

Minutes of the Meeting of the  
Arizona Game and Fish Commission  
Friday, April 16, 2010  
Saturday, April 17, 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 Gary R. Hovatter  
Assistant Attorney General Jim Odenkirk  
Assistant Attorney General Linda Pollock

Chairperson Martin called the meeting to order on Friday, April 16, 2010 at 8:00 a.m. This meeting followed an agenda revision #1 dated April 14, 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:** Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

**Vote:** Unanimous

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The Public Meeting reconvened at 9:55 a.m.

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Chairperson Martin called the meeting back to order and lead those present through the Pledge of Allegiance. The Commission introduced themselves and Chairperson Martin introduced the Director and the Director's staff.

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### Awards and Recognition

Director Voyles announced that the Safari Club International (SCI) Board of Director's voted unanimously to fund \$25,000 for the acquisition of an Operation Game Thief (OGT) Anti Poaching Mobile Display Trailer after the idea was presented to them by the Department's OGT Program Manager Ken Dinquel. Members of the board were present and ceremoniously presented a check to the Department. Director Voyles stated that this partnership with SCI is

exceptionally valuable and the OGT Anti Poaching Display Trailer will showcase this teamwork in conservation for years to come.

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### 5. Presentation to Commission on “The Arizona We Want”

**Presenter:** Richard Miller, Funds and Planning Branch Manager

Mr. Miller introduced Dr. Lattie Coor with the Center for the Future of Arizona who provided the Commission with a presentation on The Arizona We Want Institute. The Arizona We Want Institute is a new major initiative designed to implement the citizens’ agenda based upon the findings of the center’s recently released Gallup Arizona Poll. The presentation highlighted the resulting “Arizona We Want” report which offers a clear and compelling picture of what citizens think about life in Arizona communities and what they want for the future. This presentation was for information only and the second in a series of Commission presentations leading up to the Department’s upcoming strategic planning work session.

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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.

Based on discussions in Executive Session, the Commission provided the following direction to the Department:

**Motion:** Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO INTERVENE AS A PARTY IN THE MOHAVE VALLEY SHOOTING RANGE APPEAL TO THE INTERIOR BOARD OF LAND APPEALS.

**Vote:** Unanimous

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### 3. Legislative Engagement and State and Federal Legislation

**Presenter:** Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission using a PowerPoint presentation on the current status of selected state and federal legislation as well as state budget issues. The Department provided the Commission with regular daily/weekly updates on legislative matters during the legislative session and provided informational materials at this meeting (available to the public). The presentation included updates on the following:

Budget Breakdown for AGFD FY-11

AGFD RequestLegislative Appropriation

Total AGFD Requested: \$35,864M Included Wildlife Series (\$1.3M)	Total Legislative Appropriation: \$34,490M Includes increase in fuel and repair \$150K and increase in Lapsed Angler Marketing \$100K/year
Total Watercraft Request: \$4.728M Included Wildlife Series (\$39K)	Total Watercraft Appropriation: \$4.689M Includes new AIS Funding \$200K
<u>Nongame/Heritage</u> No change	<u>Nongame/Heritage</u> No change

## Capitol Outlay and Improvements: Full Appropriation

- Capitol Improvement Fund \$1.8M
- Game and Fish Fund \$796,800

## Total Fund Transfers: \$878,600

- OHV: \$78,600
- Watercraft: \$800,000

## State Employee Pay Reductions - Equates to approximately 5%

- Repeal Performance Pay: Equates to 2.75%
- Mandatory Furlough FY-11: 6 days

State Legislation

- Committee hearings are over for this session
- Adjournment will likely be late April/early May

HB2144: wildlife; guides; wasted meat

- Proposed Floor Amendment – Senator Allen/Cattle Growers

Mr. Guiles briefed the Commission on the Cattle Growers concerns with HB2144. They did not want ranchers to fall under the description of a guide. The Department recommended that the Commission support this amendment.

**Motion:** Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO SUPPORT THE ALLEN FLOOR AMENDMENT TO HB2144 (ATTACHED).

**Vote:** Unanimous

HCR 2008: constitutional rights; hunting and fishing

- Has completed journey in the House
- Awaits Senate COW debate/discussion

SB 1200: arizona game and fish commission; selection board

- This measure was signed by the Governor April 7, 2010
- Will become effective on General Effective Date – 90 days-post *sine die*

HB 2601: eagle scouts; complimentary fishing license

- Awaits Senate COW debate/discussion

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4. 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 March 2010 Commission meeting and was provided in fulfillment of the Department's commitment to brief the Commission on a regular basis.

Using a PowerPoint presentation, Mr. Gray highlighted the following items from this reporting period:

2010 Outdoor Expo Success

- 32,000 Attendance – 60% first time
- 175 Exhibit/vendors
- New this year: book sales and licenses sales

Arizona Wildlife Fund Information Campaign - "Make a Mark for Wildlife"

- Outreach through tax season (January through April 15, 2010)
- Logo/tagline developed to provide branding
- Campaign components: Web page, news releases, radio spots, front counter displays, event banners, event booth display, e-newsletter, Wildlife Views magazine stories, Wildlife Views TV segment, e-brochure, Power Point slide, on-hold phone message, and social media placement
- E-brochure e-mailed to professional tax preparers statewide and distributed through the Arizona Association of Certified Professional Accountants' newsletter.

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6A. Request for the Commission to Approve an Interagency Service Agreement with the Arizona State Parks Board for the Continued Operation of the Roper Lake State Park.

**Presenter:** Mike Senn, Assistant Director, Wildlife Management Division

Mr. Senn briefed the Commission using a Power Point presentation on Roper Lake State Park. The presentation included a list of Roper Lake capital improvements, 2009 expenses and

revenues, actions by Arizona State Parks and Graham County to reduce costs, angler use days, and the economic benefit to the community.

In 1969, the Commission purchased property, now known as Roper Lake State Park, in Graham County to provide public fishing and recreation opportunities. The property was managed by the Commission until 1974 when the Commission entered into a management agreement with the Arizona State Parks Board (Board) to run the facility as Roper Lake State Park (Park). In February of 2010, the Board announced the impending closure of the Park on March 29, 2010 due to budgetary constraints. In an effort to keep the Commission's interest in providing recreational activities open to the public, the Department requested that the Commission approve an Interagency Service Agreement (provided to the Commission prior to this meeting for consideration). The agreement provides for a one time advance payment of \$20,000 to the Board to supplement operation costs of the Park from March 30, 2010 until June 3, 2010. This will provide the Board with an extended opportunity to reassess management of the facility to reduce operational costs to stay within current budgetary constraints and new increased user fees.

#### Public Comment

Drew John, Graham County Supervisor: Encouraged the Commission to approve the agreement.

Jay Ream, Assistant Director, Arizona State Parks: Encouraged approval of the agreement.

**Motion:** Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE INTERAGENCY SERVICE AGREEMENT WITH THE ARIZONA STATE PARKS BOARD TO SUPPLEMENT CONTINUED OPERATION OF THE ROPER LAKE STATE PARK UNTIL JUNE 3, 2010, AND EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

**Vote:** Unanimous

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#### 6. 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 March 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 presented and the Commission had no questions or comments.

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## 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 none were deemed necessary to remove for discussion.

### a. Request for the Commission to Approve a Memorandum of Understanding with BLM for the Development of the Sonoran Solar Energy Project Environmental Impact Statement (EIS).

**Presenter:** Josh Avey, Habitat Branch Chief

The BLM and the Department are currently developing a Programmatic Environmental Impact Statement (PEIS) for Sonoran Solar Energy Project. 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 Sonoran Solar EIS process
- To provide a framework for cooperation and coordination among BLM and the Department that will ensure successful completion of the Sonoran Solar Energy Project EIS in a timely, efficient, and thorough manner
- To recognize that the BLM has the responsibility for the completion of the Sonoran Solar Energy Project EIS and their respective Records of Decision (RODs)
- To describe the respective responsibilities, jurisdictional authority, and expertise of each of the Parties in the Sonoran Solar Energy Project EIS process.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE BUREAU OF LAND MANAGEMENT TO ALLOW THE DEPARTMENT TO BE A COOPERATING AGENCY IN THE DEVELOPMENT OF THE SONORAN SOLAR ENERGY PROJECT ENVIRONMENTAL IMPACT STATEMENT (EIS) AND TO EXECUTE THE AGREEMENT AS RECOMMENDED AND APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

### b. Request for Commission Approval of a Special Use Permit with the U.S. Forest Service, Kaibab National Forest, for the Purpose of Continued Operation and Maintenance of Four Wildlife Water Catchments.

**Presenter:** Josh Avey, Habitat Branch Chief

In 1988, the Department entered into a Special Use Permit (SUP) with the Forest Service for the construction, operation and maintenance of four (4) Wildlife Water catchments – South Trick, Dillman Trick, Watson Trick, and Charley Trick Tanks) A.G. Contract No. KR89-0649-CIV on the Kaibab National Forest. The current 20-year SUP expired on December 31, 2008.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE SPECIAL USE PERMIT WITH THE U.S. FOREST SERVICE, KAIBAB NATIONAL FOREST, FOR THE PURPOSE OF CONTINUED OPERATION AND MAINTENANCE OF FOUR

WILDLIFE WATER CATCHMENTS AND TO EXECUTE THE AGREEMENT AS RECOMMENDED AND APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

c. Request for the Commission to Approve the Right-of-Way Renewal Through State Land for Legal Access to Upper Verde River Wildlife Area, Yavapai County, Arizona, and to Pursue Acquisition of the Right-of-Way in Perpetuity from the Arizona State Land Department.

**Presenter:** Josh Avey, Habitat Branch Chief

The Department received a State Land Department right-of-way for legal access into Upper Verde River Wildlife Area in 2000. The right-of-way provides legal access into the Campbell parcel, the public access point for the property. The Department requested approval to renew the right-of-way and to pursue acquisition of the right-of-way into the property from the State Land Department.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE RIGHT-OF-WAY RENEWAL THROUGH STATE LAND FOR LEGAL ACCESS TO THE UPPER VERDE RIVER WILDLIFE AREA, YAVAPAI COUNTY, ARIZONA, AND TO PURSUE ACQUISITION OF A RIGHT-OF-WAY IN PERPETUITY FROM THE ARIZONA STATE LAND DEPARTMENT AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THIS COMMISSION, TO EXECUTE ALL DOCUMENTS AS MAY BE NECESSARY.

**Motion:** Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A, B and C AS PRESENTED.

**Vote:** Unanimous

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8. Nongame Subprogram Activities Briefing; December 1, 2009 through March 31, 2010

**Presenter:** Eric Gardner, Chief, Nongame Branch

Mr. Gardner provided the Commission with a written briefing (available to the public) as well as a Power Point presentation on Nongame Subprogram activities from December 1, 2009 – March 31, 2010. Highlights from the briefing as well as significant updates that occurred since the briefing was written were provided in the presentation including the following:

Threatened, Endangered and Candidate Status Species for Arizona

- 28 Endangered Species (including Least Tern and Thick-billed parrot)
- 13 Threatened Species
- 16 Candidates

Bald Eagle Petition Update

- USFWS March 2008 Court Ordered DPS and remanded them to the ESA as Threatened until Status Review completed
- Status Review Results (February 25, 2010): No DPS, No Listing Status; asked the Court to Remove Injunction to delist; CBD petition the court to keep them listed and filed suit challenging decision; FWS filed Reply Memorandum to counter CBD

Tucson Shovel-nosed Snake Petition Update

- March 31, 2010, USFWS issued results of 12-month finding for this subspecies
- USFWS determined that listing was warranted, but precluded by higher priority actions
- Tucson shovel-nosed snake is now a candidate for listing under the ESA
- Questions remain regarding the taxonomic validity of the subspecies and the limits of its distribution

Sonoran Desert Tortoise: WildEarth Guardians Petition

- USFWS positive 90 day finding initiated a 12 month status review
- Department in final stages of review and will provide input based on:
  - Internal and Heritage funded research reports
  - Data analyses from UA wildlife ecologists to examine SDT population trends on Long Term Monitoring Plots (LTMPs)
  - Survival  $\approx$  same through time and across LTMPs; there is no evidence to suggest a systematic decline in SDT on LTMPs in Arizona

Black-tailed Prairie Dog: WildEarth Guardians Petition

- Found not warranted on December 2, 2009
- Plan to continue development of a Candidate Conservation Agreement (CCA) and CCAA (with Assurances)

Ramsey Canyon Leopard Frog (RCLF) Status Update

- Conservation Agreement and Conservation Assessment and Strategy had obviated need to list RCLF under ESA
- December 2009, USFWS officially recognized RCLF & Chiricahua leopard frog as the same species
- Department & USFWS working with non-federal signatories to Conservation Agreement to enroll in Chiricahua leopard frog Safe Harbor Agreement
- Partners still working towards management strategies and goals in Conservation Agreement

California Condor Update

- Mortalities: 3 in January, confirmed lead (14.5 yr breeder, her 2008 chick; 5.5 yr Male; Adults in Utah\* prior to deaths); 1.5 yr coyote mortality; 2 2009 chicks presumed dead
- Breeding (6 confirmed breeding pairs; 3 likely with chicks so far)

\*Director of Utah Division of Wildlife Resources committed to a voluntary lead program based on Arizona's program (details and funding amount unknown)

Springsnail Updates

- Department staff completed the environmental compliance needed to chemically treat Bubbling Springs Pond—the source water for Bubbling Ponds Fish Hatchery
- This site has mosquitofish, which are a vector for bacterial infections that impact razorback suckers propagated at the hatchery
- Under the Page Springsnail CCAA, 1000's of springsnails will be salvaged and kept in holding pools prior to the renovation

International & Borderlands Program

- World Wetlands Day and the Twelfth Wetlands Workshops in Mexico: Commissioner Husted joined Mr. Juan Rafael Elvira, Mexico's Secretary of Interior, to commemorate World Wetlands Day on February 2. In addition, the Department co-organized the Twelfth Wetlands Workshop in Mexico.
- Lucero's Return: The Department successfully completed a bi-national project with CEDES and The Phoenix Zoo by returning Lucero to the Centro Ecologico de Sonora, a zoo in Hermosillo, Sonora. The jaguar spent 16 months at the zoo and was successfully treated for dental repair after losing his four canine teeth.

Sonoran Pronghorn Update

- Boma captures and releases from the captive breeding pen Dec 2-4. 40 pronghorn were caught (21 Males, 19 females, some were radio collared, ear tagged and released)
- December 7-11 Mexico Range Wide Surveys (A total of 311 pronghorn in 64 different groups)
- EA for 2nd population released February 4

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9. Call to the Public

There were no requests to speak to the Commission.

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10. Request for Commission Approval of the Program Narrative for U.S. Coast Guard Boating Safety Funds (Federal FY2010 / State FY2011)

**Presenter:** Gene Elms, Law Enforcement Branch Chief

The Program Narrative detailing the full State FY2011 expenditure of U.S. Coast Guard (USCG) boating safety grant funds by the Arizona Game and Fish Department was provided to the Commission prior to this meeting for review and consideration. Of particular note and as expansion of the Watercraft Program for State FY2011, the Department requested the Commission consider and approve funding to three full time watercraft law enforcement officers (3 FTE's) funded through the USCG Grant. This additional officer capacity will be used to augment the Department's other Law Enforcement Specialist positions and enhance the Department's water presence in primary watercraft areas in the state. The narrative details the Department's watercraft activities and obligations once approval is granted by the USCG. It addresses the grant period of October 1, 2009, to September 30, 2010, and reflects the legislatively mandated watercraft responsibilities of the Arizona Game and Fish Department.

Mr. Elms advised the Commission that the Department received a notice from the Coast Guard that Fiscal Year 2011 grants may be lower than previous years by approximately \$600,000. So if approved, the Department will take that into consideration in planning before bringing any additional FTE's on board.

**Motion:** Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE PORTION OF THE DEPARTMENT'S WATERCRAFT SAFETY PROGRAM FUNDED BY THE U.S. COAST GUARD GRANT MONIES PURSUANT TO THE FEDERAL BOATING SAFETY ACT OF 1971 AS WELL AS THE THREE NEW WATERCRAFT LAW ENFORCEMENT OFFICER FTE'S.

**Vote:** Unanimous

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Meeting recessed for lunch at 11:52 a.m.

Meeting reconvened at 1:50 p.m.

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#### 10A. Discussion of General Considerations by Commission for License Revocation Purposes

**Presenter:** Jim Odenkirk, Assistant Attorney General

Mr. Odenkirk opened this item for the Commission to discuss the factors, conditions and circumstances that the Commission generally considers in determining whether to revoke a license under A.R.S. 17-340 and the length of the revocation period.

Commissioner Harris requested this item on the agenda to discuss what the Commission is trying to accomplish with the revocation process. While the purpose is to protect the public and protect wildlife, Commissioner Harris expressed some concerns. In looking through some of the cases, the Commission doesn't appear to factor in that legitimate mistakes are made. If the Commission follows strict guidelines for revocations, people will be revoked that the Commission really doesn't want to revoke. For example, in a Game and Fish hunter training course for instructor's last week, the instructors were encouraged to teach young people that if they make a mistake, they need to own up to it and report it. But if you factor in a take violation on top of that (and the definition for take is very broad), the result is that the person owns up to their mistake and pays their civil penalty, but then the Commission takes their license for five years. That is not the message that Commissioner Harris wants to send.

Commissioner Freeman commented that he had similar concerns when he first became a Commissioner, but from a little different perspective. He also believes that it is a hunter's responsibility to educate himself or herself on all the available material before going out into the field. Even so, there have been times since he has been on the Commission that the Commission has not taken any action on a case or has revoked for a minimal amount of time.

Commissioner Husted commented that years ago officers could use discretion in the field, but now it's mandatory that these matters come before the Commission. Now the Commission considers things like whether the violation was self-reported, was it an accident, or was the person truthful and forthcoming. The Commission may need to have another work session where this can be discussed in more depth.

Commissioner Woodhouse commented that the Commission has had some good deliberations on cases that called for additional considerations.

Commissioner Harris agreed with Commissioner Husted that the Commission should have another work session to discuss the revocation process.

