THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
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REVISION #3

June 24, 2011

A public meeting of the Arizona Game and Fish Commission will be held on **June 24-25, 2011 at the Arizona Game and Fish Department, 5000 W. Carefree Highway, Phoenix, Arizona 85086** as authorized by A.R.S. § 17-201(D). Unless expressly provided otherwise with any matter, the Commission may discuss and may vote to take action on the following matters:

Friday, June 24, 2011, Meeting begins at 8:00 a.m.

Pledge of Allegiance.

Awards and Recognition.

1. **State and Federal Legislation. Presenter: Anthony Guiles, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may vote to 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.

2. **Information, Education and Wildlife Recreation Activities Briefing. Presenter: Ty Gray, Assistant Director for Information, Education and Wildlife Recreation.** The Commission will be given an update of Department activities and events since the last regular Commission meeting related to Information, Education and Wildlife Recreation Programs.

TIME CERTAIN AT 8:30 AM

3. **Lands and Habitat Program Update. Presenter: Josh Avey, Habitat Branch Chief.** The Commission will be briefed on the latest developments since the last regular Commission meeting relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related thereto.

4. **Presentation on Renewable Energy Development in Arizona. Presenter: Josh Avey, Habitat Branch Chief.** Presentation on solar and wind development in Arizona. Emphasis on current permitting, Department involvement in process and existing avenues for involvement, water use impacts, with a broad statewide impacts analysis to the loss of recreational opportunity and how that translates into loss of hunter days.

5. **Presentation on Current and Proposed Federal Special Land Designations and Impacts to the Department's Mission. Presenter: Josh Avey, Habitat Branch Chief.** Presentation on Special Land Designations and impacts to the Department's mission. This presentation should include all current and future federal designations.

6. **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 these 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. **Request for the Commission to Approve a Memorandum of Understanding with Regents of the University of California. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will be asked to vote to approve a Memorandum of Understanding to allow the Department to enter into cooperative investigations and research with the University of California, Davis.

   b. **Request for the Commission to Approve a Collection Agreement with the City of Scottsdale. Presenter: Chantal O'Brien, Research Branch Chief.** The Commission will be asked to vote to approve a collection Agreement with the city of Scottsdale for the purpose of wildlife surveys.

   c. **Request for the Commission to Approve an Intergovernmental Agreement with Maricopa County. Presenter: Ty Gray, Assistant Director, Information and Education Division.** The Commission will be asked to approve the Intergovernmental Agreement with Maricopa County for the purpose of establishing a process for working together to maintain, improve, and manage outdoor recreation, educate the public and manage wildlife and their habitats.

   d. **Memorandum of Understanding with United States Fish and Wildlife Service (USFWS) regarding rocket net charges. Presenter: Brian Wakeling, Game Branch Chief.** The Commission will be asked to approve and authorize the signing of an Memorandum of Understanding with the USFWS which will allow the Department to continue to purchase rocket net charges used in wildlife capture.

   e. **Request for the Commission to Approve a Memorandum of Understanding with American Conservation Experience (ACE). Presenter: Kirk Young, Fisheries Branch Chief.** The Commission will be asked to approve a Memorandum of Understanding with American Conservation Experience (ACE) to solidify working relationship and enable ACE American and International volunteers to work on wildlife management and conservation projects hosted by the Department in Arizona.

7. **Monthly Update on Recreation Access Issues within Arizona. Presenter: Mike Senn, Assistant Director Wildlife Management.** The Department will provide the Commission with an update on recreation access issues and progress since the last regular Commission meeting.

8. **Moved to Saturday agenda item 2B** (Informational Update on Research Projects).

9. **Moved to Friday afternoon following agenda item 16A** (Request to approve the Article 3 Taking and Handling of Wildlife Five-year Review Report, for submission to the Governor's Regulatory Review Council).

10. **Moved to Friday afternoon following agenda item 16A** (Request to approve the Department's recommendation to submit a request to the Governor's Office for permission to initiate rulemaking to implement House Bill 2543 and Senate Bill 1334).

11. **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.

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

12. **Law Enforcement Program Briefing. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will be updated on activities and developments since the last regular Commission meeting relating to the Department's Law Enforcement Program.

