

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, October 8, 2010
Saturday, October 9, 2010
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

Chairperson Jennifer L. Martin
Vice Chair Robert R. Woodhouse
Commissioner Norman W. Freeman
Commissioner Jack F. Husted
Commissioner John W. Harris

Director Larry D. Voyles
Deputy Director Bob Broscheid
Deputy Director Gary R. Hovatter
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Linda Pollock

Chairperson Martin called the meeting to order at 8:00 a.m. This meeting followed an agenda revision #2 dated October 6, 2010. The Commission went directly into Executive Session.

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1. 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: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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The Public Meeting reconvened at 10:54 a.m.

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Chairperson Martin called the meeting back to order and lead those present through the Pledge of Allegiance followed by Commission and Department introductions.

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9. Ms. Kristen Almour Petition for Hearing

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Ms. Kristen Almour requested that the Commission intervene in the Wildlife Assets Committee's decision to sell the elk antlers and cape associated with the Malik case. On July 26, 2007, Michael Malik was charged with two counts of take elk within a quarter mile of an occupied structure. The structure in this case was located on Ms. Kristen Almour's property. Malik pled not guilty to the charges and the case went to trial. On August 29, 2008, the Pinetop

Justice Court found Malik guilty on one count, and sentenced him to 8 hours of community service and to write a letter of apology to Ms. Almour. On December 29, 2008, the Commission voted unanimously to revoke Malik's hunting, fishing and trapping license privileges for 5 years and directed a civil sanction of \$14,995.00 for the loss of the elk. On January 29, 2009, Malik filed a request for rehearing. The request was granted and on April 17, 2009, the Commission reheard the matter and declined to modify the original decision. As a result, on August 20, 2009, Malik paid the civil damages in full. The wildlife assets associated with this case were available for disposal through the Wildlife Assets Committee process.

During the December 2008 Commission meeting, Ms. Almour addressed the Commission in support of their decision, but asked that the antlers and cape be mounted and used for educational purposes. The Commission informed Ms. Almour that the Department's Wildlife Assets Committee makes those decisions.

On January 14, 2010, the Wildlife Assets Committee, chaired by Commissioner Woodhouse, met and ultimately voted unanimously to make the antler asset available for sale; the 2010 annual Arizona Deer Association Banquet was selected as the venue for an auction sale. Prior to the sale, the decision was made to contact Ms. Almour as a courtesy and inform her of the Committee's decision. Once notified, Ms. Almour indicated through Department contacts that she would formally be requesting a hearing on the matter before the Commission. Due to her pending request, the assets were pulled from auction. Subsequently, Ms. Almour filed a petition for hearing as allowed under ACC R12-4-611.

Public Comment

Ms. Almour was present and addressed the Commission requesting that the antlers and cape be used for educational purposes. Ms. Almour stated that this elk belongs to the people of Arizona and is not to be given to Mr. Malik or to the highest bidder, or to be displayed in a catalog or internet site for commercial purposes.

Commissioner Woodhouse stated that the Assets Committee, after a couple hours of discussion, agreed to find a place to put these antlers up for auction with a very high minimum bid. It's important to remember that the proceeds of the sale of these assets by the Assets Committee goes straight to Department officers for whatever they might need such as night vision goggles or other equipment. While the Assets Committee discussed Ms. Almour's circumstance and sympathized with what happened in her meadow, the Committee decided that they wanted to auction those antlers at a high minimum bid to whoever might be the successful bidder. It is not uncommon that antlers end up being bought back by the person that was revoked, so the determination of the Committee was that this case was not much different than the other cases.

Commissioner Freeman expressed that he agreed with Ms. Almour in that he would hate to see these antlers end up as a trophy for someone considering the circumstances that the animal was taken. He would like to find a way that these antlers could be used as a benefit by the Department.

Commissioner Husted asked how these antlers might be used for educational purposes by the Department.

Mr. Elms stated that the Assets Committee discussed and pursued a lot of options and did not come up with a good one to be able to maintain the antlers.

Commissioner Woodhouse stated that he understands the emotion in this situation but that the Commission really needs to consider what the potential sale of the antlers could mean to the assets program.

Commissioner Harris commented that the Assets Committee weighed this out heavily and that while he feels the emotion of this particular situation, the Commission should support the Asset Committee's decision.

Chair Martin commented that from an educational standpoint these antlers could serve as a warning that quarter-mile violations are a very serious safety violation.

Commissioner Husted stated that it incenses him to think that these antlers might end up hanging on the violator's wall. The antlers could be mounted and put on display with a message about why it is here.

Motion: Husted moved and Freeman seconded THAT THE COMMISSION DIRECT THE DEPARTMENT TO ATTEMPT TO FIND A SPONSOR TO PAY FOR THE TAXIDERMY OR FIND ANOTHER WAY TO HAVE THAT DONE AND THAT THE MOUNT BE USED FOR EDUCATIONAL PURPOSES.

Commissioner Woodhouse commented that he is very sensitive about quarter-mile violations because of the danger factor, but had the elk been three-eighths of a mile away, it would not have been an illegal take and would still have had the same emotional level that has been created in the community. Having said that, he still feels strongly that the prudent thing to do is auction those antlers and put those funds in the Asset Committee to buy equipment and support for officers in the field.

Vote: Aye - Martin, Freeman, Husted
Nay - Woodhouse, Harris
Passed 3 to 2

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2. Litigation Report

The Litigation Report (attached to these minutes) was provided to the Commission prior to this meeting and was available to the public. There were no additional updates and the Commission had no questions or comments.

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3. Legislative Engagement and State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission on the current status of selected state and federal legislative matters. The Department provides the Commission with regular monthly updates and provided informational materials at this meeting (available to the public). The briefing included the following:

Both the Congress and State Legislature are focused on the upcoming elections. There will likely be a lame duck session after the elections at the state level to address some of the fiscal concerns. These issues will be very important to the Department. The focus will be on finding resolutions for the fiscal projections of approximately \$800 million dollars.

State Legislation:

- Federal Background Checks – The Department needs more time to adequately analyze this legislation. The Commission will be provided with an update on this legislation at the December Commission meeting.

Federal Legislation:

- Tri-State Bill Hearing – In progress. At this point the goal of the legislation is supported; testimony has been submitted by the Commission; there may be a Public Lands Omnibus Bill and there is some chance that this may be rolled into that package
- Tumacacori Legislation – May also be rolled into the Public Lands Omnibus Bill

Commissioner Woodhouse requested that the Commission be provided with the history of the Tumacacori legislation and the Commission's position and related actions.

Commissioner Freeman requested the audio of Commission discussions related to the Tumacacori legislation.

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4. Request to Adopt Commission Order 25: Raptors

Presenter: Eric S. Gardner, Nongame Branch Chief

From May through June 2010, the Department received recommendations from stakeholders, other government agencies, and Department employees for proposed changes to Commission Order 25: Raptors. In July 2010, the Department brought forward three recommendations for public comment:

1. Changing the dates to reflect to appropriate years.
2. Adding language to note #4 in both the resident and non-resident Commission Orders asking falconers to coordinate their hunt schedules with Department personnel who have to band the three species per federal regulation
3. Adding clarifying term "eyas" to note #5 in the non-resident Commission Order.

From October 2008 through August 2010, the Department received three public comments on Commission Order 25. These comments are summarized as follows:

1. Remove western screech-owl from the list of legal raptors harvested. The commenter is concerned about forcing unnatural behaviors on a species that is fully nocturnal. These include: a) subjecting individuals to stress (i.e. hunting during the daylight and defensive behaviors of other birds), b) potential harm (i.e. daytime predators), and c) they request the evidence to show the owls can be trained to take quail, sparrows, and starlings
2. Support for the recommendation to add language to note #4
3. Request for more information that supports bag limits and allowance of take for certain species.

No requests for formal public meetings were received by the Department. The Department responses to the comments are as follows:

Comment 1. In 2004, the Department added Western Screech Owls to the list of harvestable species. In June 2008, based upon internal comments, the Department put forward for public comment a recommendation to remove western screech owls from the list of harvested raptors. In August 2008, the Department received multiple public comments for both maintaining and removing the western screech owl on the list. The Department reviewed all of the comments and concerns and chose not to bring the recommendation before the Commission. At the October 2008 Commission Meeting, a member of the public asked the Commission to reconsider the Department's initial recommendation. The Commission discussed this issue and decided to maintain the species on the list. Eleven days after the Commission Meeting, the Department received a letter from the public asking for: a) notification of when this issue would again be presented to the Commission, and b) restating objection to having western screech owls on the list of harvestable species (details above). The Department responded with a letter that we would notify them appropriately, and hold the letter as a matter of record for the next review of Commission Order 25.

The commenter did not provide, nor does the Department have any knowledge of, biological data or studies to support the claim that using western screech owls for falconry causes additional stress or harm on the individual. The Department considers the impacts from falconry take for this species (n=6 total harvested in 7 years) insignificant to the overall population.

The Department has no data to support whether or not western screech owls can be trained to take quail, sparrows, and starlings. However, as referenced in October 2008, the Department refers to A.R.S. Title 17-101 (A)(7) which defines falconry as the "the sport of hunting or taking quarry with a trained raptor." Quarry is not defined in A.R.S. Title 17, so quarry could mean any type of prey item. There are multiple peer reviewed studies which note the diet of the western screech owl consists of reptiles, amphibians, small birds, and small mammals.

Since the take of western screech owls was presented to the Commission in October 2008 and discussed, and with the absence of significant biological data to warrant the removal of the western screech owls on the list of harvestable species, the Department will not bring this recommendation forward to the Commission.

Comment 2. The commenter supported the clarifying language asking the falconer to "Contact one of the Departments Regional Falconry Permit Coordinators prior to your hunt to schedule an appointment for banding."

This language was added to ensure Department personnel were present to band the three species required by federal regulation. Some falconers were visiting Department offices on Sunday and after normal work hours to have their raptors banded.

Comment 3. The commenter was concerned that the Department did not provide enough biological data supporting the current take levels for species authorized for harvest under Commission Order 25 so the public could assess the overall impacts of the action. One specific example highlighted is the harvest of northern goshawks when concerns have arisen from suspected national population declines.

In 2008, the Department requested falconry harvest data from the USFWS Migratory Bird Office and presented it to the Commission during the October 2008 meeting. This data has once again been obtained and will be presented to the Commission as data supporting our recommendations.

The Department recommends the following with regard to Commission Order 25 for 2011-2012:

1. Changing the dates to reflect to appropriate years
2. Adding language to note #4 in both the resident and non-resident Commission Orders asking falconers to coordinate their hunt schedules with Department personnel who have to band the three species per federal regulation
3. Adding clarifying term “eyas” to note #5 in the non-resident Commission Order.

Public Comment

Charlie Kaiser, Arizona Falconers Association, submitted comments and asked that they be read into the record.

Chair Martin read Mr. Kaiser’s comments as follows: “My name is Charlie Kaiser and I am the Vice-President of the Arizona Falconers Association, which is the organization of falconers in this state. I am writing to express both my personal and our organization’s support for the proposed CO 25 (Raptors) in its entirety. We support the seasons, limits, and species authorized for take. Falconry is a non-impact pursuit on both raptor and game populations. Environmental impact reports and historical data bear this out for over 5 years. We recommend adoption of the proposed CO 25 as written.”

Motion: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 25: RAPTORS, ESTABLISHING OPEN AREAS, SEASON DATES, AND BAG AND POSSESSION LIMITS FOR 2011 and 2012, AS PROPOSED BY THE DEPARTMENT.

Vote: Unanimous

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5. Request to Adopt Commission Order 41: Amphibians

Presenter: Eric S. Gardner, Nongame Branch Chief

From May through June 2010, the Department received recommendations from stakeholders, other government agencies, and Department employees for proposed changes to Commission Order 41: Amphibians. In July 2010, the Department brought forward the following recommendations for public comment:

1. Change the dates to reflect the appropriate years
2. Change the notes to reflect suggested changes
3. Change scientific names to reflect updated taxonomy, make minor editorial corrections as needed, and modifying the wording regarding open and closed areas to be more clear and to remain consistent with wording in other Commission Orders
4. Add a change to afford protections from collection for the candidate status Arizona treefrog Huachuca-Canelo Hills Distinct Population Segment (DPS) by stating, “No Arizona treefrogs (*Hyla wrightorum*) may be taken in Cochise or Santa Cruz counties”
5. Remove Note 2 which allows for a possession limit of live bullfrogs legally held prior to closure of live bag limits (January 1, 1996, in Mohave, La Paz, and Yuma counties, or January 1, 1988, in all other counties). Therefore, no live bullfrogs may be legally held without special permit
6. Remove that portion of Note 4 which allows for a possession limit for native species of leopard frogs legally held prior to season closure January 1, 1993. Therefore, no live native species of leopard frogs may be legally held without special permit
7. Correct Note 4 that states on January 1, 2005 the season on Barking Frogs was closed, which was not correct; only the possession limit changed.

From June through August 2010, the Department received the following public comments on Commission Order 41.

Barking frog: “Based on concerns about threats and the limited information available on its status, we recommend that no open season be provided for the Western barking frog (*Craugastor augusti cactorum*), which is listed as a species of special concern in Arizona. The draft regulation permits possession of two per year. According to the Heritage Data Management System (HDMS) information for this species and its distribution in Arizona is not well known and the persistence of small populations, such as at Coronado National Memorial, is threatened by stochastic events. Take of these animals may further exacerbate the threats the species faces. Until further and more reliable information is gathered about the distribution and population status of this species in the state, take should not be permitted.”

Arizona treefrog (Canelo Hills – Huachuca DPS): “We support removing the open season on Arizona tree frogs (*Hyla wrightorum*) in Cochise or Santa Cruz counties... Erring on the side of conservation relative to these and other species, is consistent with the mission of the Arizona Game and Fish Department.”

Native leopard frogs and bullfrogs: “...we commend the Arizona Game and Fish Department (AGFD) for seeking to protect sensitive species, including many of the leopard frogs, by not providing an open season for them. Many of these species are in decline, and eliminating take is important to their recovery. We also applaud the AGFD’s efforts to control introduced species such as bullfrogs (*Rana catesbeiana*) by allowing unlimited take (dead).”

The Department evaluated the comments regarding the recommendations, as well as with regard to other rules and regulations and relevant biological factors.

Barking frog: While the Department appreciates the spirit in which the comment was made, the commenter did not provide, nor does the Department have any knowledge of data or studies to support the claim that a season closure would significantly reduce threats to barking frogs. A cursory review of commercial amphibian and reptile websites revealed no evidence of a demand for barking frogs in the pet community. Department biologists have participated in research on barking frogs, and the frog is difficult to find, spends most of its life below ground, and is active on the surface for a very limited time each year (typically only a few days) when males are calling to attract mates. It is during that time of surface activity that the frogs might be vulnerable to collectors; however, it can be very difficult to predict precisely when that activity might occur. Further, some of the better known barking frog sites are protected on lands managed by the National Park Service, where collecting is not permitted.

Nonetheless, in 2005 the Department reduced the bag and possession limit from ten (10) to two (2) for barking frogs. This change reflected recognition that because the species is restricted in its distribution, and that population sizes appear to be quite small, allowing for a bag and possession limit of 10 could potentially damage local populations. However, continuing to allow limited collection of barking frogs might actually provide information regarding the apparently limited, but poorly understood, distribution and biology of this species; for example, a biologist engaged in recreational “herping” recently (2008) documented barking frogs at a site where the species had neither been taken before, nor was predicted to occur. Therefore, the current reduced bag and possession limits still allow recreational collection of this species at more appropriate biological levels, until data are available that would suggest further changes.

Arizona treefrog (Canelo Hills – Huachuca DPS): No response necessary.

Native leopard frogs and bullfrogs: No response necessary.

The Department recommends the following with regard to Commission Order 25 for 2011-2012:

1. Changing the dates to reflect the appropriate years
2. Changing the notes to reflect suggested changes
3. Changing scientific names to reflect updated taxonomy, make minor editorial corrections as needed, and modifying the wording regarding open and closed areas to be more clear and to remain consistent with wording in other Commission Orders
4. Adding a change to afford protections from collection for the candidate status Arizona treefrog Huachuca-Canelo Hills Distinct Population Segment (DPS), stating, “No Arizona treefrogs (*Hyla wrightorum*) may be taken in Cochise or Santa Cruz counties”
5. Removing Note 2 which allows for a possession limit of live bullfrogs legally held prior to closure of live bag limits (January 1, 1996, in Mohave, La Paz, and Yuma counties, or January 1, 1988, in all other counties). Therefore, no live bullfrogs may be legally held without special permit
6. Removing that portion of Note 4 which allows for a possession limit for native species of leopard frogs legally held prior to season closure January 1, 1993. Therefore, no live native species of leopard frogs may be legally held without special permit

7. Correcting Note 4 that says that on January 1, 2005 the season on Barking Frogs was closed, which was not correct; only the possession limit changed.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 41: AMPHIBIANS, ESTABLISHING OPEN AREAS, SEASON DATES, AND BAG AND POSSESSION LIMITS FOR 2011 and 2012, AS PROPOSED BY THE DEPARTMENT.

Vote: Unanimous

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6. Request to Adopt Commission Order 42: Crustaceans and Mollusks

Presenter: Eric S. Gardner, Nongame Branch Chief

From May through June 2010, the Department solicited recommendations from stakeholders, other government agencies, and Department employees for proposed changes to Commission Order 42: Crustaceans and Mollusks. We evaluated these recommendations with regard to current rules and regulations, Department conservation priorities for crustaceans and mollusks, and carried forward these recommendations for public comment:

1. No changes to bag limits, method of take, or closed season species for mollusks
2. No changes to bag limits or method of take for crayfish.

From June through August 2010, the Department received one comment from the public during the open comment period: a signed letter, by Ms. Sandy Bahr, representing the Sierra Club – Grand Canyon Chapter (August 16, 2010):

Comment: Regarding Commission Order 42: Crustaceans and Mollusks, we continue to question why Arizona Game and Fish Department allows the following: “Crayfish may be possessed live or dead in that portion of La Paz County west of Highway 95 and south of Interstate 10; in Yuma County and on the Colorado River from Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.” Considering the havoc wreaked by this non-native species on our rivers and streams and our native aquatic species, possession of live crayfish should be banned statewide. This exception does not make sense and is not in the best interest of Arizona’s wildlife. Game and Fish should consider eliminating note 3. We appreciate that no take is allowed for ambersnails and other sensitive mollusk species. It would be helpful if more information was provided on the monitoring and status of some of the species that are not specifically listed.”

The Commission established the La Paz County, Yuma County, and lower Colorado River exemption area during the 2001 regulation change due to strong support by Yuma-area sportsmen groups. Since that time, no specific assessments on angler use of crayfish or on the habitat and wildlife impacts of crayfish in that exemption area has been conducted. In 2001, it had been successfully argued by Yuma-area sportsmen that crayfish were already widespread and established within the exemption area and that angler use and live transport of crayfish in the southwestern corner of the State was unlikely to cause further problems. Without sufficient creel

data, habitat and wildlife assessments in regards to crayfish impacts in the lower Colorado River area and vicinity, and specific public input on crayfish use/restrictions, the Department is not prepared to make a new recommendation this time.

