



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR

DOUGLAS A. DUCEY

COMMISSIONERS

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DIRECTOR

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DEPUTY DIRECTOR

TOM P. FINLEY



PUBLIC MEETING NOTICE AND AGENDA
REVISION #1

January 10, 2018

A public meeting of the Arizona Game and Fish Commission will be held on **January 12-13, 2018.** **On January 12, 2018, the meeting will be held 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, January 12, 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. **Approve Substantive Policy Statement; SP.002 - Permits Issued Under A.R.S. § 17-238(B). Presenter: Jim Odenkirk, Assistant Attorney General.** The Commission will be presented with a final substantive policy statement; SP.002 - Permits Issued Under A.R.S. § 17-238(B).

- b. **Approve ET Ranch Perpetual Easement Dedication. Presenter: Al Eiden, Habitat Enhancement and Landowner Relations Program Manager.** The Commission may approve acceptance of a perpetual access easement dedicated by the South Eastern Arizona Sportsmen Club to the Department.
 - c. **Approve Memorandum of Understanding (MOU) between Arizona Game and Fish Department and Forever Resorts. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch.** The Department requests approval to enter an MOU with Forever Resorts to accept complimentary items of value for Department use as incentive awards to market the Departments' products and services.
 - d. **Approve License Agreement with Maricopa County for a Trail at Baseline and Meridian Wildlife Area. Presenter: Joyce Francis, Habitat Evaluation and Lands Branch Chief.** The Commission may approve a License Agreement with Maricopa County authorizing a county trail to cross Baseline and Meridian Wildlife Area.
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 Al Eiden, Habitat Enhancement and Landowner Relations Program Manager regarding habitat improvement and conservation. The Commission may discuss and provide additional direction.
 5. **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.
 6. **Threatened and Endangered Wildlife Briefing. Presenter: Edwin Juarez, ABCI Coordinator.** The Commission will be provided a briefing on Southern Wings, an international collaboration by the Department to conserve migratory birds through full-life cycle conservation actions.

TIME CERTAIN AT 10:00 AM

7. **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
Paul T. Carter	2018-0001	Count B:	Possess unlawfully taken mountain lion
Leon C. Roberts	2018-0002	Count A:	Obtain 2017/18 resident hunt license by misrepresentation (Citation A14974)
Joshua T. Scoggin	2018-0004	Count A:	Take white-tailed deer buck without a valid license (Citation A10263)
Boe Reh	2018-0005	Count A:	Take mule deer doe in closed season (Citation A23261)
		Count B:	Take wrong sex (Citation A23261)

		Count D:	Shoot mule deer doe from a vehicle (Citation A23261)
Tu Reh	2018-0006	Count A:	Take mule deer doe in closed season (Citation A10069)
		Count B:	Take wrong sex (Citation A10069)
		Count D:	Shoot mule deer doe from a vehicle (Citation A10069)
Phary Reh	2018-0007	Count A:	Take mule deer doe in closed season (Citation A10067)
		Count B:	Take wrong sex (Citation A10067)
		Count D:	Shoot mule deer doe from a vehicle (Citation A10067)
Steven D. Clawson	2018-0008	Count A:	Take 4x4 mule deer buck with unlawful method
		Count B:	Possess/transport unlawfully taken 4x4 mule deer buck
		Count C:	Take 4x4 mule deer buck with unlawful method
		Count D:	Possess/transport unlawfully taken 4x4 mule deer buck
Tu Reh	2018-0009	Count A:	Possess unlawfully taken mule deer doe
		Count B:	Take mule deer doe in closed season
Phary Reh	2018-0010	Count A:	Possess unlawfully taken mule deer doe

8. Petition by Mr. Arthur to Purchase PointGuard Due to Alleged Issues with the Online Application Process. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch. Mr. Arthur has petitioned the Commission asking for approval to purchase PointGuard due to issues he claims he encountered during the online application process.

