



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR
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DIRECTOR
LARRY D. VOYLES
DEPUTY DIRECTORS
GARY R. HOVATTER
ROBERT D. BROSCHEID



April 15, 2009

Revision #1

A public meeting of the Arizona Game and Fish Commission will be held on April 17-18, 2009, and as authorized by A.R.S. § 17-201(D), the Commission will discuss and may vote to take action on the following matters:

Friday, April 17, 2009, Arizona Game and Fish Commission at the Arizona Game and Fish Department 5000 W. Carefree Highway, Phoenix, Arizona 85086.

Meeting begins at 8:00 a.m.

1. 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; Pruett v. Voyles, 2:07-cv-01744-NVW; Turner notice of claim; Honie notice of claim; Hoepfner notice of claim; Anderson v. Arizona Game and Fish Department, et. al C20089051; WildEarth v. Salazar; Center for Biological Diversity v. U.S. Bureau of Land Management, et al., CV 09-8011-PCT-GMS; Center for Biological Diversity v. Dirk Kempthorne Secretary of the Interior, et al., CV 07-372 TUC JMR, CV 08-335 TUC JMR, (Consolidated).*
- b. Personnel Matters.** The Commission may vote to go into Executive Session to discuss personnel matters, including the Director's goals and objectives pursuant to A.R.S. § 38-431.01(A)(1). The Commission may decide this matter in the public session or defer a decision to a later date.

Pledge of Allegiance.

Awards and Recognition.

- 2. 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 vs. U.S. Fish; Wildlife Service CV-07-1185; and Pruett vs.*

Voyles, 2:07-cv-01744-NVW; and Anderson v. Arizona Game and Fish Department, et. al C20089051. The Commission may vote to take action on any case.

3. **Presenter: Anthony Guiles, Legislative Liaison. Legislative Engagement and State and Federal Legislation.** 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.
4. **Presenter: Ty Gray, Assistant Director, Information, Education and Watchable Wildlife Activities Briefing.** The Commission will be given an update of Department activities and events related to Information, Education and Watchable Wildlife Programs. The update covers activities and events that have occurred since the March 2009 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
5. **Presenter: Josh Avey, Habitat Branch Chief. Lands and Habitat Program Update.** The Commission will be briefed on the latest developments 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. The update addresses decisions or activities since the March 2009 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
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 vote 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. **Presenter: Josh Avey, Habitat Branch Chief. Request for the Commission to Approve the Master Agreement for Permit with Arizona Public Service for the Purpose of Continuing Service for Construction, Operation, and Maintenance of Electric Poles and Lines That Provide Electricity to and through Ben Avery Shooting Facility, Maricopa County, Arizona.** The Commission will be asked to vote to approve the Master Agreement for Permit with Arizona Public Service for the purpose of continuing service to construct, operate and maintain electric poles and lines that provide electricity to and through Ben Avery Shooting Facility, Maricopa County, Arizona. The Commission may vote to take action, or provide the Department direction on this item.
 - b. **Presenter: Josh Avey, Habitat Branch Chief. Request for Commission Approval for Renewal of a Memorandum of Understanding between the United States Forest Service, the Pinetop-Lakeside Sanitary District and the Arizona Game and Fish Commission for Continued Cooperation Regarding Management of Jacques Marsh Wildlife Area in Navajo County, Arizona.** The Commission will be asked to vote to approve the renewal of a Memorandum of Understanding between the United States Forest Service, the Pinetop-Lakeside Sanitary District and the Arizona Game and Fish Commission for continued

cooperation regarding management of Jacques Marsh Wildlife Area in Navajo County, Arizona. The Commission may vote to take action, or provide the Department direction on this item.

- 7. Presenter: Josh Avey, Habitat Branch Chief. Request for Commission Approval for the Department to Execute the Lease Termination Agreement to Relinquish the Approximately 10 - Acre Lease at Deer Valley South in Exchange for the City of Phoenix Payment of the Commission's Corporate Hangar Lease Annual Rental at Deer Valley Airport through 2022.** The Commission will be asked to vote to execute the Lease Termination Agreement to relinquish the approximately 10-acre lease at Deer Valley South to the City of Phoenix in Exchange for the City of Phoenix Payment of the Commission's Corporate Hangar Lease annual rental at Deer Valley Airport through 2022. The Commission may vote to take action, or provide the Department direction on this item.
- 8. 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.)

- 9. Presenter: Gene Elms, Law Enforcement Branch Chief. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife at Time Certain 2:00 p.m.** The Commission will consider and take action on the license revocations and/or civil assessments for the individuals listed below.

