



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

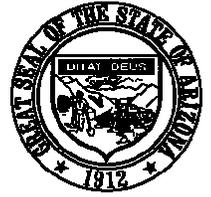
Jennifer L. Martin, Phoenix

**Director**

Duane L. Shroufe

**Deputy Director**

Steve K. Ferrell



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**REVISED # 1**

**August 9, 2006**

A public meeting of the Arizona Game and Fish Commission will be held on August 11-12, 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, August 11, 2006, Arizona Game and Fish Commission at Radisson Woodlands Hotel 1175 W. Route 66 Flagstaff, AZ 86001.**

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

- 1. Presenter: Bruce D. Taubert, Assistant Director, Wildlife Management Division. A Field Guide to Amphibians and Reptiles in Arizona.** The Commission will be briefed and presented with a copy of the Department's new Field Guide that resulted from a collaborative agreement between the Department and the Arizona State University, a partnership fostered through Partners in Amphibian and Reptile Conservation.
- 2. Presenter: Bruce D. Taubert, Assistant Director, Wildlife Management Division. Presentation on the Audubon's Partnerships in Developing the Nina Mason Pulliam Rio Salado Audubon Center and the Arizona Game and Fish Department's Participation.** Audubon Arizona is developing an environmental education facility in the City of Phoenix. The Arizona Game and Fish Department will be partnering with Audubon Arizona. The total project and the Department's partnership will be presented. The Commission will be asked to approve the Department's partnership with Audubon Arizona for development of the Nina Mason Pulliam Rio Salado Audubon Center.
- 3. 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.
- 4. Presenter: Anthony Guiles, Legislative Liaison. OHV Legislative Proposals.** The Commission will be briefed on the proposed concepts for OHV (off-highway vehicle) state 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: Bob Broscheid, Habitat Branch Chief. An Update on Current Issues, Planning Efforts, and Proposed Projects on All Lands in Arizona and Other Matters Related Thereto.** The Commission will be briefed on the latest developments relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related hereto. The update addresses decisions or activities since the June 2006 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
6. **Presenter: Bob Broscheid, Habitat Branch Chief. Request for the Commission to Authorize the Department to Acquire a Right-of-Way from the Arizona State Land Department for the Purpose of Providing Public Recreational Access to State Trust Land and the Prescott National Forest in Yavapai County, Near Indian Rock Ranch, Arizona.** The Commission will be asked to vote to authorize the Department to acquire a right-of-way from the Arizona State Land Department for the purpose of providing public recreational access to State Trust Land and the Prescott National Forest in Yavapai County, near Indian Rock Ranch, Arizona.
7. **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. **Bob Broscheid, Habitat Branch Chief. Request for Commission to Authorize the Department to Dispose of a Right of Way at the Page Springs Hatchery in Yavapai County, Arizona.** The Commission will be asked to vote to authorize the Department to sell a surplus parcel of land consisting of approximately .39 acres at the Page Springs Hatchery in Yavapai County, Arizona, and authorize the Department to execute all documents associated with the disposal.

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**REMOVED FROM CONSENT AGENDA**

- 7.B. **Bob Broscheid, Habitat Branch Chief. Request for Commission to Authorize the Department to Renew the Current Grazing Lease on State Land at Raymond Ranch Wildlife Area.** The Commission will be asked to vote to authorize the Department to renew the current Grazing Lease on State Land at Raymond Ranch Wildlife Area.

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8. **Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.

**Lunch Break (at Time Certain 12:00 p.m.)**

The Afternoon Executive Session begins immediately following the lunch break.

## 9. Executive Session

- a. **Litigation and Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel in order to consider its position and to instruct legal counsel regarding the Commission's position *In re General Stream Adjudication for the Little Colorado River and Gila River; Bar D Cattle Co. v. Shroufe, CIV2002-0872; Arizona Zoological Society, et. al. v. BLM, IBLA appeal no. 2002-412; State of Arizona v. George H. Johnson, CV2005-002692;*
- 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.
- c. **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.

