



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

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**Governor**

Janet Napolitano

**Commissioners**

Chairman, Susan E. Chilton, Arivaca

W. Hays Gilstrap, Phoenix

Joe Melton, Yuma

Michael M. Golightly, Flagstaff

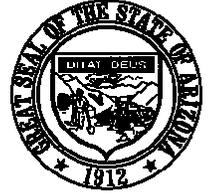
William H. McLean, Gold Canyon

**Director**

Duane L. Shroufe

**Deputy Director**

Steve K. Ferrell



January 24, 2005

A public meeting of the Arizona Game and Fish Commission will be held on February 11, 2005, 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, February 11, 2005, Arizona Game and Fish Commission at the Best Western Inn Suites Hotel, 1450 Castle Dome Ave., Yuma, AZ 85365.**

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

**Awards and Commissioning of Officers.**

- 1. Litigation Report.** The Department's legal counsel may report on the status of the following litigation matters: *Montoya v. Manning*, CIV98-0239 PHX RCB; *In Re General Stream Adjudication for the Little Colorado River and Gila River*; *Mark Boge v. Arizona Game & Fish Commission & Shroufe*, CIV2000-020754; *Ameduri and Yee et. al. v. U.S. Forest Service et al.*, U.S. District Court No. CIV 02 2495 PCT FJM; *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*; *Audubon Society of Portland v. USFWS*, CV04-670-KI; and issues associated with potential litigation over the status of black-tailed prairie dogs and mountain plovers, and Mexican garter snake. A written report will also be available. The Commission may vote to take action on any case.
- 2. Presenter: Bob Broscheid, Habitat Branch Chief. A Presentation Regarding the Extent by Which Undocumented Alien Traffic is Impacting Wildlife Resources.** The Commission will hear a presentation regarding the extent by which undocumented alien traffic is impacting wildlife resources. 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 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 January 2005 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.

4. **Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Approve an Agreement for a Corporate Hangar Lease with the City of Phoenix for the Purpose of Storing and Maintaining Aircraft at the Deer Valley Airport, Maricopa County, Arizona.** The Commission will be asked to vote to approve an Agreement for a Corporate Hangar Lease with the City of Phoenix for the purpose of storing and maintaining aircraft at the Deer Valley Airport, Maricopa County, Arizona.
5. **Presenter: Rod Lucas, Mesa Regional Supervisor. Appeal of Denial of Wildlife Holding License Application for Mr. Gary Mitchell and Ms. Chris Koudelka.** Pursuant to the provisions of A.R.S. § 41-1092, Mr. Gary Mitchell and Ms. Chris Koudelka have appealed the Department's denial of their application for a Wildlife Holding License. The Commission will be asked to vote to deny Mr. Gary Mitchell and Ms. Chris Koudelka's appeal of the Department's decision to deny their application for an Arizona wildlife holding license.
6. **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.
7. **Presenter: Don Winslow, 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 January 2005 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
8. **Presenter: Jim deVos, Research Branch Chief. A Presentation on an Ongoing Research Project being Conducted by the University of Arizona wherein Water Availability for Bighorn Sheep is being Manipulated to Aid in Determining Water Requirements for Bighorn Sheep.** The Commission will hear a presentation on the preliminary findings of the research being conducted on the Cabeza Prieta National Wildlife Refuge where water availability is being manipulated to aid in determining the necessity of freestanding water to maintain bighorn sheep populations. The Commission may vote to take action on, or provide the Department direction on, items covered in the presentation.
9. **Presenter: Jeff A. Sorensen, Game & Fish Planner, Funds/Planning. Comprehensive Wildlife Conservation Strategy - Progress Update.** The Department will provide an update on the Department-led effort to develop a "Comprehensive Wildlife Conservation Strategy." The Commission may vote to take action on, or to provide the Department with direction on, this item.
10. **Presenter: Mark Zornes, Small Game Biologist. New Mexico Quail Symposium Briefing.** The Department will provide the Commission with a briefing on the New Mexico Quail Symposium.

