



THE STATE OF ARIZONA  
**GAME AND FISH DEPARTMENT**

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**GOVERNOR**  
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**Revision #2**

**June 20, 2012**

A public meeting of the Arizona Game and Fish Commission will be held on **June 22-23, 2012 at the Arizona Game and Fish Department, 5000 W. Carefree Highway, 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 from any one of the Department's six Regional Offices via video teleconference or webcast viewing at [www.azgfd.gov](http://www.azgfd.gov). Members of the public attending in person or viewing via 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 webcast is not available.** Unless expressly provided otherwise with any matter, the Commission may discuss and may vote to take action on the following matters:

**Friday, June 22, 2012, Meeting starts at 8:00 A.M.**

**Pledge of Allegiance**

- 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. 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 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.
- 3. Shooting Sports Activities Briefing. Presenter: Jay Cook, Shooting Sports 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.
- 4. Statewide Shooting Range Grant Requests for FY 2013. Presenter: Anthony Chavez, Statewide Shooting Range Administrator.** The Department's Shooting Range Grants Program received eight grant applications for fiscal year 2013. The Department will ask the Commission to approve five of the applications totaling \$77,027.00.
- 5. Information, Education and Wildlife Recreation Activities Briefing. Presenter: Ty Gray, Assistant Director, Information, Education and Wildlife Recreation.** The Commission will be given an update of Department activities and events related to Information, Education and Wildlife

Recreation Programs. The update covers activities and events that have occurred since the last regular Commission meeting, including the proposed Wildlife Center project and progress on Director Goal and Objective #9.

6. **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.
7. **Update on The Nature Conservancy Arizona Programs. Presenter: Eric Gardner, Nongame Branch Chief and Pat Graham, State Director.** The Commission will be briefed regarding programs and accomplishments of The Nature Conservancy.
8. **FY 14 & 15 Budget Development Process. Presenter: Lizette Morgan, CFO, Business & Finance.** The Department will provide the Commission with a presentation on the FY 14 & 15 Budget Development Process and provide the Commission with the draft budget. The Commission may vote to provide guidance to the Department on the process.
9. **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 Entering Into a License Agreement Allowing for the Existing Portion of the Restaurant on the Page Springs Fish Hatchery Property, and to Proceed with Disposal of a Portion of the Page Springs Fish Hatchery Property. Presenter: Josh Avey, Habitat Branch Chief.** The Commission will be asked to vote to approve entering into a license agreement allowing for the existing portion of the restaurant on the Page Springs Fish Hatchery property, and to proceed with disposal of a portion of the Page Springs Fish Hatchery property, Yavapai County, Arizona.
  - b. **Cooperative Agreement between the Arizona Game and Fish Commission and the Flood Control District of Maricopa County. Presenter: Tim Wade, Wildlife Contracts Branch Chief.** The Commission will be asked to approve a Cooperative Agreement between the Arizona Game and Fish Commission and the Flood Control District of Maricopa County.
  - c. **Request for the Commission to Approve a Memorandum of Understanding Among the Arizona Game and Fish Commission, Utah Department of Transportation and the Utah Division of Wildlife Resources. Presenter: Tim Wade, Wildlife Contracts Branch Chief.** The Commission will be asked to approve a Memorandum of Understanding among the Arizona Game and Fish Commission, the Utah Department of Transportation and the Utah Division of Wildlife Resources.

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

10. **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.

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

**TIME CERTAIN AT 2:00 PM**

12. **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>
Dennis C. Johnson, Jr.	2012-0029	Count B:	Possess Unlawfully Taken Wildlife (Mule Deer)
David E. Major	2012-0036	Count A:	Take Wildlife During Closed Season
David L. Patterson	2012-0037	Count B:	Obtain 2010 Resident License by Fraud
		Count D:	Take Wildlife Without Valid 2010 License (Elk)
Germane Lorta	2012-0038	Count C:	Possess Unlawfully Taken Wildlife (Mule Deer)
Roman Lorta	2012-0039	Count E:	Possess Unlawfully Taken Wildlife (Mule Deer)
Oscar H. Leonard	2012-0040	Count A:	Take Wildlife Unlawful Method
Norman E. Crosby	2012-0041	Count A:	Exceed Bag Limit (Elk)

**TIME CERTAIN IMMEDIATELY FOLLOWING LICENSE REVOCATION HEARINGS**

13. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Michael Sheets has requested that the Arizona Game and Fish Commission grant a rehearing regarding the revocation of his license for five (5) years, completion of the Hunter Education Course, and the civil assessment of \$1,500.00 for one (1) mule deer. The Commission may vote to affirm or modify its decision, or grant a rehearing.