**10. 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>
Erickson, Lance J.	Count A: Possess unlawfully taken wildlife (elk).
Remmert, Richard	Count A: Take wildlife in wrong unit (elk). Count B: Possession of unlawfully taken wildlife (elk).
Klebba, Claude E.	Count A: Obtain 2006 Arizona resident fishing license by fraud or misrepresentation.
Carter, Steven A.	Count A: Knowingly possess wildlife taken in a closed area (elk).
Denny, Alice Begay	Failure to comply with the terms of a citation for wildlife violation (i.e. fishing without a valid license) as per the terms of the Wildlife Violator Compact.

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| Claw, Henry Joe   | Failure to comply with the terms of a citation for a wildlife violation (i.e. fishing without a valid license) as per the terms of the Wildlife Violator Compact.   |
| Batty, Blake H.   | Failure to comply with the terms of a citation for a wildlife violation (i.e. fishing without a valid license) as per the terms of the Wildlife Violator Compact.   |
| Maiers, Robert G. | Count A: Obtain resident hunting license by fraud.<br>Count B: Obtain resident elk permit by fraud.<br>Count C: Apply for resident deer permit by fraud.<br>(Continued from the June 23, 2006, Commission Meeting). |

**11. Presenter: Ronald L. Day, Law Enforcement Branch Chief. Rehearing Request Regarding Previous License Revocation/Civil Assessment.** Mr. Richard D. Murphy, Jr., has requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on May 19, 2006, 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, modify its decision, or grant a rehearing.

**12. 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; 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.

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

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#### ADDITIONAL AGENDA ITEM

**13.A. Presenter: Mike Senn, Assistant Director, Field Operations Division. Presentation of a framework for a rule regarding the pick up and possession of wildlife parts for consideration by the Commission and a request for additional direction from the Commission regarding this matter.** The Department will present a draft framework for a rule regarding the pick up and possession of wildlife parts as directed by the Commission at the June Commission meeting for their consideration. The Department may also request additional direction from the Commission regarding this matter.

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**14. Presenter: Richard Rico, Assistant Director, Special Services. Hunt Permit-tag Application Schedule for Spring 2007 Hunts.** The Department will provide the

Commission with a presentation related to the proposed hunt-permit tag application schedule for spring 2007 hunts. The Commission will be asked to vote to approve the application schedule.

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### ADDITIONAL AGENDA ITEM

**14.A. Richard Rico, Assistant Director, Special Services. Request to Approve the lease Purchase Agreement and the Ground Lease Agreement Associated with the Construction of a New Headquarters Complex at the Ben Avery Shooting Facility.**

The Commission will be provided with a presentation related to the Lease Purchase Agreement and the Ground Lease Agreement associated with the Department's Headquarters Complex at the Ben Avery Shooting Facility. The Commission will be asked to vote to approve both agreements.

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**15. Presenter: Duane L. Shroufe, Director. Second Read to Modify Commission Policy A2.27 Making the Wildlife Assets Committee Chairman a Commissioner and Appointing a New Chairman for the Wildlife Assets Committee.**

The Commission will be asked for a second read on modifications to Commission policy A2.27 making the Wildlife Assets Committee the same as the other standing Commission committees by having a Commissioner appointed as the Chairman of the Wildlife Assets Committee. If approved, the Commission will also be asked to appoint a new Chairman of the Wildlife Assets Committee.

**16. Presenter: Duane L. Shroufe, Director. Commissioner Committee Appointments.** The Commission may vote to modify its appointment of individual Commissioners to the following standing committees for the remainder of 2006 through January 2007: Heritage Public Advisory Committee, Habitat Partnership Committee, Landowner-Lessee/Sportsman's Relations Committee, Shooting Range Economic Development Committee, and Wildlife Assets Committee.

**17. Presenter: Duane Shroufe, Director. Director's Goals and Objectives – 2006.** The Director will provide the Commission with an update on the progress of the approved goals and objectives for 2006. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.

**18. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.

**19. Director's and Chairman's Reports.** The Director and the Chairman will report on 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.