- 11. Presenter: Bruce D. Taubert, Assistant Director, Wildlife Management Division. Wildlife 2006 Update.** The Department will present a progress report for Wildlife 2006. The Commission may vote to take action on, or provide the Department direction on, this item.
- 12. Presenter: Ty Gray, Heritage Fund Administrator. Selection of New Members of the Heritage Public Advisory Committee.** The Commission will be asked to vote to approve the selection of seven new members from a list of nominees for the Heritage Public Advisory Committee.
- 13. Presenter: Duane L. Shroufe. Commissioner Committee Appointments.** The Commission will be asked to vote to appoint individual Commissioners to the following standing committees for 2005 through January 2006: Heritage Public Advisory Committee, Habitat Partnership Committee, Landowner-Lessee/Sportsman's Relations Committee, Shooting Range Economic Development Committee, and Wildlife Assets Committee.
- 14. 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.
- 15. Presenter: Shelley Cutts, Assistant Attorney General. Commission Parliamentary Procedures.** The Commission may discuss options for parliamentary procedures and may vote to take action to adopt procedures governing Commission legal action taken during a public meeting. The Commission may vote to take action on this item, or may defer any decision to a later meeting.
- 16. 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.
- 17. 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.
- 18. Approval of Minutes** for August 13 and 14, 2004; September 17, 2004; September 22, 2004; October 29, 2004; December 10 and 11, 2004; January 4, 2005.

#### **19. Executive Session**

- a. Sale or Lease of Real Property.** The Commission may vote to go into Executive Session to discuss, consult with, and instruct its attorneys and Department staff concerning negotiations for the sale or lease of real property and associated water rights pursuant to A.R.S. § 38-431.03 (A)(7).

- b. 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 on *Montoya v. Manning*, CIV98-0239 PHX RCB; *In Re General Stream Adjudication for the Little Colorado River and Gila River*; *Mark Boge v. Arizona Game & Fish Commission & Shroufe*, CIV2000-020754; *Ameduri and Yee et. al. v. U.S. Forest Service et al.*, U.S. District Court No. CIV 02 2495 PCT FJM; *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*, and *Audubon Society of Portland v. USFWS*, CV04-670-KI.
- c. Legal Counsel Regarding the Silverbell Bighorn Sheep Herd.** 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 instruct legal counsel regarding the Commission's position on possible settlement or litigation over the damages associated with the epizootic episode in the Silverbell Bighorn Sheep Herd.
- d. Legal Advice Regarding Commission Authority to Take License Revocation Action.** 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 receive legal advice regarding Commission authority to take license revocation action.
- e. Legal Advice on Proposed Rule Amendments to R12-4-104, R12-4-107, and R12-4-115 to Require that an Applicant Purchase a Hunting License to Apply for the Hunt Permit-Tag Drawing.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) to receive legal advice regarding proposed rule amendments to R12-4-104, R12-4-107, and R12-4-115 to require that an applicant purchase a hunting license to apply for the hunt permit-tag drawing.
- f. Personnel Matters.** The Commission may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(1) to discuss and evaluate the Director's performance as to his goals and objectives. The Commission may decide this matter in the public meeting or defer a decision to a later date.

**20. Presenter: Duane Shroufe, Director. Director's Goals and Objectives – 2005.** The Commission will discuss and may vote to approve a list of goals and objectives for the Director to achieve during 2005.

## **21. 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.

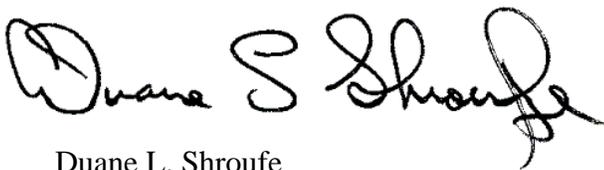
During the public meeting, the Commission may afford any person, his duly authorized representative, or both, the opportunity to present statements relating to agenda items, with or without the opportunity to present them orally.

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"*

A handwritten signature in black ink that reads "Duane L. Shroufe". The signature is written in a cursive, flowing style.

Duane L. Shroufe  
Director

DLS:dy