwaavjo I'tah Kukveni – Ancestral Footprints of the Grand Canyon National Monument.
- 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 Karen Klima, Develop and Implement a Strategy for Resilient Wildlife and Habitat.
- 16) **Revised May Workshop Dates. Presenter: Luke Thompson, Special Assistant to the Director.** The Department will present on the proposed revised dates for the May 2025 Commission Workshop dates and location. The Commission may approve or provide additional direction regarding the proposed May Workshop dates/location.
- 17) **Petition by Mr. George Mavromatis to Amend A.A.C. R12-4-303 Unlawful Activities, Ammunition, Devices, and Methods. Presenter: Dr. Larisa Harding, Small Game Program Manager.** The Commission will consider the petition submitted by Mr. George Mavromatis to amend R12-4-303 Unlawful Activities, Ammunition, Devices, and Methods, allowing the possession and use of night vision equipment, electronically enhanced light-gathering devices, thermal imaging devices, and laser sights for the hunting of predatory animals during established seasons.
- 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.; 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 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.
- 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”