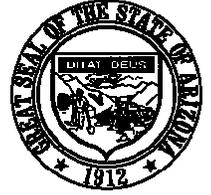




THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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

Governor
Janet Napolitano
Commissioners
Chairman, W. Hays Gilstrap, Phoenix
Joe Melton, Yuma
Michael M. Golightly, Flagstaff
William H. McLean, Gold Canyon
Bob Hembrode, Tucson
Director
Duane L. Shroufe
Deputy Director
Steve K. Ferrell



September 30, 2005

A public meeting of the Arizona Game and Fish Commission will be held on October 21, 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, October 21, 2005, Arizona Game and Fish Commission at the Embassy Suites 2333 E. Thomas Rd., Phoenix, AZ 85016.

Meeting begins at 8:00 a.m.

1. Executive Session

- a. 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 *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; and State of Arizona v. George H. Johnson, CV2005-002692.*
- 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 meeting or defer a decision to a later date.
- c. Legal Counsel Regarding Public Records Law.** The Commission may vote to go into Executive Session pursuant to A.R.S. Sections 38-431.03(A)(2) and (A)(3) for the purpose of discussing and consulting with legal counsel regarding Arizona's public records law.

Public Session begins immediately following the Executive Session, but no later than 9:00 a.m.

Awards and Commissioning of Officers.

2. **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;* 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.
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 September 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 Commission Approval of the Exchange of Land at the Page Springs Hatchery in Yavapai County, Arizona.** The Commission will be asked to vote to approve the exchange of 1.6 acres of highway frontage land for 2.49 acres of riparian area at the Page Springs Hatchery and authorize the Department to execute all documents associated with this exchange in Yavapai County.
5. **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 the Commission to Approve a Cooperative Agreement with Salt River Project Agriculture Improvement and Power District for the purpose of conducting mitigation activities on the Commission's Arlington Wildlife Area, Maricopa County, Arizona.** The Commission will be asked to vote to approve a Cooperative Agreement with Salt River Project Agriculture Improvement and Power District for constructing, operating and maintaining a wildlife habitat feature on the Commission's Arlington Wildlife Area, Maricopa County, Arizona.
 - b. **Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Approve an Agreement for a Permit to Sonterra Partners and the City of Goodyear for a 30-foot-wide Construction Road to Install a 36-inch Force Main Wastewater Line Across the Commission Managed U.S. Department of Interior, Public Land Order Number 10-15 (PLO 10-15) Lands, Maricopa County, Arizona.** The Commission will be asked to vote to approve an agreement for a permit for a 30-foot-wide construction road to install a 36-inch force main wastewater line across 1500 feet of the Commission managed PLO 10-15 lands, Maricopa County, Arizona.

- c. **Presenter: Mark Weise, Development Branch Chief. Request to Approve a Memorandum of Understanding (MOU) With The Bureau of Land Management (BLM), Yuma Field Office.** The Commission will be asked to vote to approve a Memorandum of Understanding (MOU) with the Bureau of Land Management (BLM), Yuma Field Office, which will enable eligibility for grants under the Department's Federal Aid F-19-D Project (Arizona Boating Access Program).
 - d. **Presenter: Lawrence M. Riley, Fisheries Branch Chief. Interagency Memorandum of Understanding Between the United States Department of the Interior - Bureau of Land Management; United States Department of the Interior - Bureau of Reclamation; United States Department of the Interior -Fish and Wildlife Service; United States Department of the Interior - Geological Survey; Arizona Game and Fish Commission; California Department of Fish and Game; and Anglers United, Inc., to complete all program goals and cooperatively manage aquatic improvements and resources addressed as part of the Lake Havasu Fisheries Improvement Program Partnership, 2005 – 2010.** The Commission will be asked to vote to approve and adopt the Interagency Memorandum of Understanding for the Lake Havasu Fisheries Improvement Program Partnership for 2005 through 2010.
6. **Presenter: Lawrence M. Riley, Fisheries Branch Chief. Briefing on Fisheries Program Accomplishments During 2004 and 2005.** The Commission will be provided an overview of Program accomplishments and performance during the past program year. Briefings will be provided by Fisheries Branch and Nongame Branch. The Commission may vote to provide the Department with direction on this item.
 7. **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 2006.** The Commission will be asked to vote to adopt minor modifications to Commission Order 40: Fish, establishing open seasons, open areas, and bag and possession limits for calendar year 2006.
 8. **Presenter: Mark Weise, Development Branch Chief. Maughan Petition to Close a Road on State Trust Land Approximately Ten Miles West of Springerville, Arizona.** The Department will be asking the Commission to vote to approve a petition submitted by Rex Maughan to close a road on State Trust Land located approximately ten miles west of Springerville, Arizona
 9. **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.
 10. **Presenter: Marty Macurak, Assistant Director. 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 2005 commission meeting. The Commission may vote to take action on, or provide the department direction on, items covered in the update.