In response to Ms Bahr's request to provide more information on the monitoring and status of some of the mollusk species that are not specifically listed as closed season species: The Department has little to no monitoring and status information for most species of mollusks within the State. We believe there are over 200 species of native mollusks statewide, of which we currently monitor six of the rarest or most at-risk species and periodically track another eight species. With limited staff availability and higher priorities, the Department only has monitoring and status data for the endangered Kanab ambersnail, one population of Niobrara ambersnail, and a few species of springsnails (Page springsnail, San Bernardino springsnail, and Three Forks springsnail; each are ESA candidate species) and talussnails (San Xavier talussnail, Wet Canyon talussnail—both covered under conservation agreements, and Rosemont area talussnails—based on information from a Rosemont Mine contractor).

The Department recommends the following with regard to Commission Order 42 for 2009-2010:

1. No changes to the bag limits, method of take, or closed season species for mollusks and crustaceans
2. Update the effective dates of the commission order.

Chair Martin commented that allowing crayfish in some parts of the state and not others could become uncomfortable in light of some previous requests she had received to allow live possession and transport of crayfish from Arizona waterways for use in French restaurants in a couple of Phoenix area cities.

The Commission discussed that crayfish are thriving throughout the state and that a fishing license is required in order to take crayfish.

Chair Martin commented that she is okay with this order as it is with the understanding that if eradication efforts were to take place in the exception area then she would want the Commission to revisit this Commission Order.

Commissioner Freeman stated that he does not agree that there should be an exception for the folks living west of Interstate 95 and south of Interstate 10.

Motion: Harris moved and Woodhouse seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 42: CRUSTACEANS AND MOLLUSKS, ESTABLISHING OPEN AREAS, SEASON DATES, AND BAG AND POSSESSION LIMITS FOR 2011 and 2012, AS PROPOSED BY THE DEPARTMENT.

Vote: Aye - Woodhouse, Husted, Harris
Nay - Martin, Freeman
Passed 3 to 2

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7. Request to Adopt Commission Order 43: Reptiles

Presenter: Eric S. Gardner, Nongame Branch Chief

From May through June 2010, the Department received recommendations from stakeholders, other government agencies, and Department employees for proposed changes to Commission Order 43: Reptiles. In July 2010, the Department brought forward the following recommendations for public comment:

1. Change the dates to reflect the appropriate years
2. Change the notes to reflect suggested changes
3. Make minor editorial corrections as needed
4. Recommended adding the following note to afford protections from collecting for the candidate status Tucson shovel-nosed snake (*Chionactis occipitalis klauberi*) by restricting the geographic area from which shovel-nosed snakes may be taken without special permit: "Shovel-nosed snakes (*Chionactis occipitalis*) may not be taken from any part of their distribution lying east of longitude 112° 2' 51.4" W."

From June through August 2010, staff received the following additional internal comment on Commission Order 43:

Shovel-nosed snake: Staff suggested that the proposed use of a specific longitude to delineate a geographical area closed to collection of shovel-nosed snakes might be confusing for the general public. Therefore, the Department now proposes closing Pinal County and Pima County east of the Tohono O'odham Indian Reservation from collection of shovel-nosed snakes, which includes the majority of the presumed distribution of Tucson shovel-nosed snakes based upon Fish and Wildlife Service documents. This change would close a small part of western Pinal County west of the town of Maricopa that would have been available to recreational collecting under the recommended longitude limit. However, most of those lands are tribal lands, or are developed in housing or agriculture and therefore are not available to recreational collecting or are not shovel-nosed snake habitat.

Although some Tucson shovel-nosed snakes may still be collected outside of the closed area, the proposal would accomplish the Department's management objective of protecting the Tucson shovel-nosed snake and provide clear direction to the public and to law enforcement personnel.

From June through August 2010, the Department received the following public comments on Commission Order 43:

Sensitive reptile species: "[W]e would also like to note our appreciation for not [*sic*] providing some protections and limiting open seasons for several sensitive species [included on Line E of CO43], such as the ridge-nosed rattlesnake (*Crotalus willardi*), narrow-headed gartersnake (*Thamnophis rufipunctatus*), and ornate box turtles (*Terrapene ornate*). We hope that the AGFD will continue to monitor reptiles not included on Line E of the regulations to determine if they, too, should be protected in such a manner. Again, with so little known about the status of many of these species, it is critical that Game and Fish focus on conservation, rather than collection."

Non-native reptile species: “We strongly support the Department’s efforts to limit non-native species such as the snapping turtles and spiny softshells by allowing possession of these (dead).”

The Department evaluated the comments regarding the recommendations, as well as with regard to other rules and regulations and relevant biological factors.

Sensitive reptile species: The Department appreciates the commenter’s support and we continue to evaluate the status of native reptiles. No response necessary.

Non-native reptile species: The Department appreciates the commenter’s support. No response necessary.

The Department recommends the following with regard to Commission Order 25 for 2011-2012:

1. Change the dates to reflect the appropriate years
2. Change the notes to reflect suggested changes
3. Make minor editorial corrections as needed
4. Add the following note to afford protections from collecting for the candidate status Tucson shovel-nosed snake (*Chionactis occipitalis klauberi*) by restricting the geographic area from which shovel-nosed snakes may be taken without special permit: “Shovel-nosed snakes (*Chionactis occipitalis*) may not be taken from Pinal County or from Pima County east of the Tohono O’odham Indian Reservation.”

Motion: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 43: REPTILES, ESTABLISHING OPEN AREAS, SEASON DATES, AND BAG AND POSSESSION LIMITS FOR 2011 and 2012, AS PROPOSED BY THE DEPARTMENT.

Vote: Unanimous

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8. Call to the Public

There were no requests to speak to the Commission.

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Meeting recessed for lunch at 12:18 p.m.

Meeting reconvened at 1:40 p.m.

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10. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Kevin Everett, Docket #2010-0056, requested that the Arizona Game and Fish Commission grant a rehearing regarding the revocation of his license for two (2) years, and completion of a Hunter Education course before obtaining any license(s) to take wildlife in the State of Arizona.

On November 8, 2009, an Operation Game Thief report was received regarding two white-tailed deer found and trash left at the scene. Both heads and one backstrap had been removed. License plate numbers of the suspected parties were given to AZGFD Officer Ben Brochu. Investigation determined that Shandy Odell, Gordon Odell, Kevin Everett and Todd Kilgore were the parties involved in the killing of the two deer. On November 25, 2009, Officer Brochu interviewed Shandy Odell who admitted that his father shot the first deer, and he and Kevin Everett went to retrieve the deer due to his father's inability to hike the terrain. On the way to retrieve his father's deer, another deer came within range and Kevin Everett shot it. Shandy Odell further explained that due to the heat and the rough terrain, they were unable to pack out the deer or trash, but they did pack out the heads. The two returned to the kill site later in the day, but only took the backstrap from one deer. The two stated that they left the remaining meat for the coyotes. Neither party went back to that site again; however, Shandy Odell continued to hunt the area. On a subsequent interview by Officer Brochu on December 8, 2009, Kevin Everett concurred with the information given by Shandy Odell.

As a result of the above actions, Kevin Everett was charged with littering while hunting and unlawful waste of game meat. The Mammoth Justice Court found him guilty of littering while hunting and sentenced him to complete 40 hours of Community Service with the Arizona Game and Fish Department and fined him \$150.00. On August 6, 2010, the case was presented to the Commission. The Commission revoked his license privileges for a period of two years and further required him to provide proof of a completed Hunter Education Course.

The Commission was provided with a copy of the Request for Review from Mr. Everett dated August 31, 2010 and all pertinent documents related to this case prior to this meeting for review and consideration.

Mr. Elms informed the Commission that Mr. Everett notified him that he had a conflict and would not be able to attend this meeting. Mr. Elms offered to postpone his request to the Commission but Mr. Everett declined the offer.

Mr. Elms noted that one of the items listed in Mr. Everett's reasons for a rehearing was an inaccurate statement by Mr. Elms about when the Department received a letter and support documents from Mr. Everett. For the record Mr. Elms clarified that the letter and support documents were received on July 21 but for unknown reasons they did not make it into the Commission's packets for review prior to the meeting.

Chair Martin stated that in the future, documents that come in after the Commission meeting packets have been sent out should be sent to the Commission right away. However, she did have the opportunity to thoroughly review the documents from Mr. Everett in the context of the hearing and not having it sooner did not affect her vote.

Commissioner Woodhouse concurred.

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO DENY THIS REQUEST FOR A REHEARING.

Vote: Unanimous

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11. Rehearing Request Regarding Previous License Revocation/Civil Assessment**Presenter:** Gene F. Elms, Law Enforcement Branch Chief

Shandy Odell, Docket #2010-0057, requested that the Arizona Game and Fish Commission grant a rehearing regarding the revocation of his license for one (1) year, and completion of a Hunter Education course before obtaining any license(s) to take wildlife in the State of Arizona.

On November 8, 2009, an Operation Game Thief report was received regarding two white-tailed deer found and trash left at the scene. Both heads and one backstrap had been removed. License plate numbers of the suspected parties were given to AZGFD Officer Ben Brochu. Investigation determined that Shandy Odell, Gordon Odell, Kevin Everett, and Todd Kilgore were the parties involved in the killing of the two deer. On November 25, 2009, Officer Brochu interviewed Shandy Odell who admitted that his father shot the first deer, and he and Kevin Everett went to retrieve the deer due to his father's inability to hike the terrain. On the way to retrieve his father's deer, another deer came within range and Kevin Everett shot it. Shandy Odell further explained that due to the heat and the rough terrain, they were unable to pack out the deer or trash, but they did pack out the heads. The two returned to the kill site later in the day, but only took the backstrap from one deer. The two stated that they left the remaining meat for the coyotes. Neither party went back to that site again; however, Shandy Odell continued to hunt the area.

As a result of the above actions, Shandy Odell was charged with littering while hunting and unlawful waste of game meat. The Mammoth Justice Court found him guilty of littering while hunting and sentenced him to complete 40 hours of Community Service with the Arizona Game and Fish Department and fined him \$150.00. On August 6, 2010, the case was presented to the Commission. The Commission revoked his license privileges for a period of one year and further required him to provide proof of a completed Hunter Education Course.

The Commission was provided with a copy of the Request for Review from Mr. Odell dated August 31, 2010 and all pertinent documents related to this case prior to this meeting for review and consideration.

Mr. Elms informed the Commission that Mr. Odell notified him that he had a conflict and would not be able to attend this meeting, but that Mr. Odell also requested that the Department proceed with this action.

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO DENY THIS REQUEST FOR A REHEARING.

Vote: Unanimous

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13. 2010 Annual Commission Awards Selection

Presenter: Marty Fabritz, Executive Staff Assistant

The Commission was provided with a list of 2010 Commission Award nominees and nominee background information for review and consideration prior to this meeting. Mr. Fabritz provided the Commission with an overview of the nominees and facilitated the Commission's ballot selection process. There were no nominations submitted for Educator of the Year or License Dealer of the Year. The following recipients were selected:

- Award of Excellence: Wink Crigler
- Youth Environmentalist of the Year: Brad Garr
- Outdoor Writer of the Year: Jean Wilson
- Media of the Year: Steve Bodinet
- Conservation Organization of the Year: Department of Defense
- Conservationist of the Year: Brian Dolan
- Natural Resource Professional of the Year: Melanie Culver
- Volunteer of the Year: Mark Adkins
- Mentor of the Year: Eddie Corona
- Advocate of the Year: George Reiners
- Wildlife Habitat Stewardship Award: Duane Coleman

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE 2010 COMMISSION AWARD RECIPIENTS AS DISCUSSED AND SELECTED.

Vote: Unanimous

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14. Overview of November Commission Workshop

Presenter: Bob Broscheid, Deputy Director

Mr. Broscheid provided an overview of the November 2010 Commission Meeting workshop, including the list of agenda topics and the proposed dates.

The Commission discussed and was in consensus to cancel the scheduled November workshop. The Goals and Objectives reports/updates will be provided to the Commission in November in the form of written reports and discussion will take place at the December Commission meeting. A telephonic meeting will be scheduled in November to discuss the special tags item.

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

Presenter: Gene Elms, Law Enforcement Branch Chief

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

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15. Department Privacy Policy

Presenter: Bob Miles, Information Branch Chief

Mr. Miles provided the Commission with an update. At the June 2009 Commission meeting, the Department provided an update on the status of the Department Privacy Policy. At that time the Department had developed and put into place a new policy in compliance with current state law requiring confidentiality and non-disclosure of personal identifying information. Much of the discussion during the June meeting briefing had to do with insuring the protection of email addresses and telephone numbers. This briefing was on the Department's continued development of that policy.

The Commission was provided with the Department's updated website and privacy policy statements (also available to the public). This statement was modified to clearly identify what is included as personal identifying information and how the Department is protecting that information. The privacy statement now includes A.R.S. § 13-2001 that defines personal identifiers that includes the obvious, email addresses, telephone numbers, social security numbers, financial account and credit card numbers, but also identifiers that may come into play in the future such as fingerprints, retinol images, DNA, genetic information or other biometric information. The privacy statement also outlines the security measures that are being taken to safeguard the integrity of the systems used to collect and store personal identifying information. These measure can include the use of individual authentication, the security of transmitted data, security monitoring, auditing and information encryption. The statement also includes that in general the Department will only disclose an individuals name and mailing address for routine commercial and non-commercial public records requests with all other personal identifying information redacted except in cases as mandated by state statute.

Commissioner Freeman commented that this was a good start for the website, but that we have to be thinking forward in terms of e-commerce, enhancing e-commerce, customer relationship management, and having a confidence level with the public, and making it clear to the industry what can or cannot be shared. Commissioner Freeman is concerned about developing customer relationships and providing as much customer service through automated means as possible, and that can't be done if customers don't have faith that we are not going to sell or protect access to this kind of information.

Commissioner Freeman discussed with Mr. Miles his concerns about not knowing the age of customers and not being able to protect them, for example, on a commercial public records request for mailing addresses. As we move forward and develop over the next few years, we are going to have to make sure this policy evolves to encompass that.

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16. Call to the Public

There were no requests to speak to the Commission.

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Motion: Husted moved and Freeman second THAT THE COMMISSION VOTE TO ADJOURN FOR THE DAY.

Vote: Unanimous

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Meeting recessed for the day at 3:46 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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Chairperson Martin called the meeting back to order and lead those present through the Pledge of Allegiance followed by Commission and Department introductions.

Commissioner Freeman was not present.

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Awards and Recognition

Director Voyles presented Service Pin Awards to the following Department employees:

30 Year Service Pin
Tom Christensen

25 Year Service Pin
Mike Brogdon

20 Year Service Pin
Cindy Dunn
Frank Agyagos
Jeff Sorensen
Bruce Denova
Rob Bettaso
Mike Sredl
Steve Levings
Rory Aikens
Brian Crawford

2010-2011 Junior Artwork Arizona Duck Stamp

Taylor Forbeck, an 11 year old from Scottsdale Arizona was recognized for her artwork for the Arizona Junior Art Duck Stamp. The Federal Duck Stamp has contributed greatly to the National Wildlife Refuge System. Many states, including Arizona, have mirrored this program for state conservation efforts. Last year in an effort to reach the next generation of

conservationists, Game and Fish struck a cooperative partnership with the U.S. Fish and Wildlife Services' Federal Junior Duck Stamp program. This partnership allows the panel of contest judges to select a piece of artwork from the kindergarten through sixth grade categories to represent Arizona as an alternate state duck stamp. This stamp has been unofficially deemed as the Arizona Junior Art Duck Stamp, and this year, that honor goes to Taylor Forbeck. Director Voyles presented Taylor with her original artwork, framed and matted and with the number one stamp signed by Governor Jan Brewer.

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1A. Request for Commission Approval for the Acquisition of the Horseshoe Ranch in Yavapai County, Arizona, and to Enter into an Agreement with the Bureau of Land Management and U.S. Forest Service for Future Management of the Associated Allotments.

Presenter: Josh Avey, Habitat Branch Chief

The Department recommended that the Commission approve the acquisition of the Horseshoe Ranch (Ranch) in Yavapai County, Arizona. The Department has been working with The Trust for Public Land on the purchase of the Horseshoe Ranch and associated federal grazing allotments and water rights. The purchase will include 198.8 acres of deeded property and entering into agreements with the Bureau of Land Management and U.S. Forest Service for the 32,388 acre Horseshoe Allotment and 35,899 acre Copper Creek Allotment respectively.

The Horseshoe Ranch is an in-holding within the Bureau of Land Management's Agua Fria National Monument. The proposed purchase will also include approximately ½ mile of the Agua Fria River on the deeded property. Additional portions of the Agua Fria River, Indian Creek and Silver Creek are located on the allotments.

The Western Yellow-billed cuckoo has been documented in the riparian habitats on the Ranch. The portions of Silver Creek and Larry Creek on the allotments support Gila chub and the portions of Larry Creek on the allotment also support Gila topminnow and Desert pupfish. The allotments include the core fawning habitat for the southern population segment of the Unit 21 pronghorn herd. In addition, reaches of the Agua Fria River and its tributaries, surrounding the subject property, have been designated an Important Bird Area by the National Audubon Society.

The Department proposes to use Heritage Funds as match to a proposed U.S. Fish and Wildlife Service Section 6 Recovery Land Acquisition award to acquire the deeded property. The funding package for the acquisition is contingent upon the Department receiving this award. To meet federal requirements for the Commission to retain legal control of the grazing allotment permits, the Commission will need to enter into agreements with the Bureau of Land Management and the U. S. Forest Service and/or a qualified livestock operator.

Mr. Avey provided the Commission with additional information using a PowerPoint presentation that included the following:

- Transaction Structure:
 - Purchase 198.8 acre deeded property

- Enter into Memorandum of Understanding with US Forest Service and BLM
- USFS permit would be waived back
- Permit would remain in vacant status
- Sublessee of BLM permit would be given priority for USFS permit
- Enter into Coordinated Resource Management Plan for Management of the Allotments
- Acquisition Funding
 - Deeded - \$2,590,000 (Heritage Acquisition; Section 6 Recovery Land Acquisition; Award notification pending for \$ 1,000,000)
 - Permit - \$710,000 (Habitat Partnership Committee, Arizona Antelope Foundation - \$185,000)
 - Habitat Partnership Committee, Wild Turkey Federation - \$1,000
 - Remaining funding from internal Department funds
- Completed: Appraisal, Phase I ESA, ALTA Survey, Title Review
- Pending: Appraisal Letter, Appraisal Review, Phase I ESA – Follow-up surveys

Commissioner Husted asked if it was necessary for the Commission to commit to the \$710,000 permit portion of this agreement at this time so the Department could continue to look for additional partners.

