



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

5000 W. CAREFREE HIGHWAY
PHOENIX, AZ 85086-5000
(602) 942-3000 • WWW.AZGFD.GOV

GOVERNOR

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BOB BROSCHEID



October 6, 2011

A public meeting of the Arizona Game and Fish Commission will be held on **October 14, 2011 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. 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:

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 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. 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 Commission meeting, including a proposed rifle sight-in fee, new facility use-related fees and a corporate fee structure proposal on the Ben Avery Main Range facilities.
- 3. 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 progress on Director's Goal and Objective #12.
- 4. 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.

5. **Monthly Update on Recreation Access Issues within Arizona. Presenter: Al Eiden, Landowner Relations Program Manager.** The Commission will be briefed on the latest developments since the last regular Commission meeting relating to recreational access issues on private, state and federal lands in Arizona, progress on items related to the April 16 Commission Workshop, and other matters related thereto.
6. **Petition to Lock a Gate on State Trust Land Approximately Fifteen Miles Northeast of Bonita, Arizona. Presenter: Al Eiden, Landowner Relations Program Manager.** The Department will be asking the Commission to approve a request by Roger Warner to lock a gate on State Trust Land located approximately fifteen miles northeast of Bonita, Arizona.
7. **Request for the Commission to Approve a Memorandum of Understanding with Sonoran Solar Energy to conduct research associated with their solar development projects. Presenter: Sharen Adams, Acting Wildlife Contracts Branch Chief.** The Commission will be asked to approve a Memorandum of Understanding with Sonoran Solar Energy that will allow for a mutually beneficial working relationship to develop wildlife research projects.
8. **Request to Amend Commission Order 40: Fish, Bag and Possession Limits for Trout, Catfish, Bass, and Sunfish at Council Park Pond for calendar year 2011 and 2012. Presenter: Kirk Young, Fisheries Branch Chief.** The Commission will be asked to amend Commission Order 40: Fish, establishing a bag and possession limit of 2 catfish, 2 trout, 5 sunfish, and 1 bass minimum size of 13 inches, for Council Park Pond in the City of Somerton for calendar years 2011 and 2012.
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. **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.

TIME CERTAIN AT 2:00 PM

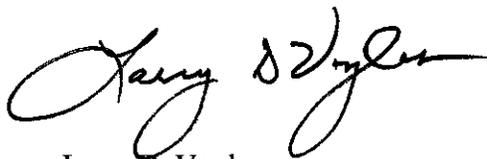
11. **Hearings on License Revocations for Violations of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will consider and take action on the license revocations and/or civil assessments for the individuals listed below:

Name	Docket #	Count	Conviction
Kirk M. Carpenter	2011-0052	Count A:	Littering While Hunting
Ruben N. Carroll	2011-0070	Count A:	Exceed Big Game Bag Limit
		Count C:	Waste of Edible Game Meat
Enrique L. Vasquez	2011-0071	Count B:	Take Wildlife Closed Season

12. **Rehearing Request by Garabet Ovasapian Regarding Previous License Revocation/Civil Assessment. Gene F. Elms, Law Enforcement Branch Chief.** Garabet Ovasapian has requested that the Arizona Game and Fish Commission grant a rehearing regarding the revocation of his license for five (5) years.
13. **Request to Approve the Aquatic Invasive Species Notice of Final Rulemaking, and Economic Impact Statement adopting Article 11 and amending affected rules within Article 4 and Article 5. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission to approve the Aquatic Invasive Species Notice of Final Rulemaking, and Economic Impact Statement adopting Article 11 and amending affected rules within Article 4 and Article 5.
14. **Request to Approve a Notice of Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement Amending R12-4-121 Addressing Big Game Tag Transfers. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission to approve a Notice of Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement amending R12-4-121 addressing big game tag transfers.
15. **Request to Approve a Notice of Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement Amending R12-4-202 Disabled Veteran's License. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission to approve a Notice of Docket Opening, Notice of Proposed Rulemaking, and Economic Impact Statement amending R12-4-202 addressing Disabled Veteran's Services requirements for individuals applying for a Disabled Veteran's license.
16. **Request to Approve the Notice of Exempt Rulemaking to Amend R12-4-304 Addressing Lawful Methods of Take to implement House Bill 2396, Game and Fish; Trophies; Enforcement. Presenter: Dana McGehee, FOR6 Wildlife Manager.** The Department will ask the Commission to approve a Notice of Exempt Rulemaking amending R12-4-304 to implement House Bill 2396. This agenda item will include a discussion on modern bow standards.
17. **2011 Annual Commission Awards Selection. Presenter: Bob Broscheid, Deputy Director.** The Department will provide an overview of the 2011 Commission award nominees and will ask the Commission to select the 2011 Commission award recipients.
18. **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.
19. **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; 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; Sayer Notice of Claim; Reed v. Arizona Game and Fish Department, C20111354; Lorta v. Arizona Game and Fish Commission, CV-11-134; Proposed Rosemont Copper Mine Project NEPA.

20. **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; 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; Sayer Notice of Claim; Reed v. Arizona Game and Fish Department, C20111354; Lorta v. Arizona Game and Fish Commission, CV-11-134.*
21. **Approval of Minutes and Signing of Minutes.** The Commission may approve the Commission meeting minutes from July 8, 2011, August 6, 2011, August 12, 2011, and August 26-27, 2011.
22. **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.
23. **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.
24. **Future Agenda Items and Action Items.**



Larry D. Voyles
Director

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”