

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, June 25, 2010
Saturday, June 26, 2010
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

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

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

Chairperson Martin called the meeting to order on Friday, June 25, 2010 at 8:00 a.m. This meeting followed an agenda revision #1 dated June 23, 2010. The Commission went directly into Executive Session.

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1. Executive Session

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

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

Vote: Unanimous

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The Public Meeting reconvened at 9:52 a.m.

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

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2. Litigation Report

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

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3. Legislative Engagement and State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

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

Interim Activities (since sine die on April 29, 2010):

- Legislative Tours - The Department has distributed tour pamphlets to legislative members and staff. Tour activities will be related to wildlife conservation, shooting experiences, recreational activities, habitat tours, law enforcement patrols, and endangered species protection efforts. Members can select tours and dates and once a calendar of events is developed, it will be forwarded to the Commission. The Nature Conservancy has agreed to help co-sponsor some of the events (food and lodging)
- Legislative Proposals – The Department is working on legislative proposals to run in the next legislative session, if approved by the Commission. Those should be compiled and presented to the Commission by September or October.

Commissioner Husted presented to the Commission a draft statement of support for Proposition 109, the constitutional amendment for hunting and fishing. The Commission received legal advice that it is appropriate for the Commission to do things politically that the Department cannot do. In that respect, the draft statement was provided to the Commission for consideration. Commissioner Husted requested that this agenda item be re-opened later in the meeting so the Commission can discuss the statement after they have a chance to review it. The statement is for a publicity pamphlet that will be published and disseminated to the public prior to the November ballot. (Copies of the draft statement were provided to the public. A copy of the final version following discussions/edits is attached).

The Commission was in consensus to re-open this agenda item in the afternoon following agenda item #19, License Revocation Hearings.

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3A. Director's Performance Evaluation Process

Presenter: Jim Odenkirk, Assistant Attorney General

Mr. Odenkirk briefed the Commission on the Director's performance evaluation process. At the April 2010 meeting the Commission directed the Department to develop a more formal performance review process for the Director. The Department has since developed and is proposing a standardized form. The evaluation is primarily based on the Director's Goals and Objectives that are assigned by the Commission. In terms of evaluating the Director's performance regarding Department operations, the Department recommended not to convert that to a form but to give the Commission an opportunity during the annual performance review to have an open ended discussion with the Director about any aspect of Department operations such as how he performs on the budget, personnel, legislative or government affairs, etc. Those

discussions would be reflected in the minutes and formalized in that manner, and would be available for review in the future if needed.

Commissioner Freeman expressed concern for making this an efficient process for the Director and the Commission, and keeping it focused as a group effort by the Commission.

Commissioner Woodhouse suggested that the forms be done by each Commissioner at home and then one Executive Session can be scheduled (or Public Session at the Director's prerogative) for discussion and to aggregate scores and comments, and then put that into one form.

Commissioner Harris suggested that the Commission discuss and come to a consensus on a group score rather than to aggregate scores for an average. He also expressed concern about not having a score form for evaluating the Director's performance on Department operations.

Mr. Odenkirk advised that if the Director did something outside of the Goals and Objectives that caused significant concern for the Commission, they have the authority to act independent of the annual performance review. The intent of the performance review is so that everyone is on the same page with where the Department is going and what to expect from the Director. If issues develop during the year, the Commission will want to include that in the Goals and Objectives for the next year. If a problem comes up during the year and the Commission wants to evaluate the Director based on that, then it would not be fair if he has not been given any kind of advance notice. It would be more appropriate to allow for a broad open ended discussion of issues during the performance review and have that on the record. Mr. Odenkirk also noted that the Director's contract states that the performance review is done in December at the Commission meeting. If an evaluation form is adopted then it needs to be decided at what point the Commission will be provided with a copy of that to complete.

The Commission was in consensus to receive the form in November for the evaluation in December.

Chairperson Martin requested that the Department draft a one page document that describes the non-scored (Department operations) portion of the evaluation and comprise what the purpose of it is and formalize that as part of the process.

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3B. Commission briefing on current Mexican wolf conservation issues and consideration of an interagency Memorandum of Understanding by which to coordinate Mexican wolf reintroduction in Arizona and New Mexico.

Presenter: Terry B. Johnson, Endangered Species Coordinator

Mr. Johnson briefed the Commission on current issues in Mexican wolf conservation and requested approval of the new Memorandum of Understanding (MOU) that provides for participation by the Department and other county, state, tribal and federal agencies in Mexican wolf reintroduction in Arizona and New Mexico.

Since the 1980s, the Department has been a leader in Mexican wolf reintroduction and in striving to develop long-term strategies for rangewide recovery. Much of the conservation effort has been conducted under auspices of Memorandums of Understanding (MOUs) and other agreements that provide essential frameworks for interagency cooperation. The current umbrella MOU for reintroduction was approved in October 2003. Progress in reintroduction and in recovery planning has been stymied for an extended period, the former most recently by litigation. In December 2009, the U.S. Fish and Wildlife Service (USFWS) asserted through a consent decree with environmentalist organizations that, from its perspective, the 2003 interagency MOU had expired in October 2008. Since then, the remaining signatory cooperators and USFWS have been developing an MOU to enable USFWS to renew participation with the other agencies, while ensuring adherence to its obligations under the consent decree.

Many other issues in Mexican wolf conservation must be resolved for the Department to attain the 5-year objectives the Commission established in October 2008. The Department will brief the Commission again on each of those issues in public session in October 2010 and will ask the Commission to reaffirm current guidance or to provide new guidance to the Department on participation in all aspects of Mexican wolf conservation. Meanwhile, approval of the proposed interagency MOU would be a small but crucial step in re-establishing a viable framework for interagency collaboration that would facilitate progress in all areas of concern.

Public Comment

C.B. Lane, Arizona Cattle Growers' Association, supports the MOU.

JoAnn Caruthers, representing self, Sky Island Alliance, and Great Old Broads for Wilderness, supports the MOU and the reintroduction of Mexican wolves.

Billie Hughes, Broadband Leader, Great Old Broads for Wilderness, supports the MOU and the reintroduction of Mexican wolves.

Commissioner Husted stated that he supports the MOU because he ultimately supports the program, but questions need to be answered before wolf releases such as what does the science say the population should be and if we reach 100 what happens when we reach 110? These questions were asked years ago and have not yet been answered. He supports wild wolves but he supports the Arizona Game and Fish deciding the appropriate population number.

Commissioner Harris commented that he supports the MOU and wants to give the Department the tools they need to be active in these discussions and issues. He also expressed that he takes exception to hearing that the environmental community has this or that take on it because the Department is an intricate part of the environmental community and so are other groups, so it's not a good way to identify one segment of the community.

Commissioner Woodhouse clarified with Mr. Johnson for the record that if the Commission approves the MOU today, it does not necessarily mean that the Engineer Springs release will happen. It just means that the cooperating agencies will work together on the issues.

Commissioner Freeman commented that he will support the MOU and regarding reintroductions, people need to be understanding on both sides of the issue before turning to lawsuits. The focus should be on the biology and the science, and not on lawsuits.

Chairperson Martin stated that she is supportive of the MOU and further responded to a letter the Commission received from the Arizona Zoological Society (attached). She does not disagree with most points made in the letter, but feels the MOU overarches some of those natural resource decisions and is where future discussions will take place.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE A NEW MEMORANDUM OF UNDERSTANDING PROVIDING FOR PARTICIPATION BY THE DEPARTMENT AND OTHER COUNTY, STATE, TRIBAL AND FEDERAL AGENCIES IN MEXICAN WOLF REINTRODUCTION IN ARIZONA AND NEW MEXICO.

Vote: Unanimous

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Meeting recessed for a break at 11:12 a.m.

Meeting reconvened at 11:31 a.m.

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Deputy Director Broscheid provided the Commission with a Power Point presentation and budget overview leading into agenda items #4-14. The presentation included state budget projections and charts and graphs of Department funds. Each Commissioner was individually provided with an in-depth briefing prior to this meeting.

4. Request to Approve the Expenditure of Unspent Balances in the Heritage Fund, Wildlife Conservation Fund, and Off Highway Vehicle Fund for Fiscal Year 2011.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the expenditure of unspent fund balances from Public Access; Identification, Inventory, Acquisition, Protection, and Management; Habitat Evaluation and Protection; Urban; Environmental Education; and Administration and Support Services (Interest monies) for Fiscal Year 2011. The Commission was also asked to approve the expenditure of unspent fund balances from the Wildlife Conservation Fund and the Off Highway Vehicle Fund for Fiscal Year 2011. These requests will ensure that remaining unspent balances in the Heritage, Off Highway Vehicle, and Wildlife Conservation Fund programs are available for expenditure in Fiscal Year 2011 for additional qualifying projects and to allow the Department to respond to revenue shortfalls and unforeseen needs. All property acquisition proposals utilizing unspent Heritage Acquisition monies will be brought before the Commission for individual review and approval for actual funding authority.

Motion: Freeman moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE EXPENDITURE OF UNSPENT FUND BALANCES FROM THE PUBLIC ACCESS; IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION, AND MANAGEMENT; HABITAT EVALUATION AND PROTECTION; URBAN;

ENVIRONMENTAL EDUCATION; ADMINISTRATION AND SUPPORT SERVICES (INTEREST MONIES) PROGRAMS; THE WILDLIFE CONSERVATION FUND, AND THE OFF HIGHWAY VEHICLE FUND, FOR FISCAL YEAR 2011.

Vote: Unanimous

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5. Request to approve the Game and Fish Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Game and Fish Fund for Operating and Capital Outlay programs for Fiscal Years 2012 and 2013. The Game and Fish Fund consists primarily of revenue generated from the sale of licenses and tags. The Fiscal Year 2012 and Fiscal Year 2013 Budget Requests are a continuation of the Fiscal Years 2010 and 2011 appropriated budgets adjusted for the following:

Personal Services and Employee Related Expenditures: The Department's Personal Services and Employee Related Expenditures request includes funding for the wildlife series equity review.

Other Operating Expenditures: The Department requested \$777,500 for Fiscal Year 2012 and \$777,500 for Fiscal Year 2013 to fund the following:

- \$250,000 in each fiscal year for the Ben Avery Shooting Facility Master Plan
- \$150,000 in each fiscal year for the Commission Shooting Range Safety Projects
- \$100,000 in each fiscal year to continue the Shooting Range external grant program
- \$75,000 in each fiscal year to continue the external grants program in support of the Arizona Sportsmen's Clubs
- \$37,500 to continue the Department's GIS Licensing Software Maintenance
- \$90,000 to continue the Department's ESRI Web Hosting Service
- \$50,000 to implement the Arizona State Wildlife Action Plan (SWAP)
- \$25,000 in each fiscal year for the Department's Hunting Awareness and Appreciation Program.

Non-Capital Equipment: The Department requested \$394,952 in Fiscal Year 2012 and \$469,115 in Fiscal Year 2013 for the purchase of law packages and up-fit components for the truck replacements and funding for agency wide replacement of Game and Fish Fund purchased computers to continue the implementation of the Department's Information Technology/Communication plan.

Capital Equipment: The Department requested \$575,323 in Fiscal Year 2012 and \$825,952 in Fiscal Year 2013 to fund the continuation of the Department's fleet replacement program.

Capital Outlay: The Department requested \$536,800 in Fiscal Year 2012 and \$536,800 in Fiscal Year 2013 to fund annual preventive maintenance and building renewal costs.

Motion: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$34,235,475 FOR FISCAL YEAR 2012 AND \$34,560,267 FOR FISCAL YEAR 2013 FROM THE GAME AND FISH FUND.

Vote: Unanimous

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6. Request to approve the Watercraft Licensing Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Watercraft Licensing Fund for Fiscal Years 2012 and 2013. Watercraft Licensing monies are generated from watercraft registration fees and licensing taxes. The Fiscal Years 2012 and 2013 Operating Budget requests for the Watercraft Licensing Fund are a continuation of the Fiscal Years 2010 and 2011 appropriated budgets adjusted for the following:

Personal Services and Employee Related Expenditures: The Department's Personal Services and Employee Related Expenditures request includes funding for the wildlife series equity review.

Other Operating Expenditures: The Department requested \$1,645,000 for Fiscal Year 2012 and \$1,645,000 for Fiscal Year 2013 for the following:

- \$1,175,000 in each fiscal year to continue the Watercraft Safety Education program
- \$250,000 in each fiscal year to continue the watercraft OUI Law Enforcement Grant Program
- \$220,000 in each fiscal year to continue the Aquatic Invasive Species Project for the control of harmful non-native aquatic species in state waterways.

Chairperson Martin expressed concern that the \$220,000 for the AIS Project may not be enough to comply with legislative mandates.

Mr. Broscheid offered that the Department could keep an eye on unexpended balances in Watercraft and other funds that are eligible for AIS activities.

Motion: Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$4,920,600 FOR FISCAL YEAR 2012 AND \$4,920,600 FOR FISCAL YEAR 2013 FROM THE WATERCRAFT LICENSING FUND.

Vote: Unanimous

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7. Request to approve the Federal Assistance Funds Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Pittman-Robertson, Dingell-Johnson/Wallop-Breaux; Coast Guard Boating Safety; Section 6 Endangered Species Act; State Wildlife Grants, and Landowner Incentive Program for Fiscal Years 2012 and 2013. The Federal Assistance request for the Department was summarized in schedules provided to the Commission which represented a continuation of previously approved activities from Fiscal Year 2011. The major highlights for Fiscal Years 2012 and 2013 Budget Request amounts were:

Personal Services and ERE: An increase for the wildlife series equity review and anticipated Employee Related Expenditures.

Other Operating Expenditures:

- \$80,000 each Year - Wildlife Health program for disease investigations and wildlife health monitoring
- \$150,000 FY 2012 and \$165,000 FY 2013 - Continue to construct, redevelop and maintain wildlife water developments, fence plots and other wildlife infrastructure
- \$30,000 FY 2012 and \$40,000 FY 2013 - Provide an increase for Helicopter Surveys to classify and index javelina, deer, elk, and bighorn sheep populations
- \$24,000 each Year - Provide an increase for the Hunter Questionnaire Program used to develop data streams essential for monitoring harvest and preparing hunt recommendations
- \$50,000 each Year - Allocate funding for Improved University Relations to prepare for future recruitment of well-trained professionals
- \$100,000 FY 2012 and \$50,000 FY 2013 - Provide funding for the Anderson Mesa Pronghorn project to examine pronghorn habitat use and movement patterns
- \$50,000 each Year - Wildlife Habitat and Restoration (SWAP)
- \$10,000 each Year – National Wild Turkey Federation. Funding for a regional biologist
- \$89,800 FY 2012 and \$44,000 FY 2013 - Large Predator Connectivity and Population Persistence: Mountain Lion and Black Bears of the Sky Islands Regions of Southern Arizona. Funding to purchase GPS collars and motion-sensing cameras
- \$200,000 FY 2012 and \$300,000 FY 2013 - Funding to continue Dam maintenance on Arizona lakes.

Capital Equipment:

- \$712,328 FY 2012 - Replace 19 vehicles, \$436,440 FY 2013 - Replace 10 vehicles. The vehicle replacement is a continuation of the Department's fleet replacement program.
- \$50,000 each Year - Replace one boat and trailer
- \$250,000 FY 2012 - Replace one bulldozer
- \$55,000 FY 2012 and \$70,000 FY 2013 – Aircraft engine replacements
- \$70,000 FY 2012 – Upgrade of Game Management Software.

Pittman-Robertson (Federal Assistance in Wildlife Restoration): The federal apportionment for Fiscal Year 2011 is \$12 million, which is an increase of 3.6 million from Fiscal year 2010. The apportionments for Fiscal Years 2012 and 2013 are anticipated to be \$10 million and \$9 million respectively. With the addition of carry forward funds from unspent grant balances, we are projecting the total federal contribution from "Federal Assistance in Wildlife Restoration" to be

\$12.6 million in Fiscal Year 2012 and \$10.6 million in Fiscal Year 2013. The increase in the apportionment in Fiscal Year 2011 and the anticipated levels of apportionments in Fiscal Years 2012 and 2013 will allow for enhancements in those years.

Dingell-Johnson/Wallop-Breaux (Federal Assistance in Sportfish Restoration): The federal apportionment for Fiscal Year 2011 is \$7.9 million, which is a decrease of 4.7% from Fiscal Year 2010. The apportionments for Fiscal Years 2012 and 2013 are anticipated to be \$8 million each year. With the addition of carry forward funds from unspent grant balances, we are projecting the total federal contribution from "The Federal Assistance in Sport Fish Restoration" to be \$9 million in Fiscal Year 2012 and \$8.5 million in Fiscal Year 2013. The decreased apportionment in Fiscal Year 2011 and the anticipated stable level of apportionments in Fiscal Years 2012 and 2013 will allow for few enhancements in those years.

Coast Guard Boating Safety: The projected federal allocation is anticipated to be \$1.5 million for Fiscal Year 2012 and \$1.3 million for Fiscal Year 2013. The budget requests for Fiscal Years 2012 and 2013 represent a continuation of the Fiscal Year 2011 budget. New requests include the replacement of one Boat, two Personal Watercraft in Fiscal Year 2012 and two Boats in Fiscal Year 2013. In addition, requests include funds for a Point of Sales system and intoxilyzers.

Section 6, Endangered Species Act: The budget requests for Fiscal Years 2012 and 2013 represent a continuation of the Fiscal Year 2011 budget. The projected allocations for Fiscal Years 2012 and 2013 are anticipated to be \$250,000 in each Fiscal Year. Endangered species projects will continue to be funded from this program. A Recovery Land Acquisition grant for \$1 million is for the purpose of acquiring property.

State Wildlife Grants: The State Wildlife Grant program allocates funds for wildlife conservation. The funding is appropriated annually and fluctuates from year to year. The federal allocation for Fiscal Year 2011 is \$1.9 million, and the projected federal allocations for Fiscal Years 2012 and 2013 are estimated to decrease slightly. The funds are utilized for multi-year projects, and revenues will be received over the course of the project periods. The estimated funding in Fiscal Years 2012 and 2013 will allow for continuation of projects to conserve wildlife.

Landowner Incentive Program: The Landowner Incentive Program assists private landowners with conserving and restoring habitat of endangered species and other at-risk plants and animals. The funds are utilized for multi-year projects. Although additional federal funding for this program has been discontinued, current funding will be utilized through Fiscal Year 2012.

