



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR

DOUGLAS A. DUCEY

COMMISSIONERS

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DIRECTOR

TY E. GRAY

DEPUTY DIRECTOR

TOM P. FINLEY



PUBLIC MEETING NOTICE AND AGENDA
REVISION 1

September 6, 2017

A public meeting of the Arizona Game and Fish Commission will be held on **September 8, 2017** at the **Grand Canyon Railway Hotel, 235 N. Grand Canyon Blvd., Williams, Arizona 86046**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at <http://livestream.com/azgameandfish>.** Members of the public may also view the meeting from any Department Regional Office and the Department's Headquarters via video teleconference. Members of the public attending in person or viewing via video teleconference may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. The ability to speak to the Commission for those viewing the livestream is not available. Unless expressly provided otherwise with any item on the agenda, the Commission may discuss and vote to take action on the following matters:

Friday, September 8, 2017 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Welcome/Introductions of Commission, Department Staff and Local Community Attendees

Awards and Recognition

- 1. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. 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 have been grouped together and 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 Office of the Attorney General. Commission members may remove certain items if further public input or discussion is deemed necessary.
 - a. Renewal of Road Closure on State Trust Land Approximately Twelve Miles Northeast of Benson, Arizona. Presenter: Al Eiden, Landowner Relations Program Supervisor.** The Commission may approve a request by Tucson Regional Supervisor Raul Vega to renew a road closure which protects a bat roost located approximately twelve miles northeast of Benson.

NEW

- b. Approve Wildlife Studies Agreement between the Arizona Game and Fish Department and the City of Scottsdale. Presenter: Jay Cook, Mesa Regional Supervisor.** The Commission may approve an agreement between the Arizona Game and Fish Commission and the City of Scottsdale for continued wildlife conservation projects within the McDowell Mountains.

- 3. State and Federal Legislation. Presenter: Ed Sanchez, Legislative Liaison.** 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 or other elective issues related to Department responsibilities.

NEW

- 3A. A Briefing on the Development of a Long Term State Wide Public Awareness Campaign. Presenter: Tony Guiles, Assistant Director.** The Commission will be briefed on efforts to devise and implement a long term state wide outreach campaign to increase public awareness of the Department, its mission and how it is funded.
- 4. Commission Priorities Update. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will provide an update on efforts towards accomplishing Commission Priorities and will provide an expanded presentation by Aquatic Wildlife Branch Chief Chris Cantrell on sportfish opportunities. The Commission may discuss and provide additional direction.
- 5. Update on Williams Area Sport Fisheries. Presenter: Scott Rogers, Aquatic Wildlife Program Manager, Region II.** The Commission will be provided information on sport fisheries in the Williams area, including local economic impacts and recent habitat work. The Commission may discuss and provide additional direction.
- 6. Update on the Department's Deployment of the Arizona Management System (AMS). Presenter: Clay Crowder, Wildlife Planner.** The Department will provide an update on its deployment of AMS methods and tools to reduce waste and build sustainable efficiency in Department systems and processes.
- 7. Lands and Habitat Program Update. Presenter: Laura Canaca, Project Evaluation Program Supervisor.** The Commission will be updated on major developments relating to resource management plans and actions on federal lands in Arizona.

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 #	Count	Conviction
Richard Stephenson	2017-0029	Count A:	Obtain 2015/16 resident hunt license by fraud
Sherry Lynn Dixon	2017-0036	Count A:	Possess restricted live wildlife (mule deer)
Carlton F. Zehr	2017-0037	Count A:	Obtain resident bull elk permit by fraud
Arturo O. Barrios	2017-0041	Count B:	Possess unlawfully taken mule deer
Michael L.J. Weaver	2017-0042	Count A:	Take cow elk in excess of bag limit

Count B: Take cow elk in excess of bag limit
Count C: Take cow elk in excess of bag limit
Count D: Take cow elk with unlawful device

9. **Rehearing Request Regarding Previous License Revocation. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** James Travis Lyons has requested a rehearing regarding the revocation of his guide privileges.