Mr. Avey stated it is necessary for the Commission to commit to both the deeded and permitted portions.

Director Voyles stated that the Department will continue to seek partners after acquisition that could defray and actually enable the Department to reimburse some of the accounts that they would withdraw from initially. It will depend upon the prospective partner's desire to be a part of the process and their ability to participate.

Commissioner Husted expressed concern about creating types of partnerships that may someday keep the Department from putting operation and maintenance dollars into the ranch and maybe making a return on it, not just through grazing but through hospitality or other functions. He does not want to craft anything that locks out the ability to create partnerships that are needed to possibly break even and to benefit wildlife.

Commissioner Harris confirmed with Mr. Avey that the deeded acreage provides a key access point to a large portion of the northern segment of the Agua Fria National Monument, and further noted that the property is a riparian area as well, so there are all kinds of opportunity and advantages with this property.

Motion: Harris moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE ACQUISITION OF THE HORSESHOE RANCH LOCATED IN YAVAPAI COUNTY, ARIZONA, AND TO ENTER INTO AN AGREEMENT WITH THE BUREAU OF LAND MANAGEMENT AND U.S. FOREST SERVICE FOR FUTURE MANAGEMENT OF THE ASSOCIATED ALLOTMENTS AND AUTHORIZE THE DEPARTMENT TO COMPLETE ALL DOCUMENTS ASSOCIATED WITH THE ACQUISITION AS

RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL. THE RANCH PURCHASE INCLUDES BASE PROPERTY FOR THE FEDERAL GRAZING PRIVILEGES ON THE ASSOCIATED HORSESHOE AND COPPER CREEK ALLOTMENTS

Vote: Unanimous
4 to 0
Freeman not present

Public Comment

Rem Hawes, BLM Agua Fria National Monument Manager, addressed the Commission in support of the Commission's approval of this acquisition.

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Meeting recessed for a break at 9:18 a.m.

Meeting reconvened at 9:30 a.m.

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1. Shooting Sports Activities Briefing

Presenter: Jay Cook, Education Branch Chief

Mr. Cook provided the Commission with a Power Point presentation highlighting several items in the Shooting Sports Activities Briefing (provided to the Commission prior to this meeting and available to the public). The report included shooting programs and shooting range development statewide and covered activities that occurred since the September 2010 Commission meeting. This briefing is part of the Department's ongoing commitment to provide the Commission with updates on a regular basis. The presentation included the following additional information:

Northern Arizona Shooting Range

- Conceptual Range Designs
 - 3 initial designs currently developed (maps provided in Power Point presentation)
 - Department is currently consolidating public comments to be considered for range design
 - Consultations with external engineers and architects that have volunteered their time
 - Ultimate goal of developing a preferred alternative for design that incorporates public comment, Department input and external expertise that meets the Commission Objective.
- State Historical Preservation Office (SHPO) Coordination
 - The Department is in the process of adding information to the Archeological survey that will be re-submitted to SHPO for review and approval
 - SHPO has 30 working days to review and comment on the report and Department plans for the project
 - The eligibility status does not affect the Commission's authority to enact this project
 - SHPO will determine whether or not the property is eligible to be listed as a historic site

- If the site is eligible for listing SHPO may provide a recommendation for preservation and/or mitigation
- The Department will have the ability to move forward with the project after coordination, review and approval from SHPO is complete
- If site is not considered to be eligible then it has a no effect determination and the project may proceed with out mitigation, recordation etc.
- Per A.R.S. § 41-863, if Department actions substantially alters or demolishes a historic property, appropriate documentary recordation will be done in accordance with standards established by SHPO

Statewide Shooting Range Projects

- Second Knoll - Environmental Assessment/NEPA - \$48,000
- Sierra Vista - Water Hauling - \$2,500
- Rio Salado - Education Building - \$45,000
- 3-Points - Building Cost Recovery - \$30,000
- 7-Mile - Building - \$20,000

Range Access

- FY-10
 - Expenses - \$82,435
 - 7 Mile Road work - \$47,390
 - Road work on Silver Creek - \$14,403
- FY-11
 - Silver Creek & 7-Mile Shades - \$33,338
 - ASLD Land Easement (Silver Creek) - \$5,000
 - 3-Points Roads - \$50,000
 - Sierra Vista Roads - \$50,000

Shooting Range Grants

- Grant Program - \$100,000; Supports multiple non-profit public shooting ranges statewide
 - Chino Valley Shooting Range - \$50,000
 - San Pedro Lions Club (Mammoth) - \$30,000
 - White Mountain Trap and Skeet (well) - \$8,425
 - Granite Mountain Archers - \$7,931.

Ben Avery Projects

- Shooting Range COLBI Funds
 - Paving - Archery Drive, Cape Seal Asphalt - \$80,000; Main Range, Cape Seal Asphalt - \$80,000; Calle Silhouette, Cape Seal Asphalt - \$140,000
 - Utilities – Campgrounds; Other power needs
- Mounted Shooting Center - Construction Pads for second arena and barn - \$50,000; Arena Cover(\$50,000 donation) – Awaiting estimate
- Master Plan
 - Main Range-Archery/Air gun Restrooms - \$100,000
 - Main Range-Swamp Coolers - \$24,000
 - Main Range-Archery/Air gun Floor - \$15,000
 - CTC-Warehouse Swamp Coolers - \$15,000

- CTC-Restrooms (6 units) - \$120,000
- CTC-Electricity for New Trap and Skeet Line - \$80,000

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2. Information, Education and Wildlife Recreation Activities Briefing

Presenter: Ty Gray, Assistant Director, Information and Education Division

The Commission was provided with an Information, Education and Wildlife Recreation Programs Update prior to this meeting (also available to the public), which presented new information as well as progress on related activities. The update covered activities and events that occurred since the September 2010 Commission meeting and was provided in fulfillment of the Department's commitment to brief the Commission on a regular basis. There were no additional updates to this report.

Kellie Tharp, Education Branch Chief, provided the Commission with a Power Point presentation on the America's Wildlife Curriculum: "America's Wildlife – Yesterday, Today and Tomorrow, an educational unit based on the North American Model of Wildlife Conservation." Ms. Tharp's presentation included the following:

This project started through the Western Association of Fish and Wildlife Agencies (WAFWA) in 2008 and was completed by the Arizona Game and Fish Department. The pilot was tested in 10 counties in Arizona by over 13 educators for roughly 500 students. The vision was developed by an internal Department team of 12 with input from 13 wildlife agencies and non-government organizations across the nation. It consists of a set of 5 lessons for high school social studies or science classrooms and is aligned to Arizona and national academic content standards.

The following is an overview of the lessons:

- Lesson 1: "Wildlife at the Brink" - Provides a historical overview of the near decimation of wildlife in the United States from the settling of our continent up to the early 20th century- the "darkest hour"
- Lesson 2: Turning the Tides of Conservation - Provides an overview of the conservation movement from the late 19th century to the present, moving students through the specific events that turned the tides from the "darkest hour" to the model of wildlife conservation we recognize today
- Lesson 3: Conservation in Context - Students review major political, social and scientific historical events from 1800-2000 and analyze the influence of these events on the conservation movement in North America
- Lesson 4: On the Shoulders of Giants – Students research selected individuals who championed conservation in the United States

- Lesson 5: Bringing it Home – Students examine contemporary wildlife issues and consider the future of wildlife conservation in the United States through the examination of state wildlife action plans

This curriculum is being distributed throughout Arizona and nationally through a free online download. It has been downloaded by educators in 8 Arizona counties potentially reaching 2,000 students and has been downloaded by 4 states potentially reaching 4,000 students. This has also been introduced to the 50 state fish and wildlife agency directors at the recent Association of Fish and Wildlife Agencies (AFWA) conference. The Department has conducted 4 workshops for 31 educators and has 3 workshops coming up and is working to schedule district level training. The Department is also providing online workshops. The Department will be training 92 conservation educators from state fish and wildlife agencies from 46 states at AFWA's Conservation Education Training Academy in Nebraska at the end of October and is currently providing support to state's that are interested in aligning this to their state academic standards.

The Commission and the Director expressed their appreciation to Ms. Tharp's for her hard work and efforts on this project.

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3. Request to Amend Commission Order 40: Fish, Concerning Specific Proposals for Bag and Possession Limits, Special Regulations, and Specific Closures for Sport Fishing for calendar year 2011 and 2012.

Presenter: Kirk Young, Fisheries Branch Chief

The Commission was asked to adopt Commission Order 40: Fish, establishing open seasons, open areas, closures and bag and possession limits for calendar year 2011 and 2012.

The Department biennially reviews Commission Order 40 and proposes changes to the Commission. The Department is approaching the Commission to consider proposed changes to Commission Order 40 for calendar years 2011 and 2012. As part of the public input process, the Department hosted six public meetings (Flagstaff, Mesa, Pinetop, Safford, Tucson, and Yuma), conducted a statewide randomized survey of licensed anglers (1,500 surveys mailed) and solicited online comments requesting the public voice their support or opposition to proposed regulation changes. To date, the Department has received 457 questionnaires from the mail survey (30% return rate) and 40 written comments via the survey, emails and public meetings.

Based upon the initial management proposals and public input received to date, the Department has formulated nine proposed amendments to the Fishing Regulations for 2011 and 2012, three of which are administrative in nature. These proposed amendments to Commission Order 40 (FISH) include the following:

1. Change Becker Lake to catch and release for trout with artificial fly and lure only, single barbless hook.

Discussion: The current regulation is artificial fly and lure only, barbless hooks, with a 2 trout limit, year round. Becker Lake has the best potential in this portion of the state for a catch and release blue ribbon trout fishery because it has the biological potential to grow 18-inch rainbow trout, it doesn't winter or summer kill, it is accessible year around, and water levels are fairly stable. There are eight trout lakes, and the Little Colorado River within one hour drive that allow bait fishing and have no special regulations, providing ample opportunity for anglers wanting to harvest trout and use unspecialized fishing gear. The development of a true blue ribbon trout fishery at Becker Lake will provide an economic benefit to the local communities by attracting anglers from throughout the southwest as well as expand the diversity of angling opportunities in the White Mountain area.

Public Opinion: The statewide survey results indicate a 94% support level (neutral ratings removed) for this proposed change. No major issues surfaced at the public meetings or through written comments.

Recommendation: Change Becker Lake to catch and release for trout only (including grayling) year round and limit gear to artificial fly and lure only with a single barbless hook.

2. Colorado River including Lees Ferry:

- a. Change the maximum size of legal take for rainbow trout from 12 inches to 14 inches for the Lees Ferry section of the Colorado River, from Glen Canyon Dam to the beginning of the Paria riffle
- b. Provide unlimited take of all sport fish other than rainbow trout from the Lees Ferry section, of the Colorado River
- c. Re-define Colorado River reaches below Glen Canyon dam to create continuity with current management for the area.

Discussion:

- 2a. Lees Ferry Size Limit. The current regulation for Lees Ferry is trout over 12 inches may not be possessed. Current regulations include a limit of 4 trout per day and 8 trout in possession, artificial fly and lure only, barbless hooks only, and trout must be killed and retained as part of the bag limit or immediately released. Since 1991 this fishery has experienced a dramatic increase and then a collapse in trout abundance. The cyclic nature of rainbow trout abundance indicates that rainbow trout in this reach of the Colorado River naturally over-recruit and are food limited. Population modeling shows that an increase in legal harvest will not negatively impact the fishery. Therefore, the proposal will provide more fishing opportunity at Lees Ferry without harming the established blue ribbon fishery
- 2b. Brown trout were first stocked in and near Bright Angel Creek in the Grand Canyon in 1923 and are currently found at Lees Ferry. Brown Trout are highly piscivorous and can have an adverse impact on native fish in the Grand Canyon. The Department proposes the removal of all bag and possession restrictions on this species and any other sport fish species other than rainbow trout in the Lees Ferry section of the river
- 2c. A redefinition of two reaches of the Colorado River is proposed below the Paria riffle to create continuity with current management. Current regulations for the beginning of the Paria riffle to 21-Mile Rapids, including all tributaries within this reach are 6 trout per day and 8 trout in possession. The boundary between the Grand Canyon National Park and the

Glen Canyon National Recreation Area is Navajo Bridge, approximately 16 miles upstream of 21-mile rapid. The proposal will change the boundary of this section of the Colorado River from the Paria riffle downstream to Navajo Bridge with a regulation of unlimited take of all sport fish other than rainbow trout. The current regulation of 6 rainbow trout per day, 8 in possession would remain.

The second modification will redefine the current river reach from 21-Mile Rapids to Separation Canyon, to the Colorado River from Navajo Bridge to Separation Canyon, including all tributaries. The redefined section will maintain the unlimited take of all sport fish regulation.

Public Opinion: Outlined below are the angler survey support levels (neutral ratings removed) for the proposed changes:

- 2a. Support / Do Not Support = 92% / 8%.
- 2b. Support / Do Not Support = 78% / 22%.
- 2c. Support / Do Not Support = 90% / 10%.

A concern was expressed from a Lees Ferry trout guide and business owner over 2a and its potentially negative impacts to their business and clients. No major issues surfaced at the public meetings or through written comments for items 2b and 2c.

Recommendation:

- a) Change the maximum size of legal take for rainbow trout from 12 inches to 14 inches at Lees Ferry on the Colorado River, from Glen Canyon Dam downstream to the Paria riffle, Coconino County
 - b) Provide unlimited take of all sport fish other than rainbow trout at Lees Ferry of the Colorado River, from Glen Canyon Dam to the Paria riffle, Coconino County
 - c) Redefine Colorado River reaches and corresponding regulations below Glen Canyon dam to create continuity with current management plans for the area:
 - Paria Riffle to Navajo Bridge – 6 rainbow trout/day, 8 in possession, unlimited all sport fish other than rainbow trout;
 - Navajo Bridge down river to Separation Canyon including all tributaries within Grand Canyon National Park – unlimited all sport fish.
3. Redondo Pond (a.k.a. Yuma Lakes) Yuma County – Reduce the daily bag and possession limit of catfish and trout to 4. Reduce the daily bag and possession limit of sunfish to 10.

Discussion: Presently at Redondo Pond the limits are 6 trout, 25 catfish and unlimited sunfish. Special regulations for bass are also in effect with a limit of 2 bass, minimum size 13 inches. Redondo Pond is located approximately 8 miles east of Yuma and is about 11 acres in size. The Department and Bureau of Land Management are working to improve facilities, access, and fishing opportunities at Redondo Pond. With these enhancements the Department expects fishing pressure at this pond to increase significantly. This is based on the proximity to Yuma and a large population of winter visitors in the vicinity of this pond. In addition, high rates of use are expected based on past experiences at Fortuna Pond which is located about 2 miles away and is similar in size. These proposed changes would make regulations at Fortuna Pond and Redondo Pond consistent. The changes are designed to extend and sustain the desired level of

angling opportunity for Redondo Pond through equitable distribution of a finite stocked fish resource.

Public Opinion: The statewide survey results indicate a 94% support level (neutral ratings removed) for this proposed change. No major issues surfaced at the public meetings or through written comments.

Recommendation: Change bag and possession limits at Redondo Pond, Yuma County, to: 4 catfish, in any combination, 4 trout, and 10 sunfish.

4. Change the daily bag and possession limit on Pena Blanca Lake Santa Cruz County to no harvest of Largemouth bass until December 31st, 2012.

Discussion: The United States Forest Service recently completed a sediment removal project at this lake that required the complete draining of the lake. This also resulted in the total elimination of the existing fish population. In January and February of 2010 winter rains filled the lake and efforts on this project turned to restoring the resident warmwater fish population. Experience has shown that sunfish populations will respond quickly in the lake and should re-establish themselves without any need for harvest restrictions. However, largemouth bass populations typically are much slower to respond and can be aggressively targeted and harvested by anglers. By instituting a “no harvest” largemouth bass regulation, anglers will be required to release all largemouth bass allowing these fish to continue to contribute to the re-establishment of the population. The no harvest of largemouth regulation on Pena Blanca Lake will expire December 31st, 2012.

Public Opinion: The angler survey results showed 95% supported this proposal (neutral ratings removed). No major issues surfaced at the public meetings or through written comments.

Recommendation: Establish a catch-and-release only season for largemouth bass at Pena Blanca Lake (Santa Cruz County) through December 31st, 2012. Bass must be immediately released unharmed.

5. Close Ash and Marijilda Creeks and their tributaries to fishing until a stable Gila trout population is established.

Discussion: Ash and Marijilda creeks are tributaries to the Gila River in the Pinaleno Mountains outside of Safford. The Department in cooperation with the United States Forest Service, United States Fish and Wildlife Service and Trout Unlimited is scheduled to complete a renovation of these streams in 2010. Following the completion of these renovations the Department will be working to establish a fishable native Gila trout population. Once Gila trout populations are deemed able to support angling pressure, the streams will be opened to angling, creating a new and unique fishery in Southern Arizona.

Public Opinion: The statewide survey results indicate a 95% support level (neutral ratings removed) for this proposed change. No major issues surfaced at the public meetings or through written comments.

Recommendation: Close Ash Creek and Marijilda Creek, and their tributaries, in Graham County to fishing.

6. Close approximately 13 stream miles of Bonita Creek in Graham County to fishing.

Discussion: Bonita Creek is a tributary of the Gila River located east of Safford. Historically, Bonita Creek has provided limited angling opportunity. The upper reach of Bonita Creek (over 10 miles) is occupied by only native fish. The lower 3 miles contained nonnative fish, but few sport fish. A creel survey conducted by the Department in 1998 showed that of the 216 anglers contacted during this survey only 2 anglers were actually contacted while fishing in Bonita Creek.

In 2008 the Bureau of Reclamation constructed a fish barrier on Bonita Creek as a Gila River native fish mitigation measure for the Central Arizona Project. As part of this mitigation measure a renovation of the lower three miles of Bonita Creek was performed to remove undesirable nonnative fish species and establish a self sustaining native fish assemblage. Bonita Creek has been restored to a native fish community and is a great boost to the Department's efforts to restore and recover Arizona's imperiled native fish species. The closure will extend from the confluence of Bonita Creek and the Gila River upstream to the boundary of the San Carlos Apache Indian Reservation.

Public Opinion: The angler survey results showed 88% supported this proposal (neutral ratings removed). No major issues surfaced at the public meetings or through written comments.

Recommendation: Close Bonita Creek, Graham County, to fishing from the confluence of the Gila River upstream to the San Carlos Apache Reservation boundary.