Contract Monies: The estimated budgets for Fiscal Years 2012 and 2013 represent a continuation of the Fiscal Year 2011 budget. Projected revenues for Fiscal Years 2012 and 2013 are anticipated to remain stable at approximately \$5.0 million each year. These are generally contracts for wildlife inventory and research. Examples of Fiscal Year 2010 contracts include studies of Sonoran Pronghorn and Desert Tortoise, and Wildlife/Vehicle Collision Studies.

Commissioner Freeman asked regarding the Pittman-Robertson, Dingell-Johnson revenues that came in and if the Department knew what local sportsmen contributed to that.

Mr. Broscheid didn't have that information on him but will get it and provide that to the Commission.

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE PITTMAN-ROBERTSON; DINGELL-JOHNSON/WALLOP-BREAUX; COAST GUARD BOATING SAFETY; SECTION 6 ENDANGERED SPECIES ACT; STATE WILDLIFE GRANTS, AND LANDOWNER INCENTIVE PROGRAM FOR FISCAL YEARS 2012 AND 2013.

Vote: Unanimous

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8. Request to approve the Heritage Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Public Access; Identification, Inventory, Acquisition, Protection, and Management; Habitat Evaluation and Protection; Urban; Environmental Education; and Administration/Support Services (Interest monies) for Fiscal Years 2012 and 2013. Major fund highlights for the Heritage Fund request are summarized below:

Environmental Education:

- Projected revenue is anticipated to be \$500,000 for each Fiscal Year 2012 and 2013. The requested budget for Fiscal Year 2012 is \$493,513 and for Fiscal Year 2013 is \$535,970.
- Personal Services and ERE: The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include an increase for anticipated Employee Related Expenses.
- Capital Equipment: The Department requested an increase in Fiscal Year 2013 of \$44,975. This request will fund the continuation of the Department's fleet replacement program.
- Cost Transfer: The Department requested \$40,800 for each Fiscal Year 2012 and 2013 to transfer funds to Heritage Administration and Support Services.

Habitat Evaluation and Protection:

- Projected revenue is anticipated to be \$1,500,000 for each Fiscal Year 2012 and 2013. The requested budget for Fiscal Year 2012 is \$972,085 and Fiscal Year 2013 is \$818,585.
- Personal Services and ERE: The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include funding for the wildlife series equity review and anticipated increases in Employee Related Expenses.
- Cost Transfer: The Department is requesting \$122,400 in each Fiscal Year 2012 and 2013 to transfer funds to Heritage Administration and Support Services.

Heritage Fund Administration and Support Services (Interest Monies):

- Projected revenue is anticipated to be \$12,000 for each Fiscal Year 2012 and 2013. The requested budget for Fiscal Year 2012 is \$849,775 and Fiscal Year 2013 is \$842,750.

Because the amount of interest currently being earned is insufficient to cover the expenditures for this program the Department recommends proportionate transfers from the other Heritage subprograms to make up the difference. These requests require fund transfers from the subprograms in the amount of \$816,000 for each Fiscal Year 2012 and 2013.

- Personal Services and ERE: The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include an increase for anticipated Employee Related Expenses.

Public Access: Projected revenue is anticipated to be \$500,000 for each Fiscal Year 2012 and 2013. The requested budget for Fiscal Year 2012 is \$597,032 and Fiscal Year 2013 is \$553,503

- Personal Services and ERE: The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include funding for the wildlife series equity review and anticipated increases in Employee Related Expenses.
- Capital Equipment: The Department requested an increase in Fiscal Year 2012 of \$41,000. This request will fund the continuation of the Department's fleet replacement program.
- Cost Transfer: The Department requested \$40,800 in each Fiscal Year 2012 and 2013 to transfer funds to Heritage Administration and Support Services.

Identification, Inventory, Acquisition, Protection, and Management: The projected revenue is anticipated to be \$3,600,000 for each Fiscal Year 2012 and 2013 for IIAPM. The requested budget for Fiscal Year 2012 is \$4,420,344 and Fiscal Year 2013 is \$3,885,784.

- Personal Services and ERE: The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include funding for the wildlife series equity review and anticipated increases in Employee Related Expenses.
- Other Operating Expenditures: The Department requested \$294,880 for Fiscal Year 2012 and \$196,880 for Fiscal Year 2013 to fund the following:
 - \$50,000 - Wildlife Habitat and Restoration (SWAP),
 - \$129,380 - Zuni Water Rights Settlement,
 - \$115,500 - Peregrine Falcon Monitoring in Fiscal Year 2012
 - \$17,500 - Peregrine Falcon Monitoring in Fiscal Year 2013.
- Non-Capital Equipment: The Department requested \$98,700 in Fiscal Year 2012 and \$60,000 in Fiscal Year 2013 for the up-fit components for the truck replacements and funding for the replacement of computers to continue the implementation of the Department's Information Technology/Communication plan
- Capital Equipment: The Department requested in Fiscal Year 2012 of \$419,102 and in Fiscal Year 2013 of \$36,497. This request will fund the continuation of the Department's fleet replacement program.
- Cost Transfer: The Department requested \$293,760 in each Fiscal Year 2012 and 2013 to transfer funds to Heritage Administration and Support Services.

The projected revenue for Acquisition is anticipated to be \$2,400,000 for each Fiscal Year 2012 and 2013. All property acquisition proposals utilizing the Acquisition account will be brought before the Commission for individual review and approval for actual funding authority.

Cost Transfer: The Department requested \$195,840 in each Fiscal Year 2012 and 2013 to transfer funds to Heritage Administration and Support Services.

Urban Wildlife and Urban Wildlife Habitat: The projected revenue is anticipated to be \$1,500,000 for each Fiscal Year 2012 and 2013. The requested budget for Fiscal Year 2012 is \$1,845,092 and for Fiscal Year 2013 is \$1,762,532.

- Personal Services and ERE: The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include an increase for the wildlife series equity review and anticipated increases in Employee Related Expenses.
- Non-Capital Equipment: The Department is requesting \$7,000 in each Fiscal Year 2012 and 2013. This request will fund the replacement of computers to continue the implementation of the Department's Information Technology/Communication plan. Obsolete equipment is being replaced in order to meet Department standards.
- Capital Equipment: The Department is requesting increases in Fiscal Year 2012 of \$164,000 and in Fiscal Year 2013 of \$89,000. This request will fund the continuation of the Department's fleet replacement program.
- Cost Transfer: The Department is requesting \$122,400 in each Fiscal Year 2012 and 2013 to transfer funds to Heritage Administration and Support Services.

Motion: Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE ENVIRONMENTAL EDUCATION; HABITAT EVALUATION AND PROTECTION; ADMINISTRATION AND SUPPORT SERVICES (INTEREST MONIES); PUBLIC ACCESS; IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION AND MANAGEMENT; AND URBAN WILDLIFE AND URBAN WILDLIFE HABITAT FOR FISCAL YEARS 2012 AND 2013.

Vote: Unanimous

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9. Request to approve the Arizona Wildlife Conservation Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Arizona Wildlife Conservation Fund for Fiscal Years 2012 and 2013. The Wildlife Conservation Fund monies are generated from shared gaming revenues, through the Arizona Benefits Fund, with the State of Arizona and local governments, to support specified state and local programs. Annual revenue projections are estimated to be \$5,250,000 for Fiscal Year 2012 and \$5,500,000 for Fiscal Year 2013.

- Personal Services and ERE: The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include funding for the wildlife series equity review and anticipated increases in Employee Related Expenses.
- Other Operating Expenses: The Department requested \$1,254,167 for Fiscal Year 2012 and \$1,317,500 for Fiscal Year 2013. The major highlights are:
 - \$49,500 - Bighorn Sheep in the Black Mountains,
 - \$50,000 - Wildlife Habitat and Restoration (SWAP),

- \$78,000 - Kofa Bighorn Sheep Restoration,
 - \$90,000 - California Condor Non-Lead Ammunition Program,
 - \$125,000 - Long-Term Access Projects,
 - \$125,000 - Private Land Projects,
 - \$150,000 - Online Hunt Draw Software Development,
 - \$200,000 - Hunter and Angler Marketing,
 - \$250,000 - Enterprise Architecture Development,
 - \$136,667 - Statewide Point-of-Sale System in Fiscal Year 2012 and
 - \$200,000 - Statewide Point-of-Sale System in Fiscal Year 2013.
- **Capital Equipment:** The Department requested \$264,000 for Fiscal Year 2012 and \$305,000 for Fiscal Year 2013 to fund the continuation of the Department's fleet replacement program and funding for Radio System Upgrades.

Motion: Freeman moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$6,500,111 FOR FISCAL YEAR 2012 AND \$6,578,866 FOR FISCAL YEAR 2013 FROM THE WILDLIFE CONSERVATION FUND.

Vote: Unanimous

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10. Request to approve the Off-Highway Vehicle Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Off-Highway Vehicle Fund for Fiscal Years 2012 and 2013. The Off-Highway Vehicle Fund consists of revenues generated from motor vehicle fuel taxes and off-highway vehicle decal sales. The Fiscal Year 2012 and Fiscal Year 2013 Budget Requests for the Off-Highway Vehicle Fund are a continuation of Fiscal Year 2011 amended budgets as approved by the Commission. The Department requested \$1,495,700 in Fiscal Year 2012 and \$1,486,155 in Fiscal Year 2013 for the Off-Highway Vehicle Fund.

- **Personal Services and ERE:** The Fiscal Year 2012 Budget Request amounts and the Fiscal Year 2013 Budget Request amounts include funding for the wildlife series equity review and anticipated increases in Employee Related Expenses.

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$1,495,700 FOR FISCAL YEAR 2012 AND \$1,486,155 FOR FISCAL YEAR 2013 FROM THE OFF-HIGHWAY VEHICLE FUND.

Vote: Unanimous

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11. Request to approve the Capital Improvement Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Capital Improvement Fund for Fiscal Years 2012 and 2013. Revenues for the Capital Improvement Fund are generated from fund transfers from the Conservation Development Fund, which receives revenues from surcharges on the sale of fishing, hunting, and combination hunting/fishing licenses. The Department requested a Capital Outlay Budget of \$2,000,000 in Fiscal Year 2012 and \$2,000,000 in Fiscal Year 2013 for the following projects:

- Headquarters Payment \$1,000,000
- Wildlife Areas Operation and Maintenance \$ 500,000
- Maintenance on Commission owned Dams \$ 500,000

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$2,000,000 FOR FISCAL YEAR 2012 AND \$2,000,000 FOR FISCAL YEAR 2013 FROM THE CAPITAL IMPROVEMENT FUND.

Vote: Unanimous

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12. Request to approve the Game, Nongame, Fish and Endangered Species Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed operating expenditures from the Game, Nongame, Fish and Endangered Species Fund for Fiscal Years 2012 and 2013. The Game, Nongame, Fish and Endangered Species Fund consists of revenue generated from the Arizona Income Tax Check-Off. The Fiscal Years 2012 and 2013 budget request for Game, Nongame, Fish and Endangered Species Fund is a continuation of the Fiscal Years 2010 and 2011 budgets as appropriated by the Legislature. The Department requested \$334,700 in Fiscal Year 2012 and \$334,700 in Fiscal Year 2013 for the Game, Nongame, Fish and Endangered Species Fund Operating Budget.

Motion: Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$334,700 FOR FISCAL YEAR 2012 AND \$334,700 FOR FISCAL YEAR 2013 FROM THE GAME, NONGAME, FISH AND ENDANGERED SPECIES FUND.

Vote: Unanimous

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13. Request to approve the Waterfowl Conservation Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Waterfowl Conservation Fund for Fiscal Years 2012 and 2013. The Waterfowl Conservation Fund consists of revenues from the sale of Waterfowl Duck Stamps, royalties from the sale of prints, and interest on funds invested. The Fiscal Years 2012 and 2013 Operating Budget Requests are a continuation of the Fiscal Years 2010 and 2011 budgets, as appropriated by the Legislature for developing migratory waterfowl habitat and associated research and management to increase the number of migratory waterfowl in Arizona.

Other Operating Expenditures: The Department requested \$43,400 in Fiscal Year 2012 and \$43,400 in Fiscal Year 2013 in Other Operating Expenditures for habitat conservation, stewardship, and waterfowl management and research projects.

Motion: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$43,400 FOR FISCAL YEAR 2012 AND \$43,400 FOR FISCAL YEAR 2013 FROM THE WATERFOWL CONSERVATION FUND.

Vote: Unanimous

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14. Request to approve the Wildlife Endowment Fund Budget Request for Fiscal Years 2012 and 2013.

Presenter: Bob Broscheid, Deputy Director

The Commission was asked to approve the proposed expenditures from the Wildlife Endowment Fund for Fiscal Years 2012 and 2013. The Wildlife Endowment Fund receives revenues from the sale of lifetime hunting and fishing licenses. The Fiscal Years 2012 and 2013 Budget Requests are a continuation of the Fiscal Years 2010 and 2011 budgets, as appropriated by the Legislature. This appropriation facilitates an annual interest transfer to the Game and Fish Fund per ARS §17-271.

The Department requested \$16,000 in Other Operating Expenditures in Fiscal Year 2012 and \$16,000 in Fiscal Year 2013 to facilitate an annual transfer of accumulated interest to the Game and Fish Fund.

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$16,000 FOR FISCAL YEAR 2012 AND \$16,000 FOR FISCAL YEAR 2013 FROM THE WILDLIFE ENDOWMENT FUND.

Vote: Unanimous

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Meeting recessed for lunch at 1:04 p.m.

Meeting reconvened at 2:00 p.m.

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19. 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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3. (continued) Legislative Engagement and State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

Public Comment

Stephanie Nichols-Young, Animal Defense League of Arizona: Opposed to HCR 2008 and to the Commission's ballot statement for Proposition 109. If the Commission is going to write a statement, it should be written to better reflect the views of the Commission and why they chose to support it.

Sandy Bahr, Sierra Club – Grand Canyon Chapter: Was not present at this time, but earlier submitted a written statement in opposition to HCR 2008 and to the Commission's Proposition 109 statement.

The Commission discussed and provided input for the Commission's draft support statement for Proposition 109. Following today's meeting Chairperson Martin and Commissioner Woodhouse will make edits to the document as discussed (final version attached to these minutes). This agenda item will be re-opened at tomorrow's meeting so the statement can be reviewed and approved by the Commission.

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15. Call to the Public

There were no requests to speak at this time.

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16. Rulemaking Moratorium Extension and Rulemaking Update.

Presenter: Jennifer Stewart, Rules and Risk Branch Chief

The Commission was provided an update on the impact that the rulemaking moratorium extension is having on the Commission's rules. House Bill 2260 was signed by the Governor on May 10, 2010 and continues the statutory moratorium on agency rulemaking activities until June

30, 2011. The update included the status of rulemaking exception requests previously submitted to the Governor's Office and Department rulemakings on hold due to the extension of the moratorium.

The Department's plan for dealing with moratorium impacts at this point in time (subject to change) are to implement a hybrid approach for articles with overlapping rule review and rulemaking activities to include: Begin the 5YRR now to culminate at end of FY2010/2011 (Articles 3 and 6), charter a team with members responsible for both products, and incorporate previous recommendations and evaluate new comments received since Jan 2009. This will shorten the time to begin rulemaking after the moratorium lifts and reduce the workload post-moratorium. The Department also intends to submit exception requests for FY2010/2011 early (historical timeframes for approval have increased), prioritize the rulemaking currently on hold and to stagger pending activities in alignment with resources.

The Commission discussed the origin of the 5-Year Rule Review, which is mandated by statute, and questioned the cost to the Department for compliance, as well as the historical reason for its existence.

Director Voyles stated that the Department tracks time and cost data and will provide that to the Commission in the form of a briefing memo.

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17. Request to approve the Department's recommendation to submit a request to the Governor's Office for permission to initiate rulemaking to implement House Bill 2601, Eagle Scouts; Complimentary Fishing License.

Presenter: Jennifer Stewart, Rules and Risk Branch Chief

House Bill 2601 requires the Department to issue a Youth Class F Fishing License to Boy Scouts who have achieved the rank of Eagle Scout and Girl Scouts who have received the Gold Award at a reduced cost. House Bill 2260 was signed by the Governor on May 10, 2010 and continues the statutory moratorium on agency rulemaking activities until June 30, 2011. Section 28(B) outlines reasons agencies may submit an exception request to the Governor's Office to continue rulemaking during the moratorium if rules meet this specified criteria. Section 28(C) specifies that "an agency shall not conduct any informal or formal rule making pursuant to this section without the prior written approval of the office of the governor." An agency requesting an exception to the moratorium under Section 28(B) must submit a written request to the Governor's Office, who will determine if an exception may be granted. The written request must clearly identify the exception criteria the rule meets and the date on which the agency's decision making body granted the Department permission to request the exception. The Department believes the rulemaking meets the criteria prescribed under Section 28(B), which allows agencies to submit requests to initiate rulemaking for an authorization or requirement enacted by the legislature after January 1, 2009.

The effective date for House Bill 2601 is July 29, 2010. Rulemaking is necessary to establish the reduced fee license and to outline the criteria used to demonstrate that a scout is eligible for the reduced fee. If the Commission votes to allow the Department to request an exception, the Rules

and Risk Section will submit a letter to the Governor's Office, requesting permission to proceed with rulemaking related to House Bill 2601. If approved, the Department will initiate rulemaking designed to implement the reduced fee Youth Class F license authorized under Laws 2010, Second Regular Session, Chapter 216. Rulemaking documents will be presented to the Commission for review and approval at some point in the future provided the Governor's office grants the exception request. If the Governor's Office denies the Department's exception request, the Department will refrain from pursuing rulemaking activities relating to the implementation of the House Bill 2601 until the moratorium lifts next year.

Motion: Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THIS RECOMMENDATION FOR SUBMISSION TO THE GOVERNOR'S OFFICE, REQUESTING PERMISSION TO INITIATE RULEMAKING TO IMPLEMENT HOUSE BILL 2601.

Vote: Unanimous

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18. Request to approve the Department's recommendation to submit a request to the Governor's Office for permission to amend R12-4-422 Sport Falconry License.