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11. 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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Meeting recessed for a break at 3:42 p.m.

Meeting reconvened at 4:27 p.m.

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12. Meeting Location and Proposed 2010 Workshop Dates, Locations and Topics

**Presenter:** Gary R. Hovatter, Deputy Director, I.E.D./F.O.D.

Mr. Hovatter provided the Commission with proposed 2010 Commission Workshop dates, topics and locations (attached). The Commission discussed and agreed on the following changes:

August 4-5:

- Change date to August 20-21
- Remove Department Enterprise Architecture
- Add bonus point issue to the second bullet
- Add .25 Day to the second bullet

November 4-5:

- Change date to November 5-6

The topic of Commission Committees will be on the agenda for a briefing and discussion at the May Commission meeting.

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13. 2010 Director's Goals and Objectives

**Presenter:** Gary R. Hovatter, Deputy Director, I.E.D./F.O.D.

Mr. Hovatter provided an update to the Commission on the 2010 list of the Director's Goals and Objectives (attached). The goals and objectives presented were updated after the Commission provided input to the Department at the March 4-5, 2010 Commission meeting.

Mr. Hovatter addressed each goal to confirm it reflected the Commission’s intent. The Commission discussed Goal #10 and agreed to approve it as a broad goal. The Department will work with Commissioner Freeman on the details through wordsmithing and/or developing an action plan.

**Motion:** Husted moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE 2010 DIRECTOR’S GOALS AND OBJECTIVES.

**Vote:** Unanimous

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14. Call to the Public

There were no requests to speak to the Commission.

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Meeting recessed for the day at 5:07 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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Chairperson Martin called the meeting to order and lead those present through the Pledge of Allegiance. The Commission introduced themselves and Chairperson Martin introduced the Director and the Director’s staff.

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Awards and Recognition

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

<u>35 Year Service Pin</u>	<u>30 Year Service Pin</u>	<u>25 Year Service Pin</u>	<u>20 Year Service Pin</u>
Gene Sturla	Bill Ough	Connie Adams	Dave Cagle
	Marc Dahlberg	Bob Miles	Francisco Abarca
	Tom Puckett	Pat Crouch	Bob Birkeland
		George Hayes	Jim Madden
		Lin Piest	Dave Dorum

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1. Shooting Sports Activities Briefing

**Presenter:** Jay Cook, Education Branch Chief

The Commission was provided with a Shooting Sports Activities Briefing prior to this meeting on Department activities related to shooting sports. The report included shooting programs and shooting range development statewide and covered activities that occurred since the February 2010 Commission meeting. This briefing is part of the Department's ongoing commitment to provide the Commission with updates on a regular basis.

Mr. Cook recapped several items in the briefing using a Power Point presentation and provided the following additional updates:

Ben Avery Shooting Facility

- AZ Army National Guard Project Support; Operations resume in April and May and earthwork on multiple projects will continue through June

Cowboy Mounted Shooting Center

- Department received \$50,000 from financial donor for mounted shooting arena cover; Written agreement signed and approved; Associated naming right; Final implementation dependant on budget availability; Multi-use capability

Pioneer Village Acquisition by City of Phoenix

- City Council Meeting on April 21
- Provides northern border buffer for BASF
- The Department will be at meeting to answer any questions
- Commission previously submitted a letter supporting the acquisition

Ben Avery Clay Target Center

- USA Shooting awarded facility Regional Training Center Status (Currently Only 7 in the Country); Allows facility to be used by the U.S. Olympic Team
- This weekend the Department will be hosting 2010 U.S. Open Skeet Championships

Commissioner Harris requested a copy of the map included in the presentation of all shooting ranges statewide.

Mr. Cook stated that the Department is currently in the process of updating the map and once it is completed will provide all the Commissioners with a copy.

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1A. Game and Fish Director Performance Evaluation Process and Performance Criteria

**Presenter:** Jim Odenkirk, Assistant Attorney General

Mr. Odenkirk opened up this item for Commission discussion of a process or criteria for its annual review of the Director's performance. Under the Director's contract with the Commission, the Commission is to conduct an evaluation of the Director's performance each December based upon the Goals and Objectives that they have established for the Director. This discussion was for how the Commission should proceed with that process.

Chairperson Martin stated that in November of 2008 the Department's Human Resources was going to draft a process that the Commission could use as a focal point for discussions and then adopt that process or change and adopt it as needed.

The Commission was in consensus to stay with their previous direction and requested that the Department's Human Resources draft a process for the Director. Any Commissioners with an interest to provide input will contact the Human Resources Manager prior to the next Commission meeting.

Commissioner Harris noted that Human Resources is a resource to bring something forward, but the Commission will evaluate what they want to use as an evaluation tool.

Commissioner Husted concurred and added that using a draft from Human Resources is just the starting point for the Commission to develop the evaluation process.

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Meeting recessed for a break at 8:53 a.m.

Meeting reconvened at 9:13 a.m.

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2. Consideration of Proposed Commission Orders 2, 5–10, and 26 for 2010–2011 Hunting Season, Commission Orders 11–18 for 2010–2011 and 2011–2012 Hunting Seasons, and Commission Order 23 for the 2010–2011 and 2011–2012 Trapping Seasons.

**Presenter:** Brian F. Wakeling, Game Branch Chief

Mr. Wakeling presented the Commission with the Department's recommendations for Commission Orders 2 (deer), 5–10 (turkey, javelina, bighorn sheep, buffalo, bear, and mountain lion), and 26 (population management) establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for the 2010–2011 season. The Commission was also presented with Commission Orders 11–18 (tree squirrel, cottontail rabbit, predatory and furbearing mammals, other mammals and birds, pheasant, quail, chukar partridge, and blue grouse) establishing seasons and season dates, bag and possession limits, and open areas for the 2010–2011 and 2011–2012 seasons. Additionally, the Commission was asked to consider Commission Order 23 (trapping), establishing season dates, legal species, open and closed areas, and bag and possession limits for the 2010–2011 and 2011–2012 seasons. Detailed descriptions of these proposals were available for public review at all Department offices and were posted on the Department's website. Spring turkey, spring bear, spring buffalo, and spring javelina Commission orders are presented at the August Commission meeting, whereas elk and pronghorn antelope are presented at the December Commission meeting.

The Department recommended seasons, season dates, bag and possession limits, permit numbers, and open areas for Commission Orders 2 (deer), 5–10 (fall turkey, fall javelina, bighorn sheep, fall buffalo, fall bear, and mountain lion), and 26 (population management seasons) for 2010–2011 according to hunt guidelines approved by the Commission during September 2009 for a two-year period. The Department also recommended seasons, season dates, legal species, bag and possession limits, and open and closed areas for Commission Orders 11–18 (tree squirrel,

cottontail rabbit, predatory and furbearing mammals, other mammals and birds, pheasant, quail, chukar partridge, and blue grouse) and 23 (trapping) for 2010–2011 and 2011–2012. The hunt guidelines were approved by the Commission for a two-year period that extends through spring 2012. Consequently, no public meetings discussing the guidelines were held prior to the April 2010 Commission meeting. Each Region hosted a public meeting, prior to meeting with the Game Branch, to discuss their harvest prescriptions with the public and an open house, prior to the April Commission meeting, where final recommendations were available for public review and discussion. These meetings are generally lightly attended, with an average of about 5 attendees.

The Commission has provided the Department with direction through the hunt guidelines to offer specific hunting opportunities. Specifically, the Department was to allocate at least 5% of the general deer permits to juniors-only seasons. According to hunt guidelines, units with multiple deer hunts will have stratified 7-day seasons.

Statewide, white-tailed deer hunting opportunity in December is limited to 5% of the total white-tailed deer permits, although alternative white-tailed deer units (Units 6A, 23, 30B, 31, and 36C) will be structured to harvest up to 30% of the expected take for that unit during December. Units 12A, 12B, 13A, 13B, 45A, 45B, and 45C are managed according to the alternative deer guidelines for mule deer. Archery deer seasons were recommended for season length adjustments or permitting to attain 10–20% of the total deer harvest by archers, although no unit south of the Colorado River will be permitted for archery.

Fall turkey hunts were recommended as limited-weapon-shotgun-shooting-shot seasons. Juniors-only turkey permits were recommended as over-the-counter nonpermit tags in specific units. Archery turkey seasons were adjusted to overlap with corresponding archery deer seasons.

Fall javelina hunts are to be offered during juniors-only seasons to strive for 10% of total tags (both fall and spring) for juniors hunters. Juniors-only seasons should coincide with a juniors-only deer season, and companion population management seasons were recommended to capitalize on juniors deer hunters in the field.

All bear seasons have specific female harvest limits that close a season on the following Wednesday when that number of female bears have been harvested. Each unit that provides a bear hunt will also have an annual female harvest limit. If the annual female harvest limit is met, this will close any open season on the following Wednesday or any subsequent season in that unit during the current calendar year, even if the subsequent season has not yet opened. The annual female harvest limit is comprised of female bears lethally removed through Department action (e.g., nuisance) and female bears harvested by hunters.

All other small game, trapping, and big game seasons were recommended in accordance with the approved guidelines, unless specifically noted under the species-specific information provided under the corresponding Commission Order.

Hopi tribal members will be allocated a small portion of deer tags in Units 4A, 4B (5 permits), 5A, and 5B (20 permits) according to the Hopi Trust Land allocation authorized through the hunt guidelines.

Commission Order 2 - Deer

The Department recommended 43,930 general deer permits in 2010, an increase of 350 permits statewide from 2009. Archery deer seasons for 2010 are generally unchanged from 2009, except that Units 1, 3A and 3C, and 7 will be available as over-the-counter nonpermit tags rather than draw permit tags. Units 12A and 12B, 13A, and 13B will remain permitted, with no change in permits in Units 13A and 13B. Units 12A and 12B will be reduced by 240 permits, in conjunction with the overall buck harvest reduction in those units, which should keep archery harvest at or near 20% of the total harvest. The total number of tags permitted for archery was recommended at 1,010. Archers that draw a permit tag will not be required to report their harvest through the phone line, and the 10% cap on nonresident participation will apply to these draw hunts.

Several changes were recommended for deer seasons. White-tailed deer permits were recommended for an increase of 135 permits. Antlered mule deer permits were recommended for an increase of 215. Juniors permits were recommended at 2,170 (5% of general), a 135-permit increase over 2009 (2120 general, 50 muzzleloader). This recommendation includes a 250-permit (increase of 50 from 2009) antlerless deer hunt for juniors-only in Unit 12AW, which is consistent with allowing population growth on the Kaibab described in the hunt guidelines. A 20-permit juniors-only muzzleloader deer season was recommended in Units 15A, 15B, 15C, and 15D, whereas a 20-permit general juniors-only deer season in Unit 16A was recommended to be removed. The December archery deer and general deer seasons were recommended to begin on December 10, 2010. Muzzleloader permits were recommended at 1,025 permits, an increase of 15 from 2009.

A 10-permit CHAMP hunt was again recommended for Unit 12AW for 2010, although the season was recommended for later dates (November 5–11, 2010).

Total permits for general, muzzleloader, and juniors-only seasons is 47,135, which is an increase of 500 permits above 2009 levels.

Mr. Wakeling noted a floor change regarding the 12AE hunt recommendation. The Department recommended that those drawn for a muzzleloader tag in 12AE also have the opportunity to purchase a companion buffalo tag.

Public Comment:

Randy Phillips, Board Member, Arizona Bowhunters Association: The ABA Board voted unanimously to support Commission Order 2 as recommended by the Department.

Steve Chevront, sportsman, representing wildlife: Unit 13B should be treated differently; auction tag holders did not find a deer worth taking; the total number of tags should be left at 50 for Units 13A and 13B.

John Koleszar, President, Arizona Deer Association: The ADA fully supports the Department's recommendations.

Commissioner Harris asked Mr. Wakeling if the Department used the same guidelines in establishing the recommendations for Units 13A and 13B.

Mr. Wakeling stated that the guidelines differ somewhat in that area. It's not monitored to the same intensity as Unit 12A, but the hunts there are designed to target older class harvest and the later season hunt structure is designed to facilitate that. The Department looks at the alternative guidelines, higher buck to doe ratios, higher hunts success, and considers this information in formulating the hunt recommendations.

**Motion:** Freeman moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 2 – DEER AS PROPOSED.

**Vote:** Unanimous

#### Commission Order 5 - Turkey

The fall limited weapon shotgun-shooting-shot turkey season was recommended to run October 1–7, 2010 with 6,820 permits, which is an increase of 700 permits over 2009. There are seven units (Units 1, 4A, 4B, 6A, 8, 10, 12A, 23, and 27) recommended for juniors-only seasons where over-the-counter nonpermit tags will be offered. These seasons will run concurrently with the permitted turkey season in the unit.

**Motion:** Woodhouse moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 5 – TURKEY AS PROPOSED.

Commissioner Harris asked if the Department could look into a companion archery nonpermit turkey tag that would correspond with the archery elk season so as to expand on the archery turkey season open during the archery deer season.

Mr. Wakeling stated that in the next hunt guidelines review, the Department will look into that change and will take public comment on it.

**Vote:** Unanimous

#### Commission Order 6 – Javelina

For fall 2010, the Department continued recommending fall javelina seasons to juniors only during general seasons for which season dates coincide with a juniors-only deer season, with 800 permits. Units within Region 5 allocate 15% of the annual permits to either an October 8–14 or a November 19–25, 2010 season. Additional units in Region 3 (Units 16A, 17B, 18B, and 20A) also offer this juniors-only opportunity, although season dates would be October 8–17. Unit 39 in Region 6 was recommended to change from muzzleloader and archery to general, and run November 19–28, 2010.

In accordance with the 2009 hunt guidelines, the Department also recommended the juniors-only deer hunters in Units 16A, 28, 29, 30A, 30B, 31, 32, 33, 36A, and 36B be provided with the opportunity to purchase over-the-counter "companion" tags for javelina, which must be authorized within Commission Order 26.

**Motion:** Husted moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 6 – JAVELINA AS PROPOSED.

**Vote:** Unanimous

#### Commission Order 7 – Bighorn Sheep

Bighorn sheep permits were recommended for a total of 97, an increase of 10 from last year. Permit increases were recommended in Units 12B East (1 permit), 15B (1 permit), 15C North (1 permit), 15D (3 permits), 16A (1 permit), 22 (2 permits), 24B South (1 permit), 31 and 32 (1 permit), 39 West (1 permit), and 40B Tinajas Altas (1 permit). A new hunt for Rocky Mountain bighorn sheep was also recommended in Unit 6A with 1 permit. Permit decreases were recommended in Units 40B Gila Mountains (1 permit), 41 East (1 permit), 41 West (1 permit), and 45B (1 permit). The season in Unit 13B South was recommended for lengthening, with proposed dates of November 16–December 31, 2010. Units where recent declines have been detected or suspected, specifically 15A, 15B, 15C, 15D, 45A, 45B, and 45C, have received recent surveys and hunt recommendations are based on these data.

**Motion:** Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 7 – BIGHORN SHEEP AS PROPOSED.

**Vote:** Unanimous

#### Public Comment:

David Mattausch, President, Arizona Desert Bighorn Sheep Society: Supports the Department's recommendations; would like to see the Department look at getting the sheep populations back up in areas south of Interstate 8; would like to see some transplants from more robust populations to some of the areas that are low or missing sheep.

#### Commission Order 8 - Buffalo

Two hunts for 2 permits each were recommended for the Raymond Wildlife Area herd in Units 5A and 5B. These hunts were recommended to run September 24–26 and October 8–10, 2010. All 4 tags are proposed to be for yearling buffalo.

No general fall hunts were recommended on the House Rock Wildlife Area herd because structured hunts have been ineffective in harvesting buffalo during the fall. In accordance with the 2009 hunt guidelines, the Department also recommended the general deer hunters in Units 12A West and 12A East be provided with the opportunity to purchase over-the-counter "companion" tags for buffalo, which must be authorized within Commission Order 26.

**Motion:** Freeman moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 8 – BUFFALO AS PROPOSED.

**Vote:** Unanimous

Commission Order 9 - Bear

During 2010, fall bear seasons were recommended to occur during August 6–19, from August 20 for up to 38 days, or October 1 through the end of the 2010 calendar year. The season in Units 4A and 5A were recommended to begin on November 5 and run through the end of the calendar year. General seasons may occur during any of these season dates and archery seasons may occur during the 38 day season beginning on August 22, 2008. This structure maintains open seasons while allowing Regions to manage female harvest and maintain sites to relocate nuisance bears if necessary. The 2010 recommendation is for a cumulative female harvest limit of 87 for general and 20 for archery season, which is an overall increase of 7 female bears from 2009.

The annual female harvest limit will again apply to fall seasons this year. Annual female harvest limits were established in August 2009 for the units with 2010 spring hunts. Those units that have both spring and fall hunts were considered in the spring 2010 hunt formulation. Harvest that applies to annual female harvest limits includes any take by a hunter or Department action that occurs within a calendar year. Implementation of the annual female harvest limit may result in the closure of a hunt before it opens if the annual female harvest limit is reached before the start of a season. Hunters will need to contact the Department before they go hunting to determine if a specific hunt unit is open, and notification of this need will be plainly identified within the regulations. Compliance with the mandatory physical check for bear remains high.

**Motion:** Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 9 – BEAR AS PROPOSED.

**Vote:** Unanimous

Commission Order 10 – Mountain Lion

The Department recommended that the mountain lion season be opened from August 20, 2010 to May 19, 2011 in all units except those units with a multiple bag limit. Units with a multiple bag limit were recommended to remain open yearlong in accordance with the approved hunt guidelines. Compliance with the mandatory physical check for mountain lion remains high.

The Department recommended removing Unit 22 (south of AZ Hwy 87 and FR 143 and west of AZ Hwy 188) from the list of units open under the multiple bag limit for next year because the management objectives for the bighorn sheep population in that unit have been met. No other changes to the units open to mountain lion hunting under the multiple bag limit approach were recommended at this time.

The Commission questioned the removal of the multiple bag limit in Unit 22 and discussed whether it made a difference in growing the bighorn sheep numbers in the area. If the sheep numbers in that area continue to grow then it may be a good population for transplanting to other areas where the sheep numbers are low.

