



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

**April 4, 2018**

A public meeting of the Arizona Game and Fish Commission will be held on **April 6-7, 2018** at the **Arizona Game and Fish Department, 5000 W. Carefree Hwy, Phoenix, Arizona 85086**, 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 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, April 6, 2018 - Meeting begins at 8:00 A.M.**

**Pledge of Allegiance**

**Welcome/Introductions**

**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. MOVED TO ITEM 17.**
  - b. Approve Memorandum of Understanding (MOU) with the Organization Vida Silvestre A.C. Presenter: Josh T. Avey, Terrestrial Wildlife Branch Chief, Terrestrial Branch.** The Commission may approve an MOU with the Organization Vida Silvestre A.C.

**azgfd.gov | 602.942.3000**

**5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086**

**GOVERNOR: DOUGLAS A. DUCEY   COMMISSIONERS: CHAIRMAN, JAMES R. AMMONS, YUMA | JAMES S. ZIELER, ST. JOHNS | ERIC S. SPARKS, TUCSON  
KURT R. DAVIS, PHOENIX | LELAND S. "BILL" BRAKE, ELGIN   DIRECTOR: TY E. GRAY   DEPUTY DIRECTOR: TOM P. FINLEY**

for the purpose of conservation and management of wildlife and related educational programs, primarily to benefit SGCN through Southern Wings projects.

- c. **Approve Agreement between the Arizona Game and Fish Department and Coconino County. Presenter: Rob Nelson, Region 2 Habitat, Evaluation and Lands Program Manager.** The Commission may approve an agreement between the Arizona Game and Fish Commission and Coconino County for a shared Urban Wildlife Planner position.
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.
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 Heidi Rayment, Creative Services Supervisor in the Information Branch, regarding public affairs and information. The Commission may discuss and provide additional direction.
5. **Update on the Department's Deployment of the Arizona Management System (AMS). Presenter: Tara Duncan, Manager of Professional and Organizational Development.** 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.
6. **Federal Lands Planning Update. Presenter: Laura Canaca, Project Evaluation Program Supervisor.** The Commission will be updated on Department activities and involvement with resource management planning and other major actions on federal lands in Arizona.
7. **Threatened and Endangered Wildlife Briefing. Presenter: Angie McIntire, Bat Management Coordinator, Terrestrial Branch.** The Commission will be provided a briefing on the North American Bat Monitoring Program, an international collaboration to track bat populations using acoustic detectors and colony counts.

**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:

| <b>Name</b>       | <b>Docket #</b> | <b>Count</b> | <b>Conviction</b>                              |
|-------------------|-----------------|--------------|------------------------------------------------|
| Billie J. Atchley | 2018-0013       | Count A:     | Take 2x2 mule deer buck in excess of bag limit |
|                   |                 | Count B:     | Waste edible game meat                         |
| Marjorie Parker   | 2018-0016       | Count A:     | Take cow elk without a valid license           |
| Larry A. Parker   | 2018-0017       | Count A:     | Take bull elk without a valid license          |
| Larry A. Parker   | 2018-0018       | Count C:     | Possess unlawfully taken javelina              |
| Justin R. Van     | 2018-0019       | Count A:     | Possess unlawfully taken 2x2 mule deer buck    |
| Steven K. Wallot  | 2018-0020       | Count A:     | Take 2x2 mule deer buck without permit         |
| Austin J. Quillen | 2018-0021       | Count 1:     | Take Gila monster during closed season         |
|                   |                 | Counts 7-8:  | Sell unlawfully taken Gila monster             |
| Larry Lozano      | 2018-0022       | Count A:     | Take wrong sex (mule deer doe)                 |
|                   |                 | Count B:     | Waste edible game meat                         |

Lyle T. Murphy      2018-0024      Count A:    Take wrong sex (mule deer doe)  
Count B:    Waste edible game meat

9. **Petition by Mr. Billy Childers for 2018 Elk Tag. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch.** Mr. Billy Childers has petitioned the Commission asking for 2018 tags for elk. His application was revised to not drawn status when his credit card declined.

**\*NEW\***

- 9A. **Petition by Mr. Tom Berry for approval to purchase PointGuard after the fact. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch.** Petition by Mr. Tom Berry for approval to purchase PointGuard after the fact to surrender the 2018 cow elk tags he applied for by mistake.

**\*NEW\***

- 9B. **Petition by Mr. Greg Clark for approval to purchase PointGuard after the fact. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch.** Petition by Mr. Greg Clark for approval to purchase PointGuard after the fact to surrender the 2018 cow elk tags he applied for by mistake.

10. **Commission Update on Alamo Lake Water Release. Presenter: Chris Cantrell, Aquatic Wildlife Branch Chief.** The Commission will be briefed on Department efforts regarding the Army Corps of Engineers release of water from Alamo Dam, and plans for post-release monitoring of impacts.

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

11. **Department Volunteer Program. Presenter: Jamie Lyons, Volunteer Coordinator.** The Commission will be updated on the Department Volunteer Program highlighting the Wildlife Volunteer Ranger Program, Adopt a Ranch Program, and Cormorant Count Program.
12. **Department Water Development Update. Presenter: Joseph Currie, Habitat Planning Program Manager.** The Commission will be updated on Department activities and involvement with statewide wildlife water development design, construction/redevelopment efforts and coordination planning with external partners.
13. **Approve Purchase of a Park Central Farm Conservation Easement. Presenter: Clayton Crowder, Habitat, Evaluation and Lands Branch Chief.** The Commission may approve purchase of a Conservation Easement on Park Central Farm, Yavapai County, Arizona.
14. **Approve Cooperative Agreement for Hunting Management between the Hopi Tribe, State of Arizona and the Arizona Game and Fish Department. Presenter: Scott Poppenberger, Flagstaff Regional Supervisor.** The Commission may direct the Department to renew an agreement between the Department and the Hopi Tribe for wildlife management, hunting management and big game permit allocations to Hopi tribal members on Hopi Trust Land.