Presenter: Jennifer Stewart, Rules and Risk Branch Chief

On October 8, 2008 the USFWS amended regulatory language that will eliminate the dual federal and state falconry permitting system and transfer falconry permit administration to individual states. As a result, on January 1, 2014, federal falconry permitting for Migratory Bird Treaty Act species (MBTA) will cease to exist. States not certified by USFWS to have a falconry program in place prior to this date cannot allow the public to capture or hold MBTA raptors for Sport Falconry. To continue permitting the sport of falconry using MBTA raptors, the Department must amend rules to comply with the federal regulations, create an effective permitting process, and receive USFWS certification of these items by June 30, 2013. The USFWS must publish those states certified to continue falconry programs in the Federal Register; which may take several months to complete. Amending R12-4-422 in a timely manner to comply with federal regulations will ensure the continuance of the sport of falconry in Arizona.

At this time, the rulemaking identified below does not meet the specific criteria outlined under Section 28(B); but does meet the general criteria outlined in Section (A), which requires an agency rulemaking to "reduce the regulatory burden on the persons or individuals so regulated". Failure to take action may result in a tremendous liability for the State as well as the Department.

If the Department fails to take action, all MBTA raptors held for falconry in this state must be either transferred to falconers in another certified state or jurisdiction, transferred to captive propagation programs, transferred to the Department, permanently released to the wild, or euthanized. The federal regulation does not allow for extensions or exceptions. Failure to act will result in an archaic rule after the deadline expires and could result violation of federal law with potential sanctions after fiscal year 2011 - 2012 and violation of A.R.S. § 17-236(B), which states "the Commission shall issue licenses to permit the possession and transportation of raptors

for sport falconry consistent with the requirements of the MBTA...". Arizona has approximately 106 licensed falconers and most licensees can have up to three raptors under their Arizona Sport Falconry License. While not all of these raptors are MBTA species, there are close to 250 MBTA raptors used for falconry and they would have to be transferred, set free, or euthanized if the Department fails to comply with these requirements. The Department and Governor's Office were contacted by a falconer regarding his concern that the Department begin the rulemaking process now in order to comply with the federal deadline. In addition, the regulated falconry community supports the Department's desire to pursue rulemaking.

The Department recommended beginning the rulemaking process in Fiscal Year 2010 - 2011 to complete all items on time. If the Commission votes to allow the Department to request an exception, the Rules and Risk Section will submit a letter to the Governor's Office, requesting permission to proceed with rulemaking for sport falconry. If approved, the Department will initiate rulemaking designed to comply with the corresponding federal regulations. Rulemaking documents will be presented to the Commission for review and approval at some point in the future provided the Governor's office grants the exception request. If the Governor's Office denies the request, the Department will refrain from pursuing rulemaking activities relating to the falconry program until the moratorium lifts next year.

Public Comment

Charlie Kaiser, Vice President, Arizona Falconers Association, recommended Commission support of this request.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THIS RECOMMENDATION FOR SUBMISSION TO THE GOVERNOR'S OFFICE, REQUESTING PERMISSION TO AMEND R12-4-422.

Vote: Unanimous

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20. Law Enforcement Program Briefing

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms briefed the Commission on activities and developments relating to the Department's Law Enforcement Program. This briefing was in fulfillment of the Commission's request to be briefed on a monthly basis regarding activities and developments relating to the Department's Law Enforcement Program. Using a Power Point presentation, Mr. Elms provided an overview of the following: Staffing, Training, Fires, Law Enforcement Program Highlights, Partnerships, and Law Enforcement activities that included Wildlife, Watercraft, and OHV Law Enforcement. Future briefings will be in the form of a monthly written report with additional updates or highlights presented at Commission meetings.

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15. Call to the Public

There were no requests to speak at this time.

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22. 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 new Memorandum of Understanding with BHP Copper to cooperate on mutually beneficial wildlife projects.

Presenter: Chantal O'Brien, Research Branch Chief

BHP Copper has identified wildlife research and monitoring needs on lands that they own or manage within Arizona. The Department has the expertise and experience to help BHP Copper make informed decisions about wildlife resources. Therefore, matching the Department's expertise with BHP Copper's need under this Memorandum of Understanding will benefit wildlife by improving and expanding the information available for making wildlife resource decisions.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING FOR THE COMMON PURPOSE OF DEVELOPING WILDLIFE RESEARCH AND MONITORING PROJECTS AND AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO APPROVE THE AGREEMENT AS APPROVED OR RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Request for the Commission to approve a new Memorandum of Understanding with New Mexico State University for collaborative research.

Presenter: Chantal O'Brien, Research Branch Chief

The Department works with a variety of universities who provide specialized expertise and technical services that support the Department's mission and benefit Arizona's wildlife resources. This Memorandum of Understanding (MOU) would establish formal lines of communication and provide a legal and procedural framework for subsequent collaboration at the project level, both of which will help assure the quality and high standards of the Department's work. As Arizona's immediate neighbor, New Mexico shares a number of our State's species, mountain ranges, habitat types, and management issues. New Mexico State University conducts research that has relevance to wildlife management in the U.S. Southwest, has recognized expertise in wildlife research, and, therefore, represents a valuable research partner. This MOU would establish a working partnership with New Mexico State University

for mutually beneficial research opportunities for the common purpose of guiding wildlife management decisions.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE AN MOU WITH NEW MEXICO STATE UNIVERSITY THAT WILL ALLOW FOR MUTUALLY BENEFICIAL RESEARCH OPPORTUNITIES FOR THE COMMON PURPOSE OF GUIDING WILDLIFE MANAGEMENT DECISIONS, AND AUTHORIZE THE DIRECTOR, AS SECRETARY OF THE COMMISSION, TO APPROVE THE AGREEMENT AS APPROVED OR RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

c. Renewal of a Road Closure on State Trust Land Approximately Five Miles North of Chino Valley, Arizona

Presenter: Mark Weise, Development Branch Chief

Ann Nelson Harrington requested renewal of a road closure on State Trust land located approximately five miles north of Chino Valley. The road is approximately one half mile long and dead ends at Game and Fish property on Granite Creek. This closure has been in affect through a previous closure petition, which was granted by the Commission in 2005. The primary purpose of this proposed road closure is to protect the sensitive riparian habitat along Granite Creek. The proposed closure will be accomplished by means of a locked gate. A walk through gate welcomes non-motorized access and people often visit the area by foot, bike, and horseback. Regional personnel support the restricted access, which greatly assists with the protection of the riparian areas and native fish of the Upper Verde River Wildlife Area. The Nature Conservancy also expressed its support for continuing this closure to motorized vehicles, which reduces the risk of vehicular habitat damage to their Verde Springs Preserve. The Arizona State Land Department supports this closure for natural resource protection.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE REQUEST TO RENEW A ROAD CLOSURE ON STATE TRUST LAND LOCATED APPROXIMATELY FIVE MILES NORTH OF CHINO VALLEY.

d. Request for the Commission to Approve an Intergovernmental Agreement with the City of Phoenix to Outline Cooperation Between the Two Agencies for Implementation of Those Portions of the Tres Rios Project that will Take Place on Commission Owned or Managed Property.

Presenter: Josh Avey, Chief, Habitat Branch

The City of Phoenix requested an IGA with the Commission that would outline cooperative efforts between the two agencies for implementation of those portions of the Tres Rios Project that will take place on Commission owned or managed property. This would include portions of the B&M Wildlife Area and PLO 1015 lands. The Tres Rios Project includes flood control, ecosystem restoration, and recreation components. The work will be performed and funded through a collaborative effort between the City of Phoenix and the Army Corps of Engineers. Final details of the scope of work have not been finalized; however, the Department will have final approval of these plans prior to project implementation. This IGA must be executed in order for the City to accept federal stimulus funds.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX TO OUTLINE COOPERATION BETWEEN THE TWO AGENCIES FOR IMPLEMENTATION OF THOSE PORTIONS OF THE TRES RIOS PROJECT THAT WILL TAKE PLACE ON COMMISSION OWNED OR MANAGED PROPERTY, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THIS COMMISSION, TO EXECUTE THE AGREEMENT AS RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

e. Request for the Commission to Approve two Rights-of-Way from the Arizona State Land Department for the Purpose of Providing Legal Access into Silver Springs Wildlife Area.

Presenter: Josh Avey, Chief, Habitat Branch

When the Commission acquired the Silver Springs Wildlife Area (SSWA) through a land exchange in 1978, the Department had legal access to the property via a county road (Bourden Ranch Road). While conducting routine due diligence associated with placing an archery range on the southwest corner of the facility, it was discovered that subsequent to our acquisition, Navajo County had realigned Burden Ranch Road off of the SSWA and the Department no longer has legal access to the property. Acquisition of two rights-of-way across Arizona State Trust land would provide legal access to Department staff via the main entrance to the facility and would provide the shooting public with direct access to the archery range without first routing them through the rest of the SSWA.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE ACQUISITION OF TWO RIGHTS-OF-WAY FROM THE ARIZONA STATE LAND DEPARTMENT FOR THE PURPOSE OF PROVIDING LEGAL ACCESS INTO SILVER SPRINGS WILDLIFE AREA AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THIS COMMISSION, TO EXECUTE THE DOCUMENT(S) AS RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

f. Renewal of Interagency Agreements for the Urban Fishing Program between the Arizona Game and Fish Commission and the Cities of Chandler, Gilbert, Mesa, Payson, Peoria, Phoenix, Sahuarita, Scottsdale, Surprise, Tempe, and Tucson.

Presenter: Kirk Young, Fisheries Branch Chief

Commission action is required under the provisions of A.R.S. § 17-231 B.7 to enter into agreements with other entities for the operation of wildlife facilities and the conduct of related wildlife management. Over the past four years, one new lake (Veterans Oasis, Chandler) has been added to the Urban Fishing Program and participation has increased to a record high in 2010. The annual sale of Urban fishing and Super Conservation Fishing licenses has increased an unprecedented 44% since 2005, with 46,580 sold in 2009. Another 12,000 unlicensed anglers, mostly youth, participate in the Program. Urban anglers expend over \$6.8 million in direct expenditures to the Arizona economy annually. The program continues to operate under a self-supporting concept whereby license sale and municipal partnership fee revenues meet or exceed program expenses. The Arizona Urban Fishing Program is recognized as one the top urban programs in the nation, and in 2007 the Program was awarded the Showcase in Excellence

Award from the Arizona Quality Alliance. These agreements will maintain the current level of operation of the Program at 21 designated lakes totaling 168 surface acres in 11 cities.

The Department recommended THAT THE COMMISSION VOTE TO AUTHORIZE THE DEPARTMENT TO FINALIZE NEGOTIATIONS, EXECUTE, AND AMEND AS NECESSARY INTERAGENCY AGREEMENTS AND ANY FUTURE SUB-AGREEMENTS BETWEEN THE DEPARTMENT AND THE CITIES OF CHANDLER, GILBERT, MESA, PAYSON, PEORIA, PHOENIX, SAHUARITA, SCOTTSDALE, SURPRISE, TEMPE, AND TUCSON TO CONDUCT AN URBAN FISHING PROGRAM FOR A PERIOD OF FOUR YEARS, COMMENCING JULY 1, 2010 THROUGH JUNE 30, 2014 ON 21 DESIGNATED URBAN LAKES, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO APPROVE THE AGREEMENTS AS APPROVED OR RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

g. Request for Commission approval of a Cooperative Agreement between the Department and the National Park Service, Organ Pipe Cactus National Monument.

Presenter: Pat Barber, Yuma Regional Supervisor

The Department and the National Park Service, Organ Pipe Cactus National Monument (NPS), desire to enter into a Cooperative Agreement that provides a framework for coordination and cooperation and identifies the general roles and responsibilities for conducting studies, surveys, research, conservation actions and recovery actions relating to threatened, endangered and other wildlife species. Specific activities and fund transfers from NPS to the Department will be described in the Task Agreements executed under this Agreement.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A COOPERATIVE AGREEMENT BETWEEN THE DEPARTMENT AND THE NATIONAL PARK SERVICE, ORGAN PIPE CACTUS NATIONAL MONUMENT, AND AUTHORIZE THE DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

h. Request for the Commission to Approve a Memorandum Of Agreement among the ASARCO Settlement Trustees for the Expenditure of Restoration Funds Obtained Through Natural Resource Damage Claims and in connection with the Commission-owned San Pedro River Properties located in Pinal County, Arizona

Presenter: Josh Avey, Habitat Branch Chief

On March 30, 2009, the American Smelting And Refining Company (ASARCO) LLC, filed a motion in bankruptcy court for an order approving a compromise and settlement between ASARCO, the State of Arizona and the United States regarding Natural Resource Damage (NRD) claims for Mineral Creek, the Gila River and the San Pedro River in Pinal County, Arizona. On November 6, 2009, as part of the Settlement, the Commission approved the transfer of approximately 1000 acres located along the Lower San Pedro River and water assignments from ASARCO LLC to the Commission. The Settlement also included nearly \$4.4 million in unsecured claims to the Arizona Game and Fish Commission for conservation purposes, restoration, and perpetual operation and maintenance associated with the parcels. As

Trustees to the Settlement, the U. S. Fish and Wildlife Service and Bureau of Land Management, the Arizona Department of Environmental Quality, the Arizona Game and Fish Department, and the Arizona State Land Commissioner have finalized a Memorandum of Agreement to work cooperatively in jointly expending such unsecured claims funds, including any accrued interest, towards the restoration, replacement, rehabilitation, or acquisition of the equivalent of the natural resources or resource services at or in connection with the parcels (including, but not limited to, the San Pedro River Properties) in accordance with an approved restoration plan.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE MEMORANDUM OF AGREEMENT AMONG THE ASARCO SETTLEMENT TRUSTEES FOR THE EXPENDITURE OF RESTORATION FUNDS OBTAINED THROUGH NATURAL RESOURCE DAMAGE CLAIMS AND IN CONNECTION WITH THE COMMISSION-OWNED SAN PEDRO RIVER PROPERTIES LOCATED IN PINAL COUNTY, ARIZONA. AND TO AUTHORIZE THE DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACQUIRE THIS PROPERTY AND WATER AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

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

Vote: Unanimous

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Meeting recessed for the day at 4:32 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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

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3. (continued from Friday's agenda item #3) Legislative Engagement and State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

The Commission discussed the publicity pamphlet statement supporting Proposition 109. The statement was drafted by Commissioner Husted and presented to the Commission at yesterday's meeting during agenda item #3. Chairperson Martin and Commissioner Woodhouse agreed to work on some alternative language following yesterday's meeting and bring that back for Commission review (attached). Copies were made available to the public.

Motion: Husted moved and Harris seconded THAT THE COMMISSION VOTE TO SEEK (THE COMMISSION AND NOT THE DEPARTMENT) TO PLACE THIS LANGUAGE IN THE PUBLICITY PAMPHLET FOR THE UPCOMING ELECTION.

Vote: Unanimous

Commissioner Husted confirmed with Chairperson Martin that it is his responsibility to add the language to the pamphlet.

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Executive Session

Commissioner Freeman requested that the Commission go into Executive Session for legal consultation regarding the Special big game license-tags.

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

Motion: Freeman moved and Woodhouse seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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The Public Meeting reconvened at 8:49 a.m.

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1. Consideration of Applications for Special Big Game Hunt License Tags for Antelope, Bighorn Sheep, Black Bear, Buffalo, Elk, Javelina, Mountain Lion, Mule Deer, White-tailed Deer, and Turkey for 2011-2012

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling briefed the Commission using a Power Point presentation. ARS 17-346 authorizes the Commission to provide up to 3 Special big game license-tags per year per applicable big game species. AAC R12-4-120 governs the issuance, sale, and transfer of special big game license-tags including the proposal requirements and process, successful applicant requirements, and special big game license-tag applicability and requirements. The total income from this program since inception in 1984 is \$17,562,896. Funds are consolidated into and administered from 10 species accounts as directed by the Commission. The special tag dollar expenditures are coordinated through the Habitat Partnership Committee (HPC), a collaborative group consisting of representatives from various organizations and the Department, and chaired by a Commissioner (this year Commissioner Harris is the HPC Chair).

This year the Department received applications for Special Big Game License Tags from the following nonprofit organizations:

Arizona Antelope Foundation (AAF): Requested three (3) Special Antelope License Tags. One tag will be auctioned at the AAF banquet, the second tag will be auctioned at the Arizona Desert Bighorn Sheep Society banquet and the third tag will be included in the Arizona Big Game Super Raffle (AZBGSR). Should the AZBGSR also apply for one of these tags to be included in their raffle, the AAF will support their request in lieu of their own request. In addition to the antelope tags, the AAF requested one (1) Special Big Game License Tag for buffalo and one (1) Special Big Game License Tag for black bear. These tags will be auctioned at the 2011 AAF fundraising banquet.

Arizona Big Game Super Raffle (AZBGSR): Requested one tag for each of Arizona's ten (10) Special Big Game species: one (1) Special Antelope License Tag; one (1) Special Desert Bighorn Sheep License Tag; one (1) Special Black Bear License Tag; one (1) Special Buffalo License Tag; one (1) Special Whitetail Deer License Tag; one (1) Special Elk License Tag; one (1) Special Javelina License Tag; one (1) Special Mountain Lion License Tag; one (1) Special Mule Deer License Tag; and one (1) Special Turkey License Tag. All tags will be sold in the Arizona Big Game Super Raffle using direct mail, publication advertising, as well as Internet marketing and sales. They will also continue their close coordination with the Arizona Game and Fish Department's Information and Education Division, using their excellent publications.

Arizona Bowhunters Association (ABA): Requested one (1) Special Javelina License Tag; one (1) Special Black Bear License Tag; and one (1) Special Buffalo License Tag. The tags will be auctioned at the 2011 ABA Annual Awards Banquet. The ABA also supports the AZBGSR and is in favor of one tag for each species to be awarded to that organization and pledge to support the AZBGSR and its goals and objectives.

Arizona Deer Association (ADA): Requested two (2) Special Mule Deer License tags; two (2) Special Whitetail Deer License Tags; and one (1) Special Mountain Lion License Tag. The ADA proposes to auction both mule deer tags and auction one of the whitetail tags and raffle the other whitetail tag. The ADA would either auction or raffle the mountain lion tag. If awarded, the special tags will either be auctioned live at the ADA's annual fundraiser in 2011 or at another sponsored ADA event. The whitetail tag raffle drawing will take place at the ADA's 2011 fundraiser or another sponsored ADA event. The same would be true for the special mountain lion tag. The ADA also supports the Commission awarding one special tag for each big game species to the AZBGSR organization. To be sure all special tags are requested and utilized, the ADA would also appreciate being considered for any tags that are not specifically requested or awarded to other conservation groups.