**Public Comment:**

David Mattausch, President, ADBSS: Supports the Department's recommendation.

Pete Cimellaro, representing himself: The multiple bag limit in Unit 22 has been successful and the unit should remain a multiple bag unit to allow for some management strategies including transplants from that sheep population; the Commission should authorize the Director and the Department to put together a framework that would allow some flexibility for the Director and the Department to take action when certain triggers are met rather than wait for the next hunt guidelines to go before the Commission.

Stephanie Nichols-Young, President, Animal Defense League of Arizona: Supports the recommendation to remove the multiple bag limits in Unit 22; the triggers have been met and should be honored; should set a process aside more than once a year to get into predator-prey dynamics; if lions have to be killed to benefit bighorn sheep and bighorn sheep are going to be transplanted, then there needs to be more care in how those translocations are handled; do not put them where they are not going to survive; still has concerns about female lion take.

Ms. Nichols-Young provided a document for the record to the Commission titled “Why Arizona Should Not Revert to a Year-Round Hunting Season for Mountain Lions” (attached).

Jim Unmacht, representing himself: Opposed removing the multiple bag limit in Unit 22.

Steve Chevront, sportsman, representing wildlife: Unit 13B has a lot of lions and he would like to do whatever it takes to control those lion populations and help the mule deer.

\* \* \* \* \*

Meeting recessed for a break at 11:32 p.m.

Meeting reconvened at 11:46 p.m.

\* \* \* \* \*

#### Commission Order 10 – Mountain Lion (continued)

Commissioner Freeman stated that he does not believe that the removal of the multiple bag limit in Unit 22 and the continued health of the sheep herd are mutually exclusive. The Commission should honor the plan that when the goals are achieved, the multiple bag limit would be removed.

Commissioner Woodhouse commented that he agreed with Mr. Cimellaro and Ms. Nichols-Young in that management practices should change as needed based on the science rather than once a year in April. We don't know for sure whether drought or lions depleted the sheep populations in Unit 22, but now that the population is growing, and we don't have a definitive answer for that, we should not change what we are doing.

Commissioner Harris commented that drought is a significant factor in the reduction of any population, but also, during a drought cycle the predator-prey issues become exacerbated and a predator can increase the decline of a population specifically during drought environments. We are still coming out of a drought cycle and the Commission needs to look at that when setting recommendations. The triggers are established to build the population and then to maintain the herd at a sustainable level. We are not only looking to maintain the population, but to increase it for transplanting, so the trigger may not be what we want for a transplant population.

Commissioner Husted commented that these are dynamic situations and each year is different. This year we are looking at growing that population. A commitment is to be honored, but a recommendation or guideline is a commitment for that particular situation.

Chairperson Martin stated that she intends to vote for the Department's recommendation to remove this specific multiple bag limit because in Unit 22 South the advocacy of the multiple bag strategy is dubious and it doesn't appear to be the reason for the increase in the sheep population and the sheep triggers have been met.

**Motion:** Harris moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 10 – MOUNTAIN LION AS PROPOSED WITH THE EXCEPTION THAT THE MULTIPLE BAG ISSUE WILL BE VOTED ON SEPARATELY.

**Vote:** Unanimous

**Motion:** Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO LEAVE THE UNIT 22 SOUTH MULTIPLE BAG LIMIT IN EFFECT AS IT IS NOW

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

**Motion:** Harris moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT'S RECOMMENDATIONS ON THE REMAINING MULTIPLE BAG AREAS.

Commissioner Martin explained that she objects to the multiple bag areas because those seasons are year-round. The Commission implemented a closed season in standard management units, not for biological reasons, but for ethical reasons out of concerns for orphaning kittens. Those concerns should be for all units. Chairperson Martin does not object to the multiple bag limit, but does object to the year-round season.

**Vote:** Aye - Woodhouse, Freeman, Husted, Harris  
Nay - Martin  
Passed 4 to 1

#### Commission Order 26 – Population Management Seasons

Population management seasons were recommended for buffalo to be available to permitted general and archery deer hunters in Unit 12A. These seasons were also recommended for javelina to be available to juniors-only muzzleloader deer hunters in Unit 16A and juniors-only general season deer hunters in Units 28, 29, 30A, 30B, 31, 32, 33, 36A, and 36B. These permits are popularly known as "companion" tags. Buffalo population management restricted nonpermit tags were recommended at 960 for general seasons and 850 for archery seasons. Juniors-only javelina population management restricted nonpermit tags were recommended at 450 for general and 30 for muzzleloader juniors-only seasons. These permits will be available only to hunters that successfully draw a deer tag in the coincidental deer hunt.

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

**Vote:** Unanimous

Commission Order 11 – Tree Squirrel

The Department recommended no change to the tree squirrel seasons for 2010–2012.

Commission Order 12 – Cottontail Rabbit

The Department recommended no change to the cottontail rabbit seasons for 2010–2012.

Commission Order 13 – Predatory and Fur-Bearing Mammals

The Department recommended no change to the predatory and fur-bearing mammal seasons for 2010–2012.

Commission Order 14 – Other Birds and Mammals

The Department recommended no change to the other birds and mammals seasons for 2010–2012.

Commission Order 15 – Pheasant

The Department recommended no changes to pheasant permits for the 2010–2012 seasons. All pheasant hunts in Units 40B are draw hunts. Dates for the individual hunts are adjusted periodically to accommodate local agricultural practices and conditions to maximize hunter success. Four limited-weapon shotgun-shooting-shot seasons were each recommended for 40 permits each, which yields a total 160 permits. Juniors-only seasons (30 permits) remain unchanged, as do archery and falconry seasons. Specified dates for the hunts in 2010 and 2011 were provided to the Commission prior to this meeting for review.

Commission Order 16 – Quail

The Department recommended no change to the quail seasons for 2010–2012.

Commission Order 17 – Chukar Partridge

The Department recommended no change to the chukar partridge seasons for 2010–2012.

Commission Order 18 – Blue (Dusky) Grouse

The Department recommended no change to the blue (dusky) grouse seasons for 2010–2012. The Department continues to recommend Units 4A and 5A remain closed to allow grouse transplants to proceed in those units.

## Public Comment

Charlie Kaiser: Requested extended quail season to March 10 for falconry.

Jamaica Smith: Requested that a falconry-only season be added to the end of the quail season until March 10.

Stephanie Nichols-Young, ADLA: Regarding the Gunnison prairie dog season, would like the Department to monitor the take of these prairie dogs and there should be closures during pup weaning periods.

Chairperson Martin requested that the Department look at Ms. Nichols-Young's request, maybe in the next hunt guidelines package, and look at the season dates and how they correlate with weaning and what the Department can do to look at impacts from prairie dog shooting.

**Motion:** Husted moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDERS 11-18 AS PROPOSED WITH THE EXCEPTION OF ADDING A FALCONRY ONLY QUAIL SEASON UNTIL MARCH 10.

**Vote:** Unanimous

Mr. Wakeling clarified that with the extended falconry-only quail season, the ending date for that season in 2012 would be affected by the standard calendar shift.

## Commission Order 23 – Trapping

The Department recommended no change to the trapping seasons for 2010-2012.

**Motion:** Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO VOTE TO APPROVE COMMISSION ORDER 23 AS PROPOSED.

**Vote:** Unanimous

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## 3. Hunt Permit-Tag Application Schedule for Fall 2010 Hunts

**Presenter:** John Bullington, Assistant Director, Special Services

Mr. Bullington provided the Commission with a brief presentation relating to the hunt permit-tag application schedule for the fall 2010 hunting seasons. The application schedule (attached) identified proposed acceptance dates and deadline dates for all hunts associated with the draw process. In addition, the proposed dates for when hunt permit-tags and refund warrants will be mailed were also identified, along with information relating to the first-come/first-serve process for any permits that may still be available.

**Motion:** Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR THE FALL 2010 HUNTS.

**Vote:** Unanimous

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#### 4. Call to the Public

Steve Chevront, sportsman, representing wildlife: Plans to put cameras in Unit 13B and monitor deer fawns and does to look at what the fawn survival really is; also plans to compile all the wildlife data captured from the cameras including on waterholes; would like the Commission's approval and requested assistance from the Commission to get permits from BLM to put up the cameras.

John Koleszar, representing himself: Has been fighting to get the pay scales for the Department's law enforcement to be on a scale equal to the rest of the state; would like to take this to the Legislature in the future, maybe next year; also has checked other western states and learned that Arizona is one of the most costly states for opportunities to hunt.

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#### 5. Approval of Minutes and Signing of Minutes

**Motion:** Woodhouse moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM AUGUST 7-8, 2009, AUGUST 21, 2009, SEPTEMBER 30, 2009, NOVEMBER 19, 2009, JANUARY 27, 2010, AND FEBRUARY 3, 2010.

Commissioner Harris did not vote because he was not on the Commission for these meetings.

**Vote:** Unanimous  
4 to 0

**Motion:** Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM FEBRUARY 22, 2010, FEBRUARY 23, 2010, MARCH 5, 2010, MARCH 9, 2010, AND MARCH 15, 2010.

**Vote:** Unanimous

The Commission signed the minutes following approval.

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#### 6. Director and Chairman's Report

Director Voyles reported the following highlights from his activities since the last Commission meeting:

- Provided a presentation to the Arizona Commander's Summit relative to the Department's nongame and Heritage program efforts and the significance of our role in

the development and implementation of integrated natural resources management plans on military lands in Arizona

- Attended two Governor's Cabinet meetings and had a meet and greet with the Director of the Governor's Office of Equal Opportunity
- Attended the first Arizona We Want metrics discussion meeting with a broad array of stakeholders including homebuilders and ranchers
- Met with ADOT Director Halikowski and his staff and had a follow up meeting with the Director of the Department of Public Safety and the ADOT Director to discuss a joint collaborative effort to improve highway safety relative to animal strikes
- Met with the new Director of CEDES, our partners in Sonora Mexico regarding assisting them in their efforts to develop a state level wildlife law enforcement program
- Attended the North American Natural Resources conference in Milwaukee, Wisconsin
- Met with the leaders of some industries that are dependent upon some of the programs that we carry out. Industries that are the primary payers of the federal excise taxes that we rely on so heavily with the Pitman Robertson Act and Dingel-Johnson Act funds
- Met with Representative Weiers at his request regarding how we manage our email distributions
- Met with Gloria Tom and Fred White of the Navajo Nation to try and work through some impasses relative to developing a cooperative agreement for the Big Boquillas Ranch
- Attend an Industry Summit hosted by South Carolina Department of Natural Resources
- Met with the USFWS and others regarding how we work together and coordinate with other states and the USFWS
- Had a breakfast meeting with Sandy Bahr
- Participated in follow-up conference call for the Arizona We Want
- Had a brief meet and greet with Patrick Quain from ADOA

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

- Attended the Arizona Bowhunters Association banquet
- Participated in a telephonic Commission meeting
- Communicated with Department staff and the public in preparation for this meeting
- Spent considerable time and energy working on legislative issues

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## 7. Commissioner's Reports

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

Commissioner Woodhouse:

- Participated in the telephonic Commission meeting
- Spent a lot of time at the legislature and working with the Department and constituents on legislative matters, particularly HCR 2008
- Met with Game Branch staff along with Commissioner Husted regarding weapon allocation formulas
- Met with the Director on Thursday this week along with Commissioner Freeman
- Spent time preparing for the next Wildlife Conservationists Committee meeting and habitat project workday, which will be up on Babbit Ranch on May 21-23

## Commissioner Harris:

- Attended the Friends of the NRA Banquet in Sahuarita
- Attended the telephonic Commission meeting
- Attended a Region V HPC committee meeting
- Attended the Elk Society Banquet
- Attended the Game and Fish Outdoor Expo
- Attended the Yuma County Fair along with Commissioner Woodhouse and while there went on a fishing patrol on the canal
- Attended a hunter safety instructor course
- Met with the past president of the NRA and the past Regional Supervisor Gerry Perry to talk about issues in Region V
- Met with the Department's Information Systems Branch
- The meeting with the Malpai Borderland group was cancelled because of the death on the border of one of the ranchers.

## Commissioner Freeman:

- Attended the telephonic Commission meeting
- Went to the Legislature several times and met with Department staff on legislative matters
- Participated in a Girl Scout Fly Day and provided information on career opportunities in aviation or wildlife management
- Did an interview on SB1200 with Channel 12 out at the Ben Avery
- Met with the Governor's Legislative Director
- Talked with the NRA
- Did a television program on Horizon, Channel 8, and discussed the great value (related to the public asset that they consume) that sportsmen get who lawfully participate
- Met with Department staff on email and public relations issues
- Went to the Senate to support Commissioner Woodhouse on HCR 2008
- Met with the Director on Thursday of this week along with Commissioner Woodhouse.

## Commissioner Husted:

- Attended a USFS/Cattlemen/AGFD wolf coordination meeting and stepped away to participate in the telephonic Commission meeting
- Attended the Elk Society fundraiser
- Attended the Department Outdoor Expo
- Interviewed with a college student on wolf issues
- Attended the Krentz funeral along with several Department staff

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## 8. Future Agenda Items and Action Items

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

- On the Tri-State Range, the Department is to act as an intervener with the IBLA

- Work with the Assistant Attorneys General and Mr. Guiles on HB 2144 regarding landowner fee implications with regards to the language
- Confirm deadline for submission of ballot initiatives
- At a future Commission meeting, facilitate a more detailed discussion of the revocation/civil assessment process
- Work in coordination with Commissioner Freeman to develop a supporting action plan for Goal #10 of the 2010 Director's Goals and Objective
- Act in accordance with the November 2008 discussion of the Director's performance documentation in coordination with Commission guidance and the Assistant Attorneys General assessment of that process
- During the next hunt guidelines review and approval cycle (to be considered by the Commission in the September 2011 hunt guidelines), evaluate proposed specific season dates for prairie dog seasons in Commission Order 14
- Send a letter to the Goldwater Institute regarding their commercial targeting Department projects as wasteful spending
- Find out if there is a delay in the black-footed ferret canine distemper results and report back to the Commission on the findings
- Provide an updated statewide shooting range location map to all Commissioners

Chairperson Martin commented in regards to prairie dog season's, that it was also discussed how the Department might identify what, if any, population impacts from shooting there are or what the removal level is, and suggested having more discussions with the Department before making it an action item.

Director Voyles will provide a written briefing to the Commission and then they will decide if they want it on the agenda.

\* \* \* \* \*

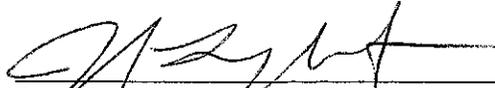
**Motion:** Harris moved and Husted seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

**Vote:** Unanimous

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Meeting adjourned at 1:20 p.m.

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Jennifer L. Martin, Chair

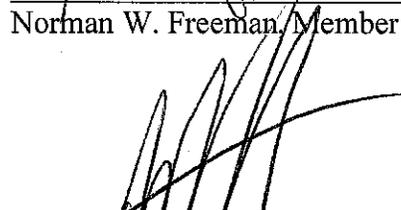
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Robert R. Woodhouse, Vice Chair



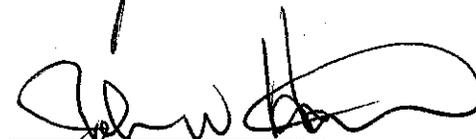
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Norman W. Freeman, Member



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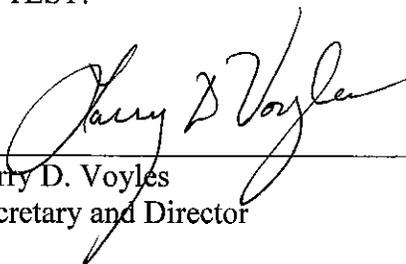
Jack F. Husted, Member



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John W. Harris, Member

ATTEST:



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Larry D. Voyles  
Secretary and Director

**Game and Fish Litigation Report**  
**Presented at the Commission Meeting**  
**April 16, 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 15<sup>th</sup>.

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., C20089051.*** 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. On April 7, the last day allowable under the Rules of Civil Appellate Procedure, Anderson's lawyer filed a notice of appeal to the Arizona Court of Appeals. Anderson's lawyer has contacted the Court of Appeals asking for assignment of the case to the Arizona Appellate Settlement Conference Program, in which a staff attorney and an appellate judge meet with the parties and attempt a mediated settlement. A Court of Appeals staff attorney has asked if the Commission is interested in mediation. Anderson's attorney has indicated to the Court of Appeals that the consecutive terms of revocation are the issue.**

**3. *Center for Biological Diversity v. Voyles et al.*, CV09-00543-JJM.** The Center for Biological Diversity ("Center") filed an action on September 24, 2009, against Director Voyles and the Department for alleged violations of the Endangered Species Act. The Center alleges that the defendants violated Section 9 of the Act when a jaguar was inadvertently captured in a leg-hold snare and was later recaptured and euthanized. The Center seeks declaratory and injunctive relief. The suit arises under the citizen suit provision of the ESA, which authorizes an action to enjoin the unlawful take of an endangered species.

On November 6, 2009, the Department and Director Voyles filed a motion to dismiss for lack of jurisdiction. The Center filed a response on December 9, 2009 and the Department and Director Voyles had until December 28, 2009 to file a reply, but the Court has granted an extension of time to file until January 18, 2009. A reply in support of the motion to dismiss was filed on January 18, 2010. The parties are awaiting oral argument on the motion to dismiss.

On February 24<sup>th</sup>, the Center filed a request with the Court to take judicial notice of the Inspector General Report. **The Department filed an objection with the Court on March 9, 2010.**

(4/16/10)

**Lands Update**  
For the Arizona Game and Fish Commission  
April 9, 2010  
Phoenix, Arizona

**FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING**

**Apache-Sitgreaves National Forest**

The Forest released for public review and comment initial drafts of four alternatives and announced a series of open house public meetings set for Clifton on April 12<sup>th</sup>, Heber-Overgaard on April 14<sup>th</sup>, Show Low on April 15<sup>th</sup>, and Eagar on April 19<sup>th</sup>. The purpose of these meetings is to gather feedback regarding the draft alternatives for revising the forest plan.

