



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

2221 West Greenway Road, Phoenix, AZ 85023-4399
(602) 942-3000 • azgfd.gov

Governor

Janet Napolitano

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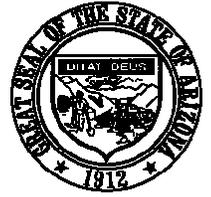
W. Hays Gilstrap, Phoenix

Director

Duane L. Shroufe

Deputy Director

Steve K. Ferrell



March 30, 2006

A public meeting of the Arizona Game and Fish Commission will be held on April 21-22, 2006, 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 21, 2006, Arizona Game and Fish Commission at the Hilton Garden Inn/Phoenix Midtown, 4000 N. Central, Phoenix, AZ 85012.

The Public Session begins at 8:00 a.m.

- 1. 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.
- 2. Presenter: Bob Broscheid, Habitat Branch Chief. An update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto.** The Commission will be briefed on the latest developments relating to the implementation of land and resource management plans and projects on state and federal lands in Arizona and other matters related hereto. The update addresses decisions or activities since the March 2006 commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 3. 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: Bob Broscheid, Habitat Branch Chief. Request for Commission Approval of Renewal of a 5-Year Lease Agreement with The State Forester Division of The Arizona State Land Department for Office Rental Space at the Commission's Pinetop Regional Office, Navajo County, Arizona.** The Commission will be asked to vote to approve renewal of a 5-Year Agreement with the State Forester Division of the Arizona State Land Department for office rental space at the Commission's Pinetop Regional Office, Navajo County, Arizona.

- b. Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Approve a Ten-Year Agreement with the Bureau of Prisons for a Road Easement Across a Portion of the Commission Patented Ben Avery Shooting Facility in Maricopa County, Arizona.** The Commission will be asked to vote to approve a ten-year agreement with the Bureau of Prisons for a roadway easement across a portion of the Commission patented Ben Avery Shooting Facility, Maricopa County, Arizona.
- 4. Presenter: Dana Yost, Assistant Director, Information and Education. Statewide Shooting Range Briefing.** The Commission will be given an update of Department activities related to shooting range support and development statewide. The update covers activities that have occurred since the March 2006 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 5. Presenter: Ronald L. Day, Law Enforcement Branch Chief. Petition to have the Department return an elk skull seized under the authority of Law Enforcement Directive 1011, Pick Up and Possession of Wildlife Parts.** The Commission will be asked to vote to deny the petition returning the elk skull seized from Mr. DeRouin.
- 6. Presenter: Ronald L. Day, Law Enforcement Branch Chief. Rehearing Request Regarding Previous License Revocation/Civil Assessment.** Mr. Anthony T. Tyree has requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on January 20, 2006, revoking his licenses to hunt, fish, and trap for a period of five (5) years 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.
- 7. 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 (at Time Certain 12:00 p.m.)

The Executive Session begins immediately following the lunch break.

8. 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 *In re General Stream Adjudication for the Little Colorado River and Gila River; Bar D Cattle Co. v. Shroufe, CIV2002-0872; Phelps Dodge Corp. v. Arizona Dept. of Water Resources, LC2003-000243-001DT; Arizona Zoological Society, et. al. v. BLM, IBLA appeal no.*

2002-412; *State of Arizona v. George H. Johnson*, CV2005-002692; and *State of Arizona v. Adair*, CR2004-0045.

- b. 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 regarding the Commission's position on potential litigation regarding the use of temporary employment services at the Ben Avery Shooting Facility.

The Public Session begins immediately following Executive Session, but no later than 2:00 p.m.

- 9. Presenter: Ronald L. Day, 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>
Carter, David Allen	Count A: Knowingly take wildlife during a closed season (elk). Count B: Possess unlawfully taken wildlife (elk). Count C: Waste edible portions of wildlife (elk).
Hart, Michael J.	Count A: Use tag of another (deer).
Hart, Jr., Dennis J.	Count A: Attach tag to animal killed by someone else (deer).
Koreny, Nathan S.	Count A: Take wildlife without valid tag (bear). Count B: Possess unlawfully taken wildlife (bear). Count C: Failure to tag wildlife (bear).
Halcomb, Richard B.	Count A: Litter while hunting.
VanKirk, Nathan H.	Count A: Litter while hunting.
Tucker, Jeffrey L.	Count A: Litter while hunting.
Bilyeu, Brian D.	Count A: Possess unlawfully taken wildlife (elk taken in wrong Unit).