Proposed administrative changes:

7. Open Snake Creek in Greenlee County to fishing.

Discussion: Snake Creek is a small high elevation stream tributary to the Black River in the White Mountains near Alpine. Snake Creek was closed to fishing in 2004 to allow a planned recovery population of Apache trout to be established in the stream. Snake Creek was one of nine streams identified for recovery of Apache trout and was chemically treated in late 2003 to remove nonnative trout. Apache trout were scheduled to be stocked in 2004 and the stream was closed in anticipation of that stocking. Shortly after the stream was chemically treated, nonnative trout (rainbow and brown trout) re-invaded the stream and therefore Apache trout were never stocked. An evaluation of the barrier determined that a total barrier replacement was necessary due to significant flaws that could not be addressed through repair or modification of the existing structure. New barrier construction on Snake Creek is neither covered by existing environmental compliance nor funding, which would take several years to acquire. The available habitat in Snake Creek is also very small, approximately 1.4 miles, moving Snake Creek to a lower priority for recovery. Further, at this time Snake Creek is not essential to meeting recovery objectives for delisting Apache trout. Thus, there is no need to maintain an angling closure on the stream and the Department recommends reopening Snake Creek to fishing under statewide fishing regulations.

Recommendation: Remove fishing closure on Snake Creek in Greenlee County, opening the stream to fishing under the statewide daily bag and possession limits and statewide fishing regulations.

8. Make use of live baitfish illegal on the Virgin River.

Discussion: Nonnative baitfish, especially red shiners, have been identified as a major reason for the decline of native fish in the Virgin River, principally the endangered Woundfin. One of the primary actions proposed for the recovery of the native fish in the Virgin River is the construction of barriers followed by the chemical renovation of the river to remove nonnative fish. The recovery activities are critical to conservation and development objectives in Utah.

The Virgin River flows from Utah across the extreme northwestern edge of Arizona, then into Nevada and ultimately into Lake Mead. Currently an Environmental Assessment is being developed to allow the treatment of the upper 18 miles of the river in Arizona. In the near future, the preparation for the treatment of the rest of the river in Arizona along with most of the river in Nevada, including the environmental compliance, will begin. Use and/or possession of live baitfish on the Virgin River could compromise the recovery of the listed fish in this river.

Currently, the use or possession of live baitfish is illegal in all of Utah and the portion of the Virgin River in Nevada, but legal in the Arizona portion. This regulation change would make baitfish regulations on the river consistent. Additionally, Bureau of Land Management is spending several million dollars to build a large fish barrier on the Virgin River about 8-10 miles upstream of the river entering Lake Mead. This barrier will prevent nonnative fish from moving upstream from the lake into the treated reaches of the Virgin River.

The amount of angler and baitfish use on the Virgin River is unknown, but is thought to be virtually nonexistent, or extremely low at best, due to the lack of sport fish in the river. During annual surveys of the river the majority of the fish captured are red shiner, followed by mosquito fish and the native fish species. A few bullhead catfish and green sunfish are usually sampled each year. Channel catfish and largemouth bass are occasionally collected after large flood flows that breach local stock ponds. These two species do not persist in the river for any length of time.

Recommendation: Close the Virgin River in Mohave County to the use of all live baitfish, no live baitfish may be used or possessed.

9. Remove Wellton-Mohawk Irrigation and Drainage District Canal System and Yuma County Water Users' Association Canal System wording and replace with "Canals in Yuma County". Special regulations remain unchanged (Catch and release only for white amur).

Discussion: There are several Irrigation Districts in the Yuma area, and individual canals are often not readily identifiable. It is unreasonable for the Department to expect the public to be able to identify one irrigation district's canal from another. The proposed changes will make the regulation consistent for all canals in the Yuma area.

Recommendation: Replace the Wellton-Mohawk and Yuma County Canal System location description to: Canals in Yuma County, catch-and-release only for white amur. Regulations relating to white amur will remain unchanged.

Public Comment

Sally Stefferud addressed the Commission in support of closing Bonita Creek to fishing.

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 40: FISH AS AMENDED, ESTABLISHING OPEN SEASONS, OPEN AREAS, AND BAG AND POSSESSION LIMITS FOR CALENDAR YEARS 2011 AND 2012.

Vote: Unanimous
4 to 0
Freeman not present

* * * * *
Meeting recessed for a break at 10:25 a.m.
Meeting reconvened at 10:38 a.m.
* * * * *

Commissioner Harris was not present for the rest of this meeting.

* * * * *

4. Call to the Public

There were no requests to speak to the Commission.

* * * * *

5. Commission Policy A2.5

Presenter: Gene Elms, Law Enforcement Branch Chief

In the last legislative session House Bill 2162 and Senate Bill 1070 were signed into law. These bills contain many provisions related to the enforcement of illegal immigration. One of the provisions of SB1070 prohibits any agency from adopting or implements a policy that limits or restricts the enforcement of federal immigration law. Commission Policy A2.5 describes the powers and duties of Game Rangers. The Commission was provided with a copy of the policy changes (also available to the public) for review and approval in order to bring the policy into full compliance with the new law.

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE CHANGES TO COMMISSION POLICY A2.5 AS PRESENTED.

Vote: Unanimous

3 to 0
Freeman not present
Harris not present

* * * * *

6. Law Enforcement Program Briefing

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms briefed the Commission on activities and developments relating to the Department's Law Enforcement Program. This briefing was in fulfillment of the Commission's request to be briefed on a monthly basis regarding activities and developments relating to the Department's Law Enforcement Program. The Commission was provided with a written report (also available to the public) and a Power Point presentation by Mr. Elms which highlighted some wildlife enforcement projects, watercraft enforcement projects, an OHV project and partnerships that were developed and fostered in this reporting period.

* * * * *

7. 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. Director Voyles presented each item to the Commission and the Commission requested that item e be removed for discussion. (Item a was removed from the consent agenda as one of the changes for agenda revision #2).

b. Renewal of a Road Closure on State Trust Land Approximately Ten Miles West of Springerville, Arizona

Presenter: Mark Weise, Development Branch Chief

A request was received to renew a road closure on State Trust land located approximately ten miles west of Springerville, Arizona. The unnamed two-track road, 1003 feet in length, was created by members of the public trying to climb a cinder knoll using four-wheel drive and All Terrain Vehicles (ATV's). This closure has been in affect through a previous closure petition, which was granted by the Commission in 2005.

The primary purpose of this proposed road closure is to prevent further resource damage to the soils and vegetation on the cinder knoll. A secondary purpose of this road closure is to prevent potential accidents and serious injury to the public who could easily lose control of their vehicles in ascending or descending the steep road that has been created. The closure has been accomplished by simply posting a sign at the beginning of the road. There is no sign of anyone driving on the road since it was closed five years ago; however, due to the steep slope the vehicle tracks have not yet been reclaimed by vegetation. The unauthorized road on the cinder knoll

provides no safe access to any important destination for either grazing lessees or other legitimate public use. The road goes straight up the rim of a volcanic crater where it dead-ends without a turn around area. Regional personnel and the Arizona State Land Department support this closure for natural resource protection.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE REQUEST TO RENEW A ROAD CLOSURE ON STATE TRUST LAND LOCATED APPROXIMATELY TEN MILES WEST OF SPRINGERVILLE.

c. Renewal of a Road Closure on State Trust Land Approximately Seven Miles West of Springerville, Arizona

Presenter: Mark Weise, Development Branch Chief

Mrs. Maryhelen “Sug” Peters has requested renewal of a closure to vehicular access on State Trust lands in Apache County. The Arizona Game and Fish Commission granted this closure, with concurrence from the Arizona State Land Department, in February 2001 and it was renewed in 2006. The purpose of this road closure is to prevent further resource damage to soils and vegetation due to off-road travel. The closure has been successful over the past ten years; much of the severe rutting and resource damage has healed over with native grasses. A walk-through gate was installed and foot access is welcomed. The Department is aware of no complaints regarding the closure, in fact, both the wildlife manager and the lessee have received comments from many hunters who like that this small piece of State Trust land is open to foot access only. Resource damage by off-road travel continues to be a problem in neighboring areas, so Regional personnel and the Arizona State Land Department support renewal of this closure for natural resource protection.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE REQUEST TO RENEW A ROAD CLOSURE ON STATE TRUST LAND LOCATED APPROXIMATELY SEVEN MILES WEST OF EAGER.

d. Request for the Commission to Approve the Agreement for Permit with Arizona Public Service for the Purpose of Continuing Service for Construction, Operation, and Maintenance of Electric Poles and Lines That Provide Electricity to and through Page Springs Fish Hatchery, Yavapai County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

Arizona Public Service (APS) has requested renewal of Agreements HAB01-0306 and HAB02-0308 for the purpose of continuing service for construction, operation, and maintenance of electric poles and lines providing electricity to and through the Page Springs Fish Hatchery. If approved, the attached new Agreement would serve to grant APS two ten-year, eight-foot wide utility right-of-ways to provide electrical service and necessary maintenance. The Department has determined that the electric service is necessary for operation of the Page Springs Fish Hatchery and of direct benefit to the Commission. This right-of-way is in the public interest and consistent and compatible with the operation of the Page Springs Fish Hatchery. The ten-year Agreement will remain current through October 17, 2020.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE AGREEMENT FOR PERMIT WITH ARIZONA PUBLIC SERVICE FOR THE PURPOSE OF CONTINUING SERVICE TO CONSTRUCT, OPERATE AND MAINTAIN ELECTRIC POLES AND LINES THAT PROVIDE ELECTRICITY TO AND THROUGH PAGE SPRINGS FISH HATCHERY, YAVAPAI COUNTY, ARIZONA, AND EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL. THE COMMISSION MAY VOTE TO TAKE ACTION ON, OR PROVIDE THE DEPARTMENT DIRECTION ON THIS ITEM.

f. Request for the Commission to Approve a Memorandum of Understanding with BLM for the Development of the Mohave County Wind Farm Project Environmental Impact Statement (EIS)

Presenter: Josh Avey, Habitat Branch Chief

The project area consists primarily of public lands under jurisdiction of the BLM Kingman Field Office with some of the wind turbine generators (WTGs) planned to be located on Bureau of Reclamation federal lands. The project area includes approximately 31,188 acres of public land and approximately 8,960 acres of federal land in the White Hills area approximately 40 miles northwest of Kingman, Arizona, nine miles south of the Colorado River, and 20 miles southeast of Hoover Dam. The project area is located within Townships 28 and 29 North, Ranges 19 and 20 West.

Total energy production from the project is anticipated to be up to 500 megawatts (MW). The project will consist of up to 335 WTGs that would range in size from 1.5 MW to 3.0 MW each. Construction would be in multiple phases. Construction is anticipated to begin by mid-2011, with commercial operations commencing in early 2012. The project will operate continuously, except for maintenance shutdowns on individual wind turbine generators, with a projected 30 year life.

The Department requested to have Cooperating Agency status in the development of the EIS. The purpose of this MOU is to:

- Confirm formal designation of the BLM as lead agency pursuant to 40 CFR 1501.5 with the responsibility for the completion of the EIS and the ROD.
- Formally designate AGFD as a cooperating agency in this National Environmental Policy Act (NEPA) process pursuant to 40 CFR 1508.5. BLM is enlisting other Federal, State, Tribal, and local agencies to aid in providing an encompassing and defensible EIS. In addition to AGFD, cooperating agency designation will be offered to other Federal, State, Tribal, and local agencies as appropriate under NEPA, Council of Environmental Quality regulations, and DOI/BLM policy.
- Describe respective roles, responsibilities, jurisdictional authority, and expertise of the Parties in the NEPA process.
- Provide a framework for the coordination between the Parties that will ensure the successful completion of the EIS in a timely, efficient, and thorough manner.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING TO ALLOW THE DEPARTMENT TO BE A COOPERATING AGENCY IN THE DEVELOPMENT OF THE MOHAVE COUNTY WIND

FARM PROJECT ENVIRONMENTAL IMPACT STATEMENT (EIS) AND TO EXECUTE THE AGREEMENT AS RECOMMENDED AND APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

g. Request for the Commission to Approve an Interagency Service Agreement (ISA) between the Commission and the Arizona Department of Water Resources (ADWR).

Presenter: Josh Avey, Habitat Branch Chief

The Department, on behalf of the Commission, is an applicant for, and holder of, surface water rights for the beneficial uses of wildlife, including fish, and recreation. Based on previous legislative funding reductions, ADWR's current staffing and workloads limit timely review and issuance of decisions on pending surface water applications to appropriate water for the beneficial uses of wildlife, including fish, and recreation. This ISA would provide the legal mechanism by which Department applications would receive expedited review and decisions to appropriate water for the beneficial uses of wildlife, including fish, and recreation and for other purposes that enhance and protect the natural resources in the State of Arizona.

The purpose of this ISA is to provide a mechanism that will allow the Department to transfer Heritage IIAPM carry-forward funds to ADWR to fund one (1) full time employee for two (2) years for the purposes outlined in the attached agreement.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE INTERAGENCY SERVICE AGREEMENT (ISA) BETWEEN THE COMMISSION AND THE ARIZONA DEPARTMENT OF WATER RESOURCES FOR EXPEDITED REVIEW AND ISSUANCE OF DECISIONS ON SURFACE WATER APPLICATIONS TO APPROPRIATE WATER FOR THE BENEFICIAL USES OF WILDLIFE, INCLUDING FISH, AND RECREATION AND OTHER PURPOSES AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

h. Request for the Commission approval to enter into Inter-Governmental Agreements to fund watercraft law enforcement efforts by watercraft law enforcement agencies.

Presenter: Gene Elms, Law Enforcement Branch Chief,

County watercraft law enforcement budgets have been reduced for the current fiscal year. Recent Watercraft Fund appropriations to the Department allow for the opportunity to provide funding assistance to non-Federal Arizona boating law enforcement agencies facing budgetary shortfalls. The funding will be transferred through the execution of Inter-Governmental Agreements with the eight counties which have forwarded the following budget requests to the Department:

Agency	Total
Yuma County SO	\$139,000
Mohave County SO	\$115,000
Gila County SO	\$110,000
Maricopa County SO	\$35,000

Coconino County SO	\$31,000
La Paz County SO	\$30,000
Apache County SO	\$20,000
Navajo County SO	\$20,000
Totals	\$500,000

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT ENTERING INTO IGAS WITH YUMA COUNTY, MOHAVE COUNTY, GILA COUNTY, MARICOPA COUNTY, COCONINO COUNTY, LA PAZ COUNTY, APACHE COUNTY AND NAVAJO COUNTY TO PROVIDE \$500,000 IN FUNDING FOR DEDICATED WATERCRAFT LAW ENFORCEMENT EFFORTS CONTINGENT UPON FINAL ATTORNEY GENERAL OFFICE APPROVAL OF THE IGAS.

Motion: Husted moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS B, C, D, F, G, AND H AS PRESENTED.

Vote: Unanimous

3 to 0

Freeman not present

Harris not present

e. Request for the Commission to Approve a Memorandum of Understanding with Bureau of Land Management (BLM) and Arizona State Land Department (ASLD) for the Development of the SunZia Transmission Line Project Environmental Impact Statement (EIS)

Presenter: Josh Avey, Habitat Branch Chief

The Commission was asked to approve a Memorandum of Understanding to allow the Department to be a Cooperating Agency in the Development of the SunZia Transmission Line Project Environmental Impact Statement (EIS). The SunZia Project consists of two extra-high voltage electric transmission lines and substations that will transport primarily renewable energy from Arizona and New Mexico to customers and markets across the southwestern United States. SunZia is solely an electric transmission project, and is not a power generation facility. Its estimated total transmission capacity is 3,000 megawatts for two 500 kV AC lines, or 4,500 megawatts should a hybrid configuration of one 500 kV AC line and one 500 kV DC line be commercially justified.

The length of the proposed route is approximately 460 miles. The final length of the transmission line will be determined through the permitting process. For SunZia, the National Environmental Policy Act (NEPA) requires alternative routes be evaluated in an environmental impact statement (EIS). The Bureau of Land Management (BLM), along with several cooperating agencies, is leading the effort to develop an EIS for the SunZia Project. Environmental Planning Group (EPG) is the third-party contractor working for the BLM to evaluate the environmental resources that may be impacted by the project. EPG is in the process of examining approximately 2,400 miles of alternate routes. A Draft EIS is expected to be available for public review and comment by late 2010. Other federal, state and county permitting efforts are also underway. SunZia is anticipated to be in service and delivering

renewable energy by early 2014. The Department requested to have Cooperating Agency status in the development of the EIS. The purposes of this MOU are:

- To designate Arizona Game and Fish Department as a Cooperating Agency in the Restoration Design Energy Project EIS process.
- To provide a framework for cooperation and coordination among BLM and the Department that will ensure successful completion of the Hyder Valley Solar Project EIS in a timely, efficient, and thorough manner.
- To recognize that the BLM has the responsibility for the completion of the Hyder Valley Solar Project EIS and their respective Record of Decision (ROD).
- To describe the respective responsibilities, jurisdictional authority, and expertise of each of the Parties in the Hyder Valley Solar Project EIS process.

Commissioner Husted clarified with Mr. Avey that the transmission line route is still under consideration. He also noted that he supports the Department being a cooperating agency but wanted to make sure the Commission and Department understood that this item would become a hot topic in the near future.

Commissioner Woodhouse discussed with Mr. Avey that there were a number of alternatives that will be looked at through the EIS process. Commissioner Woodhouse expressed that he too was very interested in this project. Habitat will be a huge issue along with aesthetics which will be a huge part of the issues as well.

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING TO ALLOW THE DEPARTMENT TO BE A COOPERATING AGENCY IN THE DEVELOPMENT OF THE SUNZIA TRANSMISSION LINE PROJECT ENVIRONMENTAL IMPACT STATEMENT (EIS) AND TO EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED AND APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous
3 to 0
Freeman not present
Harris not present

* * * * *

8. An Update on Current Issues, Planning Efforts, and Proposed Projects on All Lands in Arizona and Other Matters Related Thereto

Presenter: Josh Avey, Habitat Branch Chief

A copy of the Lands Update report (attached) was provided to the Commission prior to this meeting and was available to the public. The update addressed 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 related matters, and included decisions or activities since the September 2010 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. There were no additional updates provided at this meeting.

* * * * *

8A. Request for Commission direction and to take action regarding the upcoming elections for the Board of Directors of the Cibola Valley Irrigation and Drainage District (CVIDD).

Presenter: Josh Avey, Habitat Branch Chief

The Commission was asked to take action regarding its voting rights on the CVIDD and to possibly nominate up to two candidates or write-ins including a Commissioner to serve on the board of the CVIDD.

The Lower Colorado River Multi-Species Conservation Program (LCR MSCP) administered by the Bureau of Reclamation (BR), is a comprehensive 50-year species conservation and habitat management program that seeks to conserve habitat, work toward the recovery of threatened and endangered species, and reduce the likelihood of additional species being listed under the Endangered Species Act. The LCR MSCP is designed to mitigate for present water diversions and power production and optimize opportunities for future water and power development.

In September 2007, the Department acquired land and Colorado River water assignments located in the Cibola Valley and within the CVIDD in La Paz County, Arizona. In November 2008, the Commission nominated Commissioner Woodhouse as the Department representative to the CVIDD Board. The Commission can cast their votes for up to two candidates or write-ins including Commissioners. These nominations are two-year appointments which begin on January 1, 2011.