Arizona Desert Bighorn Sheep Society (ADBSS): Requested three (3) Special Big Game License Tags – two (2) Special Bighorn Sheep License Tags and one (1) Special Mountain Lion License Tag. One (1) tag to be auctioned for a *Mexicana* desert bighorn sheep in the southern GMU's with the auction occurring at the Wild Sheep Foundation (formerly FNAWS) convention in Reno, NV during February 10 - 12, 2011. One (1) tag to be auctioned by the ADBSS for a Rocky Mountain bighorn sheep in the eastern GMU's, and one (1) Special Mountain Lion License tag to be auctioned at the ADBSS fundraiser banquet on March 6, 2010. The ADBSS supports the issuance of the third Special Bighorn Sheep License for a *Nelsoni* Desert Bighorn Sheep hunt in the northern GMU's to the AZBGSR. If for some reason the Nelsoni tag would not be given to the AZBGSR directly, the ADBSS would request that ADBSS be granted the tag to be raffled through the AZBGSR or on their own, as needed. ADBSS is also willing to auction

any other Special Tags the Commission would like to issue at their fund raiser banquet if there is an opportunity.

Arizona Elk Society (AES): Requested one (1) Special Elk License Tag and one (1) Special Buffalo License Tag. Both tags will be auctioned at the AES annual fundraising banquet in March 2011. The AES supports the awarding of one of the Special Elk Tags to the Arizona Big Game Super Raffle. The AES is willing to auction any other special tags at their fundraising banquet in March 2011 that the Commission may elect to issue to their organization.

Mule Deer Foundation (MDF): Requested one (1) Special Mule Deer License Tag, and one (1) Special Whitetail Deer License Tag. The Special Mule Deer License Tag, and the Special Whitetail Deer License Tag will be auctioned at the MDF 2011 National Convention in Salt Lake City, Utah, February 3 - 6; 2011, in conjunction with the Western Hunting & Conservation Expo.

National Wild Turkey Federation (NWTF): Requested two (2) Special Turkey License Tags. One of the tags will be sold by raffle by the NWTF's national office in Edgefield, SC; one tag will be raffled by the Arizona Chapter of the NWTF. The NWTF is very much in favor of the Commission awarding the third special turkey tag to the AZBGSR.

Rocky Mountain Elk Foundation (RMEF): Requested one (1) Special Elk License Tag to be auctioned at the RMEF's 26th Anniversary Elk Camp convention in Reno, NV, March 3 - 6, 2011.

Safari Club International – Phoenix Chapter (PCSCI): Requested one (1) Special Whitetail Deer License Tag to be auctioned at the PCSCI's banquet and fundraiser on March 26, 2011. In the event that any black bear, buffalo, javelina, turkey or mountain lion tags are available, the PCSCI would like to make a general request for such tags which they will raffle at their spring function.

The Department recommended that the Commission award the 2011 Sponsorship of special license tags prioritized upon 1) the organization being specific to the big game species, 2) past participation performance by the organization, and 3) if the tag will be raffled or auctioned, providing equitable public opportunity for acquisition.

Public Comment

The following members of the public addressed the Commission on behalf of their respective organization's requests:

- Miles Moretti, MDF
- Steve Hopkins, RMEF
- Curt Steinke, ADBSS
- Steve Sams, NWTF
- Kayta Munyan, SCI, Phoenix Chapter
- Mark Bool, ADA
- John Koleszar, ADA

The Commission used an electronic ballot system developed by Commissioner Freeman that allowed the public and the Commission to view each individual Commissioner's selections. The Commission made their selections and then voted as follows:

Arizona Big Game Super Raffle

Motion: Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO AWARD THE ARIZONA BIG GAME SUPER RAFFLE ONE TAG EACH OF ANTELOPE, BIGHORN SHEEP (*NELSONI*), BLACK BEAR, BUFFALO, ELK, JAVELINA, MOUNTAIN LION, MULE DEER, WHITE-TAILED DEER, AND TURKEY TO BE RAFFLED IN THE ARIZONA BIG GAME SUPER RAFFLE.

Vote: Unanimous

Antelope

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION AWARD THE TWO TAGS FOR ANTELOPE TO THE ARIZONA ANTELOPE FOUNDATION.

Vote: Unanimous

Black Bear

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION AWARD THE BLACK BEAR TAGS AS FOLLOWS: ONE TO THE ARIZONA ANTELOPE FOUNDATION AND ONE TO THE ARIZONA BOWHUNTERS ASSOCIATION.

Vote: Unanimous

Bighorn Sheep

Motion: Harris moved and Woodhouse seconded THAT THE COMMISSION AWARD A ROCKY MOUNTAIN BIGHORN SHEEP TAG AND A *MEXICANA* BIGHORN SHEEP TAG TO THE ARIZONA DESERT BIGHORN SHEEP SOCIETY.

Vote: Unanimous

Buffalo

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION AWARD THE BUFFALO TAGS AS FOLLOWS: ONE TO THE ARIZONA BOWHUNTERS ASSOCIATION AND ONE TO THE ARIZONA ELK SOCIETY.

Vote: Unanimous

Elk

Motion: Freeman moved and Husted seconded THAT THE COMMISSION AWARD THE ELK TAGS AS FOLLOWS: ONE TO THE ARIZONA ELK SOCIETY AND ONE TO THE ROCKY MOUNTAIN ELK FOUNDATION.

Vote: Unanimous

Javelina

Motion: Harris moved and Woodhouse seconded THAT THE COMMISSION AWARD THE JAVELINA TAGS AS FOLLOWS: ONE TO THE ARIZONA BOWHUNTERS ASSOCIATION AND ONE TO SAFARI CLUB INTERNATIONAL PHOENIX CHAPTER.

Vote: Unanimous

Mule Deer

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION AWARD THE MULE DEER TAGS AS FOLLOWS: ONE TO THE ARIZONA DEER ASSOCIATION AND ONE TO THE MULE DEER FOUNDATION.

Vote: Unanimous

Turkey

Motion: Husted moved and Harris seconded THAT THE COMMISSION AWARD THE TWO TAGS FOR TURKEY TO THE NATIONAL WILD TURKEY FEDERATION.

Vote: Unanimous

White-tail Deer

The Commission was not in consensus on one of these tags. Commissioners Martin, Woodhouse and Freeman selected MDF and ADA, and Commissioners Husted and Harris selected MDF and PCSCI.

Commissioner Husted commented that everyone needs to work together on these tags and not look at it like a competition, and encouraged MDF, ADA and PCSCI to all work together.

Commissioner Harris explained that he selected PCSCI to receive a white-tail deer tag because they actually only requested the white-tail tag, although they would take any unallocated tag, and because they would be auctioning the tag inside Arizona which could help stimulate the economy.

Commissioner Freeman stated that he is not opposed to some tags being raffled out of state because the money comes back to Arizona, but while he appreciates the PCSCI, MDF has done a good job of making money on the tags.

Commissioner Woodhouse commented that the tags need to go to the venues and the groups that can get the most dollars. His vote will go to the venue that has the most chance of pulling the most dollars back for white-tail deer in the State of Arizona.

Chairperson Martin concurred with Commissioner Woodhouse. While she wants to use these tags to help Arizona clubs, at the same time these special tags are all about the money and she believes MDF has the best chance to attract some big spenders.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION AWARD THE WHITE-TAIL DEER TAGS AS FOLLOWS: ONE TO THE ARIZONA DEER ASSOCIATION AND ONE TO THE MULE DEER FOUNDATION.

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

Mountain Lion

Motion: Freeman moved and Harris seconded THAT THE COMMISSION AWARD THE MOUNTAIN LION TAGS AS FOLLOWS: ONE TO THE ARIZONA DEER ASSOCIATION AND ONE TO THE ARIZONA DESERT BIGHORN SHEEP SOCIETY.

Vote: Unanimous

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2. Consideration of Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Black Bear, and Mountain Lion for the 2011–2012 Special License Tag Hunting Seasons

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling presented Commission Order 29 for the 2011–2012 special big game license tag hunting seasons for Mule Deer, White-tailed Deer, Pronghorn Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Bear, and Mountain Lion. A.R.S. 17-346 authorizes the Commission to set seasons for up to three (3) special license tags for each big game species. A detailed description of all proposals was available for public review at all Department offices and was provided to the Commission for review prior to this meeting. The Commission was asked to consider and approve Commission Order 29: Special Hunts, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License Tags.

The Department recommended that all special big game license tag hunt seasons be open yearlong, with the season for each species commencing on August 15, 2011 and ending on August 14, 2012. Recommended open areas for the special license-tag hunts were as follows:

Mule Deer: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

White-tailed Deer: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Antelope: Special license-tags will be valid for Units 1–10 (except Camp Navajo), 11M, 12A, 12B, 13A, 13B, 15A, 15B, 17A, 17B, 18A, 18B, portions of 19A, 19B, 21, 30A, 31, 32, 34B, 35A (except Fort Huachuca), and 35B.

Elk: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Javelina: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Turkey: Special license-tags will be valid for Units 1, 3B–10 (except Camp Navajo in Unit 6B), 11M, 12A, 13A, 13BS, 17A, 17B, 20A, 22, 23, 27, 29, and 35A (except Fort Huachuca in Unit 35A).

Bighorn Sheep: One special license-tag will be valid for Units 9, 10, 12A, 12B, 13A, 13B, 15A, 15B, 15C, 15D, and 16A (except Mohave County Park Lands). A second special license-tag will be valid for Units 16B, 22, 24B, 28 (south of US Hwy 70), 31, 32, 39 (west of Old AZ Hwy 80), 40B, 41, 43A, 43B, 44A (west of the Swansea Road and south of Bill Williams River Rd.), 44B, 45A, 45B, 45C (including the Kofa NWR), 46A, and 46B (including the Cabeza Prieta NWR). A third special license-tag will be valid for portions of Units 1, portions of Unit 27, and portions of Unit 28.

Buffalo: Special license-tags will be valid for Units 12A, 12B, and 13A.

Black Bear: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Mountain Lion: Special license-tags will be valid statewide (except National Wildlife Refuges, Mohave County Park Lands).

Motion: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 29: SPECIAL HUNTS AS PRESENTED.

Vote: Unanimous

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2A. Amendment to Commission Order 26 – Population Management Seasons

Presenter: Brian Wakeling, Game Branch Chief

The Department recommended an amendment to Commission Order 26 – Population Management Seasons to allow for the issuance of up to 50 general javelina tags for Units 39 and 41. Javelina have traditionally existed in these areas in very low densities associated with the riparian habitats along the Gila River. Recent reports and observations indicate that the populations may have increased and are becoming more accustomed to foraging in adjacent agricultural fields. Agricultural areas along the Gila River are heavily involved in the production of vegetables and fruit, and while there is no indication that javelina or other wildlife are responsible for transferring harmful bacteria to food crops, food safety is a critical issue for local farmers. This population management season will allow the Department to use hunters to disperse and reduce the impact of javelina in focused problem areas during the produce growing season.

Additionally, the Commission voted in April to authorize javelina population management seasons (companion tags) available to juniors-only deer hunters in Unit 33 during October 8–14, 2010. At that meeting, deer permits were authorized at 150 permits, although companion tags for javelina were inadvertently authorized at only 100 nonpermit-tags. To ensure that every juniors-only hunter may purchase a javelina tag if desired, the total authorization should be increased to 150.

The proposed season authorization is as follows:

Javelina General Population Management Seasons

<u>Season Dates</u>	<u>Open Areas</u>	<u>Legal Wildlife</u>	<u>Permits</u>
Jul 1, 2010 - Dec 31, 2010	39 and 41	Any javelina	50

Javelina Juniors-Only General Population Management Seasons

<u>Season Dates</u>	<u>Open Areas</u>	<u>Legal Wildlife</u>	<u>Permits</u>
Oct 8, 2010 – Oct 14, 2010	33	Any javelina	150

Motion: Harris moved and Woodhouse seconded THAT THE COMMISSION VOTE TO AMEND COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS, AS PROPOSED.

Vote: Unanimous

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Meeting recessed for a break at 9:55a.m.

Meeting reconvened at 10:12 a.m.

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3. Consideration of Proposed Commission Orders 19, 20 and 24 for the 2010-2011 Hunting Season.

Presenter: Mike Rabe, Small Game Program Supervisor

Mr. Rabe presented the Commission with the Department's proposals for establishing seasons and season dates, bag and possession limits, and open-closed areas for Commission Order 19 (dove), Commission Order 20 (band-tailed pigeons), and Commission Order 24 (sandhill cranes). A Power Point presentation was provided that included historical information, graph comparisons, survey data, and maps. A detailed description of all proposals was provided to the Commission prior to this meeting for review and consideration and was also available for public review at all Department offices.

Commission Order 19 – Dove

Season Structure Recommendation: The Department recommended daylong shooting hours (1/2 hour before sunrise to sunset) for the entire state and that the half-day hunting restriction on dove hunting in the early season (September 1-15) be eliminated. Initially, the half-day hunting restriction was implemented in 1989 in response to declining harvests of both mourning doves and white-winged doves and a concern that the decline was due to overharvest. Since that time, dove hunting participation has declined and places to hunt doves near urban centers have also declined. As a result, Arizona dove hunters must travel farther to hunt doves and fewer hunters participate. A poll conducted in March indicated that the majority of Arizona hunters are in favor of removing the half-day hunting restriction. Reinstating all-day hunting for the early season is not expected to result in overharvest of doves. Reinstating all-day hunting also has the advantage of removing the need for zones within the state for dove hunting and simplifies the regulations.

Other than the removal of the half day hunting restriction in the early season and the removal of zones, the Department recommended no change to the season structure for mourning doves and white-winged doves. The 2010 recommendation is for a September season of 15 days from September 1-15 as per Federal Frameworks. The late season recommendation is for the season to be open from November 19, 2010 to January 2, 2011 for mourning doves only. This recommendation is the maximum number of days allowed under Federal Frameworks.

For the early season the Department recommended an aggregate bag of 10 mourning doves and white-winged doves, no more than 6 of which can be white-winged doves, as per Federal Frameworks. Possession limit shall be 20 mourning doves after opening day and 12 white-winged doves after opening day in the early season. For the late season, bag is 10 mourning doves per day and 20 in possession.

The dates for the Robbin's Butte junior's-only hunt are recommended for September 4-5, 2010. Within the area, shooting stations will be established to accommodate 2 junior hunters each. Should demand exceed supply, shooting stations will be assigned by a drawing at 4:45 a.m. at the Robbins Butte Wildlife Area headquarters. To facilitate hunt operation, hunters will be required to check in and out. Bag limits and shooting hours will be the same as for the general season. Personnel from the Hunter Education Program and Region VI will conduct the hunt.

The Department recommended continuation of the extended falconry-only dove season initiated in 1991. Recommended Falconry-Only season dates are September 16 through November 1. This season recommendation includes the maximum number of hunt days available for falconry (47). Falconry is also a legal method of take during both the regular early and late dove seasons.

The Department recommended Eurasian collared dove season to be open yearlong (September 1-2010 through August 31, 2011) with an unlimited bag limit. Falconry will be a legal method of take and also open yearlong.

Commissioner Husted commented that the Eurasian collared dove has a very similar call to the mourning dove as it relates to the call count surveys.

Mr. Rabe stated that the Department will be sure to bring that to the attention of those conducting the call count surveys and make sure they are not confusing those calls.

Commissioner Husted commented in regards to the southwestern part of the state that California is now looking at a floating opener and a half-day season and cautioned that we may just be swapping woes.

Commissioner Woodhouse stated that a lot of the retail people in the Yuma area like the idea of the weekend opener while some folks would like to see the floating opener, but survey data shows that 70% of hunters don't like the floating opener and 76% like the all-day season, so the Commission needs to respect the survey data and take that into account.

Commissioner Husted stated that he would like the Commission and Department to look at the bigger picture with some of these surveys and encouraged finding ways to think outside the box so that the surveys might be more inclusive of all the aspects.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO ADOPT, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 19: DOVE, AS PRESENTED.

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

Commission Order 20 – Band-tailed Pigeon

Season Structure Recommendation: The Department recommended that the season should be September 10-October 3, 2010 with no differential start date by zone which allows for 4 weekends of hunting opportunity. In the last several years, there have been north and south zones for band-tailed pigeons with the south zone opening a week later than the north zone and both zones closed on the same day. So few band-tail pigeons are taken in Arizona that the one-week zone differences had little if any effect on populations; if all-day hunting is reinstated for doves, there is no longer a reason to maintain zones for band-tailed pigeons. Therefore the Department recommended the zones be eliminated. Bag and possession limits of 5 and 10, respectively, are recommended statewide.

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO ADOPT, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 20: BAND-TAILED PIGEON, AS PRESENTED.

Vote: Unanimous

Commission Order 24 – Sandhill Crane

The Sandhill cranes traditionally hunted in Arizona include cranes from both the Mid-Continent Population (M-CP) and Rocky Mountain Population (RMP). The RMP is comprised entirely of greater sandhills. M-CP cranes are primarily the lesser subspecies with some Canadian subspecies. The population of RMP cranes is smaller than the M-CP and can tolerate only light harvest; hence, the number of RMP cranes harvested drives the number of permits in Arizona and other Pacific Flyway states.

In 2010, there will be no check station for M-CP or RMP sandhill cranes. Check stations for RMP cranes are mandated every 3 years; the next check station for RMP cranes will be in fall 2011. Of 164 birds checked in 2008, 24 were determined to be RMP cranes. Arizona's allocation of RMP cranes for 2009 was 129. Arizona remained well within the allocation last year. Since the inception of the hunt in 1981, Arizona has never exceeded its allocation for RMP cranes.

Arizona's allocation for 2010 is 131 RMP cranes. This increase in allocation is a reflection that RMP crane populations continue to increase in the Pacific Flyway. The current population estimate for RMP cranes is 20,329.

The Department increased the number of tags issued to hunters from 2 to 3 for the 2009 season. The reason for the increase was because so few RMP birds were being harvested each season. Increasing the bag per hunter is preferable over increasing the number of hunters in the field because almost all of the hunting opportunities within the allowable areas (30A, 30B, 31, and 32) are on private lands, and more hunters would likely create unacceptable landowner-hunter conflicts.

The increased bag did increase the harvest of RMP cranes; in 2009, Arizona hunters harvested 67 cranes. Although that is an increase over recent years, it is still well below Arizona's allowable allocation under the Management Plan for RMP cranes. The overall harvest of cranes last year (372 out of 40,500) was less than 1% of the wintering population.