**The following Agenda Items #15 through #18 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.**

15. **Gable Parcel Lease Agreement with Flower Pot Cattle Company. Presenter: Kelly Wolff-Krauter, Region VI Habitat Program Manager.** The Commission may approve a Lease Agreement with Flower Pot Cattle Company for use of a portion of the Commission's land at the Arlington Wildlife Area for farming and cattle grazing in a manner that benefits wildlife.

16. **Salt River Project License Agreement for Mitigation Ponds. Presenter: Keith Knutson, Wildlife Contracts Branch Chief.** The Commission may approve a Lease Agreement with Salt River Project for use of a portion of the Commission's land at the Arlington Wildlife Area for mitigation ponds.

**\*REVISED\***

17. **Recreational Access Easement into the Northern Whetstone Mountains. Presenter: Josh T. Avey, Terrestrial Wildlife Branch Chief.** The Commission may review and accept from Cochise County a recreational access easement allowing public vehicular, equestrian and pedestrian access in perpetuity across lands owned by El Dorado Benson LLC to the northern Whetstone Mountain Range.

**\*NEW\***

18. **Intergovernmental Agreements to implement Community Fishing Waters. Presenter: Chris Cantrell, Aquatic Wildlife Branch Chief.** The Commission will be asked to authorize the Department to finalize negotiations, execute, and amend as necessary Intergovernmental agreements and any future sub-agreements between the Department and Avondale, Chandler, Gilbert, Mesa, Payson, Peoria, Phoenix, Prescott Valley, Queen Creek, Sahuarita, Scottsdale, Somerton, Surprise, Tempe, Tucson, and Yuma to implement Community Fishing Waters.

19. **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); *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); (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; Slater notice of claim; *Hererra v Wyoming*; *State of Arizona v. Army Corps of Engineers*, CV 18-00696 DJH; *Center for Biological Diversity v. Zinke*, CV 18-00047 BGM; *WildEarth Guardians v. Zinke*, CV 18-00048 RCC.

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 limits on Department communications related to ballot measures.
  - 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 Arizona's Public Records Law and disclosure of personal identifying information.
  - e. **Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(2) for the purpose of discussion or consideration of the Office of the Inspector General's Draft Audit Report.
  - f. **Legal.** 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 regarding the proposed Alamo Dam Flushing Flow Release.
  - g. **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 Adair Shooting Range and for the purpose of discussing and consulting with legal counsel for legal advice.
  - h. **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.
  - i. **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.
20. **Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *Holden and Gynn 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; *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; *Dennis Scarla v. Arizona Game and Fish Commission*, LC2017-000019-001 DT; *State of Arizona v. Army Corps of Engineers*, CV 18-00696 DJH; *Center for Biological Diversity v. Zinke*, CV 18-00047 BGM; *WildEarth Guardians v. Zinke*, CV 18-00048 RCC.
21. **Approval of Minutes.** There will be no minutes for approval at Commission may approve the Commission meeting minutes from February 16, 2018 and February 26, 2018.
22. **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.

- 23. 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.

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**Saturday, April 7, 2018 - Meeting begins at 8:00 A.M.**

### **Pledge of Allegiance**

### **Welcome and Introductions**

### **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. Consideration of Proposed Commission Orders 11, 12, 14-18 (Small Game), 19-22, and 24 (Migratory Game Birds) for 2018–2019 Hunting Season. Presenter: Johnathan O'Dell, Small Game Biologist.** The Commission will consider and may approve Commission Orders 11, 12, 14-18 (tree squirrel, cottontail rabbit, other birds & mammals, pheasant, quail, chukar partridge, and blue grouse), 19-22 (dove, band-tailed pigeon, waterfowl, and snipe), and 24 (sandhill crane) establishing seasons and season dates, legal species, open and closed areas, bag and possession limits, permit numbers for the 2018–2019.
- 3. Consideration of Proposed Commission Orders 2, 5-10, 13 and 26 for 2018–2019 Hunting Season and Commission Order 23 for the 2018–2019 Trapping Seasons. Presenter: Amber Munig, Big Game Management Program Supervisor.** The Commission will consider and may approve Commission Orders 2 (deer), 5–10 (turkey, javelina, bighorn sheep, buffalo, bear, and mountain lion), 13 (predatory and fur-bearing mammals), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for the 2018–2019 season. The Commission will also consider and may approve Commission Order 23 (trapping), establishing season dates, legal species, open and closed areas, and bag and possession limits for the 2018–2019 seasons. A detailed description of proposals is available for public review at Department offices.
- 4. Approve Hunt Permit-Tag Application Schedule for Fall 2018 Hunts. Presenter: Rachel Gottlieb, Customer Service Branch Chief.** The Department will provide a presentation on the proposed hunt-permit tag application schedule for the Fall 2018 hunts and will ask the Commission to approve the application schedule.
- 5. Future Agenda Items and Action Items.**

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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”**