



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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May 12, 2009

Revision 1

A public meeting of the Arizona Game and Fish Commission will be held on May 15, 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, May 15, 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

Additional Language

- 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; Turner notice of claim; Honie notice of claim; Hoepfner notice of claim; 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; Center for Biological Diversity v. Dirk Kempthorne Secretary of the Interior, et al., CV 07-372 TUC JMR, CV 08-335 TUC JMR, (Consolidated); Corbett Notice of Claim; Sayer Notice of Claim; Center for Biological Diversity Notice of Claim.*

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- 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 Anderson v. Arizona Game and Fish Department, et. al C20089051. The Commission may vote to take action on any case.

Additional Language

- 3. Presenter: Anthony Guiles, Legislative Liaison. Legislative Engagement and State and Federal Legislation at Time Certain 10:00 a.m.** The Commission will be briefed on the status of State and Federal legislation including a Congressional briefing by Congresswoman Anne Kirkpatrick at Time Certain 10:00 a.m. 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 April 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 April 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 Commission Approval for the Department to Acquire a BLM Patent for the Utery Mountain Shooting Range in Maricopa County, Arizona.** The Commission will be asked to vote to approve transfer of a BLM Patent for the Utery Mountain Shooting Range in Maricopa County from Maricopa County to the Commission. The Commission may vote to take action on, or provide the Department direction on this item.
 - b. Presenter: Josh Avey, Habitat Branch Chief. Request for Commission Approval for the Department to Acquire a BLM Patent for the Sierra Vista Shooting Range in Cochise County, Arizona.** The Commission will be asked to vote to approve acquisition of a BLM Patent for the Sierra Vista Shooting Range in Cochise County, Arizona. The Commission may vote to take action on, or provide the Department direction on this item.

- c. **Presenter: Josh Avey, Habitat Branch Chief. Request for Commission Approval for the Department to Acquire a BLM Patent for the Region IV Administrative Office Located in Yuma, Arizona.** The Commission will be asked to vote to approve acquisition of a BLM Patent for the Region IV Administrative Office located in Yuma, Arizona. The Commission may vote to take action on, or provide the Department direction on this item.
7. **Presenter: Josh Avey, Habitat Branch Chief. Northern Arizona Shooting Range. Request for Commission approval on the Northern Arizona Regional Shooting Facility objectives, timeline and budget commitment.** The Commission will be asked to approve the Northern Arizona Regional Shooting Facility objectives, timeline and budget commitment. The Commission may vote to take action on or provide the Department direction on this item.
8. **Presenter: Harry Seck, Assistant Director, Special Services. E-Commerce Update.** The Commission will be provided with an update on the status of the Department's E-Commerce activities. The update will include information for online watercraft registration renewals, license sales and big game applications. The Commission may vote to take action on, or provide the Department direction on items covered in the update.
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.

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

10. **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>
Flores, Braulio	Count A: take big game in wrong Game Management unit (mule deer) Count B: possess unlawfully taken wildlife (mule deer)
Flores-Flores, Angel	Count A: take big game in wrong game management unit (mule deer) Count B: possess unlawfully taken wildlife (mule deer)
Fleuret, Peter	Count A: possess/ transport wildlife unlawfully taken
Harbin, George	Count A: take whitetail deer without a license Count B: possess/transport unlawfully taken wildlife Count C: take wildlife during the closed season

Valenzuela, Jorge	Count A: possess unlawfully taken wildlife (whitetail deer)
Valenzuela, Edmundo Sr.	Count A: possess big game without valid tag attached (white tail deer)
Valenzuela, Edmundo Jr.	Count A: exceed bag limit (two white tail deer-one over limit) 4x4 and 4x3 Count E: possess unlawfully taken wildlife (white tail deer)
Feringa, Joshua	Count A: possess unlawfully taken mule deer buck (3x3) Count B: possess unlawfully taken mule deer buck (2x2)
Feringa, Joshua	Count A: possess unlawfully taken wildlife (3x4 mule deer buck)
Feringa, Joshua	Count A: take mule deer (spike) without a license/tag, Citation 226516 Count B: knowingly take deer during a closed season, Citation 226516 Count C: take wildlife (mule deer with artificial light), Citation 226516 Count D: take mule deer with the aid of a vehicle, Citation 226516 Count B: possess unlawfully taken wildlife (mule deer doe), Citation 226517
Youngs, Jared	Count A: take mule deer buck 3x4 without a license/tag Count B: knowingly take deer during a closed season
Youngs, Jared	Count A: take mule deer doe without a valid tag Count B: knowingly take deer during closed season Count C: waste of game meat (deer)
Youngs, Jared	Count A: possess/transport unlawful wildlife (mule deer spike) Count B: take wildlife take wildlife (mule deer) with artificial light Count C: take wildlife (mule deer)with the aid of a vehicle
Youngs, Jared	Count A: take mule deer (3x3) without license/tag Count B: take mule deer (2x2) without license/tag

11. Presenter: Gene Elms, Law Enforcement Branch Chief. Rehearing Request Regarding Previous License Revocation/Civil Assessment. Mr. Kevin Presmyk has requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on revoking his licenses to hunt, fish, guide and trap for a period of five (5) years, invoking a civil assessment of \$1,500.00, and further requiring that he complete a

Hunter Education course before obtaining any license in the State of Arizona. The Commission may vote to affirm, modify its decision, or grant a rehearing.

- 12. Presenter: Jay Cook, Education Branch Chief, Information and Education Division. Shooting Sports Activities Briefing.** 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 April 2009 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 13. Presenter: Marty Fabritz, Executive Staff Assistant. Update of Meet the Commission Awards.** The Department will present the final list of Commission award categories for the 2009 Commission Awards to be presented in January, 2010. The Commission may vote to take action or provide the Department further direction on this item.
- 14. 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.

Additional Item

- 15. 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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- 16. 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.
 - 17. 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.
 - 18. Approval of Minutes and Signing of Minutes.** The Commission will be asked to approve the Commission meeting minutes from the April 8, 2009, April 14, 2009, April 17-18, 2009, and April 23, 2009, and if approved, the signing of the minutes from the April 8, 2009, April 14, 2009, April 17-18, 2009, and April 23, 2009.

19. Future Agenda Items and Action Items.

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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.

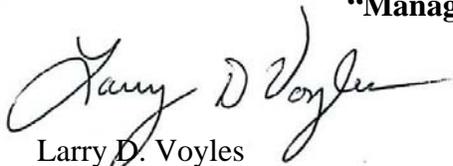
The Commission may go into Executive Session for the purpose of obtaining legal advice from the Commission Attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A) (3) & (4).

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