Lower Colorado River Valley Cranes – Arizona has long hosted another population of sandhill cranes along the lower Colorado River and along the Gila River near Buckeye, the Lower Colorado River Valley (LCRV) population. This population consists entirely of the greater subspecies and has been considered a separate population of cranes by the Pacific Flyway. These birds have a short migration; the bulk of the birds breed in the Elko and White Pine counties of Nevada. The Pacific Flyway plan for LCRV cranes had a goal of growing the population to 2,400-2,600 by the year 2000. This goal has been achieved as the most recent census in 2010 counted 2,350 LCRV cranes.

In 2007, the Pacific Flyway Council passed a recommendation to hold a limited, permit only, 6-bird hunt on LCRV cranes. The reason for the small number of permits was based on past experience with crane populations. Because this population of cranes remains small, the harvest is very conservative. The USFWS granted Arizona's request for a crane season on a 3-year experimental basis. The approved hunt had not occurred because of difficulties in arranging the

hunt on the most likely location, Cibola National Wildlife Refuge. The Department will continue to work with the refuge in an attempt to hunt cranes in the future.

This year, the Department recommended implementing a hunt for LCRV cranes. In March 2010, the Pacific Flyway Council and the USFWS approved a 3-year extension on Arizona's request for a hunt on LCRV cranes and increased the take to 9 birds. This allows Arizona to legally implement a hunt for LCRV cranes this year. The Department has secured permission from landowners in the Buckeye area for a limited number of junior hunters this December, 2010.

Season Structure Recommendation:

Mid-Continent and Rocky Mountain populations – The allowed Federal season dates and bag limits for the Mid-Continent and Rocky Mountain Populations of cranes in Arizona are as follows: The outside dates of the season must fall between September 1 and January 31 and not exceed 30 days. The bag limit may not exceed 3 per day or 9 per season.

The Department recommended four general 3-day hunts beginning on November 12, with 85 permits in each hunt. An archery hunt is recommended for November 12-14 and a junior's-only hunt is recommended for December 10-12. There will be at least one non-hunt day between each hunt. All hunters that successfully draw for cranes receive 3 tags. With the recommended season structure, we estimate total harvest will be between 300 to 400 cranes. The predicted removal of RMP birds is estimated at 60-90 birds.

Lower Colorado River Population – A Junior hunt will be held December 10-12 with 4 permits (3 cranes per hunter) to control harvest on this small population of cranes. A mandatory check station will be held for all junior hunters for this hunt. This hunt is entirely on private land and permission from landowners has been secured. Personnel from Region 4 and Game Branch will be on site to assist junior hunters and check harvested cranes.

Chairperson Martin suggested that instead of 4 Junior permits at 3 cranes per hunter, that it would be better to have 9 Junior permits at 1 crane per hunter. That would give more youth the opportunity to get out in the field.

The Commission was in consensus.

Motion: Woodhouse moved and Harris seconded THAT THE COMMISSION VOTE TO ADOPT, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 24: SANDHILL CRANE, AS PRESENTED, WITH THE AMENDMENT THAT FOR THE JUNIOR'S HUNT IN UNIT 39 THERE WILL BE 9 HUNTERS WITH 1 TAG FOR EACH HUNTER.

Vote: Unanimous

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Motion: Husted moved and Harris seconded THAT THE COMMISSION VOTE TO RE-HEAR THE LICENSE REVOCATION CASE OF MR. THOMAS WATTS FROM FRIDAY'S AGENDA ITEM #19.

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

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4. Call to the Public

There were no requests from the public to speak.

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5. 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 May 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 at this meeting.

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6. Shooting Sports Activities Briefing

Presenter: Jay Cook, Shooting Range Branch Chief

The Commission was provided with a Shooting Sports Activities Briefing (also available to the public) 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 May 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. The presentation included an update on the Ben Avery Shooting Facility Multi-Tiered Pass System. The following was presented to the Commission for approval:

Tiered Discount Pass Pricing Structure

<u>Overall Cost:</u>	<u># of Visits:</u>	<u>Daily Equivalent:</u>	<u>% Savings:</u>
\$ 50.00 Pass	8 – Visits	\$6.25	10.7% discount
\$100.00 Pass	17 – Visits	\$5.88	16.0% discount
\$150.00 Pass	27 – Visits	\$5.55	20.7% discount

\$200.00 Pass 40 – Visits \$5.00 28.6% discount

Additional information:

- Cardholder and guests must be 18 Years and Older
- BASF will keep current 10-day pass available to the public – 11 visits@\$70 (\$6.36 daily)
- There will be no expiration date for tiered passes purchased by customers
- Tiered passes cannot be used for any Club sanctioned training, practice or match events or for any commercial use or training activities
- There are approximately 250 shooter days annually available to the public for pass use
- BASF will use a basic card tracking system (Bar Code) to issue to customers that purchase a tiered pass
- BASF will establish an automated tracking system via cash registers linked to a database
- Will capture basic customer information into the database when card is initially purchased, i.e.; name, phone # or email address, and pass card ID#
- System will track customer use information, days visited, # visits per month
- Nominal fee of \$10.00 will be charged to replace lost or misplaced cards
- BASF will print information on customer receipts, i.e.; # of uses remaining on card
- BASF to install hard line server in Admin Office to back up database info weekly
- Cardholders can use card for themselves or for any # of guests visiting the facility daily, card will be swiped for each shooter 18 years or older
- Tiered Passes can only be used during normal operating hours at the BASF facility
- Initially, all shooters are still required to check-in at the Shooters Store daily to receive a receipt
- Tentatively BASF intends to implement a new tiered discount pass system by July 1, 2010 pending Commission approval.

Motion: Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE MULTI-TIERED PASS PRICING STRUCTURE AS PROPOSED.

Vote: Unanimous

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Meeting recessed for a break at 11:12 a.m.

Meeting reconvened at 11:22 a.m.

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6. (continued) Shooting Sports Activities Briefing

Presenter: Jay Cook, Shooting Range Branch Chief

Mr. Cook continued with his briefing which included a request for Commission approval for the fee structure of the Shotgun Sports Mobile Outreach Program. This is a new program the Department wants to implement. It would be a traveling venue for ranges that don't have shotgun facilities and it would set up a five position sporting clays field. To recover the cost of this program, the Department would charge fees for the rentals of the equipment, pay for staff travel, clay targets, etc. The fees would be as follows:

Shotgun Sports Mobile Outreach Program Fee Structure

- \$25.00 per day per machine
 - Day of use not including travel
 - Includes 1 staff member and up to 10 machines
 - > 12 machines requires 2 staff members, additional staff member cost is \$200.00 per day
- \$1.00 per mile for travel
- \$0.25 per target
 - 135 per box = \$33.75
- If targets are provided (by an outside source) \$200.00 a day per staff member

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE SHOTGUN SPORTS MOBILE OUTREACH PROGRAM FEE STRUCTURE AS PROPOSED.

Vote: Unanimous

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

Using a Power Point presentation, Mr. Gray highlighted the following items:

National Shooting Sports Foundation Model of Success:

- There is a cooperative effort with NSSF and Southwick to develop a National Model to recruit new shooters
- AGFD was selected as one of five states to interview for the opportunity
- Arizona was awarded \$95,000 to implement the Community Outreach Strategy
- This will be Community-wide approach centralized around the local shooting ranges

16th Annual Communicator Awards Received by the Department

Arizona Wildlife Views – Awards of Excellence:

- Overall Magazine Design 2009
- Photography “White Winged-dove” by George Andrejko (cover of Sept/Oct issue)

Arizona Wildlife Views – Awards of Distinction:

- Government magazine; Arizona Wildlife Views 2009

- Copy/writing; “High-elevation Elation: Watching Wildlife in the White Mountains” by Dianne Howard
- Copy/writing; “Humpback Haven” by Julie Hammonds
- Interior design; Skulls Quiz by Cecelia Carpenter
- Interior design; The Last Cowpony by Cecelia Carpenter
- Photography; Three-toed Woodpecker by George Andrejko
- Photography; Rocky Mountain Elk by George Andrejko

Arizona Wildlife Views TV – Awards of Distinction

- Nature/wildlife; “Return of the Black-tailed Prairie Dog”
- Environment; “Hwy 93 Bighorn Sheep”
- Government Relations; “We are Game & Fish”
- Travel/Tourism; “Tres Rios Nature Festival”

Outdoor Writers Association of America Awards

- 1st Place Small Game Hunting; “Cibola Goose Hunt” by Gary Schafer
- 2nd Place Fishing; “Casting for Recovery” by Carol Lynde
- 2nd Place Conservation; “Black-tailed Prairie Dogs” by Carol Lynde

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7A. Statewide Shooting Range Grant Requests for FY 2011

Presenter: Anthony Chavez, Statewide Shooting Range Administrator

Mr. Chavez provided a Power Point presentation on the Department’s Shooting Range Grants Program. The presentation included the Program’s history, goals, eligibility, and grant requirements and limitations. The Department received eleven grant applications for fiscal year 2011 and requested that the Commission approve four of them as follows: 1) Construction of facility and improvements at the Town of Chino Valley Police Department Range (Chino Valley); 2) Construction and facility improvements that include installation of a vault bathroom, installation of cable fencing, expansion of shooting station and installation of erosion control to the Ralph C. Herrera Shooting Range (Mammoth); 3) Construction and improvements to the arrow backstops, boundary fence and signage on the Granite Mountain Archery Range (Prescott); 4) Development and establishment of a water well at the White Mountain Trap and Skeet Club (Show Low) for a total of \$93,425.00.

The Commission was presented with a summary of FY11 grant applications as follows:

Town of Chino Valley Police Department Shooting Range - Requested \$50,000.00 to improve the safety and usability of the existing Chino Valley Police Range for public use. Construction includes but limited to site leveling, berm construction, shade structures and developing shooting positions. Department recommends funding total amount requested.

Granite Mountain Archery Range-Granite Mountain Archers - Requested \$7,931.00 for the development of Safety Backstop, Boundary Fencing, Signage and Target Replacement on the

field course at the Granite Mountain Archery Range. Department recommends partial funding of \$5,000.00 not to include target replacement per grant guidelines.

Ralph C. Herrera Shooting Range-San Pedro Lions Club - Requested \$50,000 for the construction and facility improvements that include installation of a vault bathroom, installation of cable fencing, expansion of shooting stations and installation of erosion control to the Ralph C. Herrera Shooting. Department recommends partial funding of \$30,000 to conduct construction and facility improvements.

White Mountain Trap and Skeet Club - Requested \$8,425.00 for development and establishment of a water well to provide a safe and reliable water source for the general public at the White Mountain Trap and Skeet Club. Department recommends funding total amount requested.

Three Points Shooting Range- Tucson Rifle Club - Requested \$8,609.00 for the construction and upgrades of safety improvements to the action and general purposes ranges at Three-Points Shooting Range. Department recommends not funding.

Usery Mountain Shooting Range-Rio Salado Sportsman's Club - Requested \$49,500.00 for the construction of safety bunkers on the High Power Range at the Usery Mountain Shooting Range. Department recommends not funding.

7-Mile Shooting Range-Mohave Sportsman's Club - Requested \$8,022.00 to upgrade and develop a new skeet field at the trap and skeet range on 7-Mile Shooting Range. Department recommends not funding.

7-Mile Shooting Range-Mohave Sportsman's Club - Requested \$8,300.00 to replace and upgrade safety backstops on the public archery range at 7-Mile Shooting Range. Department recommends not funding.

7-Mile Shooting Range-Mohave Sportsman's Club - Requested \$18,500.00 to remodel and upgrade the Clay Target Center Building for ADA accessibility and provide for increased additional use at 7-Mile Shooting Range. Department recommends not funding.

Tucson Rod and Gun Club - Requested \$25,000.00 to construct the first phase of a shooting range to include earthwork, concrete work, firing line Ramada's and a sporting clays range. The club has not secured a location or a Special Use Permit from the Forest Service. Department recommends not funding.

Tucson Trap and Skeet Club - Requested \$43,880.00 for the construction of an air rifle building to be used by organizations and Olympic training at the Tucson Trap and Skeet Club. Department recommends not funding.

Commissioner Husted suggested that the Department start thinking about including and providing for those interested in self defense. There is a huge market for people who are interested in self-defense and training opportunities.

Director Voyles stated that one of the changes taking place this past year at the direction of the Commission has been to establish a shooting sports line of business. These changes are coming

and it is a change in focus that includes aspects of shooting sports other than just hunting. The redefinition of how we approach shooting sports is a part of developing the shooting sports line of business plan.

Chairperson Martin confirmed with Mr. Chavez that the Department will insert some language regarding self-defense training opportunities in the list of priorities for the granting program.

Motion: Freeman moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE SHOOTING RANGE GRANT APPLICATIONS FOR THE FY11 GRANT CYCLE AS PRESENTED FOR THE TOTAL OF \$93,425.00 CONTINGENT ON BUDGET APPROVAL

Vote: Unanimous

* * * * *

8. Enterprise Architecture and E-Commerce Update

Presenter: John Bullington, Assistant Director, Special Services Division

Mr. Bullington provided the Commission an update on the Department's planning efforts regarding the development of an Enterprise Architecture (EA) and E-Commerce activities. The update included initial planning ideas for the EA and provided updates to information for online watercraft registration renewals, license sales, big game applications, on-line draw application update and Point of Sales Software.

Enterprise architecture is a comprehensive framework used to manage and align an organization's Information Technology (IT) assets, people, operations, and projects with its operational characteristics. It defines how information and technology will support the business operations and provide benefit for the business. It illustrates the organization's core mission, each component critical to performing that mission, and how each of these components is interrelated. These components include: Guiding principles; organization structure; business processes; people or stakeholders; applications, data, and infrastructure; and technologies upon which networks, applications and systems are built.

The Department's current EA activities are to hire an Enterprise Architect and formulate work groups to determine user requirements and analyze long term needs. The Department's mandatory requirements are: Draw software; Point of Sale software; upgrades to licensing software; cash register system; IFAS to AFAS conversion; E-procurement; and marketing software. Other Department requirements are: Upgrade networks at each region; add T1 extra line to each region; re-code sportsmen software; re-code watercraft software; migrate databases to MSQl; and get GIS on each desktop. The Department will be developing on-line draw, Point of Sale software, deployment of cash register system, re-write some current software application code and upgrade current on-line license code while concurrently developing a new architecture.

* * * * *

9. Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2011 and January 2012.

Presenter: Marty Fabritz, Executive Staff Assistant

Mr. Fabritz provided the Commission with a proposed schedule of Commission meeting dates and locations for 2011 and January 2012. The dates for the January 2011 Commission meeting and Meet the Commission were set at the June 2009 Commission meeting (January 14/15, 2011). The proposed dates and locations were as follows:

<u>Date</u>	<u>Location</u>
January 14-15	Phoenix (Date set in June 2009)
February 11-12	Phoenix
March 11-12	Phoenix
April 15-16	Phoenix (hunt orders)
May 13-14	Phoenix
June 24-25	Phoenix (hunt orders)
August 5-6	Phoenix (hunt orders)
September 9-10	Phoenix
October 14-15	Phoenix (fish orders)
December 2-3	Phoenix (hunt orders)
January 13-14, 2012	Phoenix

Proposed work sessions: August: 3-4; 11-12; 18-19; November: 3-4 or 17-18.

The Commission discussed and agreed to setting only the meeting dates at this time and setting the work session dates at some point in the near future. Each Commissioner had an issue with one or more of the dates but rather than change the dates, they will work it out as best they can and work with the Chair to adjust the agenda where possible.

Motion: Woodhouse moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT THE COMMISSION MEETING SCHEDULE AS PRESENTED (NOT THE WORK SESSION DATES); AND THAT THE SCHEDULE IS SUBJECT TO CHANGES IN THE FUTURE ON THE AUTHORITY OF THE COMMISSION CHAIR.

Vote: Unanimous

Motion: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO HOLD ALL FORMAL COMMISSION MEETINGS FOR 2011 AT THE DEPARTMENT'S HEADQUARTERS IN PHOENIX (BECAUSE THE ECONOMY HAS NOT IMPROVED, WE NOW HAVE FURLOUGH DAYS, AND WE CANNOT BUY THE RESOURCES TO GO ON THE ROAD AND STILL HAVE THE PUBLIC HAVE THE SAME ACCESS THEY HAVE NOW).

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

* * * * *

10. Update of Meet the Commission Awards

Presenter: Marty Fabritz, Executive Staff Assistant

Mr. Fabritz presented the following list of Commission award categories for the 2010 Commission Awards to be presented in January, 2011:

Award of Excellence: Any individual, group, organization, club, foundation, or agency that has excelled in efforts to benefit wildlife, wildlife habitats, or programs of the Arizona Game and Fish Department.

Youth Environmentalist of the Year: Any individual, 18 years of age or younger, who has excelled in efforts to benefit wildlife and the mission of the Arizona Game and Fish Department.

Outdoor Writer of the Year: Any professional or freelance writer who has excelled in highlighting issues or activities pertaining to the welfare of wildlife and the mission of the Arizona Game and Fish Department.

Media of the Year: Any media source (radio, television, magazine, newsletter, or periodical) that has published articles or materials beneficial to public interest about wildlife or wildlife related topics and the mission of the Arizona Game and Fish Department.

Conservation Organization of the Year: Any organization, group, foundation, or agency that has excelled in efforts to enhance the welfare of wildlife, wildlife related recreation, and the mission of the Game and Fish Department.

Conservationist of the Year: Any individual, not associated with a professional agency, which has excelled in efforts to enhance, conserve, and manage wildlife or their habitats.

Natural Resource Professional of the Year: Any individual who through a professional agency affiliation has excelled in efforts to enhance, conserve, and manage wildlife or their habitats.

Volunteer of the Year: Any individual who, as a registered volunteer with the Department, has excelled in efforts to support and benefit the mission of the Arizona Game and Fish Department.

Educator of the Year: Any individual whose educational activities have advanced and supported the welfare of wildlife, wildlife related recreation, or the mission of the Arizona Game and Fish Department.

Mentor of the Year: Any individual who has acted in the role of a mentor and whose efforts have resulted in the promotion and support of future wildlife conservation efforts and the development of future wildlife conservation leaders in Arizona.

Advocate of the Year: Any individual that has engaged in political advocacy for the betterment of wildlife conservation and in the support of the mission of the Arizona Game and Fish Department.

License Dealer of the Year: Any license dealer who actively promotes Game and Fish license and tag sales through innovative approaches, community involvement and a customer service focus that benefits the citizens of Arizona and supports the Game and Fish's mission of wildlife conservation.