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO NOMINATE COMMISSIONER WOODHOUSE TO SERVE ON THE BOARD OF THE CVIDD.

The Commission discussed that the appointment is a two year term and if nominated again by the Commission, after one more year Commissioner Woodhouse will be off the Commission and not able to serve and complete the two year term. In that case, the Commission would lose their representation.

Troy Smith addressed the Commission stating that once Commissioner Woodhouse is no longer on the Commission, he does not know how that would work for representing the Commission. The Board would not allow another person to be appointed in his place. They would either vote to replace him or leave that position vacant.

Director Voyles stated that Commissioner Woodhouse could be granted official status as an official volunteer of the Department, similar to reserve officers, in order to have an extended official relationship.

Vote: Unanimous
3 to 0

Freeman not present
Harris not present

* * * * *

10. Call to the Public

There were no requests to speak at this time.

* * * * *

11. Approval of Minutes and Signing of Minutes

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO TABLE THIS ITEM UNTIL THE NEXT REGULAR COMMISSION MEETING.

Vote: Unanimous
3 to 0
Freeman not present
Harris not present

* * * * *

12. Director and Chairman's Report

Director Voyles:

- Attended the annual ATV Jamboree in Springerville. The Governor was there and was short on security considering the size of the event, so the Department was able to assist with providing additional security
- Attended a meeting to continue negotiation on resolution of water rights proposals relative to Planet Ranch acquisition for the Lower Colorado Multi-Species Conservation Program efforts
- Along with BLM State Director Jim Kenna, Director Voyles provided Paul Durbin, the new Wild Horse and Burro Advisory Board member, an overview of his role and an understanding of the nature of the issues that will be coming before him.
- Attended the Department's Federal Aid Project Leaders training course
- Participated in the Navajo Nation Youth Hunt
- Attended the AFWA Conference in Grand Rapids Michigan
- In addition to the AFWA meetings, attended a Federal-State ESA Joint Task Force meeting and a Board meeting of the Council to Advance Hunting and Shooting Sports
- Attended an AGFD / ASLD MOU meeting
- Met with Audubon Arizona's Sam Campana and Megan Mosby with Liberty Wildlife to discuss infrastructure issues relative to the wildlife rehabilitation in the valley.

Chair Martin reported the following activities since the last Commission meeting:

- Attended the AFWA and sat in on committees related to wildlife and energy policy; Wind Energy, Legal Committee and State, Federal and Tribal Committee. Participated

in the State, Federal and Tribal Committee primarily in support of her responsibilities chairing the sub-committee in the WAFWA. Next week the Commission and the Commissioners at WAFWA should be seeing the initial product out of that sub-committee, which was a white paper on State, Federal and Tribal relations as it relates to wildlife that can be used as a congressional education tool

- Participated in general communications with the public and staff in preparation for this meeting.

* * * * *

13. Commissioner's Reports

Each Commissioner reported on their activities since the last Commission meeting.

Commissioner Woodhouse:

- Communicated with Department staff and prepared for this meeting
- Talked with a lot of constituents about the promotion of Proposition 109

Commissioner Husted:

- Attended the Rosemont Tour
- Communicated with Department staff and prepared for this meeting.

* * * * *

14. Future Agenda Items and Action Items

Deputy Director Broscheid captured the following action/future agenda items from this meeting:

- Regarding the elk related to the Almour case, seek an outside partner or organization willing to donate to mount and taxidermy the animal. Develop an education program regarding the facts surrounding the case; wildlife management, North American Model type of approach
- Provide copies of the Commission motions associated with the Tumacacori Wilderness Designation position that the Commission took; includes all of the information available including letters, write-ups and audio transcripts
- Agenda the Special Tag process for the December meeting.

* * * * *

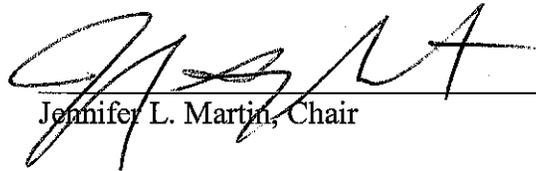
Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

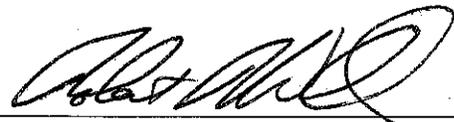
Vote: Unanimous

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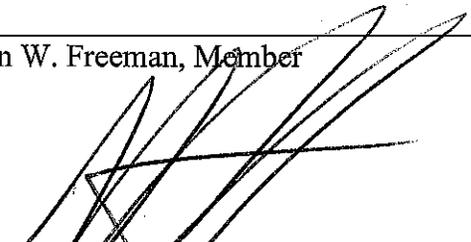
Meeting adjourned at 11:10 a.m.

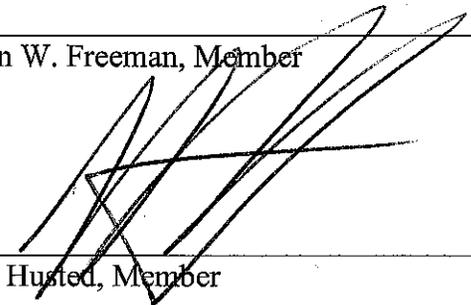
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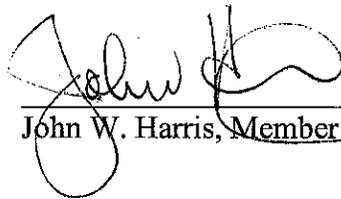

Jennifer L. Martin, Chair


Robert R. Woodhouse, Vice Chair

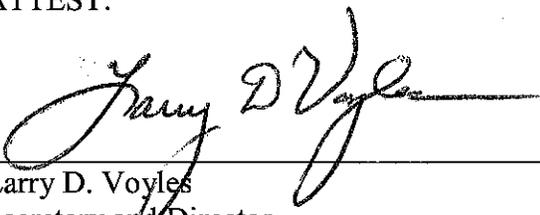
Absent 10/9/10


Norman W. Freeman, Member


Jack F. Husted, Member


John W. Harris, Member

ATTEST:


Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
October 8, 2010**

The Assistant Attorneys General for the Arizona Game and Fish Commission and the Arizona Game and Fish Department are representing these agencies in the following matters in litigation. This report does not include claims and lawsuits for damages against these agencies in which the agencies are represented by Assistant Attorneys General in the Liability Defense Section of the Attorney General's Office.

1. *Wilderness Watch, Inc. et al. v. United States Fish and Wildlife Service et al., CV01185-MHM.* Plaintiffs filed suit on June 15, 2007, challenging the decision of the U.S. Fish and Wildlife Service ("FWS") to redevelop two water structures on the Kofa National Wildlife Refuge. The water structures provide supplemental water to wildlife populations that have suffered due to persistent drought. Plaintiffs allege that these water developments violate the National Environmental Policy Act because the FWS did not first determine the environmental impact of these projects. Plaintiffs also allege that such permanent structures are prohibited by the Wilderness Act. Plaintiffs seek declaratory and injunctive relief. They are asking the court to find that the FWS violated the law and to order the FWS to remove the structures.

The Commission has voted to file an application with the court to intervene on behalf of the FWS. Any court order finding that the FWS violated federal law will impair the Commission's ability to restore the wildlife populations in the refuge and in other wilderness areas in Arizona. The Attorney General's Office anticipates that a motion to intervene will be filed by August 15th.

On August 7, 2007, the State filed its Motion to Intervene. Plaintiffs, in response to the State's motion, did not object to the State's permissive intervention, so long as the court imposes restrictions on the State's participation, such as page limits, requiring the State to file joint briefs with the other intervenors, and prohibiting the State from duplicating arguments made by the federal defendants. On August 29, 2007, the State filed a reply in support of its Motion to Intervene and opposed any restrictions on the State's intervention.

On August 20, 2007, the State also filed a response to plaintiffs' Motion for Temporary Restraining Order.

On August 30, 2007, the federal defendants filed an answer to plaintiffs First Amended Complaint.

The court has issued a scheduling order for the parties to file motions for summary judgment. The plaintiffs' motion is due December 14, 2007; the defendants' cross-motion and response is due February 1, 2008; plaintiffs' response/reply is due February 29, 2008 and defendants' reply is due March 14, 2008.

Plaintiffs have withdrawn their motion for a temporary restraining order so the status quo will remain until the court rules on the motions for summary judgment.

As for the motions to intervene filed by the State of Arizona and various conservation organizations, the court has indicated it will not likely rule on these motions prior to the time the

parties file their motions for summary judgment. The court, however, granted permission to the applicants for intervention to file motions for summary judgment. Also, the plaintiffs stated on the record that they have no objection to the State of Arizona intervening in the case.

On February 1, 2008, the State of Arizona, the federal defendants and conservation groups filed separate cross motions for summary judgment and responses to the plaintiffs' summary judgment motion.

On February 29, 2008, the plaintiffs filed a response to the cross motions for summary judgment. Defendants have until March 14, 2008, to file replies.

On March 4, 2008, the court granted the motions to intervene by the State of Arizona and the conservation groups.

On March 14, 2008, the State of Arizona and the other defendants filed replies to the plaintiffs' cross motion for summary judgment.

On April 2, 2008, the organization Public Employees for Environmental Responsibility ("PEER") filed a motion for leave to file an amicus curie brief in support of the plaintiffs' cross motion for summary judgment. At the same time, PEER lodged its amicus brief with the court clerk. Each defendant has filed a response opposing PEER's motion for leave. Not only is the motion untimely, the brief that PEER has lodged contains many additional factual assertions not included in the administrative record. This attempt to supplement the administrative record with new information violates the established law in this area.

The parties filed supplemental briefs on June 3, 2008, addressing the issue whether the Wilderness Act or the National Wildlife Refuge Improvement Act controls in this case. Oral argument on the cross motions for summary judgment took place on June 12, 2008. The court has taken the motions under advisement.

The court issued an order on September 5, 2008, denying the plaintiffs' cross motion for summary judgment and granting the defendants' and interveners' cross motions for summary judgment. Judgment in favor of the defendants was entered on September 11, 2008.

The plaintiffs filed a notice of appeal on October 29, 2008. The court entered a time schedule order on November 4, 2008. The plaintiffs (now appellants) filed an opening brief on February 13, 2009. The defendants and intervenors filed motions for thirty day extensions to file responsive briefs. The court granted the motions and extended the date to file the briefs to April 15, 2009.

The court issued an order on April 27, 2009, granting the plaintiffs an additional 21 days from the date of the order to file a reply brief. The reply is now due on May 18, 2009.

The Court of Appeals held oral argument on December 10, 2009 and has taken the case under advisement.

2. *Anderson v. Arizona Game and Fish Department, et al.*, 2 CA-CV 2010-0098
Plaintiff Ralph Anderson seeks judicial review of the Commission's June 27, 2008 action revoking his licenses to take wildlife for ten years for taking big game in excess of bag limit (bull elk).

Anderson had previously had his hunting privileges revoked for five years for taking a Gould's turkey during closed season. On March 8, 2010 the Pinal County Superior Court affirmed the Commission's decision. Anderson appealed to the Arizona Court of Appeals. AGFD filed its answering brief August 3, 2010. Anderson filed his two-page reply brief August 16. The matter is **now under advisement by the Court.**

3. Mojave Valley Shooting Range Appeal. The Hualapai and Fort Mojave Indian Tribes ("Appellants") filed an administrative appeal to the Interior Board of Land Appeals ("IBLA") on March 15, 2010. The appeal seeks review of the BLM's Decision Record to transfer to AGFD 315 acres of public land in the Mojave Valley for construction and operation of a shooting range. The Appellants allege that the Decision Record violates the National Environmental Policy Act ("NEPA"), the National Historic Preservation Act ("NHPA"), and the Native American Graves Protection and Repatriation Act ("NAGPRA").

The Appellants served their Statement of Reasons on the Department on April 16, 2010. On April 30, 2010, AGFD filed a Motion to Intervene in support of the BLM's decision. The Department's Answer to the Appellants' Statement of Reasons is due on May 17, 2010.

The IBLA granted the Department's motion to intervene and extended the time for the Department to file an answer to the appellants' statement of reasons. On June 15, 2010, the Department filed its response brief to the appellants' statement of reasons.

4. *Center for Biological Diversity v. U.S. Bureau of Land Management et al.* CV-09-8011-PCT-PGR; *The Wilderness Society et al. v. U.S. Bureau of Land Management et al.* CV-09-8010-PCT-PGR. On May 9, 2008, Records of Decision and Approved Resource Management Plans for the Arizona Strip, Vermillion Cliffs National Monument and portions of the Grand Canyon-Parashant National Monument were released to provide guidance for BLM-administered lands in northern Arizona. In *Center for Biological Diversity (CBD) v. U.S. Bureau of Land Management*, No. CV 09-8011-PCT-PGR (US Dist. Ct. AZ), plaintiff CBD challenges the Plans, alleging that BLM and FWS have failed to comply with the NEPA, FLPMA, and the Endangered Species Act (ESA) by refusing to incorporate actions necessary to protect public land and endangered and threatened species from adverse impacts of excessive off-road vehicle use, livestock grazing, and the use of lead ammunition. *The Wilderness Society et al. v. BLM, et al.* No. CV 09-8010-PCT-PGR (US Dist. Ct. AZ) also challenges the Plans by alleging violations of the NEPA, FLPMA, NHPA and presidential proclamations for the Vermillion Cliffs and Grand Canyon-Parashant Plans.

The National Rifle Association is an intervener. The Arizona Game and Fish Department has been granted *amicus* status, as has Safari Club. The federal government has filed the Administrative Record. On September 15, 2010 the Plaintiffs filed their respective motions for summary judgment (the United States files its responsive motions on November 3; *amicus* briefs are due Nov. 10). CBD seeks a court order setting aside all Plans as arbitrary and capricious. The Wilderness Society seeks the same result, but only for the Vermillion Cliffs and Grand Canyon-Parashant Plans. Both plaintiffs request a remand to BLM for further proceedings. Significantly, neither plaintiff requests an injunction barring motorized access or a ban on lead ammunition.

Lands Update
For the Arizona Game and Fish Commission
October 8, 2010
Phoenix, Arizona

FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING

Coconino National Forest

The Forest is seeking input on the Analysis of the Management Situation (equivalent to the Needs for Change Report) which is to be the focus of its Land Management Plan Revision efforts. The Department is currently in the process of preparing comments in response.

The Department is reviewing the Draft Potential Wilderness Area Evaluation Report as part of the Land Management Plan Revision. Earlier in the year the Department submitted detailed comments on potential wilderness areas in an effort to keep wildlife management flexible. Items addressed previously were continued flexibility for big game surveys, current and future habitat projects such as water catchment rebuilds and habitat improvement projects, wildlife translocations, stream treatments, fish stocking, wildlife damage control, fire management, and hunter access. The Department will review this draft to ensure that these detailed comments were referenced.

Marshall Fuels Reduction and Forest Restoration Environmental Assessment

The Department is commenting on the draft EA for treatment on approximately 12,000 acres of Coconino National Forest, roughly between Walnut Canyon National Monument and Lake Mary Road (Forest Highway 3). The proposed treatment includes mechanical thinning of ponderosa pine forest, removal of encroaching juniper in grasslands, prescribed burning in forest and grassland, and prescribed burning of emergent vegetation within four lakes. Our comments recommend specific methods by which the Forest could achieve its proposed restoration objectives while benefitting wildlife habitat.

Coronado National Forest

Santa Catalina Ranger District

The Department met with the Forest to discuss changes to the Motorized Travel System for the Santa Catalina Ranger District Environmental Assessment. The Department provided the Forest written comments on the proposed changes. The plan will restrict camping to designated sites in the Happy Valley area in the Rincon unit as well as some roads that access campgrounds and residences. The Department supports the plan generally but requested that the maps be clarified for the public to better understand where roads will be limited to disperse camping.

Nogales Ranger District

The Department received an Environmental Assessment for proposed changes to the Motorized Travel System for the Nogales Ranger District. The Department has provided input previously to the Forest for this document. The Department attended a meeting on September 23rd in Rio Rico on the proposed changes.

Canelo Pass Manzanita Mastication Project

The Sierra Vista Ranger District has been masticating Manzanita around the periphery of the District starting in the Lochiel area in 2005 and most recently Canelo Pass. Now that the

Huachuca FireScape Project is complete, that decision and consultation can be applied to implementation projects. This project is the first to come out of the FireScape pipeline. The Sierra Vista Ranger District is planning at least two more for next year in Lyle Canyon and Border 3 prescribed burns. The Department provided verbal comments on the project.

Kaibab National Forest

The Department attended the Kaibab National Forest's monitoring workshop. At this time, the monitoring aspect of Plan Revision focuses on monitoring those *key needs for change* as addressed by the current draft plan. For the Kaibab, these key needs for change are: 1) restoring fire adapted ecosystems; 2) aspen; 3) seeps and springs; and 4) restoring grasslands. The workshop focused on reviewing the Desired Conditions for each of these key needs for change and beginning to address how monitoring of these ecosystems could be managed in such a way to determine if Desired Conditions are being met, as defined by the Plan. In addition to a Monitoring Matrix that has been developed, the Department will be involved with input to the Monitoring and Evaluation Implementation Guide, Monitoring Schedule, and Monitoring Evaluation Review. Although adaptive management and monitoring are key components in the new proposed planning rule, there is no tie to significant funding increases to implement monitoring. The Department is very encouraged that the Kaibab is spending significant resources on the planning of monitoring, however, remains concerned that on-the-ground monitoring may not be implemented in a meaningful way, due to lack of funds.

The draft Environment Assessment for the Tusayan Ranger District Travel Management (TMR) is out for public comment. The Department is currently drafting comments which will be consistent with comments for other TMR rules (see attached letter dated August 27, 2010).

In late July, the Kaibab Forest Supervisor signed the Decision Notice for the Williams Ranger District's TMR. The Finding of No Significant Impact documents the rationale for selecting and implementing Alternative 3. This decision is now under a 45-day appeal process.

Prescott National Forest

The Department, after extensive coordination with the Forest in the development of the product, is reviewing a draft version of the Forest's proposed Forest Plan Revision. Coordination with the Forest has been improved over the better part of the previous year.

The Department has provided comments and met for discussions on the current draft version of the Forest's proposed Land Management Plan. Coordination with the Forest has been improved over the better part of the previous year and is anticipated to build during the plan revision process.

The Department is participating in a series of public and agency workshops to develop strategies for improving outdoor recreation in the region (southern Prescott National Forest, adjacent public lands, and nearby communities, from Dewey-Humboldt to Mayer to Crown King to Black Canyon City). The Department is reviewing the Recreation Strategy, Vision and Goals and looks forward to continued coordination in the process.