**Coconino National Forest (CNF)**

Coconino National Forest recently released the Coconino National Forest Travel Management Rule (TMR) Draft Environmental Impact Statement (EIS) for a 60-day review period. The Forest has analyzed their Travel Management Rule for the entire Forest, not by District as is being done on the Kaibab National Forest. The Department is in the process of reviewing the document. The Proposed Action (PA) would prohibit motor vehicle use off the designated system of roads, trails, and areas, except as identified on a Motor Vehicle Use Map. The PA would close 1,937 miles of National Forest System roads to public use (leaving between 3,280 and 3,507 miles open) and add 63 miles of unauthorized roads to the CNF transportation system as open to motorized travel to replace duplicate routes or create travel loop opportunities. Camping corridors would be designated along 628 miles of road up to 300 feet either side of designated roads. The Forest is analyzing two alternatives (Alternatives 3 and 4) in addition to the No Action Alternative. Alternative 3 prohibits Motorized Big Game Retrieval (MBGR), and Alternative 4 allows MBGR up to one mile off designated roads for any legal elk harvest before Oct. 31<sup>st</sup> in all Game Management Units. MGBR of game species other than elk is not being considered. Earlier in the scoping period for the Draft EIS, the Department provided extensive recommendations with regard to MBGR, route designation, and dispersed camping corridors. Few of our recommendations were addressed in the Draft EIS; the Forest states it will further address our recommendations in the Final EIS. We have raised our concern regarding the lack of coordination on TMR with Forest leadership.

Coconino National Forest will soon be re-engaging the Department and the public in its Forest Plan Revision process. The Forest is operating under the 1982 Planning Rule, the same planning rule under which the last Forest Plan was generated. However, unlike the previous Forest Plan that was more specific and prescriptive, the Forest is intending the Revised Forest Plan to be more strategic and broad. This places heavy emphasis on “Desired Future Conditions” (DFCs) within the Plan. At this point, the DFCs are already written by the Forest’s Regional Office, they have had no peer review, and there is little indication that the Department or the public will be given much opportunity to review and help enhance/revise those DFCs. The Department has raised this concern with Forest leadership, and will continue to track the issue. As for their timeline, the Forest plans to release their Notice of Intent and Need for Change in the next couple of months which will kick off a public scoping period; a Draft EIS is expected Spring 2011; and a Final EIS is required by Fall 2012.

### **Kaibab National Forest**

The Department commented on the Williams Ranger District's Travel Management Rule Draft Environmental Assessment (attached). The Tusayan District plans to release their revised EA (after incorporating an alternative that looked at no motorized big game retrieval) in April or May. The North Kaibab has released their Proposed Action for Travel Management Rule and the Department is currently reviewing that document.

### **Tonto National Forest**

The Tonto National Forest has expressed that implementation of the Travel Management Rule is the top priority for the Forest and they are currently analyzing public comments received during the public comment period. The Department continues to work with the Forest on a District level to address local concerns about recreational access.

### **Prescott National Forest**

The Prescott has completed their analysis and decision process to delineate travel routes and camping designations. The Department cooperated with the final stages of plan development and is assisting the Forest in educating the public via the newly published route map. Camping will continue to be allowed within 100 feet of designated routes.

## **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 the 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, with restoration costs covered by the wood product industry. Recent activities have centered largely on organizational issues such as stakeholder decision making processes, a stakeholder charter, and an MOU with the USFS. In early March, the Department participated in a mediated session with a small working group of stakeholders and resolved long-standing issues surrounding a 16-inch tree diameter cap on thinning and came to agreement on how decisions will be made in the collaborative process. An outcome of this discussion is a stakeholder document that gets referred to as *The Path Forward*, attached. The USFS is not party to this document. In addition, stakeholders have agreed to a decision making process that strives for consensus but allows room for disagreement; cases of disagreement will be forwarded onto the USFS for deliberation during their National Environmental Policy Act (NEPA) compliance process. This decision making process will feed into the 4FRI stakeholder charter, which will be finalized in April. Concurrently, stakeholders are working with the USFS to develop a Memorandum Of Understanding (MOU) to clarify roles and responsibilities. Meanwhile, the USFS is on an accelerated planning schedule to conduct a Landscape Scale Assessment (non-NEPA) across 2.4M acres in 6 months. Concurrently, they will be launching planning for roughly an 800,000-acre, site-specific Environmental Impact Statement (EIS) likely to be located in the Flagstaff-Williams area. The Department is participating on working groups for both the Landscape Scale Assessment and the EIS, and we are currently leading efforts for a Science and Monitoring Working Group.

### **Petrified Forest National Park**

The Department provided comment on the Petrified Forest National Park General Management Plan Environmental Assessment (EA). The EA is intended to establish the overall management direction for the lands covered by the Petrified Forest National Park Expansion Act of 2004 (Public Law 108-430), which expanded the authorized Petrified Forest National Park (PFNP) boundary by approximately 125,000 acres (additional lands). To date, approximately 12% of these lands have been transferred from the Bureau of Land Management to the Park Service, with the remaining 88% still under private ownership or owned by the state of Arizona.

Although hunting would not occur on PFNP lands, the Department stressed that these lands remain an important component of north-eastern Arizona's wildlife habitat, and hold potential for non-consumptive wildlife recreational opportunities. Department comments focused on the need to maintain existing stock tanks as wildlife waters, assure permeability of current parcel boundary and livestock management fences, and work toward maintaining and improving permeability across the Transportation Corridor Zone, which includes the I-40 corridor and the Burlington Northern-Santa Fe railway.

### **Coconino National Forest**

The Department recently reviewed the Hart Prairie Environmental Assessment for the Peaks Ranger District. The Hart Prairie Project is a roughly 12,000-acre, ponderosa-pine thinning project with a large aspen recovery component. The Department expressed its support for the ponderosa pine thinning component of the project, and made recommendations to the Forest that would help emphasize the importance of structural heterogeneity and variability in forest conditions for wildlife. The Department is also supporting the aspen component of this project. Approximately 40% of Coconino National Forest's aspen occurs within this project area, and aspen statewide have been experiencing significant (95%) decline due to a variety of factors including drought, pathogens, and livestock/elk/deer herbivory, among others. The Forest is planning to implement a range of aspen treatments in the project area which will include burning, conifer removal, jackstrawing (to preclude ungulate travel), ripping soil, and fencing to encourage aspen recruitment. In an effort to work collaboratively to address aspen decline, the Commission recently approved hunt recommendations that would increase elk permits in Unit 7E for hunt year 2010, after hearing testimony from USFS personnel and sportsmen, and this will include the Hart Prairie project area. The Department has invited USFS personnel and sportsmen on an aspen field trip in June to continue collaboration. The Hart Prairie Project also proposes to fence several water catchments within the project area, in an effort to reduce elk herbivory of nearby aspen. The Department does not support this proposal, largely because it will be ineffective at modifying elk movement patterns. All proposed water exclosures will be within 3 miles of existing waters that occur on both public and private lands; nearby studies indicate elk move at least 5 miles per day in this region. The Department also expressed its concern that water exclosures may force elk to spend more time at waters on private properties, and would also preclude other wildlife with smaller home ranges from water resources upon which they have become dependent.

### **Coronado National Forest** **Pena Blanca Lake Renovation**

Pena Blanca Lake, which had been drained for over a year to facilitate mercury remediation, recently refilled in one day following a heavy rainstorm in the watershed. Initial estimates suggested it could take up to four years to refill the lake. The Department re-stocked the lake with approximately 2,000 rainbow trout on February 9<sup>th</sup> to quickly provide fishing opportunities. The Department is currently working with the USFS and FWS to complete necessary compliance documentation to allow for additional fish stocking this spring. Once the aquatic ecosystem is fully re-established, warm water species like bass, sunfish and catfish will be stocked. Access to the lake is currently limited to shore fishing and boats small enough to hand launch, until new boat launching facilities are completed this spring.

### **Gould's Turkey Trapping**

Department personnel and numerous volunteers have completed several days of Gould's turkey trapping in the Huachuca and Chiricahua Mountains. Over 50 turkeys have been captured using rocket nets at baited sites. Captured birds were banded with wing streamers and radio transmitters were placed on 10 turkeys for future monitoring. All turkeys were taken from the capture sites and transported to either South Ash Creek or Deer Creek in the Galiuro Mountains and released the same day. An additional eight turkeys were captured and released in the Santa Rita Mountains. These relocations support the Department's goal of establishing self-sustaining Gould's turkey populations throughout all southern Arizona mountain ranges with suitable habitat.

## **BUREAU OF LAND MANAGEMENT (BLM)**

### **Burro Management**

The Department recently submitted a letter, addressed to the state director of the BLM. In it, we requested that the BLM expand the scope of the current burro capture taking place in the Black Mountains from a target of 100 animals, to a minimum of 325 animals. Based on the most recent census data, it is estimated that removing only 100 animals will not bring the Black Mountain Herd Management Area (HMA) into compliance with appropriate management levels (aml). A burro census will also be done in the Black Mountains. Depending on the results of the census, the Arizona BLM may be able to get funding and approval to remove additional burros from Black Mountain Herd Management Area in the fall of 2010. The Yuma Field Office is preparing an Environmental Assessment for the removal of 100 burros in the Cibola-Trigo Herd Management Area, which is scheduled to take place in May or June 2010.

Department personnel participated in a meeting with BLM Kingman staff and the state lead for BLM's Wild Horse and Burro Program to discuss an expanded scope of Burro captures in the Black Mountains. At the meeting, it was determined that an Environmental Assessment will be required for this action. The Department will be cooperating in upcoming efforts to produce the Environmental Assessment.

### **AZ Strip Field Office**

The Department is in the final stages of becoming a cooperating agency with the BLM on the development of a draft Environmental Impact Statement (EIS) for the proposed uranium mineral withdrawal (2-year temporary segregation) on almost 1 million acres of federal lands near the Grand Canyon. Cooperating agency status is still pending BLM format changes and AG review to an MOU that will be signed by both parties. In addition, the BLM has drafted a data sharing agreement that will be signed by all cooperating agencies within one document.

The Department recently commented on the Socio-Economic Study portion of the uranium EIS analysis. In the Department's comments we addressed the underestimation of hunter days that the report reflected. For example, in looking at elk and deer hunting days in GMU 9 the report stated 2,205 hunter days, whereas our data suggests for 2008 (the last date currently available) there were a minimum of 6,445 hunter days. In addition, the report did not mention 12A hunts which would contribute recreation and socioeconomic value to this area. The Department directed the BLM to address information on hunt permits, hunter days etc. which are all available on our web page. Lastly, we recommended that the BLM place value on the use of OHV's in this area especially for general recreation and antler collection.

### **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. The proposed plan/Final EA should be out for review shortly after the Record of Decision (ROD) for the Agua Fria National Monument and Bradshaw Harquahala Resource Management Plan is signed. This ROD is expected to be signed sometime in April.

### **Lower Sonoran Field Office**

The Department and Lower Sonoran Field Office completed Travel Management Plan route evaluations for the Gila Bend Mountains area in August 2009, and a preferred alternative is being developed. As part of a lawsuit settlement the BLM agreed to have a completed ROD and Resource Management Plan for the Lower Sonoran Field Office and Sonoran Desert National Monument by December 15, 2011. The Field Office is working to complete the Draft RMP/Draft EIS in the next few weeks. Due to time constraints imposed by the settlement, the Department will likely review the RMP and provide comments concurrently with the BLM State Office and Washington Office.

### **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 and associated route designations. Department personnel assisted in route evaluations from March 1 – 5, 2010.

### **Kingman Field Office**

The Department continues to assist the BLM Kingman Field Office in permit-related forage inventories on grazing allotments that are requesting ephemeral grazing permits due to the extensive amounts of precipitation received this past winter.

The Department reviewed and provided comments on the Greenwood Community Allotment Environmental Assessment and Rangeland Health Evaluation, advocating support for the preferred alternative – which would potentially lend itself to expansion of cottonwood/willow gallery forest near the confluence of the Big Sandy River and Burro Creek.

The Department continues to review the Environmental Assessments and Rangeland Health Evaluations for the Cerbatt, Quail Springs, and Fort Mac Ewen grazing allotments in order to provide the BLM Departmental guidance and management recommendations.

#### **Phoenix District Office**

The Department continues to coordinate closely with the Field Office in the development of subsequent implementation-level plans, including Travel Management Plans and associated route designations.

#### **Yuma Field Office**

The Record of Decision 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 Record of Decision 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. Department personnel are planning to participate in Travel Management Plan route evaluations for the Cibola-Ehrenberg areas which have been placed on hold until 2010.

#### **Tucson Field Office**

The final review of the Middle Gila Travel Management Plan is expected to be completed by the state office and available for public comment in May.

#### **Safford Field Office**

The Department reviewed and commented on the Gila Unit Travel Management Plan for the Safford Field office. The alternatives for this plan were developed in cooperation with the Department. The Department supports Alternative C as the alternative which is most aligned with the Department's Mission. However, The Department is concerned with the status of riparian areas within the Gila Unit. Several routes, which were identified to have sensitive elements or environmental concerns, and closed in Alternative B, were left open without adaptive management or mitigation on Alternative C. The Department recommended additional management or mitigation for routes in riparian and xeroriparian areas to ensure that motorized access is not impacting the important wildlife habitat that exists there. The Department also recommended incorporating an adaptive management component on all routes which follow or intersect riparian and xeroriparian watercourses which would include monitoring of the *ecological functions of the watercourses*, as well as the physical or hydrological function of the watercourses, and a regular review process.

## **BLM NATIONAL MONUMENTS & CONSERVATION AREAS**

### **Ironwood Forest National Monument (IFNM)**

The Tucson Field Office continues to work on the development of a 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 later this spring and complete the ROD/Approved RMP before the end of 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 Court has granted the application of the National Rifle Association to participate in the case as an intervener. Safari Club International has filed a motion to file briefs as amicus curiae. The Arizona Game and Fish Commission has voted to file a motion to appear in the case as amicus.

CBD, BLM and the National Rifle Association are still in settlement discussions and are to report their status to the Court by April 8. If the discussions are not productive, the parties will request the Court to re-set the scheduling conference.

### **Agua Fria National Monument**

The Record of Decision for the Agua Fria National Monument and Bradshaw-Harquahala RMP is expected to be signed in March. The Department continues to work with the Field Office in the development of subsequent implementation-level plans, including Travel Management Plans and associated route designations.

### **Sonoran Desert National Monument (SDNM)**

As part of a lawsuit settlement the BLM agreed to have a completed ROD and Resource Management Plan for the Lower Sonoran Field Office and Sonoran Desert National Monument by December 15, 2011. The Field Office is working to complete the Draft RMP/Draft EIS in the next few weeks. Due to time constraints imposed by the settlement, the Department will likely review the RMP and provide comments concurrently with the BLM State Office and Washington Office.

### **Las Cienegas National Conservation Area (LCNCA)**

The Department continues to monitor the reestablishment of black-tailed prairie dog populations on two sites within the LCNCA. The most recent counts were of 35 prairie-dogs at release site #1 (state trust lands) on March 25, and 20 prairie dogs at site #2 (BLM lands) on March 24. Actual population sizes are higher than what is visible during any survey because much of the population can be underground at any one time. Monthly monitoring will continue to assess status and population changes at each site. Some winter mortality is expected, and reproduction is expected to increase at site #1 this Spring, and perhaps be documented at site #2. A third release is planned this fall on BLM lands within the LCNCA. Clearing of previously cut trees has been completed and burrows were installed on site #3.

### **GENERAL UPDATES**

#### **AZ Sportsman for Wildlife Conservation Memorandum of Understanding (MOU)**

The Department and the AZ Sportsmen for Wildlife Conservation will be working together to treat pinyon and juniper on the Westside of the North Kaibab Ranger District. This treatment will improve habitat on the winter range for mule deer. On April 15<sup>th</sup>, a meeting was held among the AZ Sportsmen for Wildlife Conservation, the Kaibab National Forest, and the Department to evaluate maps to help prioritize field checks as a first step in the pinyon-juniper treatment project. Field evaluation of selected plots will occur when snow conditions allow, with planned treatments implemented in the mid-August to mid-September period.

A second project with Arizona Sportsmen for Wildlife Conservation is in the Buckskin area northeast of the Kaibab in Unit 12B. The Department, Arizona Sportsmen for Wildlife Conservation, and the Bureau of Land Management are planning to implement another pinyon-juniper treatment project using Habitat Partnership Committee funds. This project is a chaining project with two treatment methods, including shrub seeding, to increase the browse component. The Department is going to provide funding for archeological surveys for this project, with the BLM completing the NEPA compliance.

#### **Buckeye Hills Memorandum of Understanding (MOU) & Cooperative Management Area**

This is a multi-agency partnership between the Department, the Phoenix District BLM, and Maricopa County Parks & Recreation. This effort was directed by the Commission to develop and secure future wildlife conservation, public access and recreation, including a component of passive off-highway vehicle use in the Buckeye Hills area west of SR85. This area has been annexed by Buckeye, and it also contains the Region's largest actively managed Wildlife Areas. The partner agencies have drafted an MOU and are submitting the document to their respective signature authorities for review and approval. The partners are also starting work on a draft cooperative management framework to outline general objectives and create a mechanism to initiate funding strategies for on the ground projects. An overlay map with various features has been completed for project analysis.

### **City of Flagstaff**

In collaboration with the City of Flagstaff, Coconino County and interested citizens, the Department is moving ahead with initial scoping of a Conservation Lands System to support the Flagstaff Regional Land Use Plan. We are convening a study team of local biologists who have been involved with past natural resource mapping efforts in the greater Flagstaff area to determine what data are available and needs for additional fieldwork and mapping. The Department is consulting with Pima County land use planners involved with their Conservation Land System effort and will make an initial presentation to the Regional Plan Citizens' Advisory Committee in the first week of May. The Department is also serving on the rewrite team for the Environment element of the Regional Plan.