Chair's Award: At the sole discretion of the Chair.

Motion: Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE CATEGORIES AS PRESENTED FOR THE 2010 AWARDS.

Vote: Unanimous

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11. Call to the Public

There were no requests to speak from the public.

* * * * *

12. Approval of Minutes and Signing of Minutes

Motion: Freeman moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM DECEMBER 4-5, 2009, JANUARY 15-16, 2010, AND FEBRUARY 5, 2010.

Vote: Unanimous

4 to 0

Harris abstained because he was not on the Commission for these meetings

Motion: Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM MAY 14-15, 2010.

Vote: Unanimous

The Commission signed the minutes following approval.

* * * * *

13. Director and Chairperson's Report

Director Voyles:

- Met with Pat Graham with The Nature Conservancy, to discuss the Department's Geo Spatial tools and efforts related to the State Wildlife Action Plan
- Met with Jim Kenna, BLM State Director, to discuss interests in our collaborative conservation work in northern Arizona
- Met with Dave Brown, Adjunct Professor from ASU for Wildlife regarding the Department's efforts to put together an academic summit

- Went to Albuquerque along with Terry Johnson to discuss wolf issues with Regional Forrester Corbin Newman and New Mexico Game and Fish Director Tod Stevenson
- Met with David Raber at DOA and Brian McNeil with the Governor's Office to discuss issues related to furloughs as they relate to public safety employees
- Traveled to Casa Grande with Josh Avey and met with Tim Male from Defenders of Wildlife out of Washington DC regarding their efforts to have closer working relationships with the states
- Had a conference call with Don DeLorenzo with the Forest Service to discuss wild and scenic rivers potential impacts on native fish recovery
- Met with Commissioner Husted and representatives of Gold Water Institute regarding the Institute's information they published relative to the Department's shooting ranges and hatchery renovation efforts
- Met with Mitch King along with Department staff and traveled to Tucson to tour the PSE facility and met with other industry representatives
- Met with Arizona State Land Commissioner Maria Baier along with David McKay regarding a Wetland Restoration Project in Southeastern AZ
- Had a lunch meeting with Robert Messenger and his girlfriend regarding the rebuttal they wrote related to the Goldwater Institute's published information
- Met with Senator McCain's staff on a variety of issues
- Attended the Trilateral in Halifax, Nova Scotia, Canada (was there during the May Commission meeting)
- Met with Steve Spangle and Department staff regarding Endangered Species issues
- Attended a Governor's Cabinet meeting
- Met with Dave Bergman and a delegation of wildlife/natural resource managers from Africa
- Met with UA Wildlife Faculty regarding re-energizing our relationship and identifying ways both the Department and UA Programs might benefit by being more interactive
- Met with Scott Lerich, Regional Biologist for National Wild Turkey Federation, along with Brian Wakeling discussing continuance of cooperative work
- Held a ribbon cutting ceremony for the unveiling of the Department's Green Energy Solar Project on the Department's Headquarters building
- Had a lunch meeting with Tice Supplee and Shane Stewart, President of AZ Antelope Foundation regarding Horseshoe Ranch and potential acquisition
- Attended a Planet Ranch meeting Jim Kenna of BLM, Lorri Gray of BOR, Ben Tuggle of USFWS, and Department staff
- Met with Dr. Tuggle and Tod Stevenson here at Department Headquarters regarding wolf issues
- Had a breakfast meeting with Pat Graham and Cheryl Lombard along with Bob Broscheid
- Attended a Babbitt Ranches/AZGFD Coordination Meeting in Flagstaff
- Attended the ADA/Antelope Foundation Fundraiser Banquet
- Participated in a National grants committee conference call
- Held the Department's Award Ceremony and luncheon
- Attended a WFT Board meeting
- Attended a Ranching Heritage Alliance meeting in Greer, AZ

- Represented the Department and WAFWA in testimony before a Wildhorse and Burro Workshop in Denver CO to discuss the Salazar plan and attended the Advisory Board meeting
- Along with Commissioner Husted, met with Senator Kyl, representatives of the Corporation Commission, the Department of Water Resources, and variety of people regarding renewable energy and the challenges of solar energy as it relates to the state's very limited water resources
- Participated in an interview by Shaun McKinnon from the Arizona Republic
- Attended a meeting at the Governor's Office along with Commissioners Husted and Harris regarding border issues.

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

- Attended the Sportsmen for Wildlife banquet
- Held the Conservationists Committee meeting and Work Day on Babbitt Ranches
- Attended the Department's Award Ceremony
- Attended other meetings
- Talked with Constituents and Department staff, and did other Commission business.

* * * * *

9. Commissioner's Reports

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

Commissioner Woodhouse:

- Attended the Cibola Valley Irrigation District meeting representing the Commission. Would like to provide an update to the Commission with the assistance of the Assistant Attorney Generals Jim Odenkirk and Linda Pollock
- Attended a meeting at the Department regarding the Director's evaluation procedures
- Had several conversations regarding SB 1200 and Prop 109
- Worked with the Department regarding javelina issues and other Region IV issues
- Talked to a lot of constituents/sportsmen about Prop 109 and answered questions

Commissioner Harris:

- Attended the Conservationists Commission meeting and Work Day with the Chair. Thanked the Arizona Elk Society for providing all the meals and support for that day
- Went to Washington DC to talk with the Attorney General on SB 1070 on behalf of Arizona Law Enforcement
- Participated a hunter safety program in Tucson
- Attended the southern Arizona Stockgrowers Protection Association meeting in Arivaca
- Toured the Rosemont mine property in the Santa Rita Mountains
- Met with the Governor's Office in Tucson to talk about a number of issues and SB 1070
- Had a budget briefing and review with Deputy Director Broscheid
- Had a conference call with Law Enforcement Branch Chief Gene Elms and AZPOST regarding SB 1070 and impacts to Department law enforcement training as well as other law enforcement agencies in the state

- Met with the Governor's staff along with Director Voyles to talk about the impact of border issues on the Department and the resource itself

Commissioner Freeman:

- Hosted a picnic at his farm and talked with ranchers and the Chino Valley Police Department and others regarding the development of the Chino Valley Shooting Range. Also discussed the equine industry in Arizona that is resulting in horses being dumped. The wildhorse and burro issue is already difficult and now it's getting harder to tell a wildlife horse from a dumped domestic horse
- Met with Department staff and the Prescott National Forest to talk about issues related to the Yavapai Ranch
- Gave a talk at an Arizona Wildlife Foundation meeting
- Met with the Assistant Director John Bullington on Enterprise Architecture
- Met a couple times with Game Branch Chief Brian Wakeling regarding agenda #1
- Had a budget briefing from Deputy Director Broscheid
- Attended a telephone conference regarding SB 1200.

Commissioner Husted:

- Met with Senator McCain and some folks in Clifton from Greenlee County
- Met with Senator Kyl's meeting on water and solar renewable energy
- Met with the Governor's Office
- Made lots of phone calls
- Had a budget briefing with Deputy Director Broscheid
- Went with Assistant Director Ty Gray to the DPS concealed weapons meeting.

* * * * *

10. Future Agenda Items and Action Items

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

- The Department will agenda at the next meeting, a continued discussion on the Director's evaluation form. Mr. Odenkirk will submit a complete description and finalization of that process
- The Department will provide the Commission with the cost of staff and Department resources used in the rules review and rulemaking process. This will be done via memo to all Commissioners
- The Law Enforcement briefing will remain as a standing agenda item that will highlight items from the monthly written report provided by the Law Enforcement Branch Chief
- The Department will ensure the Commission shooting range grant form will include self-defense as a criteria for consideration
- The Department will coordinate a potential tour for interested Commissioners of the Rosemont Copper Company
- Commissioner Woodhouse along with Assistant Attorneys General Jim Odenkirk and Linda Pollock will provide an update to the Commission on Cibola Valley Irrigation District issues at the August Commission meeting

Commissioner Husted requested that the Department collect factual information (not antidotal) and provide a written report on border issues regarding armed confrontations with officers and/or the hunting public, habitat issues, trash, fires, etc. in southern Arizona – not to chase rumors but to collect information from Department staff that work in southern Arizona regarding what they know today.

Commissioner Freeman requested a future agenda item to discuss the business rules of the Commission's Special big game license-tags.

* * * * *

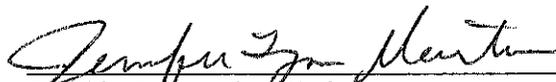
Motion: Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

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Meeting adjourned at 1:20 p.m.

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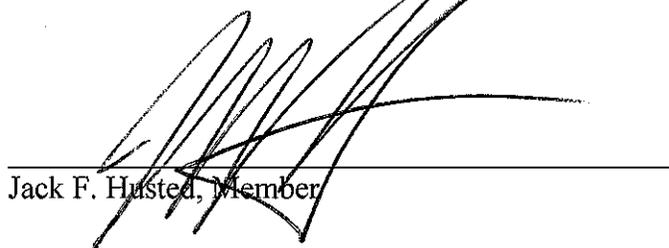
Jennifer L. Martin, Chair



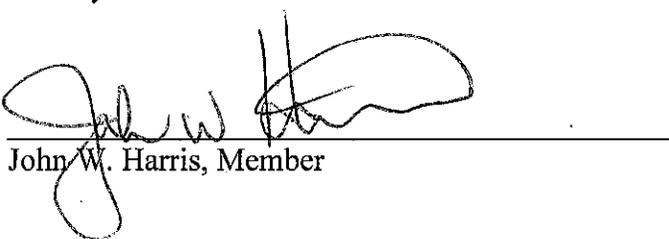
Robert R. Woodhouse, Vice Chair



Norman W. Freeman, Member

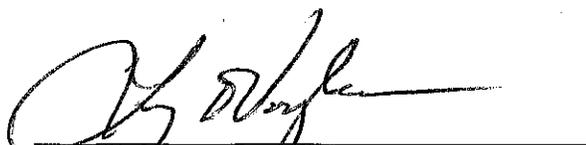


Jack F. Husted, Member



John W. Harris, Member

ATTEST:



Larry D. Voyles
Secretary and Director

Game and Fish Litigation Report
Presented at the Commission Meeting
June 25, 2010

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. *Anderson v. Arizona Game and Fish Department, et al., 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. The AGO has notified the Court of Appeals that the Commission is not interested in mediation.

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, 2010. 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 24th, 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.

The Court has scheduled oral argument on the Department's motion to dismiss for July 27, 2010.

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

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

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

Lands Update
For the Arizona Game and Fish Commission
June 18, 2010
Phoenix, Arizona

FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING

Apache-Sitgreaves National Forest

The Department provided comment on the initial draft alternatives developed by the Forest for the Forest Plan Revision. Because the initial alternatives were in an early stage of development, and thus lacked detail, Department comments were primarily general in nature. Four initial draft alternatives, including the no action alternative, were developed. These alternatives varied primarily on the level of reliance on mechanical treatments to meet desired vegetation conditions versus reliance on prescribed and wildland fire use. The alternatives also varied on the number of new recommended wilderness area and additions to existing wilderness areas.

Coconino National Forest

The Forest is seeking input on needs for change that are to be the focus of its Land Management Plan Revision efforts, and the Department is currently in the process of preparing comments in response.

Kaibab National Forest

The Department is currently in the process of reviewing the 'Working Draft' of the Kaibab National Forest Land Management Plan. The Forest has invited the Department to participate in a Wildlife Topic Focus Group meeting in mid-June to further evaluate components of the working draft.

Prescott National Forest

Department personnel reviewed and provided guidance on draft components of the revised forest management plan. Additionally, the Department provided preliminary wildlife linkages data produced by the stakeholder process to forest planners, for recognition and inclusion in the revised forest plan.

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. The Department recently participated in a stakeholders' roundtable discussion with Congresswoman Kirkpatrick, USDA Undersecretary Harris Sherman, and Robert Bonnie, Chief Advisor to USDA Secretary Vilsack, held in Pinetop. The purpose of the roundtable was to emphasize the importance of 4FRI and highlight some of the challenges best addressed at the Washington level. The Department continues to actively participate in the Stakeholder meetings, the Landscape Strategy Working Group, and the Science and Monitoring Working Group.

Apache-Sitgreaves National Forest

The Department provided comment on the proposed Camp Tatiyee Land Exchange. The proposed land exchange would include one 344 acre parcel of federal land located within the corporate boundaries of the town of Pinetop-Lakeside on the Forest being conveyed into private ownership, and 16 separate parcels totaling 1,719 acres of private land being conveyed into federal ownership. Following the evaluation of the parcels, the Department expressed its strong support for the proposed land exchange based on the overall benefit of the exchange to Arizona's wildlife resources and the publics' continued ability to pursue wildlife recreational opportunities.

Coconino National Forest

The Peaks/Mormon Lake Ranger District released the Decision Notice and Finding of No Significant Impact (FONSI) for the Hart Prairie Fuels Reduction and Forest Restoration Project. The Hart Prairie Project is a roughly 12,000-acre, Ponderosa Pine thinning project with a large aspen recovery component. Approximately 40% of the Forest's aspen occurs within this project area, and aspen statewide have been experiencing decline due to a variety of factors including drought, pathogens, livestock/elk/deer herbivory, among others. The Department is working cooperatively with the Forest to support aspen restoration efforts. A cooperative field trip between the Forest, Department, and Arizona Elk Society is scheduled for the end of June to discuss the Hart Prairie project and elk management.

The Peaks/Mormon Lake Ranger District has invited the Department to participate on the interdisciplinary team for the Marshall Fuels Reduction Project. This is an approximately 12,000-acre vegetation treatment and prescribed burning project intended to improve the health of the forest and associated habitats and to reduce the risk of catastrophic wildfire within the project area. The project plans to apply multiple treatment types to Ponderosa Pine including mechanical and hand thinning, and pile, broadcast and maintenance burning. The project also includes plans to enhance wetlands, and the Department is actively providing input into the proposed action. The Department has asked the Forest to consider some additional pinyon-juniper treatments that would enhance wildlife habitats just south of the Marshall project boundary.

The Department recently reviewed the Preliminary Environmental Assessment for the Buckhorn Range Allotment Management Plan (AMP) on the Red Rock/Mogollon Ranger Districts. The Buckhorn AMP calls for a reduction of utilization from 40% down to 30% within the winter range of the allotment, which runs along the north rim of West Clear Creek and is about 35,000 acres in size. While the Department supports the Districts' decision to reduce utilization, concerns remain over monitoring. Guidance for monitoring comes from the Forest Service Handbook, where an adaptive management approach calls for permittee monitoring of range condition and Forest review only every 5-10 years. The Department remains concerned about the Forest's ability to adequately monitor and adapt to impacts associated with range allotments. The Department has been working closely with Forest Range Conservationists to gain clarity on monitoring and adaptive management approaches associated with the Buckhorn Allotment. We are encouraged by their proposed monitoring plans associated with this allotment, and look forward to continued cooperation between agencies to ensure habitat quality conditions continue to improve over time.

Prescott National Forest

The Department continues to be involved in the development of the Bradshaw Vegetation Management Plan being designed to produce a fuels treatment plan for use in the Wildland Urban Interface of Prescott and Prescott Valley. The Department has provided planners with the wildlife-friendly Ponderosa Pine prescription guidelines for consideration in the development of their implementation plans for this effort.

A Sustainable Recreation strategy is being developed with the public and interagency meetings are currently underway. Planning areas are broken up into three zones and the Department is providing comment and a presence at the meetings.

Tonto National Forest

On May 27, 2010, the Department submitted comments in response to a request from the Tonto and Apache-Sitgreaves National Forests regarding the Draft Environmental Assessment (EA) of the Heber-Reno/Morgan Mountain Sheep Driveway. The Department has been actively engaged in the management of the Driveway with the Forest for over 15 years including leading a collaborative disease risk assessment in 2008. The Draft EA is the first time that the Forests have proposed an action. The proposed action is to continue the use of the Driveway in a similar fashion as it is currently being used with the exception of eliminating bedding of domestic sheep on the portion of the Driveway that lies within occupied bighorn sheep habitat. In this portion of the Driveway domestic sheep are trailed within and adjacent to occupied bighorn sheep habitat in Game Management Unit 22 (Stewart Mountain area) and Unit 24B (Goldfield Mountains) for approximately 8 miles. The Department has expressed concerns about disease transfer (specifically pneumonic-type diseases) that potentially could have devastating impacts to the wild bighorn sheep herds in these game management units. The Department did not support the proposed alternative, but suggested another alternative of eliminating use of this portion of the Driveway.

On June 11, 2010, the Department submitted comments in response to a request from the Forest regarding the Draft Environmental Assessment for the Needle Rock Recreation Area. The proposed action is to close the area to all overnight camping and motorized access to improve safety and decrease resource destruction. The Department has expressed concerns for restricting motorized use along the Verde River and has provided specific recommendations to improve the user experience rather than limit it to a predetermined carrying capacity. In addition, concerns in limiting the opportunity for public participation in overnight usage and impacting the public's recreational values for the area, potentially impacting the Department's mission. The recommendation we provided was to analyze economic and social/aesthetic values impacted from this loss of overnight usage and to consider providing some amount of opportunity.

BUREAU OF LAND MANAGEMENT (BLM)

Burro Management

The Yuma Field Office is preparing an Environmental Assessment for the removal of 100 burros in the Cibola-Trigo Herd Management Area (HMA), which is scheduled to take place September 2010. Department and BLM Yuma personnel conducted an aerial census of the HMA in May 2010. The census resulted in 418 burros and 69 horses seen. While preliminary population

estimates indicate in excess of 600 burros, the established Appropriate Management Level for the HMA is 165 burros and 150 horses. The BLM is sending the census data to the USGS for an independent analysis. Department personnel continue working with the BLM Yuma staff and other stakeholder agencies to develop a long-term cooperative strategy for managing burros in the Cibola-Trigo HMA.

The BLM and Department of Interior are seeking comments for their June 2010 Wild Horse and Burro Strategy Development Document (Strategy), *Working Toward Sustainable Management of America's Wild Horses and Burros*. The Strategy identifies draft goals, objectives and possible management actions aimed at the implementation of the Secretary of Interior's October 2009 initiative for wild horse and burro management. Department personnel are preparing comments for the Strategy, which are due by August 3, 2010, and the Department's Director attended the Wild Horse and Burro Advisory Board meeting on June 14 and 15, 2010.