- 10. Litigation Report.** The Department's legal counsel may report on the status of the following litigation matters: *Re General Stream Adjudication for the Little Colorado River and Gila River; Bar D Cattle Co. v. Shroufe*, CIV2002-0872; *Phelps Dodge Corp. v. Arizona Dept. of*

Water Resources, LC2003-000243-001DT; Arizona Zoological Society, et. al. v. BLM, IBLA appeal no. 2002-412; State of Arizona v. George H. Johnson, CV2005-002692. The Commission may vote to take action on any case.

- 11. Presenter: Dustin McKissen, Rules and Risk Manager. Request to Close the Rule Record and Adopt the Notice of Exempt Rulemaking to Amend Rules in Article 8, Wildlife Areas and Department Property, as Part of the Annual Hunt Recommendation Process.** The Commission will be asked to vote to close the rule record and adopt the Notice of Exempt Rulemaking to amend rules in Article 8, Wildlife Areas and Department Property, as part of the annual hunt recommendation process.
- 12. Director's and Chairman's Reports.** The Director and the Chairman will report on recent Department and Commission activities. 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. Commissioners' Reports.** The Commissioners will report on their recent activities 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.
- 14. Approval of Minutes** for March 10, 2006, March 29, 2006 and April 4, 2006; and **Signing of Minutes** February 10-11, 2006.
- 15. 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.

Saturday, April 22, 2006, Arizona Game and Fish Commission at Hilton Garden Inn/Phoenix Midtown, 4000 N. Central, Phoenix, AZ 85012.

Meeting begins at 8:00 a.m.

Awards and Commissioning of Officers.

- 1. Presenter: Mark Weise, Development Branch Chief. Landowner-Lessee/Sportsman Relations Committee Appointments.** The Department's Landowner Relations Program is recommending two new members to serve 3-year terms on the Landowner-Lessee/Sportsman Relations Committee. Mr. Scott Heap is president of the South Eastern Arizona Sportsmen Club and is dedicated to preserving and enhancing public access opportunities. Mr. Dennis Moroney is a livestock producer from the 47 Ranch, near McNeal, and was honored with the Commission's Habitat Steward of the Year award in 1999. Members of the Landowner-Lessee/Sportsman Relations Committee have approved Mr.Heap and Mr. Moroney's nominations.

2. **Presenter: Richard Rico, Assistant Director, Special Services. Hunt Permit-tag Application Schedule for Fall 2006 Hunts.** The Department will provide the Commission with a presentation related to the proposed hunt-permit tag application schedule for fall 2006 hunts. The Commission will be asked to vote to approve the application schedule.
3. **Presenter: Leonard L. Ordway, Game Branch Chief. Consideration of Proposed Commission Orders 2-10, and 26 for 2006-2007 Hunting Season.** The Commission will consider and may vote to approve Commission Orders 2-10 (deer, pronghorn antelope, elk, turkey, javelina, bighorn sheep, buffalo, bear, and lion), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas. A detailed description of all proposals is available for public review at all Department offices. Spring turkey, spring bear, spring buffalo, and spring javelina Commission orders will be presented at the August Commission meeting.
4. **Presenter: Leonard L. Ordway, Game Branch Chief. Consideration of Proposed Commission Orders 11-18 for 2006-2007 and 2007-2008 Hunting Seasons.** The Commission will consider and may vote to approve Commission orders 11-18 (tree squirrel, cottontail rabbit, predatory and furbearing mammals, other mammals and birds, pheasant, quail, chukar partridge, and blue grouse) establishing seasons and season dates, bag and possession limits, and open areas.
5. **Presenter: Leonard L. Ordway, Game Branch Chief. Consideration of Proposed Commission Order 23: Trapping for the 2006-2007 and 2007-2008 Seasons.** The Commission will consider and may vote to approve Commission Order 23: Trapping, establishing season dates, legal species, open-closed areas, bag and possession limits.
6. **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.

7. Future Agenda Items.

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 2222 West Greenway Road, 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).

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, 2221 W. Greenway Road, Phoenix, Arizona 85023, 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”


(Per) Duane L. Shroufe
Director

DLS:mh