U.S. FOREST SERVICE

Four Forests Initiative

The US Forest Service (USFS) continues to work on an accelerated, landscape-scale forest restoration project on four forests (Coconino, Kaibab, Apache-Sitgreaves, and Tonto), aka Four Forests Restoration Initiative (4FRI). The 4FRI calls for mechanical tree thinning and fire to restore at least one million acres of northern Arizona forests over 20 years. The Department is an active participant in stakeholder meetings and working groups focused on developing a landscape restoration strategy and associated monitoring, research and adaptive management. Recent activities by the stakeholders group included field trips to past and proposed forest restoration treatment areas to discuss various prescriptions and desired forest conditions.

Coronado National Forest

The Sierra Vista Ranger District surveys for catfish were recently completed at Parker Canyon Lake. Preliminary results from the survey show a low density of channel catfish. A funding drive to stock additional channel catfish in the lake is underway with local anglers. Any funds raised by the anglers to support the stocking will be matched by the Department. Section 7 consultation with the US Fish and Wildlife Service is required before the catfish can be stocked.

Prescott National Forest

The Department is participating in a series of public and agency workshops to develop strategies for improving outdoor recreation in the region (southern Prescott National Forest, adjacent public lands, and nearby communities, from Dewey-Humboldt to Mayer to Crown King to Black Canyon City). The Department is reviewing the Recreation Strategy, Vision and Goals and looks forward to continued coordination in the process.

The Department began work this past fiscal year on the Agua Fria Antelope Habitat Improvement Project on the Forest. The project involves juniper thinning and is a continuation of work on the adjacent BLM Agua Fria National Monument. The Forest has contributed National Environmental Policy Act (NEPA) compliance analysis and will conduct post-treatment broadcast and/or pile burning as part of the project objectives. The Department continues to seek funding from various sources. This work is part of the Central Arizona Grasslands Conservation Strategy.

Central Arizona Grassland Strategy

Juniper treatments continue on the Anvil Rock Ranch near the boundary of GMU 18A and 18B, as well as the Yolo and 7-Up Ranches in GMU 18B. The Department has introduced a representative from Drake Cement and Pellet Plant (Drake) to the management of ranches in the Central Arizona Grasslands Strategy Project Area.

A Pronghorn capture will take place in Western Unit 18B on September 27th – 29th of the Central Arizona Grasslands Strategy Project Area. The Department and volunteers from the Arizona Antelope Foundation will stage on the Anvil Rock Ranch, and deploy 12 radio telemetry collars on antelope herds located on the Anvil Rock, Yolo and 7-Up Ranches. Telemetry data derived from this effort will guide grassland restoration efforts in upcoming funding cycles for the Central Arizona Grassland Strategy.

Juniper treatments are planned for the Sycamore Allotment as the area has been flagged and meetings with the contractor are underway with a treatment of 220 acres anticipated.

BUREAU OF LAND MANAGEMENT (BLM)

Burro Management

The Yuma Field Office released an Environmental Assessment on July 13, 2010 for the removal of 100 burros in the Cibola-Trigo Herd Management Area (HMA), which is scheduled to take place September 2010. Department and BLM Yuma personnel conducted an aerial census of the HMA in May 2010. The census resulted in 418 burros and 69 horses seen. While preliminary population estimates indicate in excess of 600 burros, the established Appropriate Management Level for the HMA is 165 burros and 150 horses. The BLM has sent the census data to the USGS for an independent analysis. The Department continues working with the BLM Yuma staff and other stakeholder agencies to develop a long-term cooperative strategy for managing burros in the Cibola-Trigo HMA.

The BLM and Department of Interior are seeking comments for their June 2010 Wild Horse and Burro Strategy Development Document (Strategy), *Working Toward Sustainable Management of America's Wild Horses and Burros*. The Strategy identifies draft goals, objectives and possible management actions aimed at the implementation of the Secretary of Interior's October 2009 initiative for wild horse and burro management. The Department's Director attended the Wild Horse and Burro Advisory Board meeting on June 14-15, 2010. The Department submitted comments for the Strategy, which are due by September 3, 2010, and at the recent WAFWA conference the WAFWA directors agreed to send a similar letter.

AZ Strip Field Office

The consultant is in the final stages of preparing the effects analysis section of the draft Environmental Impact Statement (DEIS) for the Northern Arizona Proposed Mineral Withdrawal project on the Arizona Strip. The Department has reviewed the draft Chapters 1-3 of this project and is just starting review of the effects analysis. The revised schedule for the DEIS is as follows: DEIS draft out October 15th for 45 days, Final EIS out April 11, 2011. As part of the analysis, USGS has had the opportunity to re-sample some springs and seeps within the study area. Results indicate a need to revise/update some of the original USGS report. A memo from the USGS is forthcoming on the most recent sampling results.

Uranium Withdrawal EIS

The Department continues to engage as a cooperating agency on the Uranium Withdrawal EIS for areas on the AZ Strip and portions of the Kaibab National Forest. A recent phone conference gave an updated schedule on the document. A complete edited draft document is scheduled for completion September 22nd by the BLM who is the lead agency on the project. This document will be sent to the Washington office. Next, Washington office briefings are scheduled for the week of September 27th to October 1st. These briefings are planned for the agency heads of the Forest Service, BLM, and Park Service, and for the Secretary of Interior. An approved document will be sent to printer October 8th, publication of the Notice of Availability, October 29th, which starts the 45-day public comment period, and meetings in Washington DC soon after January 1st to select the preferred alternative. The overall NEPA decision must be made by July

of 2011 in order to meet the temporary 2-year withdrawal period that Secretary Salazaar signed off on.

Hassayampa Field Office

The Bureau of Land Management is in the process of working with stakeholders and agencies in an effort to develop a functional, feasible recreation plan for the Table Mesa Road area. The draft map for the planning area is posted on the BLM website.

Kingman Field Office

Water Developments

Rincon Tank –The Department has completed and submitted an HPC proposal to procure funding for a wildlife water catchment in the southeast corner of the Truxton Allotment in GMU 15A.

Music Mountains (Trail and Watermelon Tanks) – In partnership with the BLM and leasee, redevelopment of two defunct dirt tanks in the southeastern region of the Music Mountains is complete. The tanks recently caught water during the late monsoon season, are functioning properly, and should provide benefit to deer, javelina, avian, small game, non-game species.

Fort Rock Ranch (Dunton Allotment) – The Department, in cooperation with the leasee, and WCC, is developing a Cooperative Stewardship Agreement for the redevelopment and bentonite treatment of two dirt tanks in an area with very limited perennial water sources.

Fall Grazing Monitoring Schedule: September, October, November, December, 2010

The Department will cooperate closely with the BLM and interested public in the fall monitoring efforts listed below that will take place on grazing allotments under the purview of the Kingman BLM Field Office.

Date	Location	Monitoring Type	Contact
September 23-24	Pine Springs Allotment	Upland: Frequency, Cover, Dry weight rank.	Abe Clark 928- 718-3755
October 4,5, and 6	Big Sandy Herd Management Area	Upland: Frequency, Cover, Dry weight rank.	June Wendlandt 928-718-3720
October 6 and 7 Note: One night camping along the river is planned.	Burro Creek (Six Mile Crossing to Burro Creek Campground)	Riparian: Proper Functioning Condition	Rebecca Peck 928-718-3732
October 13	Greenwood Community	Upland: Frequency, Cover, Dry weight rank	Dave Brock 928-718-3715
October 13 and 14 Note: One night camping along the river is planned	Burro Creek Campground to confluence with Big Sandy)	Riparian: Proper Functioning Condition	Rebecca Peck 928-718-3732
October 18 and 19	Cedar Canyon allotment	Upland: Frequency, Cover, Dry weight rank	Abe Clark 928- 718-3755
October 26,27,28, and 29. Note: Tuesday and Wednesday are planned to determine where best to	Havasu Herd Management Area	Upland: Frequency, Cover, Dry weight rank	June Wendlandt 928-718-3720

Date	Location	Monitoring Type	Contact
place study sties. Sites will be read on Thursday or Friday.			
November 2-November 5. Note: This trip is planned as a backpack trip with 3 nights of camping.	Big Sandy (Crossing on Signal Road to Alamo Lake)	Riparian: Proper Functioning Condition	Rebecca Peck 928-718-3732
November 8 and 9	Diamond Bar allotment	Upland: Frequency, Cover, Dry weight rank	Abe Clark 928- 718-3755
November 10 and 12	Black Mountain allotment	Upland: Frequency, Cover, Dry weight rank	Abe Clark 928- 718-3755
November 15	Diamond Bar allotment	Spring inventory	Abe Clark 928- 718-3755
November 16,17, and 18	Cane Springs allotment	Upland: Frequency, Cover, Dry weight rank	Abe Clark 928- 718-3755
November 22 and 23	Cook Canyon allotment	Upland: Frequency, Cover, Dry weight rank	Dave Brock 928-718-3715
December 2 and 3	Mud Springs allotment	Upland: Frequency, Cover, Dry weight rank	Dave Brock 928-718-3715
December 7, 8 and 9	Gold Basin allotment	Upland: Frequency, Cover, Dry weight rank	Mike Blanton 928-718-3707
December 14, 15, and 16	Los Molinos, Diamond Joe, and Big Sandy allotments.	Upland: Frequency, Cover, Dry weight rank	Dave Brock 928-718-3715

Lower Sonoran Field Office

The Department released the administrative Draft Resource Management Plan (RMP/Draft EIS) for the Lower Sonoran Field Office and Sonoran Desert National Monument on July 20, 2010. The Department is currently reviewing the administrative Draft RMP and providing the BLM with comments. Due to time constraints imposed by a settlement agreement with the Western Watersheds Project, the public Draft RMP is scheduled to be released on October 8, 2010. Additionally, as part of the settlement agreement, the BLM will not open any of the currently-closed roads within the Monument until the completion of the RMP and Record of Decision.

Havasu Field Office

The Department continues to coordinate closely with the Field Office in the development of subsequent implementation-level plans, including Travel Management Plans, the associated route designation process, and developing alternatives for NEPA compliance.

Phoenix District Office

The Department continues to work with the BLM on juniper thinning within the Agua Fria National monument to benefit pronghorn and other grassland species. The BLM has contributed Healthy Lands Initiative funding and fire crews to the effort. The Department continues to seek funding from various sources. This work is also part of the Central Arizona Grasslands Conservation Strategy.

Tucson Field Office

Arizona National Scenic Trail-White Canyon Passage

The Department commented on NEPA documents evaluating the proposed realignment of a short section of the Arizona National Scenic Trail (White Canyon Passage). The trail section is in Pinal County, southwest of Superior, north of the Gila River near Cochran. Department comments focused on ensuring the proposed realignment will not negatively impact a nearby bighorn sheep population or hunter/outdoor recreationist access to the area.

Yuma Field Office

The Record of Decision (ROD) for the Yuma Field Office Resource Management Plan was signed by the BLM Arizona State Director on July 28, 2009 and the Notice of Availability for the ROD was published in the Federal Register on January 29, 2010, making it effective immediately. The Department continues to work with BLM on the development of subsequent implementation-level plans, including the La Posa Travel Management Plan. The Department is planning to participate in Travel Management Plan route evaluations for the Cibola-Ehrenberg areas which have been placed on hold until Fall of 2010.

BLM NATIONAL MONUMENTS & CONSERVATION AREAS

Agua Fria National Monument

The Record of Decision (ROD) for the Agua Fria National Monument and Bradshaw Harquahala Resource Management Plan was released on April 22, 2010. The Hassayampa Field Office is currently executing portions of this Land Use Plan while concurrently developing an Implementation Strategy that sets priorities and timelines for overall implementation. The plan will eliminate recreational shooting from the Monument, but continue to allow hunting. The plan includes a travel management decision to close 52 of 171 miles of inventoried routes on the Monument, to all uses and restore them. Another 25 miles will be closed for administrative use only. Many of the closed roads were redundant or will protect sensitive resources such as pronghorn and archaeological sites. The plan allocates 20,900 acres out of 70,900 acres to maintain wilderness characteristics, across the Perry Mesa area. This area currently has few human intrusions and the management goal will be for solitude, primitive and unconfined recreation with minimal recreation development. Wildlife is recognized as one of the important aspects of the area and will be actively managed. This area includes some of the best pronghorn fawning habitat in GMU 21. Grazing management in riparian areas will be limited to winter use only (Nov. 1 – Mar. 1), compared to past practices of year-round grazing. All federal minerals within the Monument will remain withdrawn or closed from all forms of location, sale or leasing; including withdrawn from location, entry and patent under mining laws. Federal minerals are also withdrawn from disposition under laws for minerals and geothermal leasing. No lands within the Monument can be disposed, leased or sold. There will be high priority for acquisition of private in-holdings, with priority on lands recognized as habitat for federally listed species.

Ironwood Forest National Monument (IFNM)

The Tucson Field Office continues to monitor the progress on the proposed final Resource Management Plan and Environmental Impact Statement for the Ironwood Forest National Monument. The BLM State Office and Washington Office have commented on the administrative draft of the Proposed RMP. The Ironwood Forest National Monument plans to

publish the Proposed RMP/Final EIS early this summer and complete the ROD/Approved RMP before the end of the Federal fiscal year 2010.

Grand Canyon-Parashant National Monument / Vermillion Cliffs National Monument

On May 9, 2008, the Records of Decision and Approved Resource Management Plans (RMPs) for the Grand Canyon-Parashant and Vermillion Cliffs National Monuments were released to provide guidance for BLM-administered lands in northern Arizona. The final plan includes a series of unique route networks and designations. In *Center for Biological Diversity (CBD) v. U.S. Bureau of Land Management*, No. CV 09-8011-PCT-PGR (US Dist. Ct. AZ), plaintiff CBD challenges the RMPs, alleging that BLM and FWS have failed to comply with the NEPA, FLPMA, and the Endangered Species Act (ESA) by refusing to incorporate actions necessary to protect public land and endangered and threatened species from adverse impacts of excessive off-road vehicle use, livestock grazing, and the use of lead ammunition in their land and wildlife planning for the Monuments. A related case, *Wilderness Society et al. v. BLM, et al.* No. CV 09-8010-PCT-PGR (US Dist. Ct. AZ) also challenges the RMPs by alleging violations of the NEPA, FLPMA, NHPA and presidential proclamations, and is seeking an injunction to close primitive roads and trails to motorized use.

The National Rifle Association is an intervener. The Arizona Game and Fish Department has been granted amicus status, as has the Safari Club. The federal government has filed the Administrative Record. The CBD and Wilderness Society's motions for summary judgment are due September 15th; the U.S. files its motion for summary judgment on November 3rd. The State of Arizona Game and Fish Department's amicus brief is due November 10, 2010.

Las Cienegas National Conservation Area (LCNCA)

The Department continues to monitor the reestablishment of black-tailed prairie dog populations at two sites within the LCNCA and is preparing for this year's release. The Department is currently working with the USFWS to develop the agreement to implement conservation measures on federal, state, and private lands to manage black-tailed prairie dog habitat and populations in a manner that will contribute to the multistate conservation effort and the long-term viability of the species while also maintaining management flexibility. Progress of the Department's reintroduction efforts can be found in the Nongame Subprograms Quarterly Briefing.

DEPARTMENT OF DEFENSE

U.S. Army-Fort Huachuca

The Department has twice provided comment on the Fort Huachuca's draft Integrated Natural Resources Management Plan (INRMP). The INRMP is a Department of Defense planning document that allows military installations to implement landscape-level management of their natural resources. They are extremely important management tools ensuring military operations and natural resource conservation, are integrated and consistent with legal requirements. INRMPs address the management of natural resources (e.g., fish, wildlife, habitat), allow for multiple-uses of those resources, provide public access as necessary and appropriate; all without any net loss in the capability of an installation to support its mission.

The Department has scheduled a meeting with the U.S. Fish and Wildlife Service and the INRMP Team, to discuss incorporating additional language to ensure research or management activities on the Fort do not unintentionally impact special-status species (e.g., ocelot, jaguar).

U.S. FISH AND WILDLIFE SERVICE

Kofa National Wildlife Refuge (Kofa NWR)

On May 21, 2010 the FWS released a notice of availability for the December 2009 final EA, Limiting Mountain Lion Predation on Desert Bighorn Sheep on Kofa NWR, and Finding of No Significant Impact (FONSI). Department personnel continue working to capture lions in box traps and snares set within the Kofa Mountains Complex Predation Management Area. No lions have been caught since the female lion in GMU 41 was captured, collared, processed, and released on April 4, 2010; its activities continue to be monitored by the Department. Department personnel recently hauled water to Frenchman Tank and other waters are being monitored to determine water hauling needs.

NATIONAL PARK SERVICE

Petrified Forest National Park

The Arizona Geological Survey (AZGS) recently made available a web-based map of the estimated thickness of the potash bearing layers of the Holbrook Basin Potash deposit, much of which underlies the area encompassed by the Petrified Forest National Park Expansion Act of 2004. The deposit is estimated by AZGS to contain between 682 million to 2.27 billion metric tons of potash. Although the lands currently administered by the Petrified Forest National Park are protected from mining activities, wildlife habitat within the Expansion Act boundary remain vulnerable to potential mining activities. (See attached map)

U. S. BUREAU of RECLAMATION

Grand Canyon Adaptive Management Work Group (AMWG)

The Department has requested and received cooperator status for two environmental assessments (EAs), one on the High Flow Experimental Protocol (HFE) and the other for Nonnative Fish Control with the Bureau of Reclamation (BR). As a formal member of the AMWG, the Department's representative and alternate are appointed by the Secretary of the Interior. The Department is currently actively working with the BR and other cooperating agencies to develop the range of alternatives to be analyzed in the EAs, and will be providing personnel to assist with the analysis of potential effects to fish and wildlife resources and fish and wildlife associated recreation. It is anticipated that the draft EAs will be completed for initial cooperating agency review in late October. The work being completed under the EAs has the potential to impact the Lee's Ferry fishery, the Endangered humpback chub, and other downstream resources in the Grand Canyon. Department personnel have also met with the Lee's Ferry fishing guides and business owners to hear their concerns regarding potential impacts to their operations from the proposed actions.

Fortuna Pond

The Bureau of Reclamation recently completed a shoreline revegetation project to remove thick stands of cattail around Fortuna Pond. The purpose of the project was to restore non-invasive vegetation that would allow access for anglers.

Lower Colorado River Multi-Species Conservation Program

Laguna Reach Restoration Project

The Department is partnered with The Bureau of Reclamation (BOR) in developing the Laguna Reach of the Colorado River, north of Yuma, Arizona, as part of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP). On August 27, 2010 The BOR hosted a meeting in Yuma, Arizona, to provide an update of all activities associated with the restoration project. Following the meeting a marsh workshop was held to discuss any concerns or suggestions about the marsh design. The Laguna Reach project consists of approximately 1,200 acres, most of which is found within Mittry Lake Wildlife Area. The purpose of this project is to restore marsh, riparian, and upland habitat in an area that is dominated with large stands of saltcedar. It is hoped the restoration of native vegetation will provide suitable habitat for species such as the Yuma clapper rail (*Rallus longirostris*), yellow billed cuckoo (*Coccyzus americanus*), and the Yuma hispid cotton rat (*Sigmodon hispidus eremicus*). Work is to begin in 2011 and be completed in 2014.