AZ Strip Field Office

The consultant is in the final stages of preparing the effects analysis section of the draft EIS for the potential uranium claim withdrawal project on the Arizona Strip. The Department has reviewed the draft Chapters 1-3 of this project and is just starting review of the effects analysis.

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.

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 with the Western Watersheds Project 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 with an anticipated public release scheduled for July 2010. 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 in June 2010. Additionally, as part of the settlement agreement, the BLM will not open any of the currently-closed roads with the Monument until the completion of the RMP and ROD.

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 will continue to assist the BLM with route evaluations in the Havasu South Area during FY 2011.

Kingman Field Office

Department personnel assisted in Travel Management Planning route evaluations for the Black Mountain Unit at the BLM Kingman Field office June 7-9th.

Department personnel met twice with BLM's Wild Horse and Burro Program State Lead, and initiated work with BLM Kingman staff on an EA for management and removal of excess burros in the Black Mountain Ecosystem HMA. Department personnel recently assisted BLM with a 3 day helicopter burro survey in the Black Mountain HMA. Regretfully, weather conditions and a compressed survey schedule contributed to less than optimal survey effort. The Department is awaiting a population census estimate from BLM extrapolated from this survey. That population estimate will be compared with burro survey results derived from the 2009 bighorn sheep surveys conducted by AGFD in the Black Mountain HMA. Results from both surveys will be analyzed by Department personnel and BLM staff to guide upcoming management and planning efforts for the Black Mountain HMA.

Phoenix District Office

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

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 Fall of 2010.

Tucson Field Office

The US Fish and Wildlife Service completed a Biological Opinion on the Middle Gila Travel Management Plan. BLM expects the final plan review to be completed by the state office and available for public comment in May.

Safford Field Office

The Department received an award from the Safford Field Office for our participation in the National Landscape Conservation System. The award was presented in Safford at an event celebrating the tenth anniversary of the system.

BLM NATIONAL MONUMENTS & CONSERVATION AREAS

Agua Fria National Monument

The Record of Decision (ROD) for the Agua Fria National Monument and Bradshaw Harquahala Resource Management Plan was released on April 22, 2010. The Hassayampa Field Office is currently executing portions of this Land Use Plan while concurrently developing an Implementation Strategy that sets priorities and timelines for overall implementation. The plan will eliminate recreational shooting from the monument, but continue to allow hunting. The plan includes a travel management decision to close 52 of 171 miles of inventoried routes on the monument, to all uses and restore them. Another 25 miles will be closed for administrative use

only. Many of the closed roads were redundant or will protect sensitive resources such as pronghorn and archaeological sites. The plan allocates 20,900 out of 70,900 to maintain wilderness characteristics, across the Perry Mesa area. This area currently has few human intrusions and the management goal will be for solitude, primitive and unconfined recreation with minimal recreation development. Wildlife is recognized as one of the important aspects of the area and will be actively managed. This area includes some of the best pronghorn fawning habitat in GMU 21. Grazing management in riparian areas will be limited to winter use only (Nov. 1 – Mar. 1), compared to past practices of year-round grazing. All federal minerals within the monument will remain withdrawn or closed from all forms of location, sale or leasing; including withdrawn from location, entry and patent under mining laws. Federal minerals are also withdrawn from disposition under laws for minerals and geothermal leasing. No lands within the monument can be disposed, leased or sold. There will be high priority for acquisition of private in holdings, with priority on lands recognized as habitat for federally listed species.

Ironwood Forest National Monument (IFNM)

The Tucson Field Office continues to monitor the progress on the proposed final Resource Management Plan and Environmental Impact Statement for the Ironwood Forest National Monument. The BLM State Office and Washington Office have commented on the administrative draft of the Proposed RMP. The Ironwood Forest National Monument plans to publish the Proposed RMP/Final EIS early this summer and complete the ROD/Approved RMP before the end of fiscal year 2010.

Grand Canyon-Parashant National Monument / Vermillion Cliffs National Monument

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

The National Rifle Association is an intervener. The Arizona Game and Fish Department has been granted amicus status, as has Safari Club. The federal government has filed the Administrative Record. The parties and amici are to submit a proposed briefing schedule to the Court this month.

Las Cienegas National Conservation Area (LCNCA)

The Department continues to monitor the reestablishment of black-tailed prairie dog populations at two sites within the LCNCA and is preparing for this year's release. Reproduction has been documented at both sites with a total of 16 pups observed. With the recruitment of volunteers, the Department was able to continue clearing mesquite trees from the area where the next release area will occur. The BLM cut down the mesquite over approximately 25-30 acres which is

partly why we selected this site. The Department has cleared the majority of the mesquite from the area where we would like to release this fall, but continuous removal of mesquite will allow a greater area for expansion. On June 1-4, Department personnel were able to meet with personnel from Comisión de Ecología y Desarrollo Sustentable del Estado de Sonora (CEDES) and the University of Sonora to observe the black-tailed prairie dog colonies that exist north of Cananea in Sonora, Mexico. Two colonies were surveyed for the potential to use them as a source for this upcoming translocation. While one colony appears to be too small, the other is possibly large enough to support removal for Arizona's re-establishment project. There are on-going investigations on the density of the populations that exist within that colony, whether the current landowners will support this project, and the feasibility of acquiring the necessary permits by the fall deadline.

DEPARTMENT OF DEFENSE

Fort Huachuca Integrated Natural Resource Management Plan (INRMP)

In April, the Department was asked to review the final Fort Huachuca INRMP. Comments on the draft INRMP were provided to Fort Huachuca last February. The Department submitted comments on the final INRMP on June 11th, primarily noting the importance of ensuring regulatory compliance is adhered to regarding special status species. Final acceptance of the INRMP requires a letter of concurrence from the Department and USFWS.

U.S. FISH AND WILDLIFE SERVICE

Kofa National Wildlife Refuge (Kofa NWR)

On May 5, 2010, the Department completed the revised Kofa Mountains Complex Adaptive Predation Management Plan and continues to implement the Plan in areas outside of the Kofa National Wildlife Refuge. Additionally, on May 21, 2010 the FWS released a notice of availability for the December 2009 final EA, Limiting Mountain Lion Predation on Desert Bighorn Sheep on Kofa NWR, and Finding of No Significant Impact (FONSI). On April 4, 2010, Department personnel captured a lion in a box trap set in GMU 41, within the Kofa Mountains Complex Predation Management Area. The female lion was collared, processed, and released, and its activities are being monitored by Department personnel. Additionally, the Department removed mountain Lion RMO1 from the Painted Rock Hills on April 12, 2010. The lion had met the offending lion criteria by killing 3 bighorn sheep within the predation management area in a 6-month time period and had also killed at least 11 bighorn sheep.

NATIONAL PARK SERVICE

Petrified National Forest Park

The origins of the Petrified Forest National Park date back to December 8, 1906 with the establishment of the Petrified Forest National Monument by Presidential Proclamation 697, signed by President Teddy Roosevelt. Effective December 9, 1962, and pursuant to the Petrified Forest National Park Act (72 Stat. 69), March 28, 1958 the Petrified Forest National Park (Park) was established, and the National Monument was concurrently abolished.

Petrified Forest National Park Expansion Act of 2004 (Public Law 108-430), passed by Congress and signed by President George W. Bush 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.

Department and Commission concerns regarding, and written opposition to Park boundary expansion proposals (letter from the Commission dated September 13, 2002, and from the Director dated November 13, 2002) was based on the potential effects on the Department's ability to manage fish and wildlife populations, the loss of access and loss of wildlife-related recreational opportunities (e.g., hunting). As stated above, and despite the Commission's written opposition, Park boundary expansion was subsequently authorized by Congress.

Hunting does not occur on the Petrified Forest National Park, nor will it be permitted within the additional lands as they are acquired by the Park. Hunting is not permitted in national parks unless specifically authorized by Congress. Neither the Petrified Forest National Park Act, nor the Petrified Forest National Park Expansion Act of 2004 provided allowances for hunting, though the Petrified Forest National Park Expansion Act of 2004 did include allowances for the continuation of livestock grazing within the boundaries of the authorized park expansion.

Following passage of the Petrified Forest National Park Expansion Act of 2004, and because the permissibility of hunting on Park lands is based on the enabling legislation passed by Congress, the Department has not commented further nor pursued discussions with the Park concerning allowances for hunting. The Department's latest communication with the Park (letter dated April 1, 2010) was to provide written comment on the Petrified Forest National Park General Management Plan Amendment Environmental Assessment (EA), which is intended to establish the overall management direction for the lands covered by the Petrified Forest National Park Expansion Act of 2004.

In the April 1 letter, the Department acknowledged that hunting would not occur on Park lands, but nonetheless stressed that these lands remain an important component of north-eastern Arizona's wildlife habitat, and hold potential for non-consumptive wildlife recreational opportunities. In light of existing and likely future development within north-eastern Arizona, lands protected from development will become increasingly important in protecting Arizona's wildlife heritage and wildlife recreational opportunities into the future. Although consumptive wildlife recreational opportunities are not included in this potential, Park lands should provide the Department opportunities to pursue other important aspects of the Department Mission including the conservation, enhancement, and restoration of Arizona's diverse wildlife resources and habitats, as well as providing wildlife resources for the enjoyment, appreciation by present and future generations (non-consumptive).

GENERAL UPDATES

AZ Sportsman for Wildlife Conservation Memorandum of Understanding (MOU)

The Department has identified 10 potential pinyon-juniper treatment areas on the North Kaibab Westside Project and forwarded them to the consultant for Arizona Sportsmen for Wildlife Conservation. A field trip to look over the sites is being planned.

Arizona State Land Department

The Department is working with the Arizona State Land Department to try and avoid, minimize, or mitigate impacts to flat-tailed horned lizards (FTHL) and other wildlife from a proposed agricultural lease in Yuma County. The proposed agricultural lease would convert 4,958 acres of creosote-bursage habitat that are currently suitable and occupied by the FTHL, into agricultural. Department personnel met with ASLD personnel on June 7, 2010 to discuss conservation options, but the application remains pending.

Bill Williams River Corridor Steering Committee

The Department continues to work with the Bill Williams River Corridor Steering Committee agencies to manage releases from Alamo Dam and attended the April 20, 2010 Steering Committee meeting. The Committee, researchers, and stakeholders are working to develop a bio-compile report and a long term science, monitoring, and compliance strategy for the Bill Williams River corridor, focusing on linking management, research, and monitoring needs. The next Steering Committee is scheduled for July 7, 2010.

Central Arizona Grasslands Strategy Projects

Implementation Team

The Central Arizona Grassland Strategy was developed through an interagency team effort with representative signatory parties including the Department, Prescott and Tonto National Forests and the BLM Phoenix District. The team's mission was to develop an integrated management strategy for conservation and restoration of grassland ecosystems and associated pronghorn populations in central Arizona. An Implementation Team was created to identify projects and funding opportunities, prioritize projects and incorporate into annual work plans and track progress through annual reports and a spatial geodatabase. The team will provide a progress report to the sponsors at the conclusion of each meeting. Project proponents will provide progress updates on the projects listed in the annual work plan. Agency sponsors will be responsible for incorporating the team work plans into agency priorities, strategic planning and budgets. The Team will be having a planning meeting in late June early July to discuss FY 2011 priorities and funding.

Gmu21- Sycamore Mesa & Agua Fria Antelope Habitat Improvement Project

The Department continues to oversee contract work to hand cut and pile juniper trees in preparation for prescribed fire by project partners (BLM and Prescott Nat. Forest). The project goals are to improve habitat for grassland obligate species and create corridors of movement for pronghorn in GMU 21. The project was initiated with the cooperation of BLM- Phoenix District in 2004 and has received funding and staff support by both agencies every year since. In 2009, the Department completed NEPA compliance with the Prescott NF and entered into an MOU to expand the grassland restoration project across another 2,367 acres, with a combined total of approximately 5,600 acres. Approximately 966 acres have been treated in FY 2010 to date. The treatment uses hand crews with chain saws. Branches and tree boles are cut to a height of no more than 12 inches above the ground surface. Branches are pile on stumps for prescribed fire and a portion are scattered to allow retention of soil moisture, creating microclimates conducive to the production of grasses and forbs. Stringers of trees associated rocky ridges and canyons are left to provide thermal cover and travel corridors for mule deer and other species.

Anvil Rock

Juniper eradication continues on the Anvil Rock Ranch, creating corridors of movement for pronghorn and improving habitat for grassland obligate species. The project is restoring approximately 1,100 acres of Grassland, and is being completed with the use of hand crews with chain saws.

Yolo, and 7-Up Ranches

Treatment is also underway on the first of 6 treatment blocks targeted for juniper eradication on the Yolo and 7-Up Ranches. If funding for Central Arizona Grasslands Strategy projects remains secure in upcoming years, at its completion, this project will have treated roughly 15,000 acres of juniper-encroached grassland in northwest Yavapai County.

City of Flagstaff

The Department continues its work writing and editing wildlife and habitat related sections of the Flagstaff Regional Plan revision, including the Environmental Planning and Conservation element and the Open Spaces element. This work is being done in collaboration with the City and Coconino County. Department representatives are also involved with planning and facilitating meetings of the Regional Plan Citizen's Advisory Council (CAC) during which these sections of the plan are being presented for public comment. In addition, the Department continues to facilitate initial scoping of a potential Conservation Lands System (CLS) for incorporation into the revised Plan. This includes providing wildlife and land use guidance to an informal group of local scientists and naturalists who are developing an inventory of the greater Flagstaff area's biological resources to be used in support of a CLS, and development of an introductory presentation to the CAC which has been rescheduled for July.

City of Surprise

The Department provided a presentation on wildlife habitat linkages to the Mayor and members of the City Council in May, in collaboration with the City of Surprise Planning and Development Department. The presentation focused on the conservation values and ecological need to preserve undeveloped habitats as linkages between the White Tank Mountains, the Hassayampa River corridor and surrounding wildlands within the Belmont/Bighorn mountains and Vulture/Hieroglyphic mountains. The Department will make a joint presentation with Surprise Community Development staff to the Northwest Regional Citizens Group to gauge community interest in preserving linkages through the future footprint of the City of Surprise. The Department is also finalizing GIS analysis of a fine-scale linkage design for the White Tank Mountain ecosystem.

Habitat Conservation Plans (HCP)

The Town of Marana continues to work on finalizing their HCP and EIS. The City of Tucson has finished work on their current Section 6 HCP grant which included completion of an HCP and EA on City of Tucson-owned lands in Avra Valley. The City was awarded another grant to continue work on their Greater Southlands HCP and EIS. Pima County is finalizing an ecological monitoring plan in support of their multi-species conservation plan. The County may apply for a Section 10 permit as early as this summer.

Lake Pleasant Regional Park Agua Fria Conservation Area Management Plans

The Arizona Game and Fish Department is participating in a multi-agency planning effort to develop public use alternatives in the north-west Lake Pleasant management area. The focus area includes county, state, and BLM lands and will involve public meetings to gather user input to enhance agency decisions and steer management alternatives.

Lower Colorado River Multi-Species Conservation Program

The Department is partnering with the Bureau of Reclamation (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. Initial vegetation clearing is scheduled to begin in 2011, with the restoration activities completed in 2014. Reclamation is coordinating with the Department and other stakeholders to complete NEPA compliance, ESA, and other permitting requirements. The Bureau of Reclamation will maintain the habitat through 2055 under the LCRMSCP.

The Department continues to work with Reclamation, BLM, FWS, the City of Scottsdale and Freeport McMoran toward the acquisition of Planet Ranch land and water for LCR MSCP purposes. If successful, the Department would acquire approximately 3,400 acres of land and 4,000 acre-feet of water at Planet Ranch, and would enter into a 50-year long-term lease agreement with Reclamation to manage the property for LCRMSCP purposes. Regular meetings and coordination will continue with the objective to complete the process in 2011.

The Department continues to work with Reclamation, the Cibola Valley Irrigation and Drainage District (CVIDD) and local farmers in the management of the Cibola Valley Conservation and Wildlife Area (CVCWA). The Department is currently working to determine the appropriate responsibility and liability for county taxes and CVIDD assessments being levied against the Department, as well as, public access and CVIDD easement issues in the valley.

Maricopa County Ordinances P-28 and P-27

On Friday June 11th, 2010 the Department received the latest version of Ordinance P-28 from the Maricopa County Air Quality Department. The latest version incorporates significant changes that will help allow reasonable access. The County does not anticipate holding another public workshop to address the changes. Once the revision is finalized it will go to the Maricopa County Board of Supervisors for approval, at the earliest this will take place in August 2010.

OHV Dust Task Force

The Department continues to meet with representatives from the Bureau of Land Management; US forest Service, Arizona State Parks, Arizona State Land Department, and the Arizona Department of Environmental Quality. The group is continually developing and implementing new strategies to deal with PM₁₀ emissions attributed to OHVs while providing reasonable access. The group will invite Maricopa and Pinal County to join the group since they are at the center of the current air quality concerns and are conducting overlapping efforts. Recently, the EPA ruled against ten proposed PM₁₀ air quality exceedances that were attributed to weather

conditions (high wind). The significance is a loss of millions in highway funds. This trend by the EPA could threaten all dust generation activities including OHV access.

Pinal County PM₁₀ Non-attainment Area designation

In mid-March the Governor’s office forwarded their recommendation for the PM₁₀ non-attainment boundary for Pinal County. The Department had met with both, the Arizona Department of Environmental Quality and the Pinal County Air Quality Department to discuss the proposed PM₁₀ non-attainment area (NAA) boundary for Pinal County, subsequent plan for attainment, and the possible effect on access. Several agencies as well as non-governmental organizations weighed in on the designation area. The Governor submitted proposal reflected a change to the boundary that is favorable to access for wildlife related recreation and furthermore appropriately addresses the areas that are responsible for the PM₁₀ emissions. The EPA has submitted its preliminary findings and did not approve the Governor’s proposed boundary. ADEQ is currently awaiting the re-designation from the EPA but believes that the boundary will grow. The new boundary should be out by the end of the summer.

Northern Arizona Shooting Range (NASR)

The Department has sent the Governor a letter requesting her approval of the Foster Ranch property acquisition. Funding for the purchase has been loaded into the escrow account. Additionally, the seller has executed the purchase agreement and has provided it to the Department.

