



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR
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COMMISSIONERS
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DEPUTY DIRECTORS
GARY R. HOVATTER
BOB BROSCHEID



Revision 1

September 1, 2010

A public meeting of the Arizona Game and Fish Commission will be held on September 10, 2010, 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, September 10, 2010, 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; 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; Center for Biological Diversity v. Voyles, CV 09-00543-JJM; Mohave Valley Shooting Range Appeal; State of Alaska v. Rowan Gould et al.* (possible amicus or intervention in Alaska's Unimak Island litigation).
- 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.
- c. Real Property Negotiations.** The Commission may vote to meet in Executive Session pursuant to A.R.S. § 38-431.03 (A)(7) for discussions or consultations with Department staff in order to consider its position and instructs its representatives regarding negotiations for the purchase of real property associated with the Horseshoe Ranch Project.
- d. Litigation and Legal Counsel.** The Commission may vote to meet in Executive Session for discussion and consultation with legal counsel for legal advice and to

consider the Commission's position regarding S.B.1200 pursuant to A.R.S. §38-431.01(A)(3) and (4). No action will be taken in Executive Session.

- e. **Legal Advice.** The Commission may meet in executive session as provided under A.R.S. 38-431.03(A)(3) for discussion and consultation with the Commission's legal counsel regarding legal advice on the State's wildlife management authority within the Grand Canyon National Park.

Pledge of Allegiance.

Awards and Recognition.

Changed Item

2. **Commission Discussion of the Recent Department Employee Surveys.** The Commission may discuss the recent employee surveys, (the original employee satisfaction survey, concluding on August 9 and the more recent survey that was open from August 30 – September 3), possible modifications to the survey process and methods for the survey, potential of survey bias and how the survey efforts may be incorporated into future performance evaluations regarding the Director. The Commission may vote to take action or provide the Department direction on this item.
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- 2A. **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; Center for Biological Diversity v. Voyles, CV 09-00543-JJM; Mohave Valley Shooting Range Appeal; State of Alaska v. Rowan Gould et al.* (possible amicus or intervention in Alaska's Unimak Island litigation). The Commission may vote to take action on items in the report.
 3. **Presenter: Anthony Guiles, Legislative Liaison. 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. **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 Chair, 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.
 5. **Presenter: Ty Gray, Assistant Director, Information and Education Division. Information, Education and Wildlife Recreation Activities Briefing.** The Commission will be given an update of Department activities and events related to Information, Education and Wildlife Recreation Programs and progress on Director's Goals and Objectives #4, #5 and #7. The update covers activities and events that have

occurred since the August 2010 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.

6. **Presenter: Jay Cook, Shooting Range Branch Chief. 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 and progress on Director's Goal and Objective #4. The update covers activities that have occurred since the August 2010 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
7. **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 August 2010 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
8. **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 a Memorandum of Understanding with BLM for the Development of the Hyder Valley Solar Energy Project Environmental Impact Statement (EIS).** The Commission will be asked to vote to approve a Memorandum of Understanding to allow the Department to be a Cooperating Agency in the Development of the Hyder Valley Solar Energy Project Environmental Impact Statement (EIS). 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 to Approve the Renewal of the Cooperative Agreement Between the Arizona Game and Fish Commission, MLY Ranch, and X Diamond Ranch.** The Commission will be asked to vote to approve the renewal of the Cooperative Agreement between the Arizona Game and Fish Commission, MLY Ranch, and X Diamond Ranch for Identification of Terms and Conditions for Grazing on the Grasslands Wildlife Area
9. **Presenter: Josh Avey, Habitat Branch Chief Request for Commission Approval for the Acquisition of the Horseshoe Ranch in Yavapai County, Arizona.** The Commission will be asked to vote to approve the acquisition of the Horseshoe Ranch in Yavapai County, Arizona. The ranch purchase will include the associated Horseshoe and Copper Creek allotments on federal land. The Commission may vote to take action on, or provide the Department direction on this item.

- 10. Presenter: Gene F. Elms, Law Enforcement Branch Chief. Law Enforcement Program Briefing.** 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 August 2010 Commission meeting. The Commission may vote to take action on or provide the Department direction on items covered in the update.

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

- 11. Presenter: Gene F. Elms, Law Enforcement Branch Chief. Hearings on License Revocations for Violations 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.

Name	Docket #	Count	Conviction
Michael E. Mangum	2010-0058	One Count	Take Wildlife During Closed Season
Ramon O. Ruiz	2010-0059	Count A:	Obtain 2005 License/Permit by Fraud
Ramon O. Ruiz	2010-0060	Count C:	Possess Unlawfully Taken Wildlife (Elk)
Terry L. Stilwell	2010-0061	Count B:	Take Wildlife After Legal Light
Sopha Nhoun	2010-0062	Count A:	Fishing Without a License
Steve C. Dozier	2010-0065	Count A:	Allow Use of Tag
Donna L. Wagner	2010-0066	Count B:	Take Wildlife Closed Season (Mule Deer)
Robert A. Dozier	2010-0067	Count A:	Possess Unlawfully Taken W/L (Mule Deer)
		Count B:	Take Wildlife Closed Season (Mule Deer)
		Count E:	Littering While Hunting
Robert A. Dozier	2010-0068	Count A:	Possess Unlawfully Taken W/L (Mule Deer)
		Count B:	Take Wildlife Closed Season (Mule Deer)
Kham Sylivai	2010-0071	Count A:	Exceed Bag Limit
		Count B:	Possess Unlawfully Taken Wildlife (Fish)

Wildlife Compact Violations

Zachary Lee Smith	2010-0050	Failure to Comply With Wisconsin Citation
Michael Aceves	2010-0051	Failure to Comply With Wisconsin Citation

12. **Presenter: Mike Senn, Assistant Director, Wildlife Management Division. Update on the Petition by Bird Conservation Alliance and Others to US EPA to Ban Lead Ammunition and Fishing Tackle under the Federal Toxic Substances Control Act, and Recent Decision by EPA to Deny the Portion of the Petition Related to Ammunition.** The Commission will be provided an update on the petition filed by the Bird Conservation Alliance and others with the U.S. Environmental Protection Agency to ban uses of lead in ammunition, and EPA's decision to deny the portion of the petition related to ammunition. The Commission may vote to take action on, or provide the Department direction on, this item.
13. **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 Chair, 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.
14. **Approval of Minutes and Signing of Minutes.** The Commission will be asked to approve the Commission meeting minutes from August 6-7, 2010 and if approved, the signing of these same minutes.
15. **Director's and Chair's Reports.** The Director and the Chair 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.
16. **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.
17. **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.

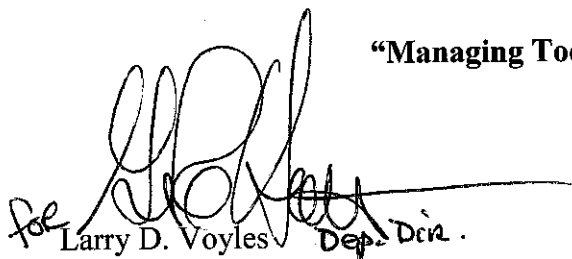
During the public meeting, the Commission may afford any person, their duly authorized representative, or both, the opportunity to present statements relating to agenda items, with or without the opportunity to present them orally.

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.


for Larry D. Voyles, Dep. Dir.
Director

“Managing Today for Wildlife Tomorrow”