**TIME CERTAIN IMMEDIATELY FOLLOWING LICENSE REVOCATION HEARINGS**

14. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** David Silva has requested that the Arizona Game and Fish Commission grant a rehearing regarding the revocation of his license for five (5) years. The Commission may vote to affirm or modify its decision, or grant a rehearing.

15. **Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2013 and January 2014. Presenter: Ben Alteneader, Community and Congressional Relations.** Commission Consideration and Selection of Meeting Dates and Locations for the Year 2013 and for January 2014.

16. **Update of Commission Awards. Presenter: Ben Alteneader, Community and Congressional Relations.** The Department will present the Commission with a list of award categories for the 2012 Commission Awards to be presented at the January 2013 Commission Awards Banquet. The Commission may take action or provide the Department further direction on this item.

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**Saturday, June 23, 2012, Meeting begins at 8:00 a.m.**

**Pledge of Allegiance.**

- 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.

**\*NEW ITEMS: 1A THROUGH 1D\***

- 1A. Dominic Torres Petition for Commission Hearing Under R12-4-611. Presenter: Lizette Morgan, CFO, Business & Finance.** Dominic Torres petition for hearing by the Arizona Game and Fish Commission to grant him the elk tags his group application drew in 2012.
  - 1B. Request for Refund or Bonus Points by Steve Sherbondy Presenter: Lizette Morgan, CFO, Business & Finance.** Mr. Sherbondy was drawn for elk for the 2012 season, but was unable to participate in his hunt, so he would like to have a refund or his bonus points reinstated.
  - 1C. Request for Permit by Kenneth E. Lewis. Presenter: Lizette Morgan, CFO, Business & Finance.** Mr. Lewis is requesting that the Commission provide him with a permit for the 2012 Elk/Antelope draw because he was unable to change his credit card information.
  - 1D. Request for bonus and loyalty points by David Castro, MD. Presenter: Lizette Morgan, CFO, Business & Finance.** Mr. Castro is requesting that all people who applied and ultimately were drawn but had their credit cards denied be provided with bonus and loyalty points because they are in compliance with R12-4-104 and R12-4-107.
- 2. Consideration of Proposed Commission Orders 19, 20, and 24 for the 2012–2013 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 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 2013–2014 Special License Tag Hunting Seasons. Presenter: Amber Munig, Big Game Management Supervisor.** 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.

**Break – The Commission will break while software is set up related to agenda item #4.**

- 4. 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 2013-2014. Presenter: Brian F. Wakeling, Game Branch Chief.** The Commission will consider applications from organizations for 2013-2014 Special Big Game License Tags as per R12-4-120.

**5. 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; Reed v. Arizona Game and Fish Department, C20111354; Wagner v. Personnel Board, LC2011-000683; Graham v. State of Arizona*; Proposed Rosemont Copper Mine Project NEPA; *United States and State of Arizona v. Freeport-McMoran Inc., et al., 12-CV-00307-TUC-CKJ; Mosley, et al. Motion for Rehearing (Dockets 2012-001 – 2012-004)*; Notice of intent to sue the Forest Service for alleged violations of RCRA and ESA over the use of lead ammunition on the national forests.
- b. Personnel Matters.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.01(A)(1) to discuss personnel matters associated with the Director's Goals and Objectives and the Director's performance. The Commission may take action in the public session or defer any action to a later date.

**\*NEW ITEM\***

- c. 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 a proposed agreement related to water right claims in the Bill Williams River watershed and the use of Planet Ranch for purposes of the MSCP.

**\*NEW ITEM\***

- d. Legal Counsel.** 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 regarding the Commission's administrative and judicial remedies under NEPA in challenging federal land management resource management plans and travel management plans.

**6. 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; Reed v. Arizona Game and Fish Department, C20111354; Wagner v. Personnel Board, LC2011-000683; Graham v. State of Arizona*; Proposed Rosemont Copper Mine Project NEPA; *United States and State of Arizona v. Freeport-McMoran Inc., et al., 12-CV-00307-TUC-CKJ; Mosley, et al. Motion for Rehearing (Dockets 2012-001 – 2012-004)*; Notice of intent to sue the Forest Service for alleged violations of RCRA and ESA over the use of lead ammunition on the national forests.

**7. Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from May 11, 2012.

**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.**

  
76r Larry D. Voyles  
Director Deputy 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”**