### **Illegally Stocked Northern Pike in Rainbow Lake**

Department personnel continue to implement mechanical methods to control illegally stocked northern pike in Rainbow Lake, Navajo County. This marks the third year of efforts to swamp the lake with gillnets for two to three weeks just prior to the spring spawn, as recommended by a several year study at Rainbow Lake by the University of Arizona. Approximately 160 pike were removed this year, which indicate that efforts may not be enough to effectively control pike numbers and associated impacts on sunfish, bass and stocked trout. Department personnel now plan to evaluate using the piscicide rotenone to completely kill all pike in the lake, and then restock the lake from scratch with channel catfish, bluegill, largemouth bass, and rainbow trout.

### **Lower Colorado River Multi-Species Conservation Program**

The Department is partnering with the Bureau of Reclamation to restore native habitats within the Laguna Division of the Colorado River, north of Yuma as part of the Lower Colorado River Multi-Species Conservation Program (LCRMSCP). The Laguna project consists of approximately 920 acres, most of which is found within the Department's Mittry Lake Wildlife Area. The purpose of the project is to restore native marsh, riparian, and upland habitats in an area that has become dominated with dense stands of saltcedar and other invasive vegetation. The project will provide suitable habitat for federally-listed and other sensitive species. On March 18, 2010 the Bureau of Reclamation, along with the Department and the Bureau of Land Management, hosted a public outreach meeting in Yuma to provide the public additional information on the restoration project and offer the opportunity for feedback. Initial vegetation clearing is scheduled to begin in 2011, with the restoration activities completed in 2014; the Bureau of Reclamation will maintain the habitat through 2055 under the LCRMSCP.

### **Maricopa County Flood Control District**

The District will be developing a Water Course Master Plan for the Hassayampa River between the confluence with the Gila north to the CAP canal. The Department met with the Project Manager to discuss the upcoming planning effort. The District will be collecting preliminary scoping information from Stakeholders. The Department supports conservation of the river floodway and floodplains as natural open space as critical wildlife movement corridor. Connectivity between the White Tanks, Buckeye Hills, Belmont and Vulture Mountains could be greatly enhanced by conserving of this important river corridor. The Department will participate fully in the planning process.

### **Maricopa County Ordinances P-28 and P-27**

On March 9<sup>th</sup>, 2010 Director Lawrence Odle retired from the Maricopa County Air Quality Department. Currently there is a nationwide search for a new Director.

On March 31<sup>st</sup>, 2010 the Department attended a meeting with the Maricopa County Air Quality Department on the draft revision of Maricopa County Ordinance P-28. Maricopa County Air Quality Department Deputy Director Ken Proksa was in attendance along with nine staff members to discuss the comments provided on February 1<sup>st</sup>, 2010. Jeff Gursh with the Arizona Off-Highway Vehicle Coalition was also in attendance representing OHV users. The discussion was centered on the continued concern for reasonable access while maintaining an Ordinance that will help accomplish the mandated 5% PM<sub>10</sub> emission reductions. The Department provided comments on the revisions and is currently working with the County to draft revisions that will provide reasonable access while limiting travel to roads and trails. The County anticipates that the revision will go before the County Board of Supervisors in four to five months.

### **Pinal County PM<sub>10</sub> Non-attainment Area designation**

On February 24<sup>th</sup>, 2010 the Department met with Pinal County Air Quality Director Don Gabrielson and Inspector Scott DiBiase to discuss the proposed PM<sub>10</sub> non-attainment area (NAA) boundary for Pinal County, subsequent plan for attainment, and the possible effect on access. Gabrielson provided an overview on the concerns and reasoning for the proposed boundary. The Department provided comments on redrawing the boundary with the intent of allowing reasonable access to wildlife recreation opportunities. The changes to the boundary were also supported by the limited data available regarding PM<sub>10</sub> emissions attributed to OHV use better reflecting those areas in need of more stringent air quality mitigation. The County will provide a proposal to the Arizona Department of Environmental Quality that will then forward it to the Governor's Office for final review prior to submission to the Environmental Protection Agency.

### **Mogollon Stream Restoration Project:**

The Mogollon Stream Restoration Project is ongoing. It includes a habitat and stream morphology study, NEPA compliance and the design and placement of structures on Tonto, Christopher, Haigler, and Canyon Creek's, as well as the East Verde River. NEPA compliance is near completion on Tonto Creek, and is beginning on Canyon, Christopher and Haigler Creeks. The goal of the project is to improve stream health, water quality, riparian health and fish habitat for both stocked trout and native fish, and increase trout fishing opportunity.

### **Northern Arizona Shooting Range (NASR)**

On March 23, 2010, the Joint Committee on Capital Review approved the Department to use eligible appropriation expenditures under the NASR project for all costs associated with the acquisition of the Foster Ranch property. The Department has ordered due diligence investigations including Title reports, ALTA survey, Geotechnical survey, and aerial photography mapping.

### **Recreational Shooting Conflicts on Tonto National Forest and State Trust Lands near Queen Valley/Florence Junction:**

The Tonto National Forest - Mesa Ranger District, citizens of Queen Valley, and local livestock permittees' have expressed increasing concern over recreational shooting problems near Queen Valley/Whitlow Dam area north of Florence Junction. The land ownership around Queen Valley consists of not only Tonto National Forest (TNF) lands, but also Arizona State Land Department, Bureau of Land Management (BLM), Army Core of Engineers (ACOE), and private lands complicating the management of safe, legal areas for recreational shooting. The Queen Valley Association has held a couple of public meetings in which the Department has participated. The Department has met with the BLM, TNF, ACOE, and Pinal County Sheriff's Office to discuss the problem and try and resolve conflicts through coordination. The ACOE is currently revising their Master Plan for Whitlow Dam from which the Department has had input while the Tonto National Forest has suggested some closures (to recreational shooting) in those areas that present the highest public safety threat and in proximity to the community of Queen Valley. The TNF has suggested that the timeframe for any closure is probably at least 12 months out but the Department remains engaged in discussions with these land management agencies.

### **Renewable Energy Development**

#### **Steel Plant Wind and Solar Energy Project**

The Department attended a site visit with the project proponent and the environmental consultants performing the biological surveys for the Steel Plant Wind and Solar Energy Project. The proposed project is located on a privately owned parcel comprising 808 acres approximately 5 miles south of Kingman. Plans are for a small-scale commercial wind and solar energy facility that would generate 11 megawatts of power using 5 wind turbines and 4,000 acres of photovoltaic solar panels. The Department has recommended additional preconstruction bird, bat, and desert tortoise surveys and will be reviewing the project proponent's protocols for these surveys in the near future.

#### ***Solar***

#### **Solana Solar Generating Facility**

The Department continues to work with Abengoa Solar Inc (Abengoa) and the U.S. Fish and Wildlife Service to develop appropriate wildlife and habitat compensation for the proposed Solana Solar Generating Facility. Abengoa is seeking a U.S. Department Energy (DOE)-issued federal loan guarantee for the construction of a proposed 280MW concentrating solar power (CSP) plant – the Sola Generating Station – and associated 230 kV transmission line near Gila Bend in Maricopa County. The plant would be placed on 3,000 acres of retired private agricultural land and would utilize approximately 3,000 acre-feet of water/year. DOE is preparing an Environmental Assessment for the proposed project, while Abengoa and its contractor, Tierra Environmental Consultants, LLC, recently submitted a Biological Assessment to the Fish and Wildlife Service.

### Sonoran Solar

The Department continues to participate as Cooperating Agency with the BLM's development of an EIS for the Sonoran Solar project. BLM solicited review and comment on drafts for Chapters 1- 6 in March. The Department has provided ongoing comment and review. BLM plans to hold DEIS public meetings April 27-29 in Phoenix, Buckeye and Gila Bend.

### Buckeye Solar Project

The Department met with the Horizon Wind Energy company Project Manager, Environmental Manager and consultants to discuss biological concerns related to the proposed project site on the west side of the White Tank Mountains, just north of I-10, on State Trust Land. Horizon asked the Department to review the Wildlife Study Plan developed by the consultant, West Inc. The Department provided recommendations to improve the study plan and invited Horizon to consider duplicating research designs and methodologies proposed for the nearby Sonoran Solar project. The proposed research would gather data to; 1) identify the spatial extent of the impact of a large-scale solar development on wildlife populations (e.g., presence, population density, species diversity, etc.) and 2) provide data to develop management recommendations that can be used to mitigate and monitor any potential impacts that future solar energy projects may have on wildlife species. The Buckeye solar site could serve as a replicate research site. Horizon expressed a strong interest in environment stewardship and is willing to consider the proposed methodologies. The Department also provided several species survey protocols as requested by Horizon.

### Sterling Solar Generating Facility

The Department continues to coordinate and provide guidance to project managers of the Sterling Solar Generating Facility. Recently the Department attended a site visit with the project proponent, U.S. Fish and Wildlife Service, and the environmental consultants performing the biological surveys. During the visit, plans regarding the solar facility were reviewed and biological resources that are found within and in proximity to the project site were discussed. The Department and the U.S. Fish and Wildlife Service provided specific recommendations in regards to biological surveys that will be completed in the near future.

### ***Wind***

Navajo County is currently developing an Alternative Energy Ordinance that would serve to regulate energy development in the unincorporated areas of the county. As part of their efforts, Navajo County will be conducting a public meeting in Snowflake, on April 14, 2010. The purpose of the public meeting is to seek input from stakeholders for the preparation and adoption of the alternative energy ordinance. The Department will continue to provide input to Navajo County regarding alternative energy development as well as the development of the Alternative Energy Ordinance. Recently, Navajo County approved special use permits for the installation of meteorological towers with stipulations that the companies coordinate with the Department to minimized impacts to wildlife.

### British Petroleum's White Hills/Mohave Wind Energy Project

The Department continues to coordinate with the BLM Kingman Field Office, project proponent, and environmental consultants managing the Environmental Impact Statement in compliance with NEPA for the White Hills Wind Energy Project. The Department recently attended a workshop at the BLM Kingman Field Office to develop and discuss a range of alternative actions

that will be considered in the Environmental Impact Statement, including those alternatives that were considered but will be eliminated from detailed analysis. British Petroleum has recently revised the proposed project based on additional studies and comments received during the public scoping period of the NEPA compliance process. Land previously identified as subsequent phases or Phase 2 of the project, including 13,522 acres of BLM-administered land and 4,360 acres private land, are no longer under consideration. The project area now includes 41,577 acres—31,338 acres of BLM-administered land that would be developed during Phase 1, and 10,239 acres of federal land to the west of Phase 1. Because the project area has been substantially modified since public scoping meetings were held in December, BLM will hold additional public meetings to provide information and receive comments on the alternatives to be evaluated in the EIS. The Department continues to move forward with the effort to complete a Memorandum Of Understanding that will formalize its cooperating agency status in the process.

#### Grapevine Energy Wind Farm

For the last several months there has been interest in pursuing pronghorn research as it relates to the Grapevine energy wind farm. The Grapevine project overlaps multiple pronghorn habitat treatments on Diablo Trust lands in Unit 5B. The effect of wind energy on pronghorn is unknown. The Grapevine project is in the early stages of planning with an EIS slated to come out sometime this summer. The developer, Foresight Energy, has expressed some interest in the past in partnering with the Department to fund research to address potential impacts on pronghorn. However, a recent meeting with Foresight suggests that while the company may still be interested in assisting the Department, they are currently on hold until they can get more feedback from the power market. It is hoped that later in the summer when the developer knows more about the possibility of a power purchase that the Department can approach Foresight for funding once again.

#### **Rosemont Copper Project**

The Department continues to participate closely with the Coronado National Forest and other cooperating agencies on the proposed Rosemont Copper mine. The Department is particularly concerned about the mine's potential effect on the hydrology of the area, resulting from the hydraulic sink caused by the open pit. Flows on Cienega and Sonoita Creeks, the Departments Coalmine Spring property could be affected. Both creeks are perennial waters with high wildlife values, including several threatened and endangered species.

The Department is currently reviewing technical reports used in the Environmental Impact Statement (EIS) and will provide comments to the Forest Service (FS). The draft EIS is scheduled for review by cooperating agencies in April.

#### **SR 95 Bighorn Sheep Research Grant Proposal**

The Department is applying for an Arizona Transportation Research Council Grant in order to research bighorn sheep along SR-95. Currently the ADOT Kingman District Field Office is proposing construction of wild burro exclusion fencing on SR-95 between mileposts 190-195 in the Mohave Mountains north of Lake Havasu City. In addition to burro control efforts, SR-95's existing alignment, future modification to the highway, and increases in vehicle traffic rates impose the issue of habitat fragmentation for bighorn sheep. The proposal includes research that would monitor sheep activity in the SR-95 corridor in the Mohave Mountains north of Lake Havasu City. The objectives of the research would be to provide data-driven recommendations

regarding the need for, and location of bighorn sheep crossing structures within the burro exclusion project area and to use field data to validate connectivity predictions derived from the bighorn movement corridor model and lease-cost corridor analysis developed on the US-93 milepost 2-17 project.

### **Study on Winter Fish Kills**

Department personnel continue to work on a winterkill study project on Carnero, Crescent and Lee Valley lakes in Apache County. The objective of the study is to gather baseline data on conditions that lead to winterkill, implement projects to increase dissolved oxygen or reduce the rate of oxygen depletion, and ultimately reduce the occurrence of winter fish kills. The latest monitoring occurred on March 17 revealing that efforts were not sufficient to prevent winterkill at any of the three lakes this year. However, conditions were fairly extreme this winter, measuring over 30 inches of ice thickness on the lakes as late as mid-March and measuring approximately 200% of normal snowfall. Efforts to reduce the rate of oxygen depletion may have been successful under normal winter conditions.

### **Transportation**

#### BQAZ & Statewide Rail Framework Study

The BQAZ 2050 Transportation Framework has been approved/adopted by the State Transportation Board. This framework includes a combination of the personal vehicle mobility, transit mobility, and focused growth scenarios that were discussed throughout the BQAZ process. Next steps in the statewide transportation planning process are the development of the 20-Year Long Range Transportation Plan and implementation of the 5-Year Construction Program (2011-2015).

Although transit mobility was a component of the BQAZ process, opportunities and discussion of a statewide rail component was brought in late in the BQAZ process and was not fully evaluated in the initial BQAZ timeframe. Therefore, the Arizona Department of Transportation (ADOT) is moving forward with a Statewide Rail Framework Study that will provide the long-range vision and opportunities for both freight and passenger rail in the State. Focus group workshops have taken place across the State and the Department was represented at each one. It should be noted that one of the project prioritization components to be discussed/evaluated by workshop attendees included “Collaboration with Arizona Game and Fish to implement Wildlife Mitigation Measures along existing rail corridors.”

#### Hidden Waters Parkway

The Department continues to participate on the Technical Advisory Committee (TAC) for the Hidden Waters Parkway Corridor Feasibility Study. MCDOT is evaluating the preferred alignment for a proposed future parkway that would provide a north/south transportation corridor between I-10 and Gila Bend similar to the Old US 80 alignment. A few of the transportation development issues in the area involve impacts to local agricultural operations and housing developments, archaeological and historical resources along the Gila River, impacts to the Gila River near the Gillespie Dam crossing, impacts to the Department’s Gila River Wildlife Area Complex, and impacts to a wildlife linkage between the Gila Bend Mountains, Buckeye Hills and the Sonoran Desert National Monument. Many questions have been raised to MCDOT on the purpose and need for the parkway. MCDOT has responded that the purpose and need was established during the regional and statewide framework studies; and it is no longer a question of

need, but now a question of the specific transportation corridor alignments. The TAC, stakeholder, and public input process for the Feasibility Study concluded on March 3, 2010. The preferred alignment for the southern corridor segment is Alternative C, which generally follows the Old US 80 alignment. For the north corridor segment, the preferred alignment is Alternative D, which is a combination of the 339<sup>th</sup> and 351<sup>st</sup> Avenue alignments. MCDOT and the consultants are preparing detailed drawing of the preferred alternatives, Technical Memorandum Nos. 4 and 5, and the draft final report, which will be distributed to the TAC for review and comment in April 2010.

#### La Paz County Transportation Planning Study

Department personnel are participating in the Technical Advisor Committee (TAC) and attended a recent meeting for the joint study conducted by La Paz County, the towns of Quartzite, the Colorado River Indian Tribes, and ADOT in order to prepare a comprehensive transportation plan and a Transportation Improvement Program. Department personnel will meet with La Paz County on April 16, 2010 as the first step to begin the process of setting up a stakeholder meeting as part of the statewide effort to identify movement corridors at the county level by involving county, community development programs, and other stakeholders.

#### I-17 Widening Project from SR-179 to Flagstaff and I-40 Widening Project from Bellemont to Winona

A Technical Advisory Committee has been formed to manage the ongoing design and implementation of the wildlife crossing structures on I-17. The TAC will include AGFD, USFS, ADOT, and its consultants. The TAC met March 17<sup>th</sup> to discuss its roles and functions as it relates to wildlife connectivity issues. The focus of the group will be to address connectivity issues specifically related to roadway projects (down to a detailed level), both big game and nongame related, and relay recommendations to the project team. It is expected that this TAC will continue to serve the same function as it relates to the ongoing I-40 project and other roadway projects as they come up.

#### **Turkey Translocation**

Department personnel captured 74 turkeys off of private property on the Blue River in Unit 27. Trapping locations were selected in part to assist three landowners on the Blue River who expressed concerns regarding the numbers of turkeys that were occupying their agricultural fields all day, scratching and feeding during the spring green-up. These turkeys were subsequently translocated to Regions 3 and 6 as part of ongoing translocation effort.

#### **Wildlife Linkages/Corridors**

##### Coconino County

The Department, the Arizona Wildlife Linkages Workgroup, and Coconino County held a successful second stakeholders workshop in Flagstaff on March 2<sup>nd</sup>. A diverse group of wildlife biologists, municipal planners, transportation developers, and other stakeholders from federal, state, tribal and municipal agencies and non-profit organizations reviewed and edited our GIS maps of wildlife movement areas, and identified high-priority areas to consider for fine-scale GIS corridor modeling. We have begun work on a county-wide report of all stakeholder-identified linkage areas in Coconino County which will include GIS maps and an associated database. The Department has collected habitat suitability data from experts on focal species

which will support our fine-scale corridor modeling effort. We will begin developing these GIS models upon completion of the county-wide report.