GENERAL UPDATES

Apache County

The Department assisted the Apache County Rough Riders ATV Club, based in Springerville, with their 7th Annual Outlaw Trail ATV Jamboree on September 8-11. The club conducts ATV trail rides on over 1,200 miles of trails and road network on the Springerville and Alpine Ranger Districts of the Apache-Sitgreaves National Forests. The club also accesses and crosses the Department's Sipe White Mountain Wildlife Area. The Department provided daily tours of the wildlife area's visitor center and conducted two programs on wildlife viewing at the wildlife area. They also provided support and assistance to the organization and event by manning an OHV information booth at the event's staging area in Eagar, speaking with participants on ATV rules, regulations, safety and ethics and handing out printed materials on preferred-use ATV areas located in eastern Arizona.

A public meeting was held in Eagar, Apache County, on September 21 to provide information and gather comments on a proposed fishing regulation change for Becker Lake, located near the towns of Springerville and Eagar. A PowerPoint presentation was given to explain why Becker Lake was chosen for this type of management change and what it would mean for the fishery and the town. Comments were mixed, with 2/3 of the returned surveys strongly opposing the proposal and 1/3 strongly supporting the proposal. These results were vastly different from previous responses, which have been overwhelmingly positive. The Eagar Town Council discussed these comments and the proposal in a Town Council meeting immediately following the public meeting. The Town Council thought the benefits to the entire community outweighed the specific concerns of the 14 individuals that opposed the proposal, and voted to write a letter of support for the proposal to the Commission. The Department will also be presenting a similar presentation to the Springerville Town Council on October 6 at 6:00 p.m.

On September 10th, the Department translocated 120 Apache trout from the upper reaches of Fish Creek to the fishless lower reaches to hasten recovery of the fish in this stream. Fish Creek was chemically treated several times in 2004 and 2005 to remove non-native brown and hybrid trout in an effort to recover threatened Apache trout. Pure Apache trout were repatriated to Fish Creek in 2005 and 2006 using relatively small numbers of wild fish from donor streams. These trout were stocked into the upper reaches of Fish Creek. The stream has been closed to fishing since January 1, 2006 to allow these fish to become established to a point where the population can support angler use. Recent surveys show that the population has been expanding in numbers but not in distribution. This translocation event took a portion of the population from the upper reach where the numbers are relatively high and moved them into the fishless lower reach.

Navajo County

The Department held several fishing clinics in August and September to help local children's groups, and others, to learn to fish. A clinic was held at Clear Creek Reservoir just outside of Winslow on August 26th and two clinics were held on Department property at Silver Creek, just outside of Show Low on September 15th and 16th.

The Department installed 12 fish habitat structures in Fool Hollow Lake, Navajo County, on September 21. The project utilized volunteers from the White Mountain Flyfishing Club and White Mountain Bass Club to install the structures. The "fishing forest" structures were placed in the vicinity of fishing piers to stimulate sunfish and bass populations and increase angler catch rates, particularly kids fishing from the piers. This work is only a small part of a larger ongoing fish habitat project in Fool Hollow Lake to boost warm water fish populations in the lake, which is located on the edge of the City of Show Low.

AZ Sportsman for Wildlife Conservation Memorandum of Understanding (MOU)

The Department has identified 10 potential pinyon-juniper treatment areas on the North Kaibab Westside Project and forwarded them to the consultant for Arizona Sportsmen for Wildlife Conservation. A field trip to the Westside of the Kaibab was held July 22, 2010. Attendees included Department personnel, AZ Sportsmen for Wildlife Conservation, and the Forest Service. The group looked at 3 areas to treat with the mechanical grinder in mule deer habitat (approximately 200 acres). These areas have been flagged for treatment and a contractor is being selected. Work may begin in these areas as soon as August or September. Whether to seed these areas prior to mechanical grinding is still being considered. The Forest Service has committed to oversee contractors with the project.

City of Flagstaff

The Department revised wildlife and habitat-relevant sections of the Environmental Planning and Conservation (EPC) and Open Spaces elements of the revision of the Greater Flagstaff Area Regional Land Use Plan. In collaboration with Coconino County and City of Flagstaff planners, the Department will help plan and facilitate a Regional Plan Citizen's Advisory Council (CAC) meeting rescheduled for October to review the EPC element and receive public input on the Goals and Policies of this element. The Department continues to provide wildlife expertise to the Expert Forum of local scientists who are developing an inventory, maps and interactive website of Flagstaff's biological and cultural resources for the Regional Plan revision. The Department participated in an Expert Forum conference call with Sherry Ruther of Pima County to discuss how Pima's Conservation Lands System could be adapted to an open space conservation plan for Flagstaff as part of the Regional Plan revision.

City of Show Low

The Department held a public meeting on the 2011-2012 proposed fishing regulation changes at the Pinetop Regional Office on August 9th. Support for the proposed regulations was high. Two additional meetings are scheduled before the Eagar Town Council on September 21st at 6:30 p.m. and Springerville Town Council on October 6th at 6 p.m. to discuss the proposed regulations at Becker Lake.

The Department will continue to coordinate with the Show Low Creek Watershed Enhancement and Protection Group and the Rainbow Lake Coalition regarding management of weeds in Rainbow Lake. The watershed group has collected \$30,000 for a whole lake chemical treatment that would take place this fall, pending approval by the local irrigation company. This chemical treatment would not affect fish or mammals, and would be especially useful in controlling the invasive Eurasian milfoil.

Gila River Indian Community

The Department attended a joint meeting with Gila River Indian Community (GRIC) Cultural Resources Committee and Environmental Resources Committee in June 2010. The purpose of this meeting was to further discuss the memorandum of understanding between the Department and GRIC and further the relationship between the two entities. The Department presented what the Department can offer GRIC in terms of inventorying wildlife resources and subsequent linkages to state and federal land beyond the Community. GRIC was primarily interested in hearing another presentation in front of the tribal council in the next few months as to what resources the Department can offer GRIC. The Department led the presentation in the joint meeting of the Environmental Resources Committee and Cultural Resources Committee on Sept. 7th and gave the final presentation to the Tribal Council on September 15th.

Maricopa County Flood Control District

The Maricopa County Flood Control District (District) has initiated the development of a master plan for future flood control designs within the Gila River watershed area south of Buckeye Hills, including the Gillespie Dam and tributaries to the Gila River that begin in Little Rainbow Valley and the North Maricopa Mountains. Land ownership in the planning area includes private and federal lands. The Department has a high degree of interest in promoting preservation of natural floodways and floodplains in the area to conserve wildlife habitat and connectivity between the Gila River and surrounding areas.

Maricopa County Ordinances P-28 and P-27

The Department recently met with Land Commissioner Maria Baier and Arizona State Land Department (ASLD) staff along with Maricopa County Air Quality Department (MCAQD) acting Director Max Porter to discuss the recent revisions to Maricopa County Ordinance P-28. The revision allows for access onto state lands in unincorporated Maricopa County. Currently access is limited only to the Desert Wells Multi-Use Area; the rest of ASLD lands in Maricopa County are closed. This has not been an issue due to limited enforcement resources that are allocated in response to complaints. However, ASLD had recently contracted with the Maricopa County Sheriff's Office using OHV Decal funds to keep users off of ASLD Lands in targeted portions of Maricopa County. ASLD cited receiving several notices of violations attributed to OHV use as the reason for requesting the exclusion of ASLD Lands in P-28. MCAQD informed the group that of the notices of need for improvement only two went to the violation level and

they were deferred. Regardless of the outcomes ASLD believes that this liability to the Trust is unacceptable and that P-28 is an effective tool in limiting their liability. ASLD also continues to seek entities to purchase Special Land Use Permits (SLUP) as a remedy. The holder of the SLUP would have non-exclusive use of the property and would encumber ASLD's liability. The Department will continue to work with MCAQD and ASLD to find resolutions that works for all parties.

Maricopa County announced notice of final proposed rulemaking for dust ordinances P-27 and P-28 regarding operation of motorized vehicles on vacant lots and unpaved private and public property in the County. The proposed revisions result from recommendations made during meetings with the Maricopa County Justices of the Peace and several stakeholder meetings including the Department, ASLD, and the Off Highway Vehicle Coalition. Revisions involve creating a tiered monetary fine for consecutive violations and also spell out several definitions, address inconsistencies within the ordinance, and clarify exemptions. As a reminder, P-27 allows for vehicle access to properties if lawful authority is obtained from the land owner and if such use does not violate any other applicable laws. P-28 applies to all unincorporated areas within Maricopa County and applies to any person operating a vehicle on unpaved private property or unpaved public property. The difference between the P-27 and P-28 fugitive dust *ordinances* and the fugitive dust *rules* (Rules 310 and 310.01) is the *ordinances apply to vehicle owners* operating on unpaved property and the *rules apply to property owners*. The Department is in the process of drafting a comment letter in support of the latest revisions as the Department feels that this version is acceptable in regards to public access concerns for outdoor recreation.

Pinal Partnership Open Space Initiative Workshop

Pinal Partnership Open Space Initiative Workshop steering committee was chartered by the Pinal Partnership (a coalition of community, business, educational, and governmental leaders in Pinal County) with the mission to "improve research, planning, and coordination of private and public efforts related to infrastructure, natural resources and community development in Pinal County." The Department, Pinal County, USFWS, Sonoran Institute, Land and Water Trust, Arizona State University, Pinal Community College, a landowner/developer, ranching and OHV representative, and others participate on the committee. The steering committee is primarily tasked with the following: creating a stakeholder workshop to candidly discuss open space issues in Pinal County, develop collaboration and communication amongst stakeholders, and ideally produce a "product" (e.g., map) stakeholders can use when addressing open space issues. The all-day workshop is scheduled for September 24 and features Grady Gammage as the keynote speaker. Department participation in the committee and workshop ensures wildlife habitat and corridors are considered during current and future open space planning.

Vulture Mountain Cooperative Recreation Management Area

The Maricopa County Parks and Recreation Department and the Bureau of Land Management recently hosted a meeting on September 9th, 2010 for the development of the Vulture Mountain Cooperative Recreation Management Area (VMCRMA). The goal of the VMCRMA is to provide a variety of recreational opportunities for local residents while preserving and enhancing wildlife habitat. The Department is assisting with its development through modeling of potential wildlife linkages and will continue to participate by attending a series of meetings.

Town of Marana General Plan

The Department recently provided comment on pertinent sections of the Town's draft general plan. Marana's general plan is designed to implement the community's future vision, by establishing how decisions are made regarding private development projects and public capital investments. Department comments emphasized the: 1) untold economic benefits of hunting, fishing, and nonconsumptive uses of wildlife to local counties, 2) importance of maintaining open space to support wildlife habitat, 3) need to identify and protect wildlife corridors within the planning area, and 4) continuing hunting and fishing access for residents and visitors. The general plan is anticipated to be completed in November.

Sands Ranch Coordinated Resource Management Plan

Sands Ranch is a combination private, Forest Service, County, and State lands. It is located in Cochise and Pima Counties, on the west side of the San Pedro River, about 5 miles north of Huachuca City, at the south end of the Whetstone Mountains. The ranch has been in operation since 1920, primarily as a cow-calf operation.

Management agencies in Arizona have used Coordinated Resource Management Plans (CRMP) as a natural resource management planning tool to develop work plans for individual ranches. CRMPs are based on a philosophy that natural resource management opportunities and conflicts are best identified and resolved on a local level. It is a voluntary, non-regulatory process that uses consensus as its main strength. CRMPs can also be used to resolve or avoid natural resource management conflicts. Collaborators on the Sands Ranch CRMP includes the owner/operator, the Department, Arizona State Land Department, Pima County, Forest Service, Natural Resources Conservation Service, Bureau of Land Management, and University of Arizona Cooperative Extension.

The over-arching goal of this CRMP is to attain a healthy balance of livestock, plant communities, and wildlife on the land that allows each to thrive. The plan addresses specific situations and contains practical and implementable strategies and recommended actions. Department recommendations outlined in the plan include hunter access, incorporating our Species and Management guidelines, water development, modification or removal of fencing to wildlife friendly standards, reduction of invasive woody plants, native grass restoration, and maintenance/restoration of habitat health. The Sands Ranch CRMP is currently being reviewed by the committee and is expected to be finalized before the end of the year.

Town of Oro Valley

The Department has been participating in the Town of Oro Valley's Environmental Sensitive Lands (ESL) Project. The Department, along with representatives from Pima County, Town of Marana, and Fish and Wildlife Service participated on the Technical Advisory Committee to create guidelines for identifying ESLs within Oro Valley. Over the next couple months the committee's findings will be presented to the community, Planning and Zoning Commission, and Town Council for review and comment. The full version of committee's recommendations is available at: http://www.orovalleyaz.gov/ESL/Draft_ESL_Ordinance.htm

Proposed Rosemont Copper Project

The Department continues to participate closely with the Coronado National Forest and other cooperating agencies on the proposed Rosemont Copper Mine.

On August 31st, the Commissioners and the Department toured the proposed Rosemont Copper mine site. Dennis Fischer, Rosemont Project Site Coordinator and Holly Lawson, Rosemont reclamation specialist, gave an overview of the proposed mine to the Commissioners and staff. The group then toured the property where the mine is proposed to occur. Afterwards, the Commissioners and the Department met in Sonoita for a meeting with the local community. Present at the meeting were several community members, including David Steele and Lynn Carey representing FICO, Jimmy Pepper of Sonoita and Mountain Empire Action Alliance, Ann Gibson of Sonoita, Fred Baker, former Arizona Game and Fish Commissioner, Trevor Hare of the Sky Island Alliance, Gayle Hartmann and Leslie Kramer of Save the Scenic Santa Ritas.

David Steele gave a presentation on the Rosemont Mine, which he pointed out that Augusta Resources, Rosemont's corporate parent, has no history of copper production. The mine will permanently alter the landscape and the habitat in the Santa Rita Valley. He noted that Rosemont may also develop its other mine claims at the site: the Peach-Elgin, Copper World and Broad Top claims.

Jimmy Pepper handed out a copy of the Tom Powers study on the effect of the Rosemont Mine to the Tucson economy. He gave a presentation of the geographical location of public lands in the vicinity of the site, and talked about the wildlife and habitat values.

Trevor Hare spoke about Pima County's purchases of the Kline and Empirita Ranches and the wildlife corridor study by NAU (Paul Beier), funded by the Department. The landscape of the Pima County Conservation Land System is oak savanna graded into pine oak lands, and includes the Chiricahua Leopard Frog (listed threatened); the black-tailed prairie dog, introduced into the Cienega Basin by the Department, and two orchid species unique to the region. Mountain lions rely on sky island corridors to travel between the Santa Ritas, the Whetstones, and the Rincon mountain ranges. One desert tortoise was radio tracked traveling all the way from Cienega Creek to the Rosemont project site and back. Davidson Canyon and Cienega Creek support a cottonwood willow gallery and the Cienega Creek has native endangered fish and other riparian species.

Ann Gibson, a local Realtor and member of a historic ranching family, told Commissioners that people came to this area for its quality of life, which the mine will obliterate.

Fred Baker, a former AGFD Commissioner and rancher, spoke at length on the potential impacts of the mine. Mr. Baker concluded his remarks by expressing his opinion that the Rosemont mine should not go forward considering the wildlife and habitat that will be permanently lost to hunters, birdwatchers, hikers and other lovers of the outdoors today and in the future, and that the jobs Rosemont claims they will bring to our economy are short-run effects, and will be gone long before the scars of their entrepreneurial activity will.

On September 9th, the Department sent a letter to the Forest requesting several reports that have not been made available for analysis. These included:

1. *Onsite Riparian Habitat Assessment and Appendix, 04/10*: This report is posted to the Rosemont website only. We were not notified of its availability and have not been given a deadline for review.

2. *2007 Bio Resources & Mitigation Concepts, Westland Resources, 05/01/2007.* This report is listed in the attachment to the 3/18/2010 memo but has never been posted to either website or distributed to the Department.
3. *Talus Snail Report 4/15/2010:* This report was posted to the Rosemont site but not to the Forest Service website. We have provided comment on this report.
4. *Management Indicator Species Report, SWCA, 12/31/2009.* Listed as an attachment in 3/18/2010 memo and posted to Forest website and which we commented on, but now appears to be missing from the site. We have provided comment on this report.
5. *Migratory Bird Analysis, SWCA, 4/27/2009.* Same status as number 4 above.

The Department also requested that the Forest notify us via postal or email of any new reports that become available and that the Forest conduct a full audit of all reports relevant to the project to ensure they are properly categorized and posted to the Forest Service website.

On September 13th, the Department commented on several reports dealing with groundwater including *Groundwater Flow Modeling Conducted for Simulation of Proposed Rosemont Pit Dewatering and Post-Closure* (Montgomery & Associates, October 28, 2009) and *Hydrogeologic Investigations & Monitoring Phase 2* (Montgomery & Associates, February 26, 2009). These comments were submitted in accordance with the MOU between the Forest Service and the Commission. These comments attempted to describe how the withdrawal of water and resulting cone of depression from the post-closure mine pit lake could impact water availability and wildlife habitat.

The Department learned at the Commissioner's tour that TetraTech has conducted further analyses and/or simulation runs of the groundwater flow model for the proposed Rosemont pit, which as of this date is not posted to either the Rosemont or the Forest EIS websites. The Department notified the Forest that we reserve the right to file additional comments pending analysis of this report.

On September 16th, the Department attended the Cooperators meeting for the Rosemont Copper Project. The Forest informed the Department that they would be conducting a full audit of technical reports and providing the missing reports to the Department. The Forest did not provide the cooperators with Chapter 2 of the Draft Environmental Impact Statement as anticipated; but stated that they would remain on the previously announced timeline which provides for a complete document by mid December 2010.

The majority of the meeting concerned permits and authorizations from regulatory agencies including Bureau of Land Management, Army Corps of Engineers, Pima County, Arizona Department of Transportation, Arizona Corporation Commission and Line Siting Committee, Arizona Department of Environmental Quality, Arizona State Mine Inspector, Arizona Department of Water Resources, Pima County Department of Environmental Quality, Arizona Department of Agriculture, U.S. Environmental Protection Agency, US Department of Transportation, and the Arizona State Land Department.

Since the Department has no regulatory authority over wildlife habitat and does not interpret "take" of wildlife to include take incidental to otherwise lawful activities, the Department is not considered a regulatory agency requiring a permit or authorization.

Renewable Energy Development

Navajo County Planning and Zoning Commission voted unanimously to table the draft County Wind Energy Facility Development ordinance at their September 16th meeting due to issues and concerns with the setbacks listed in the draft. They advised staff to review the draft again, make the final revisions and bring the final draft before the County Commissioner at the October 21st meeting.

