



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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Governor

Janet Napolitano

Commissioners

Chairman, Joe Melton, Yuma

Michael M. Golightly, Flagstaff

William H. McLean, Gold Canyon

Bob Hernbrode, Tucson

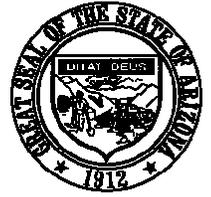
W. Hays Gilstrap, Phoenix

Director

Duane L. Shroufe

Deputy Director

Steve K. Ferrell



REVISION #1

March 6, 2006

A public meeting of the Arizona Game and Fish Commission will be held on March 10-11, 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, March 10, 2006, Arizona Game and Fish Commission at the Riverpark Inn, 350 S. Freeway Road, Tucson, AZ 85745.

The Public Session 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: *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.* The Commission may vote to take action on any case.
- 2. 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 February 2006 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 3. 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 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.** The Commission will be asked to vote to approve a ten-year agreement with the Bureau of Prisons for a roadway easement across a portion of the Commission patented Ben Avery Shooting Facility, Maricopa County, Arizona.
 - b. **Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Approve an Intergovernmental Agreement with the City of Tucson for the Purpose of Continued Development of a Habitat Conservation Plan.** The Commission will be asked to vote to approve an Intergovernmental Agreement with the City of Tucson for the purpose of continued development of a Habitat Conservation Plan.
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DELETED FROM THE AGENDA

- c. **Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Approve an Intergovernmental Agreement with the Town of Marana for the Purpose of Continued Development of a Habitat Conservation Plan.** The Commission will be asked to vote to approve an Intergovernmental Agreement with the Town of Marana for the purpose of continued development of a Habitat Conservation Plan.
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4. **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.
 5. **Presenter: Steve Ferrell, Deputy Director. Briefing on the Employee Compensation Proposal to be submitted to the 2006 Arizona State Legislature.** The Department will provide the Commission with a briefing on the employee compensation proposal. The update covers activities that have occurred since the February 2006 Commission meeting. The Commission may vote to take action on, or provide the department direction on, items covered in the update.
 6. **Presenter: Dana Yost, 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 February 2006 Commission meeting. The Commission may vote to take action on, or provide the department direction on, items covered in the update.
 7. **Presenter: Ronald L. Day, Law Enforcement Branch Chief. Rehearing Request Regarding Previous License Revocation/Civil Assessment.** Mr. Mark J. Dominguez has requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on December 9, 2005, revoking his licenses to hunt, fish, and trap for a period of five (5) years, invoking a civil assessment of \$1,402.72 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 or modify its decision, or grant a rehearing.

- 8. Presenter: Ronald L. Day, Law Enforcement Branch Chief. Rehearing Request Regarding Previous License Revocation/Civil Assessment.** Mr. Amos Rutter has requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on August 12, 2005, revoking his licenses to hunt, fish, and trap for a period of five (5) years and further requiring that he complete a Hunter Education course before obtaining any license in the State of Arizona. The Commission may vote to affirm or modify its decision, or grant a rehearing.
- 9. Presenter: Dustin McKesson, Rules and Risk Manager. Request to Close the Rulemaking Record and Approve a Notice of Final Rulemaking to Amend Article 1 Rules, Dealing with Definitions and General Provisions, to Designate All Game Management Units as Hunting Areas under A.R.S. § 17-316.** The Commission will be asked to vote to close the rulemaking record and approve a Notice of Final Rulemaking to amend Article 1 rules, dealing with definitions and general provisions, to designate all game management units under A.R.S. § 17-316 to address significant interference or disruption of hunts in this state. The Notice of Final Rulemaking will be submitted to the Governor's Regulatory Review Council for consideration at their next open meeting.
- 10. Presenter: Richard Rico, Assistant Director, Special Services. Request by Mr. Ronald C. Arndorfer for a Hearing to Reinstate His Bonus Points From the Fall 2005 Hunts Elk Hunt.** Mr. Ronald C. Arndorfer is requesting a hearing before the Arizona Game and Fish Commission to ask that his 13 bonus points for elk be reinstated from the fall 2005 elk season. This request is based upon an error made with respect to his manual application, which resulted in him being drawn for an antlerless elk tag when he intended to apply for a bull elk tag. Mr. Arndorfer believes that the Department committed the error because he never applied for an antlerless elk hunt. The Commission may vote to grant or deny his petition.
- 11. Presenter. Josh Avey, Executive Staff Assistant. Request for Work Sessions By the Commission.** The Commission will be asked to present recommendations for future publicly noticed work sessions that will provide them with the needed training to address current issues. The Commission may provide the department with a list of priority issues and a recommended time and location for a future work session.
- 12. 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 Executive Session begins immediately following the lunch break.

13. 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 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; State of Arizona v. George H. Johnson, CV2005-002692; and State of Arizona v. Adair, CR2004-0045.*
- 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.

The Public Session begins immediately following Executive Session, but no later than 2:00 p.m.

14. Presenter: Ronald L. Day, Law Enforcement Branch Chief. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife at Time Certain 2:00 p.m. The Commission will consider and take action on the license revocations and/or civil assessments for the individuals listed below.

<u>Name</u>	<u>Conviction</u>
Myers, Roger E.	Count A: Take wildlife after hours (2 doves). Count B: Obtain license by fraud.
Olson, Todd B.	Count A: Take wildlife without a tag (turkey).

ADDITION AGENDA ITEM

15. Presenter: Leonard L. Ordway, Game Branch Chief. Briefing on Public Input to Date on Hunt Guidelines for 2006-2007. The Department will review with the Commission public input received to date regarding the 2006-2007 hunt guidelines. The Commission may discuss issues and take more input from the public, but the Commission will take no action on hunt guidelines or Commission orders. This agenda item is intended as information only.

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 February 10-11, 2006; and **Signing of Minutes** January 20, 2006 and January 30, 2006.

19. 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.

20. Future Agenda Items.

Saturday, March 11, 2006, Arizona Game and Fish Commission at Veteran's Memorial Park, 10211 South Sasabe Highway, Robles Junction, Arizona 85736.

Saturday's Public Session is a Clean-up Day, Hosted by the Hunters Who Care Organization, Beginning in Veteran's Memorial Park, South of Three Points, Arizona East of Highway 286.

The clean-up will begin at 7:00 a.m., the Commission may attend this event, no action will be taken.

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 dark ink, appearing to read "Duane L. Shroufe". The signature is fluid and cursive, with the first name "Duane" written in a larger, more prominent script than the last name "Shroufe".

Duane L. Shroufe
Director

DLS:mh