#### Southeast Arizona Collaborative Grasslands Workgroup

Individuals representing nongovernmental organizations and government agencies met at the Department's Tucson Regional office on March 11<sup>th</sup> to continue planning the formation of a group focused on the conservation (habitat and species), restoration, and connectivity of grasslands in southern Arizona. The new group tentatively calls itself the Southeast Arizona Collaborative Grasslands Workgroup. Representatives include the Department, State Land, The Nature Conservancy, Buenos Aires National Wildlife Refuge, Las Cienegas National Conservation Area/ Bureau of Land Management, Arizona Antelope Foundation, Pima County, Forest Service, Natural Resources Conservation Services, and Arizona Audubon. Currently the workgroup is drafting a funding proposal for submission to National Fish and Wildlife Foundation under the Sky Island Grassland Initiative. If awarded, the proposal would support partner efforts to conserve pronghorn and other grassland species.

#### Regional Transportation Authority Wildlife Linkages Working Group

The Regional Transportation Authority is a government entity that manages the \$2.1 billion, 20-year plan, for Pima County approved by voters in 2006. The Department has a voting seat on the working group and participates monthly in reviewing transportation project proposals that benefit wildlife by: 1) restoring regional connectivity between habitat blocks, 2) maintaining existing permeability between habitat blocks, or 3) general research regarding transportation and wildlife. Approximately \$45 million dollars were originally allocated to wildlife projects.

The Department is cooperating with Pima County and Arizona Department of Transportation to submit a funding proposal to support two workshops on wildlife connectivity.

#### Pinal County Wildlife Linkages Workshop

A Wildlife Linkages Workshop is scheduled for Pinal County on May 5<sup>th</sup> in Florence. Similar workshops have been held with stakeholders in Yavapai, Coconino, and Maricopa Counties. Stakeholders in the Pinal County workshop will refine the results in the 2006 Arizona Missing Linkages Report at the county scale. Specifically, participants will identify (on maps) large blocks of habitat or designated open space, existing and future developments, roads, and other barriers to wildlife movement, and important corridors connecting open spaces.

#### Pinal County Open Space Summit Steering Committee

The Pinal County Open Space Summit Steering Committee was chartered by the Pinal Partnership (a coalition of community, business, educational, and governmental leaders) 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, State Land, USFWS, Sonoran Institute, and a landowner/developer participate on the committee. Pinal County Open Space Summit Steering Committee is tasked with creating a venue (i.e. summit) for stakeholders to candidly discuss open space issues in Pinal County, develop stakeholder consensus, and produce a "product" (e.g., map) stakeholders can use when considering development issues. Department participation ensures wildlife habitat and local corridors are considered during open space planning.

### Northwest Cochise County-Benson Transportation Planning Project

The Department is working with the Arizona Department of Transportation, Cochise County, and the City of Benson in preparing a long-range transportation plan for northwest Cochise County. 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. Department staff provides input to ensure any planned structures (e.g., roadways, bridges, fences, culverts) minimize impacts on wildlife. The northwest section of Cochise County is of particular interest to the Department because three potential wildlife linkage corridors pass through the planning area.

Southeastern Arizona Habitat Partnership Committee (SEA-HCP). The SEA-HCP met in Douglas on March 16<sup>th</sup>, to begin planning for the next funding cycle. During the 2009 funding cycle, the HCP identified and submitted 8 proposals. Successful proposals totaled \$93,911.00, for projects on the Forest, State Land and private lands in Cochise County. Big game species benefitting from the funded projects include whitetail deer, mule deer, Gould's turkey and many other species. These projects not only benefit game and nongame species, but contribute to positive relationships with southeastern Arizona landowners.

### Sierra Estrella – Sonoran Desert National Monument Linkage

The Department participated in a Stakeholder meeting sponsored by the Sonoran Institute on February 26. The purpose of the workshop was to convene stakeholders from various planning jurisdictions as well as local private citizens and begin a roundtable approach to implementation. Presenters provided information on relevant land use planning for Goodyear, Maricopa Flood Control District and the Department. Future workshops are planned to work towards implementation of the linkage.

### Turner Parkway

The Department attended the final Corridor Feasibility Study Technical Committee meeting. The County has finalized the Preferred Corridor Alignment for a future Turner Parkway west of the White Tank Mountains. The parkway will be one of two major north/south transportation routes between I-10 and SR74, immediately east of the Hassayampa River Corridor. The Department was successful in promoting a proposed wildlife linkage, White Tanks to Belmont Mountains into the technical memorandums for future consideration when the parkway goes into the design and development stages. The *Preferred Corridor Alignment* report identifies the potential number of small, medium and large drainage features that will be important for wildlife design considerations, an important first step for implementation of the linkage goals.

### Northern Parkway

The County just initiated planning for the future Northern Parkway, an east/west parkway that will begin on the west side of the White Tank Mountains at Turner Parkway, cross the Hassayampa River and end at 411<sup>th</sup> Ave (future Tonopah Parkway). The Department will participate as a Technical Committee member through the Corridor Feasibility Study.



THE STATE OF ARIZONA  
**GAME AND FISH DEPARTMENT**

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March 8, 2010

Ms. Martie Schramm  
Williams District Ranger  
Kaibab National Forest  
742 South Clover Road  
Williams, Arizona 86046

Dear Ranger Schramm:

The Arizona Game and Fish Department (Department) has reviewed the Environmental Assessment (EA) for the Kaibab National Forest's Williams Ranger District Travel Management Project. The Department supports most elements of the Proposed Action, Alternative 2. We offer the following comments, which are related to motorized big game retrieval (MBGR), additional clarification of open and closed roads, motorized trail system and dispersed camping sites/areas.

**Prohibition against cross-country travel:**

The Department strongly supports the general prohibition against cross-country travel because it will improve habitat for all wildlife.

**Motorized big game retrieval:**

The Department recommends the Williams Ranger District of the Kaibab National Forest (KNF) adopt the following rule for Motorized Big Game Retrieval.

- *Motorized big game retrieval is allowed for legally taken and tagged elk and deer during an open season for those animal's as designated by the Arizona Game and Fish Commission, and for twenty four hours following the end of each season.*
- *Only one vehicle (one trip in and one trip out) would be allowed for motorized big game retrieval per harvested animal.*
- *Hunters will be required to use the most direct and least ground disturbing route in and out of the area to accomplish the retrieval.*
- *Motorized big game retrieval would not be allowed in existing vehicle travel restricted areas, such as Wilderness areas or when conditions (wet conditions) are such that travel would cause damage to natural and/or cultural resources.*
- *Motorized vehicles would not be permitted to cross riparian areas, streams and rivers, except at hardened crossing or crossings with existing culverts.*
- *CHAMP hunters (Challenged Hunter Access/Mobility Permit), as defined by the Arizona Game and Fish Commission, have permission to recover all legally taken big game during their permitted season and for 24 hours following the close of that season provided it could be done without causing resource damage.*

Because Game Management Units cross National Forest boundaries, the Department encourages the KNF to coordinate with both the Coconino National Forest and Prescott National Forest to ensure consistency between the forests.

The reasons the Department recommends changes to MBGR within the proposed action are:

- **In order to meet Arizona big game harvest and management objectives.** The Department considers both elk and deer as primary big game species in Game Management Units (GMU) 7 and 8. The Williams District of the KNF is a large part of both GMU 7 and 8. The Department is concerned that when hunting for large animals, many hunters will not venture far enough from roads to find and harvest large game for fear of having to retrieve the animal. Most of Arizona's hunters live in the Phoenix and Tucson metropolitan areas and are not accustomed to exertion at the 4,000 to 8,000 foot elevations where most hunting takes place. Restrictions on MBGR will especially discourage these hunters from hunting away from roads.

In reaction to requests from the KNF, the Department has lowered elk populations on the Kaibab National Forest over the last 17 years and tried to maintain the populations at lower levels. This has proven to be difficult. When bad weather, wet roads, or other problems impact hunters the Department has seen reductions in harvest. In response, the Department has added permits, increased numbers of hunts, and split GMUs.

Staff from the KNF have continually commented on aspen/wildlife issues. To date it has not been easy to achieve the harvest levels required to reach the desired population levels. The restrictions on MBGR will predictably lower hunt success, therefore add to the potential impact on aspen by wildlife. To make up for the lower hunt success, the number of permits required to achieve objectives will need to be increased leading to elevated problems with road damage.

It is currently unlawful to hunt from a vehicle and drive a motorized vehicle cross-county while hunting. The Department regularly flies aerial hunt patrols looking for violations such as hunting from a vehicle and vehicles traveling cross-country. During these aerial hunt patrols the Department often sees elk concentrated in the areas between roads. Knowing that the elk may have already learned to avoid hunters by moving away from roads, the Department is very concerned that any disincentive for hunters to get further from roads will have an effect of lowering hunt success, and reduce their ability to meet the harvest objectives and control elk populations.

- **Reason for including deer in the motorized big game retrieval.** The Department is recommending that deer be included with elk as a big game animal that can legally be retrieved by the use of a motor vehicle. As mentioned above, the Department considers both deer and elk as the primary big game species in GMUs 7 and 8. The average dressed weight of a deer in GMUs 7 and 8 is between 130 and 180 lbs. Like elk, deer move further from roads as pressure and human presence increases throughout the fall. The general deer season in GMUs 7 and 8 is in late October and early November. This is well into the fall hunting seasons that begin in August. Therefore, the hunters

traditionally have to hike further from the roads to harvest a deer. Aside from the increased hunting public acceptance of the Travel Management Rule (TMR), if deer were added to the MBGR exception, based on the relatively low number of vehicle trips to recover legally harvested deer, it would cause little to no damage to forest resources and habitat and help the Department meet harvest objectives.

- **Need to avoid spoilage of big game.** Warm weather and slow retrieval can lead to spoilage of big game meat. Not only is spoilage unethical, but wasting game meat is unlawful in Arizona. The Department recommends that MBGR be allowed when the seasons for elk and deer are open plus 24 hours based on the unpredictability of weather in Arizona. It is strongly recommended that the time period of 10:00 AM to midnight be removed. This constraint may actually increase the possibility of waste of game meat, especially during the archery seasons that occur in late August and September when ambient air temperatures are typically warmer. Knowing that the temperatures are warmer, it is best to recover downed big game in the early hours of the day between sunrise and 10:00 AM.

It is also recommended that the month restriction, August thru the 4<sup>th</sup> Thursday in October, be removed. Not only does it add another unnecessary aspect of complexity, even at higher altitudes the weather can be unpredictably warm in the coldest months and warm temperatures can occur throughout the fall and into December. As a reference the following seasons in 2010 start after the 4<sup>th</sup> Thursday in October: the general deer season starts the last Friday in October, the late archery elk season starts the 2<sup>nd</sup> Friday in November, the rifle bull elk season starts the last Friday in November (Thanksgiving weekend) and the late antlerless elk season starts the first Friday in December.

Additionally the Department recommends removing the 1-mile restriction from the MBGR. Maps 3B and 7B – Proposed Open Roads with 1-mile Buffer show approximately 27 areas where MBGR would not be lawful. Although 27 may appear to be a lot, in actuality, many of these areas are so small they would be unenforceable. The addition of a 1-mile restriction would add yet another unnecessary aspect of complexity. For any regulation on MBGR to be effective it will need to be clear, concise, understandable by the hunters and reasonable. A 1-mile restriction that actually means very little on the ground is none of those.

- **Reduction of resource damage.** In times when ground moisture is high, and traveling cross-country would cause obvious damage, the Department suggests emphasizing that MBGR is not permitted when doing so would cause resource damage. This would be directly in line with the Wet Roads System developed cooperatively with the Department, KNF, and Coconino National Forest. If the Wet Roads System plan was activated because of excessively wet conditions, it would be unlawful to drive cross-country including executing MBGR. Department officers have always, and will continue to enforce unlawful cross-country travel assisting the Forest Service law enforcement officers so they do not have to bear the brunt of enforcement.

- **Enforcement of cross-country travel and unlawful motorized game retrieval.** As mentioned above, the Department regularly flies aerial hunt patrols looking for violations such as hunting from a vehicle and vehicles traveling cross-country in the current vehicle closures. The Department will continue to do so.
- **Need to provide for State programs related to disabled hunters.** CHAMP hunters have a greater need for big game recovery because of their mobility limitations. The Department proposes allowing CHAMP hunters permission to recover all legally taken big game.
- **Need for fairness.** Regulations up to this point have allowed the public to drive cross-country year round unless wet conditions dictate otherwise. While the Department supports a change to prohibit cross-country travel, many of the Alternatives that the KNF proposes are unfair to hunters as a singled out user of the Forest. By allowing ranchers, and to some extent fuel wood cutters (under special permits), the ability to drive cross-country, the Forest is singling out and limiting a traditional user group. We are not arguing that ranchers and/or wood cutters be limited, but rather advocating that similar rules for hunters (in the form of MGBR) be in place as outlined above, in order to be fair for permitted activities on the Forest.

**Additional clarification of open and closed roads:**

The Department recommends that in addition to the Motorized Vehicle Use Map (MVUM), all open roads should be signed/marked open by the current numbered-sign system and all roads to be closed should have the numbered-signs removed. It is understood that the MVUM will be the sole means of notifying the forest users which roads are open and which roads are closed. It is also understood that after the implementation of the TMR all roads currently signed (numbered-sign) will remain signed including roads closed by the TMR process. This will add an aspect of confusion to the forest user because the forest user views a road that has a numbered-sign as an open road. It is understood that removing the signs from closed roads and ensuring all open roads are signed will be an additional workload and an increased financial burden for the forest, however, the reality of using just a map to designate the open and closed roads throughout the forest would be difficult for many forest users to distinguish open from closed roads on the ground. In addition, signing only the open roads on the ground will allow for more consistent and proper enforcement of the closed roads throughout the forest. The forest has indicated that the numbered-signs need to remain, even on the closed roads, because the roads are still part of the forest road system. The Department recommends if the road is closed it should be removed from the forest road system and the numbered-sign removed.

**Motorized Trail System:**

The Department supports the proposed motorized trail systems in the Proposed Action. The KNF receives heavy Off-Highway Vehicle (OHV) use throughout the summer months. It is recommended the KNF take an active role in managing OHV recreational use. The Department also recommends the KNF work collaboratively with the Department and OHV user groups in the future to develop and implement an OHV and motorcycle trails system by including OHV areas and trail systems throughout the KNF. The Department recommends longer loop type trails throughout the forest in addition to more concentrated OHV areas. Such a trail system

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could be based off existing roads and could require nothing beyond signage and designation of the trails on the forest maps. In the future, these OHV trails and areas may be partially managed through an Adopt-a-Trail Program with the forest users. The Department supports the concept of OHV areas such as the ones proposed by the Williams District Travel Management Plan.

The Department encourages the KNF to consider other motorized trail areas and offers the following areas as potential sites.

- 1) The area north of I-40, off the Welch Exit. The area currently has a bike trail off Old Route 66. There are several 2-tracks that are present in the area and the soil type can take heavy recreation use. This area has limited summer seasonal use by mule deer and elk. The area is already impacted by dispersed camping and provides easy access off I-40, especially for larger Recreational Vehicles (RV's).
- 2) The area around Kaibab Campground, either to the north or to the south. The area has limited big game species seasonal use and it may be possible to incorporate the cinder pit and surrounding area. This location also offers easy access from Highway 64.
- 3) Butcher Knife or Ebert Knoll area in north of I-40 and east of Highway 64. The area has limited wildlife use and easy access from the Spring Valley Road or Hwy 180.

#### **Dispersed camping sites/areas:**

The Department supports control of dispersed camping. The AGFD also agrees there has been increasing habitat damage related to vehicular dispersed camping on the KNF and there is a need to regulate the distance a vehicle should be allowed to pull off a road. Currently, visitors camping on the KNF are using larger RVs such as campers, motor-homes and trailers which are continually moving campsites further from the main roads. It is understood that camping will be allowed adjacent to open roads, designated dispersed camping within 200 feet of designated routes and camping on designated spur roads.

Within the proposed action fixed width corridors would be restricted to 200 feet. Two hundred feet is just over 66 yards. In the spirit of constancy with the adjacent forests and a better understanding by the public, the Department recommends the fixed corridor width be increased to 300 feet (100 yards).

After reviewing the proposed designated routes for the purpose of dispersed camping, the AGFD wants to ensure that there are sufficient sites for the maximum number of hunter camps that could be permitted in a single hunt. The Department would like to offer our assistance in designating additional camp site locations. The Department is aware of several historically used camp locations not designated in the plan and areas where a few additional fixed width camping corridors may be added. At this time the Department recommends the addition of 4 routes, Forest Roads: **35, 88, 144 and 186**. The Department is willing to coordinate our efforts to designate additional designated dispersed camping sites and fixed width corridors.

Ms. Martie Schramm  
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The Department appreciates the opportunity to work with the Kaibab National Forest. For any questions regarding our comments, please contact Larry Phoenix (928-774-7901) or Andi Rogers (928-214-1251) at your convenience.

Sincerely,



Ron Sieg  
Regional Supervisor  
Region II

RTS:lp

cc:

Josh Avey Habitat Branch Chief  
Sarah Reif, Flagstaff Habitat Program Manager  
Andi Rogers, Flagstaff Habitat Specialist  
Larry Phoenix, Flagstaff Field Supervisor

## THE PATH FORWARD

### I. VISION

Our vision within the Four Forests Restoration Initiative essentially mirrors that outlined in the *Statewide Strategy for Restoring Arizona's Forests*. We expect that landscape-scale restoration across the Mogollon Rim will support healthy, diverse stands, supporting abundant populations of native plants and animals; thriving communities in forested landscapes that pose little threat of destructive wildfire; and sustainable forest industries that strengthen local economies while conserving natural resources and aesthetic values.

