

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, April 21, 2006 – 8:00 a.m.
Saturday, April 22, 2006 – 8:00 a.m.
Hilton Garden Inn/Phoenix Midtown
4000 N. Central Avenue
Phoenix, Arizona 85012

PRESENT: (Commission)

(Director's Staff)

Chairman Joe Melton
Commissioner Michael M. Golightly
Commissioner William H. McLean
Commissioner Robert Hernbrode
Commissioner W. Hays Gilstrap

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Shelley Cutts

Chairman Melton called the meeting to order at 8:05 a.m. The Commissioners introduced themselves and Chairman Melton introduced the Director and the Director's staff. This meeting followed an agenda dated March 30, 2006.

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1. State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

The Commission was provided with a Legislative Analysis dated April 21, 2006, outlining several bills of interest to the Department and Commission, including those the Commission had taken a formal position on. Also provided to the Commission was a letter from Representative Weiers regarding the efficacy of an elected officer to represent and speak for the members who elected them and/or the organization that they lead (attached to these minutes). Mr. Guiles further highlighted a couple items of interest to the Commission:

- HB2129, the poaching bill; two amendments were attached 1) unlawful feeding of wildlife and 2) a tiered civil assessment and revocation system. A third read is expected on Monday, April 25, 2006.
- H2130, hunter harassment; the Governor signed this bill last week.
- S1508, OHV regulations; failed to pass Senate. Representative Flake suggested bringing this back next year.
- H2127, nonresident big game permit, 10% cap issue; signed by the Governor last Monday.
- S1300, which is now S1441, wildlife habitat restoration; a meeting is scheduled for Monday, April 25, 2006, which will include sportsmen's groups, two Commissioners, and Mr. Guiles.

The Legislature passed the 100th day this week. The budget is being negotiated. Conversations with legislative members and staff have indicated that the Department's supplemental budget looks fine at this point in time.

Commissioner McLean confirmed with Mr. Guiles that the signing of H2127 will not affect this year's draw.

Director Shroufe commented on S1508 and asked the Commission to consider being the chief sponsor for this bill next year, and to make it a priority. This matter will be brought back to the Commission at the August Commission meeting.

Commissioner Gilstrap asked about the Arizona State Parks and Recreation and the Arizona State Lands Department joining with the Department and working together as a coalition, as well as the user groups, to develop legislation.

Director Shroufe stated that the legislation would be stronger with those entities working together as a coalition and taking the lead; however, it's not know if State Parks will want to participate next year.

Commissioner McLean suggested that a couple members of the Commission could meet with the State Parks Board and work with them to gain their support and participation.

Commissioner Golightly asked about the status of the federal government in formulating rules that will be consistent within the forests.

Director Shroufe stated that the road issues were being handled individually, forest by forest, during the new planning process. He further speculated that the Forest Service will probably be a lot more restrictive than what the Department would want as far as road networks in the forest. The Commission will be seeing those plans as they are completed. At this point, the Coronado is the only one that has started their plan.

Commissioner Golightly further questioned whether or not the State should get ahead of the federal government in creating laws that may or may not be consistent with federal law.

Director Shroufe stated that it would be beneficial for the State to move forward with OHV regulations.

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2. An Update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto.

Presenter: Bob Broscheid, Habitat Branch Chief

A copy of the Lands Update report was provided to the Commission prior to today's meeting and is included as part of these minutes. The update addressed decisions or activities since the March 2006 Commission meeting. This update is in fulfillment of the Department's commitment to brief the Commission on a regular basis regarding decisions and actions on all state and federal lands in Arizona.

Mr. Broscheid provided an additional update on the Roadless Rule. The Forest Service published a new proposed rule on July 16, 2004 to revise those current regulations on how those

wilderness areas will be managed, specifically the petition process that the Governors of each state are offered the opportunity to make recommendations on how those wilderness areas will be managed state by state. There is about 1.2 million acres of roadless areas in Arizona and the Governor's office has requested the lead of the Arizona Game and Fish Department to complete this petition. The Department currently has a staff team on how to deal with the petition process. That process includes significant public involvement as well as local government, so the Department is proposing about eleven public meetings throughout the state for the months of June and July, and about nine meetings with county boards and supervisors and local cities in the month of May. The comments received will be consolidated by the Department and drafted into a petition for the Governor's review and approval. This petition must be submitted by November 2006 to the Secretary of Agriculture. Once the petition is confirmed to meet the criteria of the roadless rule, it will then be wrapped into the Forest Service Land Management Plan Revision process so that it will be an alternative in that process. Further updates will be provided to the Commission as this petition moves forward.

Chairman Melton asked about the Memorandum of Understanding (MOU) for the Bureau of Land Management's (BLM) Resource Management Plan (RMP) areas and asked if language has been developed that everyone can agree to.

Mr. Broscheid stated that the Department and BLM are aggressively pursuing the completion of the MOU; the master MOU between the agencies and the exact process for the resolution of issues dealing with wildlife management. The goal is to bring the completed MOU before the Commission for approval prior to the signing of the Lake Havasu RMP.

Commissioner Hernbrode requested that this item be a future agenda item for discussion of the detail and scope of the Roadless Rule petition process.

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3. Consent Agenda

The following items were grouped together and noticed as consent agenda items to expedite action on routine matters. These items were provided to the Commission prior to this meeting and the Department requested that the Commission approve these matters as presented, subject to approval or recommendations of the Office of the Attorney General. All items were presented to the Commission and item 3.a was removed for further public input or discussion.

3.a 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.

Presenter: Bob Broscheid, Habitat Branch Chief

Currently the Commission has a 5-year lease agreement with the State Land Commissioner, on behalf of the State Forester, for office rental space at the Department's Pinetop Regional Office, Navajo County Arizona. The lease is set to expire on July 5, 2006. The State Forester Division of the State Land Department has advised the Department that they wish to renew the current 5-

year lease with an option to terminate at any time. The State Forester has leased the building from the Commission since 1981.

