



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

2221 WEST GREENWAY ROAD  
PHOENIX, AZ 85023-4399  
(602) 942-3000 • AZGFD.GOV

**GOVERNOR**  
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**November 20, 2006**

A public meeting of the Arizona Game and Fish Commission will be held on December 9, 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:

**Saturday, December 9, 2006, Arizona Game and Fish Commission at Embassy Suites 2577 W. Greenway Rd. Phoenix, Arizona 85023.**

**Meeting begins at 8:00 a.m.**

**Awards and Commissioning of Officers.**

- 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. The Commission will also review its position on designation of Commission members to represent the Commission at the Legislature on emergency issues and issues on which the Commission has taken an official position. The Commission may vote to take action on this issue.
- 2. Presenter: Bob Broscheid, Habitat Branch Chief. An Update on Current Issues, Planning Efforts, and Proposed Projects on All 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 private, state and federal lands in Arizona and other matters related hereto. The update addresses decisions or activities since the October 2006 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 3. Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Approve an Intergovernmental Agreement with the Town of Marana for the Purpose of Continued Development of a Habitat Conservation Plan.** The Commission will be asked to vote to approve an Intergovernmental Agreement with the Town of Marana for the purpose of continued development of a Habitat Conservation Plan.
- 4. Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Authorize the Department to enter into a Memorandum of Understanding to Facilitate Allowing Gila River Lake, LLC, to Mine Sand and Gravel from Commission Owned and/or Managed Lands for a Period of Twenty Years, in Return for the Transfer of Lands of Equal Monetary and Wildlife Value to the Commission in Fee Simple, and**

**Complete Habitat Restoration of the Mined Property at Termination of Mining Activities.** The Commission will be asked to vote to authorize the Department to enter into a Memorandum of Understanding to Facilitate allowing Gila River Lake, LLC, to mine sand and gravel from Commission owned and/or managed lands for a period of twenty years, in return for the transfer of lands of equal monetary and wildlife value to the Commission in fee simple, and complete habitat restoration of the mined property at termination of mining activities.

5. **Presenter: Ty Gray, Education Branch Chief. 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 October 2006 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
6. **Presenter: Bruce Taubert, Assistant Director, Wildlife Management Division. Wildlife 2012: The Arizona Game and Fish Department's Strategic Plan for the Years 2007 – 2012.** The Commission will be asked to vote to approve the Department's Wildlife 2012 Strategic Plan.
7. **Presenter: Mark Weise, Development Branch Chief. Interagency Service Agreement (ISA) Between The Arizona Game and Fish Department and The Arizona Department of Transportation to Provide for a Vehicle Maintenance Facility.** The Commission will be asked to vote to authorize the Department to enter into an Interagency Service Agreement with the Arizona Department of Transportation to manage and operate a vehicle maintenance facility at its new headquarters facility. This facility would provide the Department a full range of automotive and fleet management services.
8. **Presenter: Harry Seck, Information Systems Branch Chief. Automated License Systems (ALS) Current Status of Problem Resolution from the 2006 Fall Draw.** The Commission will be provided with a presentation related to the current status of the resolution of the problems encountered by ALS during the 2006 fall draw. This would include infrastructure upgrades, data integrity, application completion, deadline lockout, and credit card processing. Also presented will be the status of the load/stress test and AGFD testing of the online application and license sales. The Commission will be asked to provide the Department with further direction related to this issue.
9. **Presenter: Leonard L. Ordway, Game Branch Chief. Consideration of Proposed Commission Orders 3, 4, and 26 for 2007 Hunting Season.** The Commission will consider and may vote to approve Commission Orders 3 (pronghorn antelope), 4 (elk), 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.
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.

## Lunch Break (at Time Certain 12:00 p.m.)

The Afternoon Executive Session begins immediately following the lunch break.

### 11. 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; State of Arizona v. George H. Johnson*, CV2005-002692; *Seibert v. Arizona State Land Dept. et al*, CV 20061568.
- 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.

**12. Litigation Report.** The Department's legal counsel may report on the status of the following litigation matters: *In re General Stream Adjudication for the Little Colorado River and Gila River; State of Arizona v. George H. Johnson*, CV2005-002692; *Seibert v. Arizona State Land Dept. et al*, CV 20061568. The Commission may vote to take action on any case.

**13. Presenter: Pat Barber, 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>
Pennington, Clinton D.	Count A: Take wildlife without a license/tag (deer). Count B: Possession of unlawfully taken wildlife (deer).
Facundo Flores-Estrada, Moises	Count A: Take wildlife without a valid license (deer).
Taylor, Derek	Count A: Possess/transport unlawfully taken big game (black bear). Count B: Allow another person to use tag (black bear).
Polzin, John D. license/permit.	Count 1: Take mule deer buck without valid  Count 3: Possess unlawfully taken mule deer buck. Count 6: Obtain 2005 resident hunt/fish license by fraud. Count 14: Take bull elk without valid license/permit. Count 15: Possess unlawfully taken bull elk.

Polzin, Shelly L.

Count 30: Possess unlawfully taken mule deer buck.  
Count 32: Obtain 2006 resident hunt/fish license by fraud.  
Count 35: Possess unlawfully taken bull elk.

Byrum, Shane D.

Failure to comply with terms of a citation for wildlife violations of Count 1: Fishing or hunting without a license; and Count 2: Illegally take, transport, sell or purchase protected wildlife as per the terms of the Wildlife Violator Compact.

**14. Presenter: Pat Barber, Law Enforcement Branch Chief. Rehearing Request Regarding Previous License Revocation/Civil Assessment.** Mr. Richard D. Murphy, Jr., has requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on August 11, 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.

**15. Presenter: Chantal O'Brien, Research Branch Chief. Request for the Commission to Approve a Cooperative Agreement with Landowners West of the White Tank Mountains to Study Mule Deer Movements in the White Mountains and Surrounding Areas.** The Commission will be asked to vote to approve a Cooperative Agreement with Landowners West of the White Tank Mountains to study of mule deer movements in and around the White Tank Mountains to determine the best places to establish movement corridors through the proposed developments.

**16. Presenter: Steve K. Ferrell, Deputy Director. Commission Review of the Department's Mission Statement.** The Commission will review the Department's mission statement and may vote to give the Department direction on this item.

**17. 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.

**18. 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.

**19. 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.

**20. Approval of Minutes and Signing of Minutes.** Approval of minutes for October 20-21 and October 27, 2006, and if approved, signing of minutes for October 20-21 and October 27, 2006.

**21. Future Agenda 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 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).*

*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, 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"*



Duane L. Shroufe  
Director