### II. To Achieve the Vision

In striving to achieve this vision across the Mogollon Rim, we recognize the critically important ecological, economic, and social contexts within which landscape-scale restoration necessarily occurs. First and foremost, we recognize that comprehensive ecological restoration needs and priorities should guide landscape-scale forest management. Second, we recognize that sustainable restoration economies can and should be developed and enhanced so that restoration can proceed more efficiently, and so that rural communities can benefit from such action. A critical step toward creating economies requires a longer-term (e.g. 10 to 20 years) assurance of wood and biomass supply to appropriately-scaled industries such that necessary economic infrastructure investments can be made. Third, we believe that sustained investment in collaboration can build agreement and trust and minimize controversy surrounding forest management, thus allowing ambitious landscape-scale restoration to proceed with maximum efficiency and effectiveness without sacrificing quality of work.

In order to implement ecologically, economically, and socially viable landscape-scale forest restoration across the Mogollon Rim, additional capital investment will be necessary at the local, state, and federal levels. Beyond investing additional resources, we will need to use existing resources with maximum efficiency. We can do so by: 1) integrating restoration, fire management, and community protection planning at the landscape scale; 2) adopting land use policies that support rather than hinder landscape-scale restoration; 3) strategically prioritizing and placing restoration treatments; 4) safely employing prescribed fire and Wildland Fire Use; 5) employing adaptive management supported by the best available science; 6) identifying sustainable cost offset opportunities through wood and biomass utilization. Landscape-scale forest restoration across the Mogollon Rim will be a new endeavor for northern Arizona's citizens, and create significant ecological change across hundreds of thousands of acres. As such, it is imperative that we proceed ambitiously, but cautiously; that we maximize our opportunities to systematically learn our way through the process; and, that we proceed with confidence tempered with humility.

### III. Ecological Goals for Ponderosa Pine Forest Ecosystems

Arizona's forests and the ecological processes that sustain them span landscapes. The *Analysis of Small Diameter Wood Supply in Northern Arizona* identified the need as well as the priorities for restoration within a large, landscape context. Identification of ecological goals and the charting of progress toward reaching those goals must also occur within a similarly large landscape context. At this scale, goals for restoring forest ecosystem health and protecting communities must be dynamic, comprehensive, and integrated. It is important to understand that restoration at this scale is characterized by uncertainty. Therefore, a diversity of restoration strategies that fit local ecological, social, political, and economic circumstances are needed. A "one-size-fits-all" approach is not appropriate, and an open, transparent, collaborative process is essential to the success of those restoration strategies.

The following ecological goals are a synthesis of the Arizona Governor's Forest Health Council's *Statewide Strategy for Restoring Arizona's Forests, Guiding Principles for Forest Restoration and Community Protection, Guiding Principles for Wildlife Habitat*, as well as the National Forest Service Manual Directive Chapter 2020: *Ecological Restoration and Resilience*.

1. Protect and restore ecosystem structures, processes and functions
2. Conserve and enhance biological diversity at multiple spatial scales (from the stand to the landscape)
3. Integrate conservation and recovery of listed, rare, and declining species into the planning and implementation of restoration treatments
4. Use historic range of variability, current conditions, and potential effects of climate change in planning of restoration treatments
5. Reduce unsustainable densities of post-settlement trees and enhance forest resilience so that low-intensity, frequent fire and other natural processes can operate to the fullest extent possible
6. Retain sufficient trees of all size and age classes to assure development of natural stand dynamics.
7. Reintroduce low-intensity, frequent fire as the primary natural process maintaining forest structure and function
8. Minimize potential negative impacts of restoration treatments to wildlife, residual vegetation, soils, aquatic systems, and other ecological and biological values
9. Strive for structural diversity in the attributes of the tree component (e.g., density, size, and spacing), the size and distribution of forested patches and openings, and the associated shrubs and understory vegetation to create diverse conditions most beneficial to wildlife and most resilient to widespread habitat loss
10. No old growth trees (predating Euro-American settlement or currently exhibiting old growth structural characteristics) shall be cut
11. Use the best available science, current and desired conditions, climate change projections, and human uses to plan restoration treatments
12. Employ adaptive management, monitoring, and evaluation with a clearly defined feedback mechanism into all ecological restoration decisions and activities

### IV. Building a Science-Based, Collaborative and Adaptive Infrastructure for Accelerated Restoration

Landscape-scale restoration as described in this document will require significant commitment to science, learning, and adaptation as the effort initiates and proceeds. Prior to on-the-ground landscape-scale restoration occurring, significant resources and collective effort must be directed towards designing landscape-scale planning, monitoring, research, and adaptive management mechanisms that support highly efficient and effective program implementation.

Adaptive management is defined as a systematic approach for improving resource management by learning from management outcomes. An adaptive approach to landscape-scale forest restoration involves: 1) identifying existing conditions through pre-treatment monitoring and inventory, 2) developing explicit restoration objectives, 3) exploring alternative approaches to meet restoration objectives, 4) developing monitoring objectives that are tied to restoration objectives, 5) predicting outcomes of alternatives based on current knowledge, 6) implementing one or more alternatives, 7) monitoring effects, and 8) adjusting restoration actions if/as needed to meet objectives. [cite] Adaptive management mechanisms should be designed to maximize the generation and incorporation of best available science during all stages of NEPA and NFMA planning that is likely to occur at the scale of the Four Forests Restoration area (approximately 2.4 million acres), as well as nested large landscape scales (e.g., 500,000 – 1 million acres), and project implementation scales (e.g., 100,000 acres). They should be used to establish desired future conditions, develop implementation strategies, and measure progress through rigorous monitoring. Funding mechanisms to support pre- and post-treatment monitoring need to be identified at the earliest stages possible.

As landscape-scale restoration proceeds, science-informed collaboration will be absolutely essential. The opportunity for formal collaboration will be necessary through all stages and at all scales of planning, implementation, monitoring. It will

be especially important in the process of formalizing and integrating lessons learned into future projects. This process will also be used to navigate difficult discussions, and build agreement necessary to move forward. At 5-year intervals, a formal and comprehensive adaptive management review will be conducted to review progress and build on successes. While certain elements of the adaptive management and collaboration infrastructure for supporting landscape-scale restoration currently exist in northern Arizona, significant re-investment will be required to bolster capacity over the next 20 years. Stakeholders will work collaboratively with the Forests over the coming months and years to ensure that this capacity (in addition to other capacity needs) is met by securing necessary public and private investments. Just as we look to the novel partnership between the Forests, industries, and stakeholders to accelerate unprecedented restoration, we should be looking at that same novel partnership to design and implement an unprecedented adaptive management approach.

## V. Sideboards for Accelerated Restoration

Embarking on a 20-year initiative to restore northern Arizona's ponderosa pine forests at the landscape scale requires substantial up-front commitment, investment, and assurance of direction. Recognizing that we will learn our way through the process of accelerating landscape-scale restoration, such an initiative also requires a formal collaborative process that allows research results, monitoring, adaptive management, and lessons learned through the process of implementing landscape-scale restoration to be incorporated into an evolving set of project design parameters. The following sideboards are meant to strike a balance between up-front assurance regarding restoration direction across the region, and flexibility allowing continued learning and adaptation through the process of landscape-scale restoration. These sideboards are meant to be an initial reflection of social agreement, and an opportunity for continued analysis, refinement, and translation through subsequent planning and design efforts. Sideboards have been designed to allow landscape-scale restoration to occur across the entire Four Forest Restoration Area for at least 20 years. Adaptations of sideboards can occur at any time. Modifications will be spatially explicit and based on a science-informed, collaborative process that is agreement based, as defined in the 4FRI Charter. As part of the 5-year comprehensive adaptive management review, sideboards will be evaluated.

1. Landscape-scale restoration of ponderosa pine forests in northern Arizona should be designed to restore and maintain watershed health and function, conserve and enhance the diversity of native species and their habitats, retain mature and old growth trees, and facilitate the reestablishment of natural fire regimes at landscape scales.
2. Landscape-scale restoration efforts should employ a combination of strategically-placed mechanical thinning, prescribed burning, road obliteration, exotic species management, hand thinning, recreation management and Wildland Fire Use techniques to meet – at the broadest possible scales – restoration, socio-economic, community protection, and fire management goals
3. Landscape-scale restoration should be guided by collaborative planning, implementation, monitoring, and adaptive management. These efforts should build on existing collaboratively developed documents such as the Arizona Governor's Forest Health Council's *Statewide Strategy for Restoring Arizona's Forests*, *Guiding Principles for Forest Restoration and Community Protection*, *Guiding Principles for Wildlife Habitat*, *Guiding Principles for a New Economy based on Forest Restoration*, the *Analysis of Small Diameter Wood Supply in Northern Arizona*, and approved community wildfire protection plans.
4. Landscape-scale restoration efforts should adopt and make full use of rigorous science, including research, monitoring, and adaptive management that enhances our understanding about their ecological, social, and economic implications.
5. These efforts should support and be supported by a diverse, multi-scale, restoration economy that is ecologically and economically sustainable and has the capacity to create jobs, provide revenue to rural economies, and significantly offset the costs of planning, implementation, and monitoring of landscape-scale restoration;
6. Comprehensive ponderosa pine forest restoration efforts should include up to 1 million acres of mechanical thinning over the next 20 years. Such thinning efforts should be accelerated from an annual rate of less than 15,000 acres to a rate of up to approximately 50,000 acres per year (on average, over the next 20 years).

7. Landscape-scale restoration efforts should use elements of the consensus scenario developed in the *Analysis of Small Diameter Wood Supply in Northern Arizona* as sideboards for landscape-scale restoration across the Four Forest Restoration area. These sideboards include:
  - Landscape management area designations
  - Desired post-treatment conditions (basal area, stem density, and canopy cover)
  - Percentage of landscape management areas to be mechanically thinned
  - The goal of no net increase in roads.

It is important to note that the Wood Supply Analysis was not intended to be a prescriptive, comprehensive restoration plan. For example, desired post-treatment conditions such as spatial and structural heterogeneity were not defined due to time and modeling limitations and will need to be developed. We will also need to clarify the application of desired post-treatment conditions at landscape and site-specific scales in light of existing conditions. The ecological, social, and economic effects of applying the consensus scenario from the Wood Supply Analysis should be examined during the development of the Proposed Action and site-specific NEPA analysis.

8. No old growth trees (predating Euro-American settlement) shall be cut.
9. The group has agreed to a large tree retention strategy that is not based on a strict diameter cap. Large trees in the ponderosa pine forest type, defined by the socio-political process as those greater than 16" diameter at breast height (>16" dbh), shall be retained throughout the 4FRI landscape except as described below. Large trees may be cut/removed: 1) as necessary to meet community protection and public safety goals within the Community Protection Management Areas identified in the *Analysis of Small Diameter Wood Supply in Northern Arizona*; or 2) when best available science and stakeholder agreement (as defined in the 4FRI Charter) identify sites where ecological restoration and biodiversity objectives cannot otherwise be met – specifically wet meadows, seeps, springs, riparian areas, encroached grasslands, aspen groves or oak stands, within-stand openings, and heavily stocked stands with high basal area generated by a preponderance of large, young trees. As part of broader research efforts, the ecological and social aspects of this large tree retention strategy coupled with limited site-specific removal needs will be examined during the development of the Proposed Action and the site-specific NEPA analysis and through stakeholder-guided research.
10. In order to improve planning and treatment efficiencies, ecological benefits, and socio-economic benefits, and to distribute those efficiencies and benefits as broadly as possible, initial sideboards should be used to guide forest restoration across the Four Forests Restoration Area.

ALLEN S FLOOR AMENDMENT

SENATE AMENDMENTS TO H.B. 2144

(Reference to House engrossed bill)

1 Page 1, line 29. after the second quotation marks insert “:

2 (a)”

3 Line 30. strike “(a)” insert “(i)”

4 Line 31. strike “(b)” insert “(ii)”

5 Line 32. strike “(c)” insert “(iii)”

6 Line 33. strike “(d)” insert “(iv)”

7 Between lines 36 and 37 insert:

8 “(b) DOES NOT INCLUDE A LANDOWNER OR LESSEE WHO, WITHOUT A FULL FAIR  
9 MARKET COMPENSATION, ALLOWS ACCESS TO THE LANDOWNER’S OR LESSEE’S PROPERTY  
10 AND DIRECTS AND ADVISES A PERSON IN TAKING WILDLIFE.”

11 Amend title to conform

4/7/10  
2:16 PM  
S: KR/tam

**APRIL 2010 COMMISSION MEETING  
READ AHEAD FOR COMMISSION AGENDA ITEM F12**

**TITLE:** Meeting Location and Proposed 2010 Workshop Dates, Locations and Topics

**DESCRIPTION:** The Department will provide the Commission with proposed 2010 Commission Workshop dates, topics and locations. The Commission may vote to take action or provide direction on these items.

1. **On-The Road Commission Events:** As a close-out of this related action, per Commission guidance provided at the March 2010 Commission meeting, the dates of proposed on-the-road events have been added to the Commission Events Calendar available to the Commission via their Outlook account. The Outlook Calendar was generated last year in compliance with 2009 Commission direction to provide a calendar of events that the members of the Commission may use to identify opportunities for constituent interaction. It is maintained by the Department based on not-less-than monthly input from the Department's Divisions. FOD is the major contributor to this list.
  
2. **Proposed 2010 Commission Workshops:** The material below is intended to engender discussion. For some years now, workshop dates have been difficult to coordinate. The Department will use this opportunity to discuss, for CY2011, including proposed workshop dates in the annual Commission Meeting schedule in order to facilitate Commissioner's personal calendar planning.

DATE	LOCATION	TOPICS
4-5 August	AZGFD HQ, Phoenix	<ul style="list-style-type: none"> <li>• Department Enterprise Architecture – .25 Day (SSD) *</li> <li>• Review of Department E-Commerce approach to/progress toward on-line draw, on-line license sales, &amp; resolution of leftover big game tags issues – .25 Day (SSD) *</li> <li>• Department Strategic Planning – 1.5 Days (DOFP)</li> </ul>
4-5 November  <b>Alternate Dates:</b> 9-10 Nov 18-19 Nov	AZGFD HQ, Phoenix	<ul style="list-style-type: none"> <li>• Preparation for Calendar Year 2011 Legislative Session -- Budget &amp; Legislation – 1 day (DOFP &amp; DOHQ)</li> <li>• Director's Goals &amp; Objectives: Review 2010 Goals &amp; Objectives for close-out at December 2010 Commission Meeting &amp; Discussion of potential 2011 Goals &amp; Objectives for approval at February 2011 Commission Meeting – ½ Day (DOHQ)</li> <li>• Annual review of pending Commission Action Items -- .25 day (DOHQ)</li> <li>• Annual review of Department policies for support of the Commission/Commission Rules of Practice -- .25 day (DOHQ)</li> </ul>
N/A	AZGFD HQ, Phoenix	<ul style="list-style-type: none"> <li>• Commission Committees – Roles &amp; Functions: Since this is a "for information" Commission Action items, the Department proposes to address it as an agenda'd briefing during the May 2010 Commission meeting versus as a Workshop item</li> </ul>

\* Indicates Commission-directed Workshop Item

# PROPOSED 2010 DIRECTOR'S GOALS & OBJECTIVES As of 13 APRIL 2010

## DIRECTOR'S VISION:

- The Department's Center of Gravity . . . the source of it's power and authority . . . is its Credibility
- The four pillars of our Credibility are:
  - The quality of our workforce.
  - The quality of our knowledge and the competency of our processes
  - The public's passion for wildlife
  - The Commission system

## GOALS:

### PREFACE NOTES:

- The outcome of legislative decisions on Department funding for FYs 2011, 2012 and 2013, the voters' November 2010 decision on the state sales tax initiative, and the ongoing evolution of Arizona's economy could significantly affect the timelines of approved 2010 Director's Goals & Objectives. Those outcomes may require that staff energy be focused on adjusting operations and/or Department structure in order to deal with additional budget cuts/shortfalls.
- The resource implications/costs (in dollars and man hours) of some Goals may not be fully apparent until well into their analysis and/or planning phases. Gantt charting through analysis/planning and into implementation will, in most cases, require "decision points" to be established to discuss with the Commission the reprogramming or re-prioritization of an existing budget(s) to make funding room for a Goal's immediate execution, the aligning of Goal implementation with a future budget(s), or both. Again, the still unpredictable state of Arizona's future economy and its effects on actual and projected Department revenues, will likely affect the implementation of these Goals.

**GOAL #1** Continue Department planning process redesign started in 2009. To be fully executable by the end of calendar year 2012. Integrate planning processes to incorporate the present wildlife action plan, strategic plans, operational plans and implementation plans in a coherent system integrally linked to budget and priorities.

- Process Owner: Rick Miller
- Link to Vision: Quality of our knowledge processes
- Source: A continuation of 2009 Goal #1
- Progress Reporting: Agenda'd presentation to Commission in December 2010. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**GOAL #2 (Includes Guidance from March 2010 Commission Meeting)** By 2011, complete the analysis necessary for defining a framework for a statewide wildlife-related-recreation land access plan focused on those areas most vulnerable to access denial/restrictions due to the “walling off” effect created by continuous/nearly continuous bands of private/commercial development along highways and/or surrounding public lands. The analysis will include identification of the resourcing (monetary, manpower, law enforcement, etc.) necessary to fully implement the plan; inventorying critical access points; assessment of what is needed to fully integrate with Department GIS planning tools; description of the training and education needed to develop a cadre of staff able to effectively leverage city, county, and state planning and zoning processes; and identification of the current and required future state of recreation access partnerships with landowners, and city, county, state and federal land managers. Match implementation with resourcing and address shortfalls through the Department budget process.

- Process Owner: Mark Weise
- Link to Vision: Public Passion
- Source: Continuation of 2009 Goal #2
- Progress Reporting: Commission memo reports to Commission in August 2010 and January 2011. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**GOAL #3** Develop a Geospatial Information System (GIS) capability that will enable the Department to effectively, appropriately and methodically inform and influence the impact of Arizona’s development on wildlife and wildlife habitat. By 2011, develop a detailed GIS framework plan that, as resourced, guides development of the Department’s organization, structure, data bases, research process, and associated systems to enable the routine use of geospatial information in land use/land development decisions, program management, planning, and coordination with city, county, state and federal governments and agencies. The framework plan will include an analysis of resource requirements to implement it, match implementation with resourcing, and address shortfalls through the Department budget process. The process of implementing and sustaining this system must anticipate new/emerging GIS technologies and capabilities and be able to inform the development of other Department systems/processes (e.g., survey data, research processes) so that they feed directly into the system as seamlessly as possible. The GIS system will be fully integrated into the Department’s Enterprise Architecture design process.