The Department recommended THAT THE COMMISSION 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 AND AUTHORIZE ITS DIRECTOR TO EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Motion: Golightly moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE DEPARTMENT RECOMMENDATIONS ON CONSENT AGENDA ITEM 3.A AS PRESENTED.

Vote: Unanimous

3.b 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.

Presenter: Bob Broscheid, Habitat Branch Chief

The Bureau of Prisons utilizes a roadway across the Commission patented Ben Avery Shooting Facility for primary access purposes for the Federal Correctional Institution (FCI) in Phoenix. This portion of the Ben Avery Shooting Facility was acquired from the Bureau of Land Management (BLM) under provisions of the Recreation and Public Purposes Act. Patent No. 02-64-0084 was issued to the Commission on December 16, 1963. Fees in the amount of \$1,200.00 to cover the administrative costs will be recommended to the BLM for the roadway easement.

The Department recommended THAT THE COMMISSION VOTE 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, AND EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

The Commission and Mr. Broscheid discussed the location of the road easement, alternatives, and the possibility of the Department working towards ending this agreement in the future for safety reasons in regards to potential expansion of the Ben Avery Shooting Facility. The agreement has a stipulation in it that the Commission may pursue realignment of the road easement.

Motion: Golightly moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE DEPARTMENT RECOMMENDATIONS ON CONSENT AGENDA ITEM 3.B AS PRESENTED.

Vote: Unanimous

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO START THE PROCESS OF RELOCATING THAT ROAD

TO BYPASS THE CUTOFF ON THE NORTHEAST CORNER OF THE BEN AVERY SHOOTING FACILITY.

Vote: Unanimous

4. Statewide Shooting Range Briefing

Presenter: Dana Yost, Assistant Director, Information and Education

The Commission was provided with an update prior to this meeting of Department activities related to shooting range support and development statewide. The update covered activities that have occurred since the March 2006 Commission meeting. The statewide shooting range briefing is part of the Department's ongoing commitment to provide the Commission with updates on statewide shooting range development and shooting sports in general.

Mr. Yost noted a couple additional items: 1) The positions of Statewide Shooting Range Administrator and the Hunter Retention and Recruitment Coordinator have been filled and a second round of interviews will be held next week for the Archery in the Schools Coordinator. The Archery in the Schools Program currently has about 70 schools in that program and there are about 65 schools on a waiting list; 2) The Ben Avery Shooting Facility will be receiving about \$700,000 worth of free dirt in the next few weeks, which will be used for berms; and 3) the electrical project is almost complete for the main range and small bore range.

Commissioner Golightly suggested that after they have all the dirt they currently need for the range then it should be stockpiled for future use.

Mr. Yost further gave an update on the RFP process for the Ben Avery operational vendor. That process closed on March 24, 2006. The Department received submissions from two entities, the City of Phoenix and a company called EMI from Idaho. The Department will begin evaluation on May 1, 2006 and expects to provide the Commission with the result of that evaluation at the June Commission meeting.

Bob Broscheid, Habitat Branch Chief, provided an update on the Northern Arizona Shooting Range process. A public meeting was held on April 15, 2006 at Northern Arizona University. The attendees at that meeting overwhelmingly supported the site and Department efforts. Two more meetings are scheduled for next week; Munds Park and Oak Creek. The process is discussed at these meetings, particularly the NEPA process, and the way the Commission and the Department manages shooting ranges. Following these meetings the Department and the consultant will be moving forward with the collection of data and on the ground surveys to initiate the NEPA process and evaluate those issues. A range facility design is also being drafted based on topography, drainage and types of facilities that will be built. The Commission was provided with a project schedule.

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5. 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

Presenter: Mike Senn, Assistant Director, Field Operations, for Ronald L. Day, Law Enforcement Branch Chief

Mr. Derron R. DeRouin, of Strawberry, Arizona, submitted a petition requesting the Commission to direct the Department to return a large elk skull seized from him on November 30, 2005. On October 24, 2005, Mr. DeRouin found a large dead bull elk in game management unit 5A and removed the head and antlers. The Department conducted an investigation into the cause of death of this elk and, based on evidence at the scene, determined that it had probably been wounded and not recovered. This most likely occurred during the limited opportunity elk hunt between October 14 and October 20, 2005.

Possession of wildlife without evidence of legality is unlawful. Law Enforcement Directive 1011 further clarifies this issue and directs Department officers that possession of wildlife that died from unnatural causes, such as hunter related wounding loss, is property of the State and cannot be possessed by the public.

Mr. DeRouin was present and addressed the Commission stating that this procedure will cause law abiding citizens like himself not to report finds like this, and will result in the Department not being able to investigate as many poaching type incidents because people will not be reporting them. Further, Mr. DeRouin suggested that the Department better educate the public on such changes using venues like email. Mr. DeRouin asked that the Commission change this procedure and return the skull to him.

Commissioner Hernbrode stated that he was sympathetic, but questioned how the procedure could be changed so that wildlife could still be protected from poaching.

Commissioner McLean noted that the hunt regulations book does not address or give any guidance to the public for this type of pick-up situation. Additionally, after a thorough investigation by Department officers, it is believed that Mr. DeRouin did indeed find the elk, so Commissioner McLean will vote for natural cause of death on the elk.

Commissioner Golightly stated that there is an issue when a law abiding citizen comes across something like this, but the other side is where the kill was intentional and then the hunter came back and took it later.

Commissioner Gilstrap stated that this procedure has placed honest officers and honest public in conflict with each other, and this is a place we don't want to be.

