



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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

GOVERNOR
JANET NAPOLITANO
COMMISSIONERS
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DEPUTY DIRECTOR
STEVE K. FERRELL



REVISION 1

October 6, 2006

A public meeting of the Arizona Game and Fish Commission will be held on October 20-21, 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, October 20, 2006, Arizona Game and Fish Commission at La Quinta Inn 2510 W. Greenway Rd. Phoenix, Arizona 85023

Meeting 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.

ADDITIONAL ITEM

- 1A. Presenter: Tony Guiles, Legislative Liaison. Proposition 207 – Homeowners Protection Act.** The Commission will be provided with an informational presentation on the subject of proposition 207 (Private Property Rights Protection Act). Proponents and Opponents may testify on the merits of the proposition. The Commission may vote to take a position or provide direction to the Department on this initiative.

- 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 September 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. An Update on the Arizona's Wildlife Linkage Assessment Project.** The Commission will be briefed on the public release of the Final Arizona's Wildlife Linkage Assessment document and how it will be applied by the Department to coordinate statewide land and water development projects.

4. **Presenter: Bob Broscheid, Habitat Branch Chief. Request for Commission Approval for the Perpetual Right-of-Way Application for the 3.94 acre Black Canyon Trail and Ten-Year Right-of-Way Application for the adjacent parking area in Maricopa County from the Arizona State Land Department.** The Commission will be asked to vote to approve the perpetual right-of-way application for the Black Canyon Trail and ten-year right-of-way application for the adjacent parking area in Maricopa County from the Arizona State Land Department.
5. **Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Authorize the Department to Enter Into a Ten Year Cooperative Agreement with the City of Show Low to Allow the City to Manage the Commission's Eight Acre Public Boat Launch and Concession Facility at Show Low Lake.** The Commission will be asked to vote to authorize the Department to enter into a ten year Cooperative Agreement with the City of Show Low to allow the City to manage the Commission's eight acre public boat launch and concession facility at Show Low Lake.
6. **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 September 2006 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
7. **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. Joe King is a livestock producer from the King's Anvil Ranch, near Sasabe. Mr. Duane Coleman is a livestock producer from the Hopi Three Canyon Ranches operated out of Winslow. Members of the Landowner-Lessee/Sportsman Relations Committee have approved Mr. King and Mr. Coleman's nominations.

ADDITIONAL ITEM

- 7A. **Presenter: Mark Weise, Development Branch Chief. Arizona Game and Fish Department's Deer Valley North Property Update.** The Commission will be provided with an informational presentation related to the pending sale of the Department's Deer Valley North property to the City of Phoenix. A brief summary of discussions and negotiations that have taken place to date between the Department and the City of Phoenix will be presented as well as what needs to be finalized over the next several months. Representatives from the City of Phoenix will be present to provide further information as well as answer any pertinent questions. The Commission will be asked to provide the Department with additional direction on this item.
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8. **Presenter: Mark Weise, Development Branch Chief. Donley Petition for a road closure and a permanent closure to hunting on State Trust Land.** The Department will be asking the Commission to vote to deny a request by Leroy Donley for a road closure and a permanent closure to hunting on State Trust Land located in Yuma County.

- 9. Presenter: Mark Weise, Development Branch Chief. Purchase of Conservation Easement on the 47 Ranch.** The Commission will be asked to vote to approve the Purchase of a Conservation Easement on the 47 Ranch utilizing Landowner Incentive Program (LIP) funds.

MOVED FROM SATURDAY AGENDA

- 9A. Presenter: Harry Seck, Information Systems Branch Chief. A Proposal by the Department to Provide all Future E-Commerce Related Services.** The Commission will be provided with a presentation related to the potential for the internal development and implementation of the infrastructure necessary to provide all e-commerce related services in the future. This would include online licensing, processing online big game applications, the first-come/first-serve process, posting draw results on the Internet and any other online services proposed by the Department. The Commission will be asked to provide the department with further direction related to this issue.

REVISED AGENDA ITEM

- 10. Presenter: Richard Rico, Assistant Director, Special Services Division. Online Licensing and Draw Application Services.** The Department will present to the Commission contractual options in response to the past performance of Automated Licensing Services (ALS) under its contract to provide online licensing services. ALS will provide a brief summary of actions they have taken since the September Commission meeting. The Commission may vote to take action or give the Department direction on this item.