11. **Presenter: Marty Macurak, Assistant Director. Briefing on operations options for the Ben Avery Clay Target Center and Ben Avery Shooting Range.** The Commission will be provided with an assessment of operations options for the Ben Avery Shooting Facility main range and Clay Target Center. The options include a request for proposals for vendor operation; staff operation; or an Intergovernmental Agreement with the city of Phoenix to operate part or all of the range. The Commission may vote to take action on, or provide the department with direction on, options to operate all shooting activities at Ben Avery Shooting Range.
12. **Presenter: Steve Ferrell, Deputy Director. Briefing on the Employee Compensation Proposal to be Submitted to the 2005 and 2006 Arizona State Legislature.** The Department will provide the Commission with a briefing on the employee compensation proposal and Wildlife Series CMR. The Commission will be asked to authorize expenditure of non appropriated funds and allow the Department to seek a supplemental appropriation from the 2005 legislature to finance this proposal.
13. **Presenter: Ron Sieg, Region II Supervisor. Consideration of the Kaibab Habitat Stamp Fund Budget for Fiscal Year 2006 and Presentation of the Five-year Work Plan for this Fund.** The Commission will be asked to approve the Kaibab Habitat Stamp Fund Budget for FY 2006 and the five year work plan for spending funds generated under the Cooperative Agreement with between the Kaibab National Forest and the Department
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.

Lunch Break (at Time Certain 12:30 p.m.)

The Afternoon Public Session begins immediately following the lunch break, but no later than 1:30 p.m.

15. **Presenter: Leonard L. Ordway, Game Branch Chief. Consideration of Applications for Special Big Game Hunt License-Tags for Mule Deer, White-tailed Deer, Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, and Black Bear for 2006-2007.** The Commission will consider and may vote to take action on applications from organizations for 2006-2007 Special Big Game License-Tags as per R12-4-120. A detailed description of all proposals is available for public review at all Department offices.
16. **Presenter: Leonard L. Ordway, Game Branch Chief. Consideration of Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, and Black Bear for the 2006-2007 Hunting Seasons.** The Commission will consider and may vote to approve Commission Order 29: Special Hunts, establishing seasons and season

dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License Tags. A detailed description of all proposals is available for public review at all Department offices.

17. **Presenter: Richard Rico, Assistant Director, Special Services. Petition for Rule Change by Mr. Glen Phillips Requesting the Commission Amend R12-4-114 Issuance of Nonpermit-tags and Hunt Permit-tags.** Mr. Glen Phillips has submitted a petition requesting the Commission amend R12-4-114 to exempt individuals over 70 years of age (with a Pioneer License) from the big game draw for all deer and elk hunts with greater than 250 permits with the result being they would automatically receive a tag if they apply for one of these hunts. The Commission may vote to approve or deny the petition and may provide the Department with further direction on this issue.
18. **Presenter: Lawrence M. Riley, Fisheries Chief. Petition to Revise Rule R12-4-315, Allowing for the Live Transport of Black Bass for Off-site Tournament Weigh-ins.** The Commission will be asked to vote to deny the petition but direct the Department to consider this rule change during the next review of Article 3.
19. **Presenter: Dustin McKissen, Rules & Risk Manager. Request to Approve a Notice of Final Rulemaking to Amend Article 1 Rules, Dealing with Definitions and General Provisions, as Stated in the 2004 Five-Year Rule Review Approved by GRRC and to Reinstitute Limits on Non-Resident Hunt Permit-Tags.** The Commission will be asked to vote to approve a Notice of Final Rulemaking to amend Article 1 rules, dealing with definitions and general provisions, principally as stated in the 2004 Five-Year Rules Review report approved by GRRC and to reinstitute limits on non-resident hunt permit-tags. The notice will be submitted to GRRC for consideration at their January 2006 meeting.
20. **Presenter: Dustin McKissen, Rules & Risk Manager. Request to Approve a Notice of Final Rulemaking to Amend Article 2, Miscellaneous Licenses and Permits, Subsequent to the 2004 Five-Year Rule Review Approved by GRRC.** The Commission will be asked to vote to approve a Notice of Final Rulemaking to amend Article 2, Miscellaneous Licenses and Permits, principally as stated in the 2004 Five-Year Rules Review report approved by GRRC. The notice will be submitted to GRRC for consideration at their January 2006 meeting.
21. **Director's and Chairman's Reports.** The Director and the Chairman will report on recent Department and Commission activities. An update on the Director's current goals and objectives may be provided during the briefing. 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.
22. **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.

23. Approval of Minutes for August 13 and 14, 2004; September 17, 2004; June 24 and 25, 2005; August 12 and 13, 2005; and **Signing of Minutes.** January 21, 2005; February 11, 2005; March 11 and 12, 2005; April 15 and 16, 2005; May 20, 2005; May 24, 2005

24. 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.

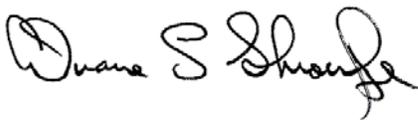
During the public meeting, the Commission may afford any person, his duly authorized representative, or both, the opportunity to present statements relating to agenda items, with or without the opportunity to present them orally.

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”



Duane L. Shroufe
Director

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