The Commission further discussed this procedure and the Game and Fish Rule book.

Motion: McLean moved and Golightly seconded THAT THE COMMISSION FIND THAT THE ANIMAL IN THIS CASE DIED AS A RESULT OF NATURAL CAUSES AND THE SKULL AND ANTLERS SHOULD BE RETURNED TO THE PETITIONER.

Vote: Aye - Golightly, McLean, Gilstrap
Nay - Melton, Hernbrode
Passed 3 to 2

Commissioner Hernbrode stated that he agreed with the finding, but it does not fix the problem.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO REVISIT AND DISCUSS LAW ENFORCEMENT DIRECTIVE 1011 TO REVIEW AND REVISE WITHOUT JEOPARDIZING LAW ENFORCEMENT ABILITIES AND LEGITIMATE PUBLIC POSSESSION OF PARTS THAT ARE PICKED UP WITH NO INDICATION OF WRONG DOING.

Vote: Unanimous

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6. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Ronald L. Day, Law Enforcement Branch Chief

Mr. Day informed the Commission that this agenda item was in regards to Anthony T. Tyree who intended to be present, but was currently enroute and had not yet arrived.

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE TO POSTPONE THIS AGENDA ITEM UNTIL LATER IN THE DAY.

Vote: Unanimous

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7. Call to the Public

Don Martin, Arizona Wildlife Outfitters, briefed the Commission on the Kingman Shooting Range progress. The sportsmen’s club has spent over \$20,000 of club funds to upgrade the range, and they are involved in a very aggressive program to provide shooting opportunity for Mohave County and Northwest Arizona. On another subject, Mr. Martin wanted to bring to the Commission’s attention that under the 20% pass rule, people who dutifully apply for Arizona premium deer tags on the Arizona Strip and early bull tags, were effectively prohibited and would never get a chance to get into that draw. Using 13B as an example, the record reflects that there are more nonresidents with maximum bonus points for deer than there are residents. Under the 20% pass rule, 20% of those tags in unit 13B are set aside for just those people with the maximum number of bonus points. It’s a public relations problem when the Department is selling licenses and applications to residents for those hunts when they know they are not going to have a chance to draw.

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Meeting recessed for a break at 9:45 a.m.
Meeting reconvened at 10:16 a.m.

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10. Litigation Report

A copy of this report was provided to the Commission prior to today's meeting and is included as part of these minutes. There were no further updates from Mr. Odenkirk and the Commission had no comments or questions.

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11. 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.

Presenter: Dustin McKissen, Rules and Risk Manager

The Arizona Game and Fish Department is amending R12-4-802 to close portions of the Chevelon Creek Wildlife Area, located in Game Management Unit 4B, to prevent vandalism of both a Native American ruin and a site reserved for construction of a pumping station. The amendment will allow for yearlong closure of approximately 8 acres, which encompasses both locations. The rest of the area would remain open to lawful activity.

If approved by the Commission, this Notice of Exempt Rulemaking will be submitted to the Secretary of State's Office by April 28, 2006, so that it will be published in the May 19, 2006, issue of the *Arizona Administrative Register*.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION 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.

Commissioner McLean confirmed with Mr. McKissen that the area will be posted with an explanation and not just a no trespassing sign.

Vote: Unanimous

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12. Director and Chairman's Report

Director Shroufe reported that the Department is working on the application for the Governor's Quality Award, which is the highest award in the State for quality performance of an agency or organization; participated in the Important Bird Area Dedication at the Lower Oak Creek, which included a tour by Senator McCain of his property there; participated in an Arizona Outdoor Recreation Council meeting; attended an Intermountain West Joint Venture Council meeting; a Colorado River Fish and Wildlife Council meeting; the North American Wetlands Council meeting; and the North American Wildlife and Natural Resources meeting in Columbus Ohio.

Chairman Melton reported that he went to Red Mountain Range and shot trap with the kids in the scholastic shooting program; attended the Shooting Showcase at the Ben Avery Shooting Facility; toured the 3 Bar Wildlife Area; attended a skeet shot for kids in Tucson; worked on a waterhole project; worked on hunt guidelines; and spent a week in Indiana.

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13. Commissioners' Report

Commissioner Hernbrode reported that he toured 3 Bar Wildlife Area with Chairman Melton; spent a considerable amount of time working on issues regarding the Black Mountain bighorn sheep; met with Dr. Robin Silver; and prepared for this Commission meeting.

Commissioner McLean worked with Mr. Guiles and staff on legislative issues; spent a great deal of time at the Legislature; attended the Important Bird Area Dedication; trained at the Department on online license and big game applications; and spent a great deal of time preparing for this Commission meeting.

Commissioner Golightly reported the same activities as Commissioner McLean, but also noted a meeting with the Governor that he attended with Commissioner McLean. The Governor encouraged them to investigate and plan on how to do an initiative and to do it right.

Commissioner Gilstrap reported being very busy, which included attending the Commissioner's Cup trap shoot and spending a lot of time preparing for this Commission meeting;

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14. Approval/Signing of Minutes

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE THE COMMISSION MEETING MINUTES FROM MARCH 10, 2006, MARCH 30, 2006, AND APRIL 4, 2006.

Vote: Unanimous

The Commission signed the Commission meeting minutes from February 10-11, 2006, March 10, 2006, March 30, 2006, and April 4, 2006.

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15. Call to the Public

None at this time.