Geothermal

Springerville/St.Johns CO₂ Dome

On September 15, 2010, U.S. Energy Secretary Steven Chu announced the award of \$20 million to 7 projects to research, develop, and demonstrate cutting-edge geothermal technologies. Among the 7 projects awarded was \$2,000,000 to GreenFire Energy to provide field evaluations of a low temperature carbon dioxide-based geothermal electric power generation plant in the vicinity of Springerville and St. Johns in Apache County. Phase I of this project will include the set up and initiation of seismic monitoring at the existing St. Johns Dome CO₂ production field, and collection and evaluation of existing data. Phase II will test several energy recovery techniques in existing shallow wells and the performance of CO₂ as a working fluid.

CO₂ for this project will be obtained from existing CO₂ wells within the St. Johns Dome. Greenfire Energy currently has a joint venture agreement with Enhanced Oil Resources, Inc., the parent company of Ridgeway Arizona Oil Corporation (RAZO). RAZO St. Johns Dome has a potential footprint of approximately 160,000 acres. It is unknown at this time what the future impacts to wildlife may be of a fully built out CO₂ geothermal energy production facility. A previous plan by RAZO was to utilize CO₂ from the St. Johns Dome as a source of CO₂ for tertiary oil recovery in the Permian Basin of north Texas.

Solar

The Department continues to work with BLM, FWS, ASLD and other agencies regarding numerous solar projects being proposed within Region IV (see table below). The Department participated in Maricopa County Technical Advisory Committee meeting on August 17, 2010 to discuss 3 of the solar energy proposals in Region IV.

Name	Applicant	County	Owner	Potential Acres	Project Status
Agua Caliente	NextLight	Yuma	Private	2,372	Permitted for PV or CSP
Aguila	Horizon Wind Energy	Maricopa	BLM	11,866	contacted by consultant
Aguila 1&2		Maricopa	Private	284	contacted by consultant
Arlington	LS Power	Maricopa	Private	240	contacted by consultant
AVSE I	LS Power	Maricopa	ASLD	1,223	ASLD Lease Review
AVSE II	LS Power	Maricopa	ASLD	1,125	begun county & ACC Compliance

Name	Applicant	County	Owner	Potential Acres	Project Status
AVSE III	LS Power	Maricopa	ASLD	4,721	begun county & ACC Compliance
Crossroads	Solar Reserve	Maricopa	Private	1,865	Comprehensive Plan Amendment
Gillespie	Recurrent Energy	Maricopa	Private	151	Comprehensive Plan Amendment
Harquahala	Green Fuel Technologies	Maricopa	Private	126	Uncertain
Harquahala Valley	Starwood	Maricopa	Private	1,968	Uncertain
Hyder (ASLD)	Solar Reserve	Yuma	ASLD	2,568	contacted by consultant
Hyder (BLM)	Iberdrola	Maricopa	BLM	1,538	contacted by consultant
La Paz I	Enviromission	La Paz	ASLD	5,770	contacted by consultant
La Paz II	Enviromission	La Paz	ASLD	5,970	contacted by consultant
McMullen	Horizon Wind Energy	La Paz	BLM	32,959	contacted by consultant
Mesquite	Sempra	Maricopa	Private	2,406	begun county & ACC Compliance
Palo Verde	AREVA Solar AZ II, LLC	Maricopa	BLM	2490	Comprehensive Plan Amendment
Palomas I & 2	NextLight	Yuma	BLM	2,903	NEPA
Quartzsite I and II	Solar Reserve	La Paz	BLM	5,128	begun NEPA/cooperating agency
Ranegras	Iberdrola	La Paz	BLM	4,691	contacted by consultant
Solana	Abegnoa	Maricopa	Private	3,120	Section 7 begun
Solstice	Ausra	Maricopa	ASLD	1051	contacted by consultant
SunStreams	Element Power US	Maricopa	Private	1070	Comprehensive Plan Amendment
Tonopah PV	Foresight	Maricopa	Private	266	Comprehensive Plan Amendment
Verma Solar Hyder I	Verma	Yuma	Private	100	ASLD Application Received
Yuma County Solar	Archaeological Consulting Services	Yuma	ASLD	320	contacted by consultant

Sonoran Solar

NextEra has requested that BLM suspend major permitting efforts. The project will not be on a fast track, which means BLM will not be working towards a record of decision on the Environmental Impact Statement (EIS) by the end of the year. NextEra remains very interested in the application area and BLM is working with the company on revising the schedule. BLM submitted an estimate for level of work for the next few months as they reevaluate the schedule. BLM is working through the DEIS comments, refining mitigation measures and will be coordinating with cooperating agencies on further development of the EIS.

Wind

NextEra Energy Resources

The Department responded to preliminary questions from the Coconino County Planning and Zoning Commission concerning potential wildlife impacts of NextEra Energy's proposed wind farm project on Perrin Ranch north of Williams at the Commission's September meeting. Commissioners expressed their desire to receive adequate information concerning potential impacts of wind development in northern Arizona on wildlife and a range of other resources, and Commissioners will personally tour Perrin Ranch and two other NextEra wind project sites this month with staff of Coconino County Community Development and the Department. Staff from Region 2 and the Project Evaluation Program in Phoenix and U.S. Fish and Wildlife Service biologists met in early September at Region 2 headquarters with NextEra and SWCA, their environmental consultant, to learn about SWCA's preliminary biological data and study methods. The Department participated in follow-up calls with NextEra and SWCA to suggest improvements to their avian and bat monitoring protocols and is preparing a comment letter on the Perrin Ranch project with Region 2 input.

Boquillas Wind Resource Area

The Department has compiled an analysis of potential biological impacts of Foresight Wind's Boquillas Wind Resource Area (BWRA) project being developed on behalf of the Nation on the Aubrey Cliffs area. Staff evaluated several years of avian and bat monitoring data collected by Department biologists and noted the high biological value of this area as modeled in the Department's Species and Habitat Conservation Guide. The Department's Region 3 has taken the lead in drafting a summary of our findings which has been forwarded to management and which will be discussed by Executive Staff at an upcoming meeting. Department biologists have serious concerns about biological impacts resulting from development of a wind farm at this location and are seeking guidance from Executive Staff in the establishment of an official Department position on the BWRA project.

Grapevine Wind

The Department has reviewed the Grapevine Wind EIS. The Grapevine project is located southeast of Flagstaff near Anderson Mesa. It has the potential to be a 500 MW facility which could entail up to 300-350 wind turbines in three phases. The Department has recommended that the proposed project be considered a Category 3 project as defined by our Wind Guidelines. Category 3 project sites have high or uncertain potential for wildlife impacts involving birds and/or bats, special status species, or other species. Therefore, the Department recommends two years of pre-construction data be collected. The characteristics that indicate high potential wildlife impacts at the Grapevine Canyon project site include the number of proposed turbines and project size, special status species occurring on or adjacent to the site, and the presence of

current or historic prairie dog colonies that may concentrate raptor activity. Overall, the potential impacts to wildlife species and habitats are uncertain in this project area, and therefore the Department has recommended that prior to construction, at least two years of pre-construction bird and bat data are collected with special attention to characterizing seasonal and spatial variability in species' use.

The Grapevine project has completed a biological inventory and one year of pre-construction data collection for one part of the project. However, we are recommending completion of a second year of data collection for that area, not to be conducted concurrently with construction in any part of the project area. In addition, we are asking for two years of pre-construction data for additional portions of the project. Main wildlife species of concern are pronghorn, Golden Eagle, and several species of long distance flying bats which likely use the project areas.

Dry Lake – Phase II

Construction on the approximately 9,600 acre Dry Lake Phase II wind energy facility started in July and is expected to be completed by the end of the year, with commissioning in December. The 31 turbines erected as part of Dry Lake Phase II will bring the total number of commercial scale turbines in Navajo County to 61.

White Hills Wind Energy MOU

The Department and BLM have agreed to language for an MOU that will formalize the coordination process between BLM, British Petroleum, and the Department as it pertains to the development of the Mohave County Wind Project in the White Hills at the Northern end of the Cerbat Mountains of Unit 15BE.

Spatial Data Management

The Department has been working with local partners to synthesize existing spatial data and to generate new spatial information representing the Department's habitat improvement projects. Specifically, we have worked with Northern Arizona University, National Resources Conservation Service, the Forest Service, our Landowner's Relations Program and local landowners to map past and on-going grassland restoration treatments. We will continue to maintain this database, and have offered to maintain spatial data from other partners, to inform habitat projects and annual planning by agencies and non-governmental groups.

SunZia Transmission Line Project

SunZia is a high-capacity transmission (power) line approximately 500 miles long, beginning in northeastern New Mexico and terminating near Eloy, Arizona. SunZia proposes to construct and operate up to two 500 kilovolt transmission lines, metal towers, service roads, and several new intermediary substations. Project proponents claim the new transmission lines are needed to deliver renewable energy resources to the western United States. The Department provided comments on several routes proposed for the transmission line. Some of the proposed routes could have a substantive negative impact on wildlife, habitat, and our constituents.

BLM is responsible for preparing an environmental impact statement (EIS), a draft of which is scheduled to be released in late 2010. Currently, the SunZia project is in the public scoping phase. Cooperating agencies participating in the scoping or involved in reviewing the EIS include the U.S. Army Corps of Engineers, U.S. Army White Sands Missile Range, U.S. Fish and Wildlife Service, New Mexico State Land Office, Arizona State Land Department, Arizona

Game and Fish Department, and numerous other federal, local, tribal, and state agencies. Thus far, stakeholders have submitted comments expressing concern for potential environmental impacts to ranching, private lands property values, biological resources, visual resources, local economics, invasive species, and unauthorized off-road traffic on the access roads.

BLM is currently reviewing the project consultant's recommendations to reject some of the proposed routes to be considered as alternatives in the EIS. Once BLM's review of the consultant's recommendations is complete, the cooperating agencies will meet to discuss the results.

Transportation

Northwest Cochise County-Benson Transportation Planning

The Department, Arizona Department of Transportation (ADOT), Cochise County, and the City of Benson completed the long-range transportation plan for northwest Cochise County. The northwest section of Cochise County is of particular interest to the Department because three potential wildlife linkage corridors pass through the planning area. The objective of the transportation plan is to anticipate future needs due to an increase in traffic volume. Northwest Cochise County study area is approximately 234 square miles, divided by 3 major roadways (i.e., I-10, SR 80, and SR 90), two railroads, San Pedro River, and a few communities (e.g., Benson, St. David). Potential projects, strategies, recommendations, and actions are currently being developed for years 2020 and 2040.

The Department participated in the planning to ensure any planned improvements and structures (e.g., roadways, bridges, fences, and culverts) are fully evaluated to minimize negative impacts on wildlife and habitat. Specific recommendations include research to identify specific corridor locations, infrastructure design to reduce impacts to wildlife, and continued early collaboration with the Department on new projects,

ADOT: I-10, Junction 1-19 to Empirita Traffic Interchange

The Department was recently invited to participate in a transportation planning team evaluating the widening of I-10, from I-19 (beginning in Tucson) to SR 90 (ending at Benson). Widening the interstate will have a substantive negative impact on wildlife populations and increase wildlife/vehicle collisions, unless specific mitigation impacts are implemented. The Department, in collaboration with Dr. Paul Beier, identified important wildlife corridors within the transportation planning area linking the Rincon/Santa Rita Mountains to the Whetstone Mountains.

US60

The Department attended a meeting on August 12th and provided comments on August 23rd. The primary focus of the meeting was to review each of the Design Concept Alternatives (DCA's) for Segments A & B that are presented in the Alternative Selection Report. Originally a total of 49 miles of alternative routes were incorporated into the total plan. That total is now at about 85 miles. Alternative Segment A-2 has been carried forward. This is the route that departs from the current alignment west of Superior and goes north and east around Silver King Wash and then around Peachville Mountain and Fortuna Peak to just east of King's Crown Peak. This segment will have significant impacts to wildlife in that area as well as possibly an effect on hunting and OHV recreation. An endangered species (Arizona Hedgehog) is also present along this proposed alignment. This segment was carried forward because it is the only viable route around the

existing alignment (A-3) through Queen Creek. Of all the alternatives, this one poses the highest threat to wildlife and habitat.

Impacts to Queen Creek by widening the existing alignment are still not determined at this time. There are also unknowns regarding whether the existing route through Queen Creek Canyon can be improved according to Federal construction standards. Other issues in question are cumulative impacts to water flow through the canyon, placement of an east-bound tunnel, and possible cultural impacts. The route through Top of The World has not been retained. Two proposed routes around Top of the World have been retained, one north of the community and one south of the community. The ADOT cultural survey is now on hold due to budgetary issues. These budget issues may also delay the biological survey. This, in turn, may delay the EIS, but Federal Aid monies may be able to assist in this process. It may be necessary to phase each portion the study based on annual availability of funds. The next meeting for the multi agency planning team is scheduled for October 12th.

US 93 Hoover Bypass/Bighorn Sheep Crossings

As construction draws to a close, plans are being made for the grand opening of the US 93 Hoover Dam Bypass, Milepost 2-17 Widening Project, and Construction of 3 landmark desert bighorn sheep overpasses.

SR 77

The Department attended the SR 77 widening kick-off meeting on August 26th. The Department will be coordinating with ADOT and the consultant to ensure that wildlife connectivity and public safety issues are being addressed during the course of this project. Road widening as a result of this project is anticipated to occur from the junction of SR 60 and 77 to the Pinedale Road near the Town of Taylor.

SR 87

Highway construction to improve north and south bound lanes of SR87 between Four Peaks Road and Dos S ranch north of Fountain Hills has begun. The Department is working closely with ADOT and the Tonto National Forest to complete pre-construction road kill surveys for Desert Tortoise in July/August. The Department attended the pre-construction meetings with contractors to closely coordinate removal and relocation of tortoise from the project area during construction. The Department will continue to meet with contractors at weekly progress meetings and have provided training materials related to tortoise handling procedures.

Northern Parkway

The Maricopa County Department of Transportation (MCDOT) has initiated the Northern Parkway Corridor Feasibility Study for the extension of Northern Avenue as a 6-8 lane parkway west of the White Tank Mountains, across the Hassayampa River to the Tonopah area. The Department will be evaluating whether the future parkway will impact conservation goals to preserve a wildlife habitat linkage between the White Tanks, Hassayampa River and Belmont/Buckhorn Mountains to the west. The Department will be attending a series of stakeholder meetings to participate in the Corridor Feasibility Study.

I-17

The Department continues to attend progress meetings for the I-17 Design Concept Report and Environmental Studies on the New River to Jct. SR 69 segment of future highway improvement

and realignment. Consultants are still working on the Draft EA, and therefore, no preferred alternatives for the realignment and lane expansions have been chosen. The Department will be working with ADOT to develop mitigation measures for wildlife crossings and Desert tortoise along segments of the project. The project transects BLM Category II tortoise habitat and BLM has a high degree of interest in tortoise mitigation measures.

ADOT-What Moves You Arizona

ADOT kicked off a 25-year Long Range Transportation Planning (LRTP) effort that tier to the vision planning done through the bqAZ planning process that led to the Statewide Transportation Framework. The LRTP process will involve 3 phases:

- Focus Vision- Goals & Objectives
- Investment Choices- 25-year plan
- Recommendations/Approval

Investment options will be prioritized based on the goals and objectives. There are currently 8 draft goals including protect the environment and natural resources, strengthen partnerships, enhance safety and security, link transportation and land use, support economic development, preserve and maintain the system, improve mobility and accessibility and promote fiscal stewardship.

The Department recently attended the workshop held for Natural Resources Agencies, and has submitted formal comments on the draft Goals & Objectives of the LRTP.

Arizona State Rail Plan

ADOT has developed the first draft of the Arizona State Rail Plan (Plan), which is one piece of the larger multimodal transportation planning framework for Arizona. The Plan presents a series of issues and opportunities relative to the future of rail development in Arizona, including a series of implementation directions and discussions on funding options. This document tiers to the Statewide Rail Framework Study that was part of the broader (40-year) multimodal transportation vision for Arizona, also known as bqAZ. The Department has submitted formal comments on the Plan pertaining to the goals and objectives, wildlife corridors and habitat connectivity, and collaboration and coordination opportunities for mitigation of existing infrastructure and future rail development.

Wickenburg Transportation Framework Study

The Maricopa Association of Governments (MAG) is in the early stages of collection data for a transportation study focusing on the Wickenburg area as part of the Hassayampa Valley Framework Study. MAG is developing alternative route scenarios for up to 320,000 people eventually occupying the Wickenburg area. The Department is reviewing the draft scenarios and will provide information related to wildlife populations and habitats that could be affected by the build out and corresponding transportation needs.

Wildlife Linkages/Corridors

Statewide coordination is continuing for the county workshops. The Department has been working on a draft document to be used as the template for reporting on the results of the county-wide linkage assessments. That template is undergoing a final internal review and will be

provided to the Arizona Wildlife Linkages Workgroup, which serves as the steering committee for this work, for their input. Specific county updates are below:

Coconino County

The Department's Region 2 participated in an organizational meeting of the Department's wildlife linkages team to discuss recent regional stakeholder workshops and project activities, and to plan and coordinate future steps. The Department shared the results of a meeting of the reorganized Arizona Wildlife Linkages Workgroup, an interagency advisory team that advises the Department's linkages effort. The Department linkages team brainstormed priority tasks and the resources needed to achieve them. The team established a revised format for county linkage reports and Region 2 staff will take a lead role in a subteam charged with finalizing a draft of the county template report. The Region has obtained habitat suitability data from local species experts for four new focal species that we will use to develop fine-scale linkage models for high-priority wildlife movement areas around Coconino County.

La Paz County

The Department will be hosting the La Paz County Wildlife Linkages Workshop at the County Board of Supervisors Building in Parker, Arizona on September 30, 2010 from 9 a.m. to noon. Early responses to the invitations indicate that there will be a good turnout. La Paz County Community Development provided valuable assistance in setting up the workshop.

Mohave County

The Department continues to cooperate with Mohave County in the development of language for the Natural Resources and Environmental components of the county's General Plans. Additionally, recommendations have been made for modifications to incorporate the Department's expertise into the planning and zoning permitting process.

Pima County

The Department and Arizona Department of Transportation collaborated on a proposal to fund a wildlife linkage planning workshop for Pima County. The funding proposal was presented to the Pima County Regional Transportation Authority (RTA) Wildlife Linkages Work Group at their August 13th meeting. The work group voted unanimously to fund the proposal, final approval is pending from the larger RTA Board. Funds will be used to support two stakeholder workshops, create GIS maps of known wildlife linkage corridors, and to write a summary report. Upon completion of the Pima County workshop and analysis of information provided, the Department will have accumulated data on potential important wildlife linkages from Utah to Mexico, in all the heavily populated counties in Arizona (Yavapai, Maricopa, Coconino, and Pinal).

Yavapai County

The Department continues to cooperate with Yavapai County in the development of language for the Natural Resources and Environmental components of the county's General Plans. Additionally, recommendations have been made for modifications to incorporate the Department's expertise into the planning and zoning permitting process.

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