13. **Request for Commission approval to enter into Inter-Governmental Agreements to fund watercraft law enforcement efforts by Watercraft Law Enforcement Agencies for State FY2012. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will be asked to provide watercraft law enforcement funding to eight counties through Inter-Governmental Agreements.

14. **Request for Commission Approval of the Program Narrative for U.S. Coast Guard Boating Safety Funds (Federal FY 2011 / State FY 2012). Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will be asked to approve the Department's U.S. Coast Guard funding pursuant to the Federal Boating Safety Act of 1971.

TIME CERTAIN AT 2:00 PM

15. **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
Nathan Williams	2011-0048	Count A:	Misuse of Firearm While Hunting – Injury
Jesse A. Hensley	2011-0049	Count A:	Take Big Game W/O Valid License (Elk)
Jesse A. Hensley	2011-0060	Count A:	Obtain Big Game Tag by Misrepresentation
John P. Clark	2011-0050	Count A:	Use Tag of Another (Mountain Lion)
Gabriel Ortiz	2011-0051	Count A	Take Wildlife Closed Season (Javelina)
		Count B:	Possession of Unlawfully Taken Wildlife
Garabet Ovasapian	2011-0054	Count A:	Obtain License by Misrepresentation
Manual Pena	2011-0058	Count A:	Take Wildlife Wrong Unit (Elk)
		Count B:	Shoot Within ¼ Mile of Occupied Structure
Joshua R. Ebert	2011-0059	Count A:	Take Wildlife Closed Area (Bobcat)

16. **Rehearing Request by Donald L. Bell Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Donald L. Bell has requested that the Arizona Game and Fish Commission grant a rehearing regarding the revocation of his license for three (3) years, completion of a Hunter Education course (before obtaining any licenses to take wildlife in the State of Arizona), and a Civil Assessment in the amount of $8,000.00. The Commission may affirm or modify its decision, or grant a rehearing.

16A. **Request for the Commission to Approve a Cooperative Agreement with ASARCO, LLC and ASARCO Conservation Foundation. Presenter: Raul Vega, Tucson Regional**

Supervisor. The Commission will be asked to approve a Cooperative Agreement with ASARCO, LCC and ASARCO Conservation Foundation for the purpose of managing and monitoring the PZ-1 habitat restoration project.

9. **Request to approve the Article 3 Taking and Handling of Wildlife Five-year Review Report, for submission to the Governor's Regulatory Review Council (G.R.R.C.). Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Commission will be asked to approve the Five-year Review Report for Article 3, regarding the taking and handling of wildlife, for submission to G.R.R.C.

10. **Request to approve the Department's recommendation to submit a request to the Governor's Office for permission to initiate rulemaking to implement House Bill 2543 (firearms; regulation; state preemption) and Senate Bill 1334 (hunting within city limits). Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission to approve its recommendation to submit a request to the Governor's Office for permission to initiate rulemaking to implement the bills.

17. **Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2012 and January 2013. Presenter: Bob Broscheid, Deputy Director.** The Commission will consider and select meeting dates and locations for the Year 2012 and for January 2013.

18. **Update of Meet the Commission Awards. Presenter: Ty Gray, Assistant Director for Information and Education.** The Department will present the final list of Commission award categories for the 2011 Commission Awards to be presented in January 2012.

19. **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.

20. **Executive Session (The Commission will not vote to take any action during Executive Session).**

    a. **Litigation and Legal Counsel.** 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 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; Wilderness Watch v. U.S. Fish and Wildlife Service CV-07-1185; Honie v. Knight Transportation, Inc., et al., CV2009-050859; Anderson v. Arizona Game and Fish Department, et. al C2008905; Center for Biological Diversity v. U.S. Bureau of Land Management, et al., CV 09-8011-PCT-GMS; Corbett v. State of Arizona, et al., CV 2009-016279; Sayer Notice of Claim; Mohave Valley Shooting Range Appeal; Reed v. Arizona Game and Fish Department,* C20111354; *Lorta v. Arizona Game and Fish Commission,* CV-11-134; Proposed Rosemont Copper Mine Project NEPA.

    b. **Personnel Matters.** The Commission may vote to go into Executive Session to discuss personnel matters pursuant to A.R.S. § 38-431.01(A)(1).

    c. **Litigation and Legal Counsel.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.03(A)(3) in order to consult with legal counsel

concerning future actions affecting the listing status and recovery of the Mexican gray wolf.