Renewable Energy Development

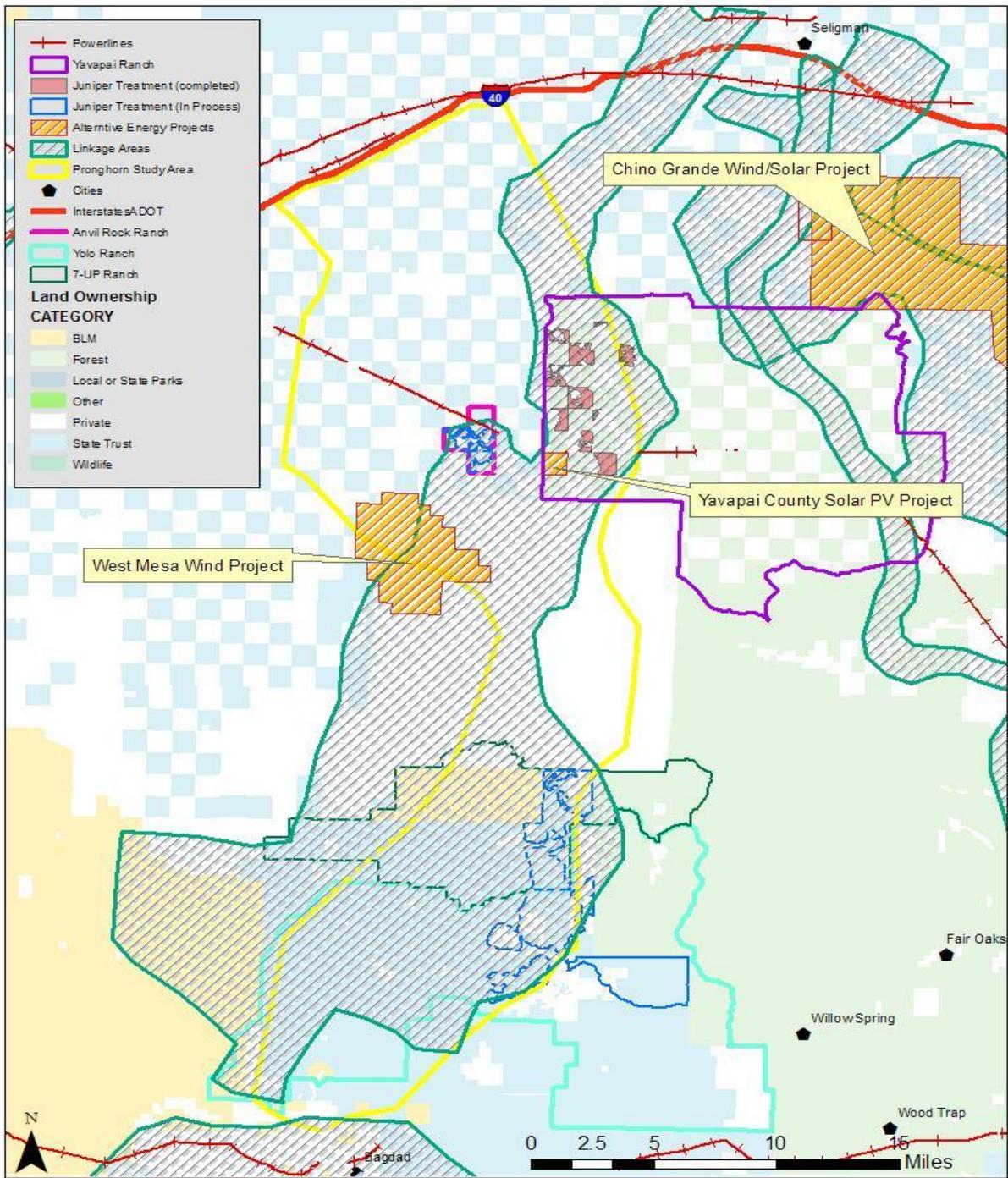
Solar

Department personnel continue to work with BLM, FWS, ASLD and other agencies regarding numerous solar projects being proposed within Region IV (see table below).

Name	Applicant	County	Land	Acres	Project Status
McMullen	Horizon Wind Energy	La Paz	BLM	32,959	Discussions with Department
Aguila	Horizon Wind Energy	Maricopa	BLM	11,866	Discussions with Department
Harquahala Valley	Starwood	Maricopa	Private	1,968	Begun county & ACC compliance
Solar Reserve Quartzsite	Solar Reserve	La Paz	BLM	26,241	Begun NEPA compliance and has asked Department to work as cooperating agency
Solana	Abengoa	Maricopa	Private	3,120	Begun NEPA and county compliance; completed ESA Section 7 compliance
Mesquite	Sempra	Maricopa	Private	2,406	Begun county & ACC compliance
Palomas	NextLight	Yuma	BLM	2,303	Begun NEPA compliance
Palomas	NextLight	Yuma	BLM	1,830	Begun NEPA compliance
Enviromission	Enviromission	La Paz	ASLD	11,380	Discussions with Department
Ranegras	Iberdrola	La Paz	BLM	25,751	Discussions with Department
Hyder Iberdrola	Iberdrola	Maricopa	BLM	1,538	Discussions with Department
Hyder	Solar Reserve	Yuma	ASLD	2,568	Discussions with Department

Crossroads	Solar Reserve	Maricopa	Private		Comprehensive Plan Amendment
AVSE I & II	Arlington Valley	Maricopa	Private	2,200	Begun county & ACC compliance
Aqua Caliente	NextLight	Yuma	Private	2,372	Discussions with Department
Verma Solar Hyder	Verma	Yuma	Private	100	Comprehensive Plan Amendment
AVSE I & II	Arlington Valley	Maricopa	ASLD	4,900	ASLD lease review
Solar Entitlements	Archaeological Consulting Services	Yuma	ASLD	320	Discussions with Department
Golden Sands	Res America Developments	Maricopa	BLM	3,200	Comprehensive Plan Amendment

At the May Coordinated Transportation-Land Use Planning Meeting between Prescott ADOT and Yavapai County (CT-LU), the Department became aware of a newly proposed, utility-scale Photovoltaic Solar Energy facility in Yavapai County. The proposal is on the southern portion of Yavapai Ranch, roughly 2 miles north of the Baca Float. The proposed facility is located in an area recently identified as a wildlife linkage in our stakeholder process, and is in close proximity to recent, current, and upcoming management efforts to improve habitat for wildlife in the area. Additionally, it falls within the area Central Arizona Grasslands Strategy Area. *(See map that follows).*



Due to concerns about site placement for this project, the Department has provided Yavapai County with initial project-related concerns and recommendations associated with this project.

Sonoran Solar

The Draft Environmental Impact Statement (DEIS) for the Sonoran Solar project was released for public comment May 28, 2010. The Department continues to work closely as cooperating agency to address wildlife concerns related to the project. The Department has developed a survey proposal to locate burrowing owls, kit fox and badger known to occupy burrows within the development footprint. The BLM is considering an additional mitigation measure for kit fox and badger to avoid project related direct or indirect impacts to these species. The Department recommends a complete survey of the proposed development area and relocation of individuals prior to construction. Methodologies may include techniques to evaluate success post-relocation. The BLM has already include similar mitigation measures for burrowing owls in the DEIS. The project proponent is still evaluating Department proposals to fund wildlife research to evaluate community level impacts to local wildlife as a result of the solar development as well as potential research on wildlife movement patterns within an adjacent area of BLM land identified by AGFD as a wildlife linkage. No commitment to the research has been made to date. There is currently no research to evaluate impacts of large-scale solar development on wildlife or surrounding habitats. The Department considers the research a critical first step to informing future projects on how to avoid, minimize or mitigate impacts to wildlife at future project sites. The BLM has not required any additional compensation for habitat loss as a result of the project.

Wind

Department representatives were recently invited to a preliminary presentation by NEXTERA to a ranch group regarding establishing wind generation on their ranch. During the presentation representatives of NEXTERA mentioned that they had reviewed the Department's wind guidelines and planned to follow all of the recommendations.

Dry Lake

Iberdrola's special use permit for construction of Dry Lake Phase 2 was approved by the Navajo County Board of Supervisors on June 8. Phase 2 will consist of approximately 31 turbines. Construction is scheduled to start in July and commissioning will be early 2011.

Rosemont Copper Project

The Department continues to participate closely with the Coronado National Forest and other cooperating agencies on the proposed Rosemont Copper mine and is currently reviewing technical reports used in the Environmental Impact Statement (EIS). The Department has commented on several of these reports and will continue to provide comments to the Forest Service (FS) as additional reports are released and reviewed. Several of the technical reports the Department would like to review have not yet made available. The draft EIS scheduled for review by cooperating agencies in April is yet incomplete. No revised timeline for the EIS has been announced by the FS who are renegotiating their memorandum of understanding with Rosemont.

SunZia Transmission Line Project

SunZia is a high-capacity transmission (power) line approximately 500 miles long, beginning in northeastern New Mexico and terminating near Eloy, Arizona. SunZia proposes to construct and operate up to two 500 kilovolt transmission lines, metal towers, service roads, and several new intermediary substations. Project proponents claim the new transmission lines are needed to deliver renewable energy resources to the western United States. The Department provided

comments on several routes proposed for the transmission line. Some of the proposed routes could have a substantive negative impact on wildlife, habitat, and our constituents.

BLM is responsible for preparing an environmental impact statement (EIS), a draft of which is scheduled to be released in late 2010. Currently, the SunZia project is in the public scoping phase. Cooperating agencies participating in the scoping or involved in reviewing the EIS include the U.S. Army Corps of Engineers, U.S. Army White Sands Missile Range, U.S. Fish and Wildlife Service, New Mexico State Land Office, Arizona State Land Department, Arizona Game and Fish Department, and numerous other federal, local, tribal, and state agencies. Thus far stakeholders have submitted comments expressing concern for potential environmental impacts to ranching, private lands property values, biological resources, visual resources, local economics, invasive species, and unauthorized off-road traffic on the access roads.

Transportation

Northwest Cochise County-Benson Transportation Planning Project

The Department continues to work with the Arizona Department of Transportation (ADOT), 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 provided input to ensure any planned structures (e.g., roadways, bridges, fences, culverts) minimize impacts on wildlife and habitat. The northwest section of Cochise County is of particular interest to the Department because three potential wildlife linkage corridors pass through the planning area. ADOT will release the plan in June for public review and comment.

US60

US60 Superior to Globe meeting was to be held on June 10th with Department representation, now re-scheduled for July 8th. The May meeting was cancelled and the June meeting was postponed due to the delay of the public hearing/comment period, as many local residents are not in the area over the summer. The Draft Environmental Assessment is being completed and the study team intends to keep agency partners informed of the progress. Before a public meeting transpires, the study team will be meeting with agency partners, to share the information, gain certainty in having all foreseeable issues addressed, and share what will be presented to the public. The meeting is anticipated to update the project team up on the status of the environmental investigations for the tier two design concept alternative evaluations, the FHWA/ADOT approved Corridor Alternatives to carry forward, a working session on the detailed engineer design concept alternative (DCA) alignments, and graphic presentation of the environmental considerations. The Department has recently submitted comment on the modified Purpose and Need statement for the project.

SR 87

Highway construction to improve north and south bound lanes of SR87 between Four Peaks Road and Dos S ranch north of Fountain Hills is due to start this summer. The Department is working closely with ADOT and the Tonto National Forest on the future construction of a tortoise fence along a 1 mile stretch of the project as a mitigation measure to reduce roadway

mortality of Sonoran Desert tortoise populations in the area. The Department has conducted various research of the tortoise populations on both sides of the highway over more than a 20 year period. The Department will be participating in pre-construction meetings with contractors to closely coordinate removal and relocation of tortoise from the project area during construction. Department staff have conducted pre-construction roadkill surveys to determine the level of roadkill prior to installation of the tortoise fence. During the initial survey remains of 11 tortoises were found on the highway right-of-way, thought to be from tortoise activity periods of the previous summer. This information provides a critical baseline to evaluate the success of a tortoise fence mitigation measure. The Department will also install video cameras on culverts to evaluate if tortoise attempt or successfully utilize culverts to move between habitats on either side of the highway right-of-way. The Projects have been funded as mitigation by ADOT.

McDowell Parkway

The Maricopa County Department of Transportation (MCDOT) has completed the McDowell Parkway Corridor Feasibility Study and has identified the preferred alignment for a future parkway that will extend McDowell Road west from Goodyear along the southern extent of the White Tank Mountains, across the Hassayampa River to the Tonopah Salome Highway. The future parkway will impact conservation goals to preserve a wildlife habitat linkage between the White Tanks and the Buckeye FRS1 flood control dam. The Department has worked closely with the Maricopa County Flood Control District through a recent planning process to rehabilitate the dam and manage the flood pool right-of-way north of the dam for wildlife habitat and linkage values, as well as passive recreation opportunities for neighboring communities. The parkway alignment will also traverse habitat between two important mine sites, Golden Eagle Mine #2 and Valencia Mine Prospect (~ 1/3 mile apart). The Golden Eagle Mine is an important winter roost for approximately 690 (2008 AGFD survey) California leaf-nosed bats. The Valencia Mine site is a lek site for males displaying during mating. Department staff have determined through monitoring that foraging is limited to a 2 mile radius of the mine site during the winter. The Department recommended re-evaluation of the alignment to avoid development around these sites and incorporate a buffer into future development plans; however alignments that minimize impacts to private land interests and the Army National Guard property took precedent during the decision making. Preserving natural vegetation and minimizing artificial lighting are additional strategies to minimize impacts. A copula was installed September 2005 on the Golden Mine site by the Department's Development Branch, to protect this important winter bat roost.

Wildlife Linkages/Corridors

Coconino County

The Department continues to collect input on wildlife corridor locations from stakeholders who were not able to attend the March stakeholder workshop, including a recent visit with biologists from the Hopi Tribe. Department staff is actively working on a county-wide linkage report which will include a GIS map and database. The Department is reviewing stakeholder input to aid in the selection of high-priority linkage areas for fine-scale GIS corridor modeling and will soon meet with County staff to share our findings.

Maricopa County Wildlife Linkages Workshop

The Department continues to work on finalizing a map of linkages identified in a stakeholder workshop to be presented in a Maricopa County Linkage Assessment report. A subcommittee for the Arizona Wildlife Linkages Workgroup (AWLW) is currently drafting a report template that will be used for all county level linkage reports produced from public input at the various county

linkage workshops. Maricopa County Linkage Workshop was the first to be held February of 2008.

Pinal County Wildlife Linkages Workshop

The Pinal County Wildlife Linkages Workshop was held on May 5th in Florence. Similar workshops have been held with stakeholders in Yavapai, Coconino, and Maricopa Counties. Stakeholders in the Pinal County workshop refined the results from the 2006 Arizona Missing Linkages Report and provided new or more detail information. Participants identified on maps, large blocks of habitat and/or designated open space, existing and future developments, roads and other barriers to wildlife movement, and known wildlife corridors. Approximately 65 individuals attended the workshop including landowners, local government agencies, one Native American Tribe, Forest Service, Fish and Wildlife Service, Bureau of Land Management, State Parks, ADOT, and non-governmental agencies.

Pinal Partnership Open Space Initiative Workshop

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

Yavapai County Stakeholder’s Workshop

As a follow up to our successful stakeholders’ workshop held in Prescott Valley in November of 2009, the Department will be hosting its follow-up workshop in the Town of Mayer, from 9:00 am -12:00 pm of July 21, 2010. The Workshop will take place at the Orme School of Arizona.

Yavapai County General Plan

As a result of cooperation and involvement in the CT-LU Planning effort, the Department has been invited to participate in drafting the environmental component of Yavapai County’s forthcoming General Plan. To date, linkage data from the Yavapai County Linkages Project, along with Wind, Solar, and Wildlife Friendly Development Guidelines, have been provided to Yavapai County for recognition and inclusion in the soon-to-be-revised General Plan. Additionally, the department has made recommendations for plan language and involvement in Yavapai County’s Planning and Zoning Review Process.

Fellow Arizonans,

The Arizona Game and Fish Commission (Commission) is proud to support Proposition 109, which will help ensure a future for hunting and fishing opportunities in our state. We urge your support for this proposed constitutional amendment, which will safeguard these traditions for future generations. Ten other states have already recognized the right to hunt and fish in their constitutions.

When approved by the voters, Proposition 109 will amend Arizona's constitution to elevate wildlife harvest to the level of protection and distinction it deserves, helping to ensure that hunting and fishing remain an integral part of wildlife management in Arizona. Funds generated through sale of tags and licenses to sportsmen and women are essential to wildlife conservation efforts. This amendment protects the Commission's ability to continue to benefit from use of lawful hunting and fishing as management tools.

We ask you to assist us, the Commission, in preserving these traditions and ensuring that we may all continue to experience Arizona's outdoor heritage. Thank you for your support.

The Arizona Game and Fish Commission



For
file
record

To: The Arizona Game & Fish Commission & Senior Staff

From: MOU Mexican Wolf Draft 22, 6/14:2010

I have reviewed this document and offer the following questions and suggestions for your consideration.

While Mexican wolf recovery is necessary and important, we have a larger responsibility to manage our interaction with nature systems in order to preserve their ecological values for the future. That responsibility means we cannot risk long-term natural values for the sake of limited, short-term special interests.

A growing body of scientific literature documents the important role top predators play in maintaining natural systems. Highly interactive species help promote native biodiversity. Native biodiversity enhances nature's ability to cope with rapid change and thus deliver effective ecological services into the future. But the MOU does not acknowledge the importance of effective ecological functions. It should prohibit anything that contributes to loss of natural values. You offer compensation if consumptive uses are stressed but do not provide for a quid pro quo to mitigate on behalf of the conservation of nature.

I request that the parties agree to a conservative stipulation that the MOU will not condone activities that diminish effective ecological function or performance. The MOU should specifically encourage native biodiversity to include a reasonable spectrum of predators.

Wherever human uses are protected, those uses will include and acknowledge promoting effectively functioning natural systems essential to our long-term well-being. Whenever compensation or mitigation is referred to, it should include the same consideration for loss of value for a healthy ecosystem.

Similarly, there is a provision that allows for any jurisdiction to excuse itself from the agreement if it lacks the resources to comply. I suggest that all parties be made to recognize that resources are limited and priority must include investing in the entire biotic community and not just short term limited interest.

This MOU should identify stewardship of healthy living natural systems as a priority. Accordingly it would be better if its focus were on the conservation of natural resources to include the recovery of Mexican wolves.

My comments are relevant to a balanced and natural land management approach across jurisdiction, but they are especially relevant to public lands which are in service to the commons across generations. I would be happy to provide more information and supporting literature upon request.

Thanks for your consideration.

Jeff Williamson
President
Arizona Zoological Society