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8. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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6. Rehearing Request Regarding Previous License Revocation/Civil Assessment (continued)

Presenter: Ronald L. Day, Law Enforcement Branch Chief

On November 29, 2005, Anthony T. Tyree was convicted in the Fredonia Justice Court for: Hunt big game without a valid license/tag and fined \$350.00; Obtain 2004 hunting license by fraud and fined \$100.00; Obtain 2004 javelina tag by fraud, and fined \$100.00. On January 20, 2006, the Commission revoked Mr. Tyree's hunting, fishing, and trapping licenses for a period of five (5) years, and further required him to complete Hunter Education before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Tyree requested a rehearing of this matter and decision claiming that he was not notified of the hearing. The Department has reviewed this notification and determined it was not a valid notice. This subject has been notified by certified mail of this rehearing date. The Commission was provided with the case summary and other pertinent information relating to this case prior to this meeting for review and consideration.

Motion: Golightly moved and McLean seconded THAT THE COMMISSION REVIEW THE DOCUMENTS AND BASED ON THE CAUSES LISTED IN COMMISSION RULE R12-4-607 SECTION D, IN THAT MR. TYREE WAS NOT PROPERLY NOTICED, AND VOTE TO GRANT A REHEARING IN THIS MATTER.

Vote: Unanimous

The Commission and Mr. Day discussed Arizona's hunt regulations in regards to residency requirements and whether Mr. Tyree had resident or nonresident status in Arizona as an exchange student with a Western state exchange student program where nonresident fees are waived.

Mr. Odenkirk clarified that the term resident refers to a person's domicile. A person can only have one domicile and that's where you actually reside and intend to permanently reside. The question is did this individual intend to reside in Arizona permanently and did he reside in Arizona six months prior to applying.

Mr. Tyree was present and addressed the Commission stating that he had lived in Arizona six months before he applied. He also had residency in Oregon and thought he could be a resident of both Oregon and Arizona for the purposes of hunting. In Oregon, students in this exchange program are considered residents and he thought it was the same in Arizona.

Motion: Hernbrode moved and Gilstrap seconded THAT THE COMMISSION VOTE TO LET STAND THE ORIGINAL MOTION OF A FIVE YEAR REVOCATION PERIOD.

Vote: Aye – Hernbrode, Gilstrap

Nay – Melton, Golightly, McLean
Failed 3 to 2

Motion: Golightly moved THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **ANTHONY T. TYREE TO HUNT** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **THREE (3)** YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Commissioner McLean stated that three years was too severe.

Motion died for lack of second.

Motion: McLean moved and Golightly seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **ANTHONY T. TYREE TO HUNT** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **ONE (1)** YEAR; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye – Melton, Golightly, McLean
Nay – Hernbrode, Gilstrap
Passed 3 to 2

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Meeting recessed for Lunch at 11:49 a.m.

Meeting reconvened at 1:43 p.m.

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9. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Ronald L. Day, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director's Office.

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Meeting recessed at 3:19 p.m.

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Saturday, April 22, 2006 – 8:00 a.m.

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Chairman Melton called the meeting to order at 8:09 a.m. The Commissioners introduced themselves and Chairman Melton introduced the Director and the Director's staff. This meeting followed an agenda dated March 30, 2006.

Awards and Commissioning of Officers

Director Shroufe presented service pin awards to Department employees as follows:

30 Year Service Pin: Jim Warneke

25 Year Service Pin: Kurt Bahti, Richard Dreyer, Daniel Gaska, Dana McGehee, Rick Miller, John Millican, Bill Ough, Scott Reger, Russ Richins and Tom Christensen.

20 Year Service Pin: Cindy David, John Goodwin and Mike Kuhns.

Deputy Director Ferrell presented the Annual Shikar Safari Officer of the Year Award to Department employee Shawn Wagner.

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Meeting recessed for a break at 8:43 a.m.

Meeting reconvened at 8:58 a.m.

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1. Landowner-Lessee/Sportsman Relations Committee Appointments

Presenter: Mark Weise, Development Branch Chief

The Department's Landowner Relations Program recommended 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. The Commission was provided with biographies for Mr. Heap and Mr. Moroney prior to this meeting for review and consideration.

Motion: Gilstrap moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE THE APPOINTMENTS OF MR. SCOTT HEAP AND MR. DENNIS MORONEY TO THE LANDOWNER-LESSEE/ SPORTSMAN RELATIONS COMMITTEE.

Vote: Unanimous

Mr. Weise presented a Certificate of Achievement Award from the Department's Landowner Relations Program to Ron Eichelberger for his 20 years of support and voluntarily representation of sportsmen on the Landowner-Lessee/Sportsman Relations Committee.

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2. Hunt Permit-tag Application Schedule for Fall 2006 Hunts.

Presenter: Richard Rico, Assistant Director, Special Services

The Commission was provided with a brief presentation relating to the hunt permit-tag application schedule for the fall 2006 hunting seasons. The application schedule identified proposed acceptance dates and deadline dates for all hunts associated with the draw process. In addition, the proposed dates for when hunt permit-tags and refund warrants will be mailed were also identified, along with information relating to the first-come/first-serve process for any permits that may be available.

Commissioner McLean commended Mr. Rico and the Information Systems Branch Chief for their efforts in providing online services to the public.

Motion: McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR FALL 2006 HUNTS.

Vote: Unanimous

Public Comment

- Nick Heatwole, Yuma Valley Rod and Gun Club (did not speak, submitted Speaker Card in support)

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3. Consideration of Proposed Commission Orders 2-10 and 26 for 2006-2007 Hunting Season.

Presenter: Leonard L. Ordway, Game Branch Chief

Using a Power Point presentation, Mr. Ordway presented the Commission with 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 were provided to the Commission prior to this meeting and were 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.

Eleven public meetings were held throughout the state to solicit input to the 2006-2008 hunting seasons. The opinion of the 601 meeting participants to the Alternative Mule Deer Management Plan and Regional Elk Operational Plans were also solicited. Public comment by mail, fax, and e-mail was solicited and the Department received about 350 written comments. The Commission was provided with the public comments prior to and at this meeting for review.