21. **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; Wilderness Watch v. U.S. Fish and Wildlife Service CV-07-1185; Honie v. Knight Transportation, Inc., et al., CV2009-050859; Anderson v. Arizona Game and Fish Department, et. al C20089051; Center for Biological Diversity v. U.S. Bureau of Land Management, et al., CV 09-8011-PCT-GMS; Corbett v. State of Arizona, et al., CV 2009-016279; Sayer Notice of Claim; Mohave Valley Shooting Range Appeal; Reed v. Arizona Game and Fish Department,* C20111354; *Lorta v. Arizona Game and Fish Commission,* CV-11-134.

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On Saturday, June 25, 2011, at 8:00 a.m. the Commission will attend a dedication ceremony at the Ben Avery Activity Center, 4044 W. Black Canyon Blvd., Phoenix, Arizona, and will return by 9:00 a.m. to 5000 W. Carefree Highway for the regular meeting. The Commission will not take any formal action at the dedication ceremony.

Saturday, June 25, 2011, Meeting begins at 9:00 a.m.

Pledge of Allegiance.

Awards and Recognition.

1. **Shooting Sports Activities Briefing. Presenter: Jay Cook, Shooting Ranges Branch Chief.** The Commission will be given an update of Department activities related to shooting sports including shooting programs and shooting range development statewide. The update covers activities that have occurred since the last regular Commission meeting.

2. **Statewide Shooting Range Grant Requests for FY 2012. Presenter: Anthony Chavez, Statewide Shooting Range Administrator.** The Department's Shooting Range Grants Program received six grant applications for fiscal year 2012. The Department will ask the Commission to approve four of the applications totaling $93,051.15.

2B. **Informational Update on Research Projects. Presenter: Chantal O'Brien, Research Branch Chief.** The Commission will be provided an informational update on research projects.

(Agenda item 5 moved prior to items 3 and 4)

5. **Consideration of Proposed Commission Orders 19, 20 and 24 for the 2011–2012 Hunting Season. Presenter: Mike Rabe, Small Game Program Supervisor.** The Commission will consider Commission Order 19 (dove), Commission Order 20 (band-tailed pigeons), and Commission Order 24 (sandhill cranes) establishing seasons and season dates, bag and possession limits, and open-closed areas.

3. **Consideration of Applications for Special Big Game Hunt License Tags for Antelope, Bighorn Sheep, Black Bear, Buffalo, Elk, Javelina, Mountain Lion, Mule Deer, White-tailed Deer, and Turkey for 2012-2013. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will consider applications from organizations for 2012-2013 Special Big Game License Tags as per R12-4-120.

4. **Consideration of Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Black Bear, and Mountain Lion for the 2012–2013 Special License Tag Hunting Seasons. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will consider Commission Order 29: Special Hunts, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License Tags.

TIME CERTAIN AT 2:00PM (Newly added per Commission Direction on June 24, 2011)

4A. **Discussion of options available to the Commission and Department for responding to the situations of hunters who are drawn for Game Management units affected by the 2011 wildfires. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will receive presentations from staff and discuss the range of options available for assessing the impact of wildfires on hunting opportunity in GMUs affected by the 2011 wildfires, for dealing with the impacts on hunters drawn for these GMUs, and the resource implications of these actions. The Commission may vote to take action or provide direction to the Department regarding this matter.

6. **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.

7. **Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from April 15-16, 2011and May 13, 2011.

8. **Director's and Chairman's Reports.** The Director and the Chairman will report on Department and Commission activities since the last meeting. This item will be information only. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

9. **Commissioners' Reports.** The Commissioners will report on their activities since the last meeting related to Game and Fish Commission duties and responsibilities. This item will be for information only. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

10. **Future Agenda Items and Action Items.**

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for Larry D. Voyles Deputy Director
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"