<u>Name</u>	<u>Conviction</u>
Richard Evans	Count B: take deer in excess of bag limit.
Richard Evans	Count A: take deer without a valid tag.
Cory Beringer	Count A: take deer (decoy) without valid permit. Count B: shoot from a roadway.
Michael Dorough	Count A: possession of unlawfully taken big game.
Arthur Carpenter	Count D: possess unlawfully taken wildlife (ridgenose rattlesnake), Citation 241093 Count E: possess unlawfully taken wildlife (2 twin spotted rattlesnakes), Citation 241093 Count A: take wildlife without a hunting license (patch nosed snake), Citation 241095
Christopher Miner	Count A: litter while hunting Count B: take wildlife during the closed season (mule deer fawn) Count C: possess unlawfully taken wildlife (mule deer fawn)

Department activities related to shooting sports including shooting programs and shooting range development statewide. The update covers activities that have occurred since the March 2009 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.

2. **Presenter: Ron Sieg, Flagstaff Regional Supervisor. Consideration of the 12A Habitat Stamp Fund Budget for Calendar Year 2009.** The Commission will be asked to approve the 12A Habitat Stamp Fund Budget for Calendar Year 2009 for spending funds generated under the Cooperative Agreement between the Kaibab National Forest and the Department. The Commission may vote to take action on or provide the Department direction on items covered in the update.
3. **Presenter: Ron Sieg, Flagstaff Regional Supervisor. Information Presentation from the Hopi Tribe on the Future Relationship between the Hopi Tribe and the Department at Time Certain 10:00 a.m.** Norman Honanie, Vice Chair of the Hopi Land Team will present information to the Commission on the Hopi Tribe's future relationship with the Department. The presentation is for information only, no action will be taken by the Commission.
4. **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.)

5. **Presenter: Brian F. Wakeling, Game Branch Chief. Consideration of Proposed Commission Orders 2, 5-10, and 26 for 2009-2010 Hunting Seasons.** The Commission will consider and may vote to approve Commission Orders 2 (deer), 5-10 (turkey, javelina, bighorn sheep, buffalo, bear, and mountain lion), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for the 2009-2010 season. A detailed description of proposals is available for public review at Department offices. Spring turkey, spring bear, spring buffalo, and spring javelina Commission Orders are presented at the August Commission meeting, whereas elk and pronghorn antelope are presented at the December Commission meeting.
6. **Presenter: Harry Seck, Assistant Director, Special Services. Hunt Permit-Tag Application Schedule for Fall 2009 Hunts.** The Department will provide the Commission with a presentation related to the proposed hunt-permit tag application schedule for fall 2009 hunts. The Commission will be asked to vote to approve the application schedule.

Additional Items

7. **Presenter: Gary R. Hovatter, Deputy Director, I.E.D/F.O.D. Update to the Commission on the Kofa National Wildlife Refuge Environmental Assessment, and the Status of the Department's Self-Imposed Temporary Moratorium on the Removal of Offending Lions.** The Department will provide the Commission with an update on the current status of the Kofa National Wildlife Refuge Environmental

Assessment, including the status of the Department's self-imposed temporary moratorium on the removal of offending lions. The Commission may vote to take action on, or provide the Department direction on the items covered in the update.

8. **Presenter: Gary R. Hovatter, Deputy Director, I.E.D/F.O.D. August Commission Meeting Location and Proposed 2009 Workshop Dates, Locations and Topics.** The Department will provide the Commission with proposed 2009 Commission Workshop dates, topics and locations. The Commission may vote to take action or provide direction on these items, including whether to hold the August Commission meeting at its currently-scheduled location or at another venue.
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9. **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.
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Additional Language

10. **Review and Update of Upcoming Commission Calendar Activities and Events.** The Commission recently self-tasked for the discussion/review of Commission attendance at future events. The Commission has been provided with a calendar of events covering 60 days. The Commission may discuss and vote to take action on Commission attendance regarding the list of provided events.
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11. **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 informational only and no action will be taken at this meeting. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

12. **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 informational only and no action will be taken at this meeting. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

13. **Approval of Minutes and Signing of Minutes.** The Commission will be asked to approve the Commission meeting minutes from the January 16-17, 2009, January 23, 2009, February 6-7, 2009, February 23, 2009, and March 6-7, 2009, and if approved, the signing of the minutes from the January 16-17, 2009, January 23, 2009, February 6-7, 2009, February 23, 2009, and March 6-7, 2009.
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Additional Language

14. **Future Agenda Items and Review of Commission Action Items.** Department staff will review new Commission action items to ensure they reflect the guidance of the Commission.
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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.

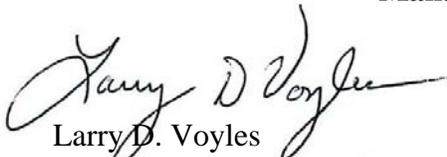
The Commission may go into Executive Session for the purpose of obtaining legal advice from the Commission Attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A) (3) & (4).

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”


Larry D. Voyles
Director