The Commission directed the Department to allocate at least 5% of the available elk permits, at least 2% of the general deer permits, and at least 2% of the general turkey permits to juniors-only seasons. The recommendations offered 5% juniors-only elk permits, 3.3% juniors-only deer permits (400 of which are antlerless permits on the Kaibab in Unit 12AW), and 2.7% juniors-only turkey permits. This allocation of juniors hunting opportunity to selectively expose more youth to hunting was consistent with recommendations from the hunter recruitment and retention report and related direction from the Commission to facilitate increased hunter recruitment.

The hunter recruitment and retention team report identified the inability of hunters to draw a permit as a substantial obstacle to hunter retention. The Commission and Department have investigated increasing permits for many species. Archery elk hunting opportunity was considered to be a good opportunity to increase permits because archery bull hunting success has been increasing steadily and archers often demand more opportunity. Once investigated, the archery hunting public strongly opposed this option and the Commission directed the Department to abandon the proposed change to archery elk hunt guidelines at their February meeting. Within the recommendation package, the Department recommended changes to historic deer and javelina management that would increase the number and diversity of opportunities available to big game hunters. An allocation of no more than 10% of general white-tailed deer hunting opportunities during the December hunt structure would allow the Commission to issue a greater number of general season permits during earlier seasons when hunt success is lower (generally 15-20% for early season hunts vs. 30-40% hunt success for the December season). Javelina permits were recommended for fall seasons in Region 5 to provide a greater diversity of opportunity to hunters, while decreasing the administrative burden of the Department when issuing leftover tags for the spring hunts. These recommendations should favorably impact hunter retention.

Commission Order 2 – Deer

The Department recommended 38,275 general deer permits in 2006, an increase of 580 permits statewide from 2005. White-tailed deer permits increased by approximately 450 permits, comprising the largest proportion of the increase. White-tailed deer permits were decreased within Region 5, largely as a result of increasing December white-tailed deer opportunity because these later hunts historically comprised only 6-8% of the permits in that Region. Juniors permits were recommended at 1,310, a 60 permit increase over 2005. Archery deer seasons were recommended for simplification and standardization. The January portion of the archery deer season was recommended for a minor reduction in length (ends on Thursday of week 4 of annual calendar). This reduction in season length would accommodate a spring javelina season change, allowing for 10-day juniors javelina season with no archery deer season overlap. The December archery deer and general deer seasons were recommended to begin on December 15, 2006 rather than December 22, 2006 as originally proposed to the Commission in December 2005. The December deer season opened on Friday of week 51 of the yearly calendar beginning in 2004,

but was recommended to return to the third Friday of December as it had been historically because of the increased restriction of hunting days. Muzzleloader permits were recommended at 910 permits, an increase of 65 from 2005. A 10-permit CHAMP deer hunt would once again be offered on Fort Huachuca.

In Unit 12AW, the Department recommended a 500 permit early general antlered season (500 permit decrease). The Department also recommended a 400 permit juniors antlerless season (350 permit decrease) in response to improved vegetative conditions. This reduction to antlerless season permits should allow for a modest growth in the deer herd on the Kaibab. The Commission was also provided with an update by Jim deVos, Research Branch Chief, on the ongoing research project on the Kaibab whereby the Department is further investigating the relationship of the deer herd to current winter range conditions.

Public Comment

The following were present to express opposition to all or portions of the hunt recommendations for deer, and/or to discuss and recommend changes:

- Chris Denham, Arizona Deer Association (ADA) (provided a PowerPoint presentation on survey results)
- Don Martin, Mohave Sportsmen Club

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Meeting recessed for a break at 10:54 a.m.

Meeting reconvened at 11:14 a.m.

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Public Comment (continued)

The following were present to express opposition to all or portions of the hunt recommendations for deer, and/or to discuss and recommend changes:

- Tony Abbott, Mule Deer Foundation (MDF)
- Steve Chevront, Sportsman of Arizona and Youth Hunters of Arizona
- Nick Heatwole, Yuma Valley Rod and Gun Club (YVRGC) (opposed to deer, javelina and lion hunt recommendations)
- Richard Leightner, Buckskin Chapter, ADA
- Walter Corn, Buckskin Chapter, ADA
- David Myrick, Desert Christian Archers
- Dick King,, Arizona Bowhunters Association (ABA)
- Dan Hunter, representing self
- David Sipe, representing self
- Trent Swanson, representing self
- Paul Hayden, representing self
- V. Patrick (did not speak, but submitted Speaker's Card)
- Jason Melde (did not speak, but submitted Speaker Card)

Commissioner Golightly stated that he would like to extend the archery deer season to the end of January. The Commission gave a consensus.

Commissioner Gilstrap stated that he would like the juniors only deer hunt on the Kaibab to be 100 permits rather than 400; and in Unit 21 for there to be 100 permits in the December 15-31 and 300 in the October-November.

Commissioner Hernbrode stated that he would like the first stratified season from October 27 through November 1 rather than October 27 through November 5. The Commission gave a consensus.

Commissioner McLean stated that he would like to see 200 juniors only antlerless deer permits instead of 100 as suggested by Commissioner Gilstrap.

Motion: Gilstrap moved and Golightly seconded THAT THE COMMISSION VOTE TO CHANGE THE RECOMMENDATION FROM 400 TO 100 JUNIORS ONLY ANTERLESS PERMITS FOR NOVEMBER 10-16 AT KAIBAB UNIT 12AW.

Vote: Aye – Melton, Golightly, Gilstrap
Nay – McLean, Hernbrode
Passed 3 to 2

Chairman Melton asked Mr. Ordway where those 300 junior permits could be placed and if he could explore a recommendation during the lunch hour.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO DIRECT DEPARTMENT STAFF TO MAINTAIN THE JUNIORS HUNT OPPORTUNITY OF 300 TAGS BY CHANGING 300 TAGS FROM THE RECOMMENDED GENERAL DEER SEASON STRUCTURE.