- Process Owner: Josh Avey
- Link to Vision: Quality of our knowledge processes
- Source: Continuation of 2009 Goals #3, #14 and #15
- Progress Reporting: Updates in April, August and December 2010 Land Update reports to the Commission. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #4** By 2011, Complete the development of the shooting sports line of business plan and continue its implementation. The plan must address the operational implications and resource requirements of continued expansion of existing ranges and

anticipate and acquisition of additional ranges. Match implementation with resourcing and address shortfalls through the Department budget process.

- Process Owner: Jay Cook
- Link to Vision: Public Passion
- Source: Continuation of 2009 Goal #4
- Progress Reporting: Updates included in monthly Commission Meeting Shooting Sports Activities Briefings. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #5** Continue development of the Wildlife Recreation Recruiting & Retention Branch. As resourced, by 2011, implement the Wildlife Recreation Branch Action Plan so as to integrate all appropriate Department operations and activities to promote the recruiting and retention of hunters, anglers, watchable wildlife enthusiasts and other wildlife-related recreationists. Match implementation with resourcing and address shortfalls through the Department budget process.

- Process Owner: Craig McMullen
- Link to Vision: Public Passion
- Source: Continuation of 2009 Goal #5
- Progress Reporting: Updates included in monthly Information, Education & Wildlife Recreation Activities Commission Briefings. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #6** By 2011, complete development of an integrated recruitment, retention, and training process plan capable of generating a Department staff able to fully execute the Department's mission and the Director's vision in the 21<sup>st</sup> Century. Complete Department training needs assessment and development of core competencies as process drivers. Prioritize implementing actions and simultaneously execute those actions, as resourced. Match implementation to resourcing and address shortfalls through the Department budget process.

- Process Owner: Diana Shaffer
- Link to Vision: Quality workforce, Quality of our knowledge processes
- Source: Continuation of 2009 Goal #6
- Progress Reporting: Commission memo reports to Commission in June and December 2010. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #7** Through the 2012 income tax season, increase Arizona Income Tax Wildlife Check-off revenue. This includes development of annual marketing plans to increase annual revenues through a combination of increasing the number of donators and/or increasing the average donation. To the extent it becomes possible to determine the logical revenue limits of this approach, seek to sustain revenue increases at those limits. Simultaneously, by 2011 complete a vision statement for the use of these funds that enables us to establish useful program expectations and fundraising targets to

support them. Match implementation to resourcing and address shortfalls through the Department budget process.

- Process Owner: Craig McMullen (Transitioned from Eric Gardner in December 2009)
- Link to Vision: Public Passion
- Source: Continuation of 2009 Goal #7
- Progress Reporting: Provide Commission Memo report on 2009 income tax season revenue in May 2010 (or as soon as accurate tax stats are available) Provide updates in monthly Information, Education & Wildlife Recreation briefings to the Commission. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #8** The Department will continue and expand its dialogue with the public regarding wildlife mortality due to ingested lead and possible voluntary strategies to minimize that mortality over the next 10-15 years. In 2010, the Department will conduct focus groups, assess the input from this effort, develop an outreach plan (to include resourcing analysis), and, as resourced, begin its implementation. The Commission understands that any meaningful progress on this issue will occur only with full public participation and cooperation, and successful voluntary or incentive-based programs developed in cooperation the conservation community, the sporting goods industry and state wildlife agencies. Match implementation to resourcing and address shortfalls through the Department budget process.

- Process Owner: Mike Senn
- Link to Vision: Public Passion
- Source: Continuation of 2009 Goal #8
- Progress Reporting: Updates to Commission during semi-annual Hunting Issues reports in August 2010 and January 2011. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #9** By 2012, develop a mountain lion management plan. Includes design of a framework for a Comprehensive Game Management Plan (of which the mountain lion plan will be a chapter), meetings with stakeholders to identify management and research needs for mountain lions, and continual evaluation of new/emerging mountain lion research. Match implementation to resourcing and address shortfalls through the Department budget process.

- Process Owner: Brian Wakeling
- Link to Vision: Quality of our knowledge processes, Public Passion
- Source: New Goal for 2010. 2009 Goal #9 was completed.
- Progress Reporting: Updates to Commission during semi-annual Hunting Issues reports in August 2010 and January 2011. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #10 (Includes Guidance from March 2010 Commission Meeting)** By 2012, complete the design of a Department Enterprise Architecture (EA) integrating all

Department information, communication, computer/automation, web-based, database management, & GIS systems capable of supporting the Department into at least 2028. Simultaneously, as resourced, seek to aggressively implement appropriate elements of the EA. Throughout, employ a customer relationship management (CRM) approach. Must include a thorough customer demographic analysis and be integrated with Department planning and budget processes and be agile enough to anticipate and embrace emerging technologies/technology solutions across the entire Department operational environment (Department HQ, Region HQs, and field operations). Match implementation to resourcing and address shortfalls through the Department budget process.

- Process Owner: John Bullington
- Link to Vision: Quality of our knowledge processes; Public passion for wildlife.
- Source: New for 2010
- Progress Reporting: Update to Commission during quarterly E-Commerce reports in June, September, & December 2010. Discuss Goal progress with Commission at August 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #11** By the end of CY 2011, the Department will establish the processes necessary to effectively manage the Department's lands and properties to include: development of a fully functional Department Lands Council, identification of the true cost to resource and operate the current inventory of Department-owned properties/conservation easements, procedures for acquisition of new ones, and proposals for possible divestment of selected ones. Ultimately, the program must be integrated with budget and planning processes to ensure Department lands/properties are identified, acquired, sustained/maintained, developed/expanded and, as appropriate, disposed of, in accordance with a statewide land management strategy. Match implementation to resourcing and address shortfalls through the Department budget process.

- Process Owner: Mike Senn
- Link to Vision: Quality of our knowledge processes; Commission System
- Source: New for 2010
- Progress Reporting: Commission memo update to Commission in June and October 2010 with an agenda'd presentation to the Commission in August 2011. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #12** Continue to effectively manage and protect the existing budget, and seek new funding resources as the State economic situation evolves. Be prepared to adjust to deal with final outcome of 2011 budget process and any subsequent budget "rebuids". Simultaneously continue to assess the Department's 21<sup>st</sup> Century financial resource needs, define requirements, and develop a strategic approach for garnering the necessary resources.

- Process Owner: Bob Broscheid
- Link to Vision: All 4 pillars of the vision
- Source: Continuation of 2009 Goal #12
- Progress Reporting: Review 2011 budget with Commission during June 2010 Commission meeting. Present 2012-2013 budget proposal at June and August 2010

Commission meetings. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**\*NOTE:** The ongoing State & national economic situation have resulted in a condition of continuous financial reanalysis and budget restructuring, with four “rebuids” of the 2009 budget and a third “rebuild” of the 2010 budget ongoing. A rebuild of the 2011 budget is not unlikely.

**Goal #13 (New Goal directed by Commission at March 2010 meeting)** By 2012, resurrect Department’s on-line hunt draw application capability lost in 2005.

- Process Owner: John Bullington
- Link to Vision: Competency of our processes
- Source: New Goal directed by the Commission at the March 2010 Commission meeting.
- Progress Reporting: Updates to Commission during quarterly E-Commerce reports in June, September, & December 2010. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

**Goal #14 (Includes Guidance from March 2010 Commission Meeting)** By the mid-2011, submit for Commission review a plan for growing a full-time commissioned staff and reserve officer Law Enforcement Force capable of dealing decisively with the full spectrum of wildlife and wildlife-related recreation law enforcement challenges of 2028. In a prioritized fashion, as resourced, simultaneously implement elements of the evolving plan. Analysis to drive this transition will include comprehensive reviews of statutes, policies, resource requirements, processes, training & education, organization & structure, equipment & technology, facilities, and personnel/career management – from recruiting to retirement. Develop a monthly report format to report progress and highlight Department’s ongoing law enforcement challenges & accomplishments. Match implementation to resourcing and address shortfalls through the Department budget process.

- Process Owner: Leonard Ordway
- Link to Vision: Quality of our work force
- Source: New for 2010
- Progress Reporting: Initial monthly report to Commission in May 2010 and monthly thereafter. Discuss Goal progress with Commission at November 2010 Commission workshop and provide the Director close-out information for the end-of-year report to the Commission at the December 2010 Commission meeting.

# Why Arizona Should Not Revert to a Year-Round Hunting Season for Mountain Lions

## ARIZONA WOULD JOIN TEXAS AS THE ONLY WESTERN STATES WHERE MOUNTAIN LIONS COULD BE HUNTED YEAR-ROUND

In 2007 the Arizona Game & Fish Commission approved a recommendation by the Arizona Game & Fish Department (AZGFD) to shorten the length of the mountain lion hunting season from 12 months to 9 months. Even with this change, Arizona currently has one of the longest general hunting seasons for mountain lions of all the western U.S. states and 3 months longer than the western average (Fig 1). Most states do not permit mountain lion hunting in the summer months during the general season (Fig 2). The only western state with a longer general hunting season than Arizona is Oregon, where the state department of fish and wildlife has undertaken an extremely controversial plan to reduce the estimated statewide mountain lion population by as much as 40%. At present, the only place mountain lions can be hunted year-round is Texas, which is also the only state that provides no protections for the species.

### RECOMMENDATIONS:

- 1) Oppose any proposal to return to a year round season.
- 2) Support a reduction in the mountain lion hunting season to 5 months (Nov – Mar) which, according to AZGFD's own data, would preserve ~ 80% of existing lion hunting opportunities.

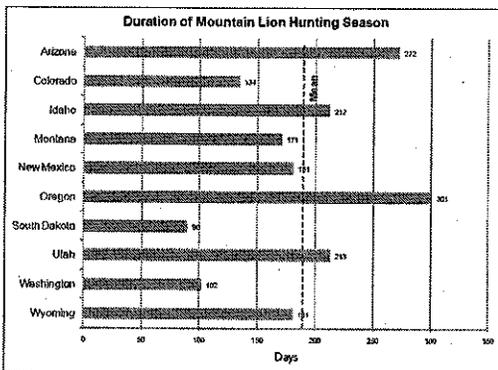


Figure 1. Length of general mountain lion hunting seasons in 10 western states (2009-2010 season)

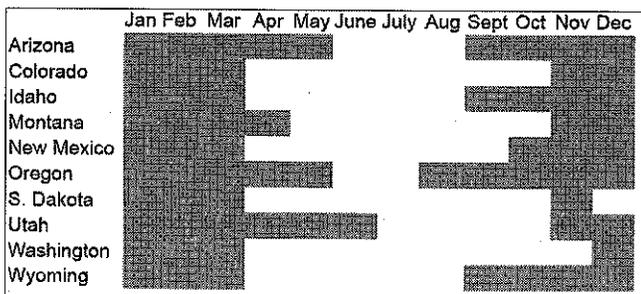


Figure 2. Months in which mountain lions can be hunted during the general season in 10 western states (2009-2010 season).

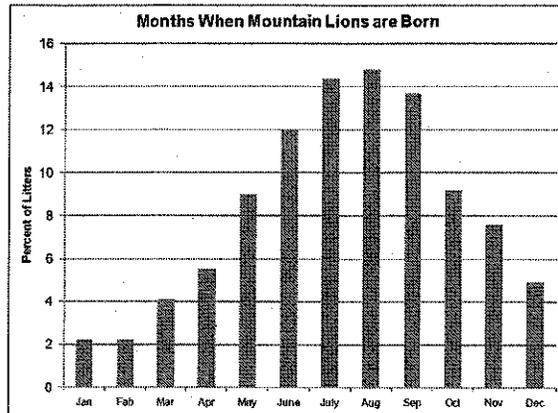


Figure 3. Distribution of mountain litter production by month for 302 litters in CO, ID, UT, MT, NM, NV, WY, and Alberta. (Cougar Management Guidelines 2005, p. 53)

### THE NUMBER OF ORPHANED KITTENS WOULD INCREASE

According to AZGFD's mountain lion website, although in Arizona mountain lions kittens can be born year round there is "a peak in summer months." This is consistent with scientific research from across western North America indicates that 54% of mountain lion litters are born from June - Sept and 73% are born between May - Oct (Fig 3). Most states do not permit mountain lion hunting in the summer months (Fig 2). Although current regulations in Arizona prohibit the hunting of females with spotted kittens by their side, "it can be difficult to tell when a female has kittens because kitten tracks accompany their mother's tracks only 25% of the time, and females are located near their kittens only 67% of the time" (Cougar Management Guidelines 2005). Moreover, differentiating females from males is extremely difficult in the field. Thus extending the hunting season to year-round would further increase the likelihood of kittens being orphaned by hunters. Furthermore, since young lions remain dependent on their mothers until approximately 15 months of age, a nine month season poses a greater risk of orphaning compared to a five-month season.

### RECOMMENDATIONS: To decrease the likelihood of kittens being orphaned during the hunt:

- 1) Establish a 5 month lion hunting season (Nov to Mar).
- 2) Impose strict female lions quotas within each Game Management Unit.
- 3) Establish a mandatory hunter education program to teach hunters to distinguish between male and female lions, such as has been implemented in Colorado.



**Animal Defense League of Arizona**  
 P.O. Box 33093, Phoenix, AZ 85067-3093  
 (602) 273-7842 ♦ [www.adlaz.org](http://www.adlaz.org) ♦ [phoenix@adlaz.org](mailto:phoenix@adlaz.org)

# Hunt Permit-tag Application Schedule – Fall 2010

Hunt permit-tag applications will be accepted and processed in accordance with R12-4-104 and R12-4-114 and this schedule.

<b>Drawing</b>					
	<b>ACCEPTANCE DATES<sup>1</sup></b>	<b>CORRECTION PERIOD<sup>2</sup></b>	<b>DEADLINE DATES<sup>3</sup></b>		
<b>HUNT</b>	<b>Applications accepted on or after:</b>	<b>Deadline 5 p.m. (MST) in Department offices</b>	<b>Deadline 7 p.m. (MST) in Department offices on:</b>	<b>Hunt permit-tags mailed out by</b>	<b>Refund warrants mailed out by:</b>
Deer	(See notes 1, 2, 3)	May 27, 2010	June 8, 2010	Aug. 13, 2010	Sept. 3, 2010
Turkey	(See notes 1, 2, 3)	May 27, 2010	June 8, 2010	Aug. 13, 2010	Sept. 3, 2010
Javelina	(See notes 1, 2, 3)	May 27, 2010	June 8, 2010	Aug. 13, 2010	Sept. 3, 2010
Bighorn Sheep	(See notes 1, 2, 3)	May 27, 2010	June 8, 2010	Aug. 13, 2010	Sept. 3, 2010
Buffalo	(See notes 1, 2, 3)	May 27, 2010	June 8, 2010	Aug. 13, 2010	Sept. 3, 2010
Pheasant	(See notes 1, 2, 3)	May 27, 2010	June 8, 2010	Aug. 13, 2010	Sept. 3, 2010
Sandhill Crane	Aug. 2, 2010 <sup>4</sup>	N/A	Aug. 31, 2010 <sup>4</sup>	Sept. 20, 2010	N/A
Raptor	Feb. 22, 2011 <sup>4</sup>	N/A	March 15, 2011 <sup>4</sup>	March 22, 2011	N/A

<b>First Come</b>		
	<b>Applications accepted by mail on or after 8:00 a.m. (MST):</b>	<b>Permits available for purchase at all Department offices after 8:00 a.m. (MST):</b>
<b>HUNT</b>	<b>ACCEPTANCE DATES</b>	<b>ACCEPTANCE DATES</b>
Deer	Aug. 2, 2010 <sup>5</sup>	Aug. 9, 2010 <sup>5</sup>
Turkey	Aug. 2, 2010 <sup>5</sup>	Aug. 9, 2010 <sup>5</sup>
Javelina	Aug. 2, 2010 <sup>5</sup>	Aug. 9, 2010 <sup>5</sup>
Bighorn Sheep	Aug. 2, 2010 <sup>5</sup>	Aug. 9, 2010 <sup>5</sup>
Buffalo	Aug. 2, 2010 <sup>5</sup>	Aug. 9, 2010 <sup>5</sup>
Pheasant	Aug. 2, 2010 <sup>5</sup>	Aug. 9, 2010 <sup>5</sup>
Sandhill Crane	Sept. 20, 2010 <sup>4</sup>	N/A
Raptor	March 29, 2011 <sup>4</sup>	N/A

## Notes:

- The Department will accept Hunt Permit-tag Applications for big game and Pheasant listed above as soon as the applicable year's hunt information is available on the Department's Web site ([www.azgfd.gov](http://www.azgfd.gov)), or from any Game and Fish Department office or license dealer, unless otherwise noted in the Hunt Permit-tag Application schedule. Please consult the regulation booklet for eligibility and requirements before submitting your application.
- If a paper Hunt Permit-tag Application that is submitted contains an error and is received by May 27, 2010, the Department will make three attempts within a 24-hour period to notify the applicant by telephone (if a phone number is provided).
- Department offices at Flagstaff, Kingman, Mesa, Phoenix, Pinetop, Tucson and Yuma will close for business at 5:00 p.m. (MST); completed applications will be accepted at these locations until 7:00 p.m. (MST) on deadline days. No applications will be accepted after this time regardless of the postmark. Deadline dates may be extended in the event of a Department related system failure.
- Sandhill Crane and Raptor applications are accepted by mail only at the following addresses: P.O. Box 74020, Phoenix, AZ 85087-1052; or at 5000 W. Carefree Highway, Phoenix, AZ 85086-5000. These applications may not be hand delivered to any Department office.
- First come permits are issued if available and will sell very quickly. Applicants are advised to check with the Department before submitting an application for leftover permits. A listing of leftover permits is available online at [www.azgfd.gov](http://www.azgfd.gov) or at any Department office.