9. Petition by Mr. Kaiser for a 2018 Bison Tag and a Lifetime Combo License Due to Alleged Issues During his Hunt from a Prescribed Burn. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch. Mr. Kaiser has petitioned the Commission asking for a compatible bison tag and a lifetime combo license due to the claimed issues during his hunt from a prescribed burn.

NEW

9A. Petition by Mr. Wendt for a Free or Discounted 2018 Elk Tag. Presenter: Rachel Gottlieb, Branch Chief, Customer Support and Sales Branch. Mr. Wendt has petitioned the Commission asking for a free or discounted 2018 elk tag due to the claimed issues during his hunt from a prescribed burn.

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

10. 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.

11. Briefing on Department Engagement with Grand Canyon National Park (GRCA) Regarding Bison Population Reduction Effort. Presenter: Scott Poppenberger, Flagstaff Regional Supervisor. The Department will provide a presentation on its engagement with GRCA related to planning and implementation of bison population reduction efforts. The Commission may provide direction to the Department.

Agenda Item #12 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. REMOVED FROM AGENDA (Memorandum of Agreement for Park Central Farm and Shield Ranch)

NEW

12A. Memorandum of Understanding with the National Park Service. Presenter: Chris Cantrell, Aquatics Branch Chief. The Commission will be briefed on and may approve the Department entering into a Memorandum of Understanding with The National Park Service to serve as a cooperating agency for the completion of the NEPA compliance for the Expanded Non-Native Aquatic Species Management Plan.

13. 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 regarding limits on Department communications related to ballot measures.

d. 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.

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 Adair Shooting Range 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.
14. **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; *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.
15. **Approval of Minutes.** The Commission may approve the Commission meeting minutes from December 1-2, 2017.
16. **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.
17. **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.
18. **Future Agenda Items and Action Items.**

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On Saturday, January 13, 2018, there will be a Meet the Commission meeting at 3:30 p.m. followed by the Commission Awards Banquet. Attendance to the banquet is limited to those who submit an rsvp by January 5, 2018 (see <https://www.azgfd.com/agency/commission/awards/> for additional information). **The meeting and banquet will be held at the Point Hilton Tapatio Cliffs Resort, 11111 N. 7th Street, Phoenix, Arizona 85020.** At the meeting, the Commission and its constituents may discuss items of interest. No official action will be taken by the Commission.

The following approximate agenda will be followed:

- 3:30 p.m. Meet the Commission Meeting – Courtroom MN
- Chairman's welcome and Commission introductions
 - Discussion of Commission Priorities

5:00 p.m. Social Hour – West Courtyard outside the Grande Ballroom

5:50 p.m. Dinner guests are seated – Grande Ballroom

6:00 p.m. Honor Guard Presentation of Colors and the National Anthem

6:15 p.m. Director's welcome, introductions and announcements

6:25 p.m. Dinner is served concurrently with award presentations

6:35 p.m. Chairman's welcome and comments

6:50 p.m. Award Presentations:

- Award of Excellence: Lake Havasu Marine Association
- Award of Excellence: Elizabeth Woodin
- Youth Environmentalist of the Year: Chase Godbehere
- Media of the Year: (1) Kim Quintero
- Media of the Year: (2) National Veterans Magazine
- Conservation Organization of the Year: Phoenix Varmint Callers, Inc.
- Conservationist of the Year: Clyde Weakley
- Natural Resource Professional of the Year: Erica Stewart
- Volunteer of the Year: Ron Adams
- Educator of the Year: Michael Eilertsen
- Mentor of the Year: Justin Stewart
- Advocate of the Year – State: Governor Doug Ducey
- Advocate of the Year – Federal: Senator Jeff Flake
- Business Partner of the Year: OneAZ Credit Union
- Buck Appleby Hunter Education Instructor of the Year: John and Linda Vedo
- Wildlife Habitat Steward of the Year: Double O Ranch
- North American Model Commissioners Award: Luke Thompson
- Chairman's Award: Yuma Valley Rod and Gun Club

8:00 p.m. Outgoing Commissioner awards and Commissioner comments

Adjourn

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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”