Vote: Unanimous

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 2 – DEER AS PROPOSED BY THE DEPARTMENT WITH THE FOLLOWING CHANGES: REDUCE KAIBAB ANTLERLESS TAGS TO 100; THE LATE ARCHERY SEASONS TO END ON JANUARY 31; AND ALL EARLY GENERAL WHITE-TAIL SEASONS LISTED IN THE PROPOSAL AS OCTOBER 27 THROUGH NOVEMBER 5 BE CHANGED TO OCTOBER 27 TO NOVEMBER 1.

Vote: Aye – Melton, McLean, Hernbrode
Nay – Golightly, Gilstrap
Passed 3 to 2

Chairman Melton suggested that Mr. Ordway look at Unit 10 as an area to place some of those juniors tags.

Commissioner Golightly explained his vote by stating that he would like to get some public input on changing the early general white-tailed deer season to October 27 through November 1.

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Meeting recessed for lunch at 1:00 p.m.

Meeting reconvened at 2:10 p.m.

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Commission Order 2 – Deer (continued)

Mr. Ordway presented recommendations to the Commission to take care of the reduction of 300 permits in regards to the juniors hunt. The following totals 300 juniors permit increases: Unit 10 from 20 to 100 permits; Unit 17B from 10 to 60 permits; Unit 20A from 10 to 30 permits; Unit 20C from 50 to 100 permits; Unit 23 from 100 to 150 permits; and Unit 27 from 50 to 100 permits. Mr. Ordway explained the corollary changes on the general hunt side where it was almost the exact same reductions. Mr. Ordway also recommended that the Commission allow the Department the latitude, with the shortening of the early white-tail seasons and the freeing up of an available weekend, to reduce the overlap between mule deer and white-tail general seasons to solve some hunter congestion issues.

Motion: Hernbrode moved and Golightly seconded THAT THE COMMISSION VOTE TO ACCEPT THE CHANGES RECOMMENDED BY MR. ORDWAY IN THE ADJUSTMENTS TO ACCOMMODATE THE JUNIORS HUNT AND TO ADJUST THE CHANGES IN THE SEASON DATES TO ACCOMMODATE THE DEPARTMENT RECOMMENDATION.

Vote: Unanimous

Commission Order 3 – Pronghorn

The general season permits were increased by 34 from last year with a recommendation of 455 permits. The archery recommendation was 395 permits, a reduction of 14 from last year; 40 permits were reduced in Unit 19A to address issues regarding continued human encroachment. The muzzleloader seasons were recommended for 103 permits, an increase of 6. The Department appended the Statewide Pronghorn Operational Plan that will be updated annually and shared with the Commission.

There were no requests from the public to speak regarding pronghorn.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 3 – PRONGHORN AS PROPOSED.

Vote: Unanimous

Commission Order 4 – Elk

Elk harvest was recommended for stabilization statewide, with some opportunity for population growth in some areas. Statewide, calf recruitment increased for the second year. General season permits were recommended at 14,715 permits, a decrease of 5 permits from last year. Juniors opportunities were decreased by 15 to 1,145 permits (5% of opportunity) and archery permits were recommended to decrease by 215 to 6,239. Similarly, muzzleloading opportunities were

recommended to decrease 115 permits to 1,118. CHAMP hunters would retain the 10 permits allocated to this season type.

The hunt recommendation package was coordinated with the land management agencies, the local habitat partnership committees, and the Forage Resource Study Group. The general, muzzleloader, archery, and juniors permit allocations were adjusted to address the allocation formula using 5-year averages of application rate and hunt success by weapon type. Permits for bull and antlerless harvest were recommended to meet management guidelines for bull to cow ratios and forage use.

Limited opportunity seasons were recommended for increases of 515 (1537 total) for general seasons and 50 (195 total) for archery seasons, and no limited opportunity muzzleloader season was recommended.

Although the Department received many comments regarding the original Commission direction to move some archery bull hunting opportunity out of September into a period with lower hunt success, the Department has not responded to these because the Commission already directed the Department to disregard this proposal and maintain established guidelines regarding elk season structures.

Public Comment

The following were present to express opposition to all or portions of the hunt recommendations for elk, and/or to discuss and recommend changes:

- Dan Hunter, representing self
- Ron Eichelberger, Arizona Elk Society (AES)
- David Myrick, Desert Christian Archers
- Dick King, ABA

Elk populations and objectives were discussed by the Commission and with members of the public as listed above.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 4 – ELK AS PROPOSED FOR THIS YEAR, BUT THAT THE COMMISSION DIRECT THE DEPARTMENT TO COME BACK TO THE COMMISSION WITH A RECOMMENDATION THAT INCREASES THE ELK POPULATION ABOVE CURRENT LEVELS.

Vote: Unanimous

Commission Order 5 –Turkey

The fall general turkey season was recommended for 5,310 permits, which was an increase of 480 permits over 2005. There were 150 juniors-only season turkey permits recommended (50 permit increase) with the same season dates as the general fall season.

The spring turkey season dates and permit levels will be considered at the August Commission meeting.

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 5 – TURKEY AS PROPOSED.

Vote: Unanimous
4 to 0
Hernbrode absent

Commission Order 6 – Javelina

For fall 2006, the Department recommended a fall javelina season structure for Arizona. The Department recommended a limited number of permits within Region 5, amounting to 15% of the typical spring offering of permits, which were frequently leftover following the spring draw and issued through the first come, first served process. The archery season dates were coincidental with the first 10 days of archery deer (September 1-10), the HAM season was scheduled to coincide with the first 10 days of the small game season (October 13-22), and the general season was scheduled to coincide with a 10-day deer season (November 10-19). The Department recommended 660 archery, 605 HAM, and 920 general season permits.