NEW

- 9A. **Request for Rehearing Regarding Denial of License Application. Presenter: John LeSueur, Assistant Attorney General.** The Department will present a request for rehearing of the Commission's denial of Christopher North's application for a master-level sport falconry license.
10. **Approve Intergovernmental Agreement (IGA) with Pima County Wireless Integrated Network (PCWIN). Presenter: Gene Elms, Law Enforcement Branch Chief.** The Commission will be asked to approve an IGA with Pima County Wireless Integrated Network to allow the Department to have newly purchased Motorola dual-band radios programmed by PCWIN staff. This agreement provides limited exchange of funding for the service of programming radios.
11. **Hunter Education Update. Presenter: Kellie Tharp, Education Branch Chief.** The Department will provide an informational update on Hunter Education.
12. **Shooting Sports Update. Presenter: Mike Raum, Shooting Sports Branch Chief.** The Department will provide an informational update on Shooting Sports projects and activities.

Lunch Break (Begins at 12:00 p.m.)

13. **Petition by Mr. Britten to Purchase PointGuard after the March 16, 2017 Purchase Deadline. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch.** Mr. Britten Has petitioned the Commission asking for permission to purchase PointGuard after the March 16, 2017 purchase deadline.
14. **Petition by Mr. Smith to Purchase PointGuard after the July 6, 2017 Purchase Deadline. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch.** Mr. Smith Has petitioned the Commission asking for permission to purchase PointGuard after the July 6, 2017 purchase deadline.

NEW

- 14A. **Petition by Mr. Loch to reinstate elk and antelope points due to evacuation during Hurricane Harvey. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch.** Mr. Loch Has petitioned the Commission asking for reinstatement of his elk and antelope points due this evacuation during Hurricane Harvey.
15. **Approve Proposed Expedited Rulemaking Amending Article 6 Rules Addressing Rules of Practice Before the Commission. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will ask the Commission to approve a Notice of Expedited Rulemaking Docket Opening and Notice of Proposed Expedited Rulemaking amending rules within Article 6, addressing rules of practice before the Commission.

16. **Approve Proposed Expedited Rulemaking Amending Article 11 Rules Addressing Aquatic Invasive Species. Presenter: Chris Cantrell, Aquatics Branch Chief.** The Department will ask the Commission to approve a Notice of Expedited Rulemaking Docket Opening and Notice of Proposed Expedited Rulemaking amending rules within Article 11, addressing aquatic invasive species.
17. **Endangered Species Update on the Gila Trout Evacuation and Post-fire Status. Presenter: Julie Carter, Statewide Native Aquatics Program Manager.** The Commission will be updated on the post-fire evacuation of Gila trout from Ash and Frye creeks and the current status of the species in Arizona after two large wildfires occurred within their occupied range.
18. **Commission Order 40 amendment - Temporary closure of Frye Creek Gila Trout fishery. Presenter: Julie Carter, Statewide Native Aquatics Program Manager.** The Commission may amend Commission Order 40 to temporarily close Frye Creek to angling to allow evaluation and restoration of the population.

Agenda Items #19 through #21 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.

19. **Petition to Close a 0.3-mile-long Road on State Trust Land Approximately Two Miles Southwest of Congress, Arizona. Presenter: Al Eiden, Landowner Relations Program Supervisor.** The Commission may approve a request by Kathleen and Mark Moore to close a road on State Trust Land located approximately two miles southwest of Congress for resource enhancement.
20. **Hunting and Fishing License Reciprocity Memorandum of Understanding with State of Nevada. Presenter: Chris Cantrell, Aquatic Wildlife Branch Chief.** The Commission may approve a License Reciprocity Memorandum of Understanding with State of Nevada and to authorize the Director, as Secretary to the Commission, to execute agreements with the State of Nevada consistent with Commission guidance on license reciprocity.
21. **Memorandum of Understanding with the National Forest Foundation. Presenter: Josh Avey, Terrestrial Wildlife Branch Chief.** The Commission may approve a Memorandum of Understanding to allow the Department to partner with the National Forest Foundation on conservation and education programs.