**20. 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.

**21. Approval of Minutes and Signing of Minutes.** Approval of minutes for May 19, 2006, June 23-24, 2006, and July 14, 2006; and signing of minutes for April 21, 2006, April 26, 2006, and June 1, 2006.

**Saturday, August 12, 2006 Arizona Game and Fish Commission at Radisson Woodlands Hotel, 1175 W. Route 66 Flagstaff, Arizona, 85023**

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

**Awards and Commissioning of Officers.**

- 1. Richard Rico, Assistant Director Special Services Division. Petition for Rule Change by Jeff Kammann Requesting the Commission Amend R12-4-104 .a to Eliminate the Age Restriction for Applying for a Big Game Bonus Point.** Mr. Jeff Kammann has submitted a petition requesting the Commission amend R12-4-104 .a to eliminate the age restriction for applying for a big game bonus point. The Commission may vote to approve or deny the petition and may provide the Department with further direction on this issue.
- 2. Dana Yost, Assistant Director Information and Education Division. Hunter Education Update.** The Commission will be given an update of Department activities related to the Hunter Education program. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 3. Presenter: Ty Gray, Education Branch Chief. Statewide Shooting Range Briefing. The Commission will be given an update of Department activities related to shooting range support and development statewide.** The update covers activities that have occurred since the June 2006 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 4. Leonard L. Ordway, Game Branch Chief, Brian F. Wakeling, Big Game Management Supervisor. Consideration of Proposed Commission Orders 5, 6, 8, and 9, for Spring 2007 Hunting Seasons.** The Commission will consider and may vote to approve Commission orders 5, 6, 8, and 9 (spring turkey, spring javelina, spring buffalo, and spring bear) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas. A detailed description of all proposals is available for public review at all Department offices.
- 5. Leonard L. Ordway, Game Branch Chief, Mike Rabe, Game Branch Program Supervisor. Consideration of Proposed Commission Order 21-Waterfowl and Commission Order 22-Snipe for the 2006-2007 Hunting Season.** The Commission will consider and may vote to approve Commission Order 21 (Waterfowl) and Commission Order 22 (Snipe), establishing seasons and season dates, bag and possession limits, and open areas.

A detailed description of all proposals is available for public review at all Department offices.

6. **Presenter: Bob Broscheid, Habitat Branch Chief. A Presentation of Alternative Proposals Associated with the Implementation of the Projects Identified in the New Wildlife Habitat Restoration Fund.** The Department will present alternative proposals associated with the implementation of the projects identified in the new Wildlife Habitat Restoration Fund. The Commission may vote to take action on or provide the Department with direction on this item.
7. **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.

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#### ADDITIONAL AGENDA ITEMS

8. **Richard Rico, Assistant Director Special Services Division. Resolution of Problems Associated with the Online Application During the Fall 2006 Application Period.** The Commission will be provided with a briefing on problems with the online application process for the fall 2006 draw, which prevented some applicants from submitting applications for a variety of species. The Department will also advise the Commission of its plan on how it will resolve these issues. The Department will not be asking the Commission to take any action on this item.
9. **Richard Rico, Assistant Director Special Services Division. Performance of the Department's Online Vendor and Potential Options for Conducting Future Draws.** The Commission will be provided with a briefing related to the performance of the Department's online vendor along with potential options for conducting future draws. The Commission will be asked to provide the Department with direction on how to conduct the application process for future big game draws.

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#### 10. Future Agenda Items.

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*The agenda may be revised and additional items may be added prior to the meeting as authorized by A.R.S. §38-431.02. In that event, an addendum to the agenda will be noticed and posted prior to the meeting at Department offices. Commission agenda items not noticed for a specific time may be taken out of order.*

*Background materials provided to Commission members concerning public agenda items are available for public inspection at the main office of the Arizona Game and Fish Department at 2222 West Greenway Road, Phoenix, at Department regional offices in Pinetop, Flagstaff, Kingman, Yuma, Tucson, Mesa and at the meetings.*

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

*The Commission may go into Executive Session for the purpose of obtaining legal advice from the Commission Attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A) (3) & (4).*

*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:lg