Public Comment

David Sipe, representing himself, did not speak, but turned in a Speaker Card in opposition.

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 6 – JAVELINA AS PROPOSED.

Commissioner Hernbrode stated that he would vote no because he doesn't see a need for the fall season.

Vote: Aye – Melton, Golightly, McLean, Gilstrap
Nay – Hernbrode
Passed 4 to 1

Commissioners Golightly and McLean were willing to give this a try with reservations.

Commission Order 7 – Bighorn Sheep

Bighorn sheep permits were recommended for a total of 93, an increase of 13 from last year. Units 15B and 15C were still at reduced numbers from historic levels, although Unit 15D was improving. Rocky Mountain bighorn sheep were doing well and a 5 permit increase was recommended as part of the total increase. Units 23 and 24A was recommended for 1 permit for the first Rocky Mountain bighorn sheep hunt in those units.

Public Comment

- David McCasland, Arizona Desert Bighorn Sheep Society (did not speak, submitted Speaker Card in support).

The following were present to express opposition to all or portions of the hunt recommendations for bighorn sheep, and/or to discuss and recommend changes:

- Garyn Klasek, Earth First
- Shane, representing himself (not present, but submitted Speaker Card in opposition)
- Adrian Dinese
- Ray Leimkuehler
- Jonathan Grindell, Phoenix Earth First (not present, but submitted Speaker Card in opposition to all hunts)

Motion: Gilstrap moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 7 – BIGHORN SHEEP AS PROPOSED.

Vote: Unanimous

Commission Order 8 – Buffalo

A total of 8 buffalo permits were recommended for the fall seasons. The Raymond Wildlife Area buffalo hunt was recommended for 4 hunts with 2 adult cow permits each. No general hunts were recommended on the House Rock Wildlife Area because structured hunts have been ineffective in harvesting buffalo. The House Rock herd was recommended for harvest using population management seasons that will allow the Department to be responsive to harvest opportunities when buffalo are available off the Grand Canyon National Park.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 8 – BUFFALO AS PROPOSED.

Vote: Unanimous

Commission Order 9 – Bear

Fall bear seasons were recommended for restructuring to enhance simplicity and standardization. General seasons would occur from August 11-31 or October 6-December 31, 2006, whereas archery seasons would occur during September 1-October 5, 2006. This structure allowed for season type (archery, general) similarity among open seasons for various species (bear, deer, elk). Regions recommended units without hunts to allow for areas where nuisance bears may be released if captured and relocated. Overall, this resulted in a reduction of one female bear in the overall sow quota (recommended at 78 general and 17 archery; 95 total in 2006 vs. 85 general and 11 archery; 96 total in 2005). Notes for Commission order 9 were revised to incorporate new 48-hour telephone harvest report and the mandatory physical check-in that were both approved in revisions to Article 3 rules.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 9 – BEAR AS PROPOSED.

Vote: Unanimous

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Meeting recessed for a break at 3:56 p.m.

Meeting reconvened at 4:10 p.m.

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Commission Order 10 – Mountain Lion

The Department recommended that the mountain lion season should be open from September 1 to May 31. This included a new three-month closure (June through August) to correspond to a documented peak in the birthing of mountain lions. This closure would protect young lion kittens when they are most vulnerable. Notes for Commission Order 10 were been revised to incorporate new 48-hour telephone harvest report and the mandatory physical check-in that were both approved in revisions to Article 3 rules.

The Department recommended that the multiple bag limits in Units 28 South and 37B North be removed because the resident bighorn sheep populations have stabilized following translocations into those units. A multiple bag limit of two lions was recommended for the southwest portion of Unit 42 (Bighorn Mountains area) to reduce predation on a recently transplanted bighorn sheep population.

Public Comment

The following were present to express opposition to all or portions of the hunt recommendations for mountain lion, and/or to discuss and recommend changes:

- David Sipe, representing himself
- Rich Veit, Phoenix Varmint Callers
- Golden Brimhall, representing himself
- Layne Brandt, representing himself
- Brian Thomas, representing himself
- Ray Leimkuehler
- Stephanie Nichols-Young, Animal Defense League of Arizona
- Don Martin, Mohave Sportsman Club
- David Myrick, Desert Christian Archers
- Marvin Zieser
- Andy Knowlton, representing himself
- Garyn Klasek, Earth First
- Jonathan Grindell, Phoenix Earth First (not present, but oppose marked on Speaker Card)
- Tim Diehl, representing himself
- Adrian Dinese
- Shane Sittig, representing himself

Motion: Gilstrap moved THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 10 – MOUNTAIN LION AS PROPOSED.

Motion died for lack of second.

Motion: Hernbrode moved THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 10 – MOUNTAIN LION AS PROPOSED, BUT DIRECT THE DEPARTMENT TO LOOK INTO MANAGEMENT STRATEGY SIMILAR TO BEAR WITH A FEMALE HARVEST STRATEGY MINIMUM AND IF THAT COMES IN PLACE THEN IT WOULD BE FOR SPORT HARVEST ONLY, NOT DEPREDATION HARVEST AND THEN THE COMMISSION WOULD RECONSIDER THE YEAR ROUND SEASON.

Motion Restated: McLean moved THAT THE COMMISSION VOTE THAT INSTEAD OF THE RECOMMENDATION FROM THE DEPARTMENT, THAT THE COMMISSION DIRECT THE DEPARTMENT TO BEGIN WORK ON AND TO RETURN TO THE COMMISSION NEXT APRIL WITH AN ALTERNATIVE RECOMMENDATION THAT WOULD FACTOR IN FEMALE HARVEST OBJECTIVES SO THAT UNTIL THEN THE YEAR ROUND OPEN SEASON WOULD REMAIN.