NEW

- 21A. **Approve Importation/Exportation of Sonoran Pronghorn with Sonora, Mexico. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission may approve the Arizona Game and Fish Department to work with the Mexican Government to improve the genetic variability of Sonoran Pronghorn by importing and exporting animals over the next two years to support recovery goals.

TIME CERTAIN AT 3:00 PM

22. **Approve Proposed Hunt Guidelines for Fall 2018 through Spring 2023. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission will consider and may approve proposed hunt guidelines for fall 2018 through spring 2023. The Commission may choose to consider this agenda item through separate actions on the individual guidelines that

address each Commission Order. The Commission may direct the Department to consider changes and/or new opportunities in the hunting and/or trapping guidelines.

23. **2017 Annual Commission Awards Selection. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will present the 2017 Commission award nominees and will ask the Commission to select the award recipients.
24. **Executive Session (The Commission will not vote to take 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 the *United States v. Freeport-McMoRan Corporation* (the Morenci Mine NRDA Settlement); Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP); *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; Land Management Plans for the Prescott and Apache-Sitgreaves National Forests; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Zuni water rights settlement agreement*; Proposed Rosemont Copper Mine Project; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817 (AZ); *Center for Biological Diversity v. Jewell*, CV 15-00019 (AZ); *State of Arizona v. Jewell*, CV 15-00245 (AZ); *WildEarth Guardians v. Ashe*, CV 15-00285 (AZ); *Safari Club International v. Jewell*, 16-00094 (AZ); *WildEarth Guardians v. Heather Provencio*, CV 16-0810; *New Mexico Game and Fish Department v. USFWS*, 16-2189; *Dennis Scarla v. Arizona Game and Fish Commission*, LC2017-000019-001 DT; *Ralph Anderson v. Arizona Game and Fish Department*, 2 CA-CV 2010-0098.
 - 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 on Arizona's Public Records Law and disclosure of personal identifying information.
 - 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 on videotaping Commission meetings.
 - e. **Purchase 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 of real property and for the purpose of discussing and consulting with legal counsel for legal advice.
 - f. **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.

25. **Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176; *Center for Biological Diversity v. Jewell*, CV 15-00019-LAB; *State of Arizona v. Jewell*, 15-CV-00245-CKJ; *WildEarth Guardians v. Ashe*, 15-CV-00285; *Safari Club International v. Jewell*, CV 16-00094; *WildEarth Guardians v. Heather Provencio*, CV 16-0810; *New Mexico Game and Fish Department v. USFWS*, 16-2189; Land Management Plans for the Prescott and Apache-Sitgreaves National Forests; Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP); *Dennis Scarla v. Arizona Game and Fish Commission*, LC2017-000019-001 DT.
26. **Approval and Signing of Minutes.** The Commission may approve the Commission meeting minutes from August 4, 2017.
27. **Commissioner Committee Reports.** Commissioners may provide an update on the subcommittees that they chair regarding 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.
28. **Director and Commissioner Comments.** The Director and the Commissioners may provide brief comment 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.
29. **Future Agenda Items and Action Items.**

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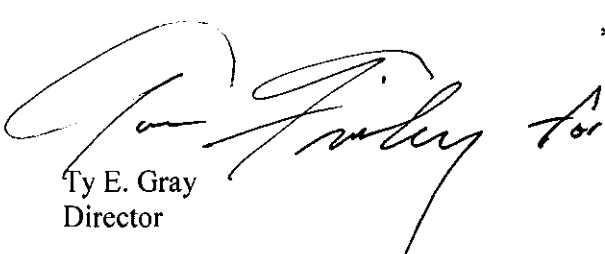
Saturday, September 9, 2017

Field Trip: Commission members may participate in one of the following activities.

Fishing: Leave from hotel at 7:30 a.m. Duration 3-4 hours. Location TBD.

Tour of Historic 1800's Hat Ranch: Leave from hotel at 9:00 a.m. Duration: 1.5 - 2 hours.

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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”