- 11. 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.

12. 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.

- 13. Presenter: Pat Barber, Law Enforcement Branch Chief. Hearing on License Revocation for Violation of Game and Fish Codes 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 revocation for the individual listed below.

<u>Name</u>	<u>Conviction</u>
Peterson, Justin V.	Recognition of a revocation in a compact member state and suspension of current Arizona license to take wildlife.

- 14. Presenter: Pat Barber, Law Enforcement Branch Chief. Rehearing Request Regarding Previous License Revocation/Civil Assessment.** Mr. Charles M. Johnson has requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on June 23, 2006, revoking his licenses to hunt, fish, and trap for a period of three (3) 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. 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.

- 16. Presenter: Dustin McKissen, Rules and Risk Manager. Notice of Final Rulemaking to Amend R12-4-102 and R12-4-203 to Clarify Fees and Privileges for Licenses, Tags, Stamps, and Permits.** The Commission may vote to close the rulemaking record and approve a Notice of Final Rulemaking to amend R12-4-102, dealing with licenses, tags, stamps, and permits, and R12-4-203, dealing with National Harvest Information Program stamps to clearly prescribe privileges and fees.

- 17. Presenter: Leonard L. Ordway, Game Branch Chief. Amendment to Commission Order 26 – Population Management Seasons.** The Department will recommend amendments to Commission order 26 to increase the authorized number of archery-only population management season bear permits in Unit 35A and 35B from 5 to 15 for calendar year 2006. The Commission may vote to take action on, or provide the Department direction on this item.

- 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. 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.

20. 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.

21. Approval of Minutes and Signing of Minutes. Approval of minutes for August 11-12, August 28-29, and September 8, 2006

Saturday, October 21, 2006, Arizona Game and Fish Commission at La Quinta Inn 2510 W. Greenway Rd. Phoenix, Arizona 85023

Meeting begins at 8:00 a.m.

Awards and Commissioning of Officers.

1. Presenter: Richard Rico, Assistant Director, Special Services Division. 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 provide for a vehicle maintenance facility. This facility would provide a full range of automotive and fleet management services at the new headquarters facility.

MOVED TO FRIDAY AGENDA

~~**2. Presenter: Harry Seek, Information Systems Branch Chief. A Proposal by the Department to Provide all Future E-Commerce Related Services.** The Commission will be provided with a presentation related to the potential for the internal development and implementation of the infrastructure necessary to provide all e-commerce related services in the future. This would include online licensing, processing online big game applications, the first come/first serve process, posting draw results on the Internet and any other online services proposed by the Department. The Commission will be asked to provide the department with further direction related to this issue.~~

3. Presenter: Lawrence M. Riley, Fisheries Branch Chief. Request to Amend Commission Order 40 (Fish), Concerning Specific Proposals for Bag and Possession Limits, Special Regulations, and Specific Closures for Sport Fishing for Calendar Year 2007 and 2008. The Commission will be asked to vote to adopt Commission Order 40: Fish, establishing open seasons, open areas, and bag and possession limits for calendar year 2007 and 2008.

4. **Presenter: Bruce Taubert, Assistant Director, Wildlife Management Division. An Update on Wildlife 2012: The Arizona Game and Fish Department's Strategic Plan for the Years 2007 – 2012.** The Commission will be briefed on the status of the development of the Arizona Game and Fish Department's strategic plan and will be provided with a synopsis of comments received. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
5. **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.
6. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 25: Raptors.** The Commission will be asked to vote to adopt Commission Order 25: Raptors, establishing open areas, season dates, and bag and possession limits for 2007 and 2008, as proposed by the Department.
7. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 41: Amphibians.** The Commission will be asked to vote to adopt Commission Order 41: Amphibians, establishing open areas, season dates, and bag and possession limits for 2007 and 2008, as proposed by the Department.
8. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 42: Crustaceans and Mollusks.** The Commission will be asked to vote to adopt Commission Order 42: Crustaceans and Mollusks, establishing open areas, season dates, and bag and possession limits for 2007 and 2008, as proposed by the Department.
9. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 43: Reptiles.** The Commission will be asked to vote to adopt Commission Order 43: Reptiles, establishing open areas, season dates, and bag and possession limits for 2007 and 2008, as proposed by the Department.
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.

11. 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