Motion withdrawn.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 10 – MOUNTAIN LION AS PROPOSED.

Vote: Aye – McLean, Hernbrode
Nay – Melton, Golightly, Gilstrap
Failed 3 to 2

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE FOR COMMISSION ORDER 10 – MOUNTAIN LION WITH A YEAR ROUND SEASON DATE FROM JULY 1 TO JUNE 30 AND APPROVE THE MULTIPLE BAG LIMIT UNITS AS PROPOSED.

Vote: Aye – Melton, Golightly, McLean, Gilstrap
Nay – Hernbrode
Passed 4 to 1

Commissioner McLean explained that he is unwilling to change the hunt season in the open Game Management Units without being able to put into place an alternative hunt structure that is primarily based upon science.

Commissioner Golightly stated that there are studies currently going on with collared mountain lions.

Motion: Hernbrode moved THAT THE COMMISSION DIRECT THE DEPARTMENT TO LOOK INTO FEMALE HARVEST AS A CRITERIA FOR THE ESTABLISHMENT OF HARVEST QUOTAS BY UNIT.

Motion died for lack of second.

Commission Order 26 – Population Management Seasons

Population management seasons were recommended for implementation in the same units as last year, although the seasons were scheduled to end on December 31, 2006. The Department intends to reauthorize population management seasons with the Commission during the December 2006 Commission meeting when pronghorn (Commission order 3) and elk (Commission order 4) are reauthorized. Additionally, legal wildlife was redefined in an Article 1 rule change this year. Consequently, "designated elk" was recommended as the legal wildlife in each of the elk population management seasons, excepting those that may be issued to holders of permit tags for other big game seasons, so that the Director may designate the desired legal animal for harvest when the permits are authorized. To date, no javelina or bear permits have been issued.

Public Comment

The following were present to express opposition to all or portions of the hunt recommendations for Commission Order 26 and/or to discuss and recommend changes:

- David Myrick, representing himself
- Ron Eichelberger

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS AS PROPOSED.

Vote: Unanimous

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Meeting recessed for a break at 5:50 p.m.

Meeting reconvened at 6:05 p.m.

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4. Consideration of Proposed Commission Orders 11-18 for 2006-2007 and 2007-2008 Hunting Seasons.

Presenter: Leonard L. Ordway, Game Branch Chief

The Commission considered 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.

Commission Order 11: Tree Squirrel, Commission Order 12: Cottontail Rabbit, Commission Order 13: Predatory and Furbearing Mammals, and Commission Order 14: Other Birds and Mammals

No changes were recommended from the previous year.

Commission Order 15: Pheasant

The Department recommended a change to the existing shotgun shooting shot pheasant season in the agricultural areas near Yuma to address comments gathered from questionnaires sent to all participants following their hunt. Hunters during the first three hunts (including the youth hunt) enjoy good hunt success because ample hiding cover exists for pheasants at this time. This allows for a closer approach of these birds. However, the last two hunts have typically occurred during a period when local farmers have disked under summer grain crops in preparation for winter vegetables. Shifting the last two hunts to later dates would ensure cover is present during these hunts and would address other hunter concerns regarding high temperature impacts to bird dogs. This shift would likely increase hunt success and hunter satisfaction with no negative impacts to the pheasant population.

Commission Order 16: Quail, Commission Order 17: Chukar, and Commission Order 18: Blue Grouse

No changes are recommended from the previous year.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDERS 11–18 AS PROPOSED.

Vote: Unanimous

Public Comment

The following were present to express opposition to all or portions of the hunt recommendations for Commission Orders 11-18, and/or to discuss and recommend changes:

- Ray Leimkuehler, Phoenix Earth First
- Adrian Dinese
- Garyn Klarek, Earth First (did not speak, submitted Speaker Card)

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5. Consideration of Proposed Commission Order 23: Trapping for the 2006-2007 and 2007-2008 Seasons.

Presenter: Leonard L. Ordway, Game Branch Chief

The previous year's harvest information was not included in this summary because the data are not available until May. License sales indicate that trapper participation and harvest in 2005–2006 was similar to participation and harvest in 2004–2005. Harvest data for 1976–2004 indicated that recent harvest levels were well below early 1980s harvest levels and do not impact furbearer populations. No change in season dates, legal species, bag and possession limits were proposed by the Department. The proposed order reflected the continued closure of metropolitan Units 11M, 25M, 26M, 38M, and 47M for trapping. The proposed orders open trapping on private and public lands in accordance with ARS 17-301 for 2006-2007 and 2007-2008.

Motion: McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 23 AS PROPOSED.

Vote: Unanimous

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6. Call to the Public

None at this time.

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7. Future Agenda Items

Chairman Melton requested Shelley Cutts to review the Hold Harmless Agreement for volunteers and see if it can be simplified and compacted into a smaller document.

Commissioner Gilstrap requested that the Department revisit the opportunity for having it's own process for employing and setting wage scales and being able to pay for it.

Deputy Director Ferrell reported two action items and one future agenda item:

- Revisit LE Directive 1011 to find more favorable middle ground for the treatment of pick-up heads by the public
- Begin the process to move the Bureau of Prisons road off the Ben Avery Shooting Facility's property per stipulation in the 10-year agreement
- Include all evidentiary photographs with case reports being submitted for revocation or civil assessment.

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Chairman Melton adjourned the meeting.

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Meeting adjourned at 6:23 p.m.

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Joe Melton, Chairman

Michael M. Golightly, Member

William H. McLean, Member

Robert Hernbrode, Member

W. Hays Gilstrap, Member

ATTEST:

Duane L. Shroufe
Secretary and Director