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## **PUBLIC MEETING NOTICE AND AGENDA** **REVISION #1**

**February 13, 2024**

A public meeting of the Arizona Game and Fish Commission will be held on **February 16, 2024** at the **Arizona Western College, Schoening Conference Center, 2020 S. 8E Yuma, AZ 85365**. 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. 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](mailto: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, February 16, 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) **Wildlife Manager Community Engagement Efforts in Region 4. Presenter: Jennifer White, Law Enforcement Specialist, Region 4.** The Commission will be provided a briefing on various community engagement efforts undertaken by Wildlife Managers in the Wickenburg and Yarnell areas.

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**azgfd.gov | 602.942.3000**

**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

- 3) **Update on the Department's evaluation of the Special Big Game License Tag Program. Presenter: Clay Crowder, Assistant Director, Wildlife Management Division.** The Commission will be updated on the Department's evaluation of raffle and non-raffle tag sales or transfer models of the Special Big Game License Tags.
- 4) **Species of Greatest Conservation Need (SGCN) Briefing. Presenter: Christina Kondrat, Permits and Bird Biologist, Terrestrial Wildlife Branch.** The Commission will be provided a briefing on the Department's conservation efforts on Bendire's and LeConte's thrashers.

**TIME CERTAIN AT 10:00 AM**

- 5) **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                                                              |
|------------------|-----------|-------------------------------------------------------------------------|
| Justin Darby     | 2023-0060 | Possess Unlawfully Taken Mule Deer.                                     |
| Hesston Reidhead | 2024-0005 | Take Mule Deer in A Closed Area.                                        |
| Kamron Reidhead  | 2024-0006 | Possess/Transport Unlawfully Taken Mule Deer.                           |
| Eh Kaw Htoo      | 2024-0008 | Take Fish Without A License.<br>Take Fish with Unlawful Method.         |
| Bryant McGee     | 2024-0009 | Possess/Transport Unlawfully Taken Fish.<br>Take Deer in A Closed Area. |

- 6) **Request for Referral to OAH. Presenter: Patrick Boyle, Assistant Attorney General.** The Department has requested the Attorney General's Office to seek civil penalties pursuant to A.R.S. § 17-314, and an order for the return of cervid parts, against Ryan Hatch and Alan Hamberlin for the unlawful possession and importation of a mule deer. The Commission may refer the matter to the Office of Administrative Hearings to conduct a hearing and prepare a report and recommendation to the Commission.

**Agenda item 7 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.**

**\*PULLED\***

- 7) **Intergovernmental Agreement with Gila River Indian Community to Implement habitat restoration actions on the Commission-owned Base and Meridian Wildlife Area. Presenter: Jim Ruff, Land and Water Program Supervisor.** The Commission will be asked to approve a renewal of an Intergovernmental Agreement with Gila River Indian Community to implement habitat restoration and enhancement actions on the Commission-owned Base and Meridian Wildlife Area.
- 8) **Requests from Regions I and V for road closures on State Trust land. Presenter: Dan Sturla, Landowner Relations Program Supervisor.** As part of continued implementation of the joint protocol for management of motor vehicle access on State Trust lands (STL) between the Arizona Game and Fish Department (AGFD) and Arizona State Land Department (ASLD), the Commission will be provided an update on Department efforts and success. The Commission may approve 9 new petitions requesting to close 10 short roads on State Trust lands. The Commission may vote to take action on, or provide the Department direction on this item.
- 9) **Requests from Region V for road closure renewals on State Trust land. Presenter: Dan Sturla, Landowner Relations Program Supervisor.** Each five years, Commission authorized closures expire and are evaluated to be either renewed and continue, or be unlocked for vehicle access to resume. The Commission may approve two (2) requests to renew existing closures. The Commission may vote to take action on, or provide the Department direction on this item.
- 10) **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.
- 11) **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.
- 12) **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 Dan Sturla, Program Manager, Landowner Relations and Habitat Enhancement Branch, on Improving and Conserving Habitat.

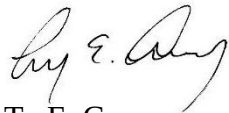
**\*NEW ITEM\***

- 13) **Proposed Amended Date of the Arizona Game and Fish Commission Meeting and the Annual Commission Award Banquet for January 2025. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will ask the Commission to consider and select the proposed amended meeting date for the January 2025 Commission Meeting in Phoenix and the amended date for the Annual Commission Awards Banquet.
- 14) **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.
- 15) **Future Agenda Items and Action Items.**
- 16) **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.
- 17) **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; Tonto NF Travel Management Plan; Tonto NF Revised Land 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 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. **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.

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Ty E. Gray  
Director

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*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”**