

Minutes of the Meeting of the  
Arizona Game and Fish Commission  
Friday, March 11, 2011  
Arizona Game and Fish Department  
5000 West Carefree Highway  
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

Chairman Robert R. Woodhouse  
Vice Chair Norman W. Freeman  
Commissioner Jack F. Husted  
Commissioner John W. Harris  
Commissioner Robert E. Mansell

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

Chairman Woodhouse called the meeting to order and lead those present through the Pledge of Allegiance. The Commission introduced themselves and Chairman Woodhouse introduced the Director and the Director's staff. This meeting followed an agenda dated March 2, 2011.

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#### Awards and Recognition

Commissioning Ceremony – Karin Vega, Law Enforcement Program Manager, was sworn in by Director Voyles.

Commissioner Husted requested a moment of silence for the victims of the recent earthquake and Tsunami.

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

**Presenter:** Anthony Guiles, Legislative Liaison

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

##### State Legislation

HB 2358: Wildlife; Guides; Wasted Meat

- Passed House (57-1); Passed Senate Nat. Resources and Transportation Committee (6-0).

HB 2396: Game and Fish; Trophies; Enforcement

- Passed House (59-1); Will be amended in Senate to include Fingerprint Clearance language.

## SB 1334: Hunting Within City Limits

- Passed Senate (20-9); Referred to House Jud.

## SB 1229: Recreational Users; Landowner Liability

- Passed Senate (29-0); Passed House Jud (9-0).

## HB 2623: Landowner Prohibition of Hunting; Posting

- Passed House (56-0); Ready for Senate
- An amendment will have to be done on the Senate side due to a technical error in the House. The amendment is the language that the Department suggested.

## HB 2314: Lake Improvement; Boating Safety; Funds

- DPA House Agriculture and Water (9-0); DPA House Appropriations (12-0); Passed House Rules (9-0); Heard in House COW on March 10.

The Commission discussed that they should support this bill. The Department has been working to help draft the language and make sure that it includes the mechanics for how the program would be administered.

**Motion:** Husted moved and Mansell seconded THAT THE COMMISSION VOTE TO SUPPORT HB 2314.

**Vote:** Unanimous

## HB 2102: License Eligibility; Authorized Presence

- Passed House (46-12); Assigned to Senate – Requires any individual licensed through a state agency, department, board or commission to provide documentation of citizenship or alien status indicating the individual's lawful presence in the United States.

## SB 1547: Line Siting; Interstate Transmission Lines

- Purpose - Exempts a person who is contemplating construction of certain interstate transmission lines from Power Plant and Line Siting Committee requirements. The transmission line must have been the subject of a National Environment Policy Act process that caused the issuance of a final environmental impact statement in the federal register by the lead federal agency conducting the analysis
- Provisions – 75 days for the Arizona Corporation Committee (ACC) to issue a certificate (valid for 15-yrs) eligible for renewal; if no action is taken by ACC within 75 days, certificate must be issued
- Amendments – Requires ACC to accept finding of need in NEPA (EIS); final EIS as *prima facie*
- Last Action on February 24 – Passed Commerce and Energy Committee (5-1).

Mr. Guiles briefed the Commission that the state process and the federal process are different, so this bill would eliminate the state process and only the federal process would be used. The bill hasn't moved since February 24 and to his understanding they are still trying to find some resolution. The Department would like to see the state process be included in the line siting process.

Commissioner Woodhouse agreed that the state process is needed.

The Commission was in consensus that the State needs to have some say in where the transmission lines are going.

Mr. Guiles will keep the Commission informed as this bill moves forward.

#### SB 1294: Aquatic Poison Application

- Purpose - Application of rotenone or antimycin A to any body of water is prohibited unless an impact analysis of risks is submitted to the Dept of Environmental Quality. The Dept shall grant the application if it determines the environment, humans or livestock will not be harmed. Violation is either a class 1 (highest) misdemeanor or a class 6 (lowest) felony, depending on the severity
- Passed Senate (21-8); Referred to Energy and Natural Resources Committee; Stakeholder meetings with ADEQ, Town of Patagonia, Cattle Growers; Potential Study Committee.

This bill is on top of the Department's radar. The Department is working with the Legislature on the issues and will keep the Commission informed as it progresses.

The Commission discussed with Mr. Guiles that even though they have taken a position to oppose SB 1294, they should probably take a position again since there have been changes to the language in the bill. The Commission still has major concerns with this bill.

Commissioner Woodhouse reiterated that while the Commission opposes this bill, the Commission and the Department still stand ready to have a study committee and work in detail on the issues that initiated this bill.

**Motion:** Freeman moved and Husted seconded THAT THE COMMISSION VOTE TO OPPOSE ANY FURTHER RESTRICTIONS ON THE USE OF ROTENONE OR ANTIMYCIN A IN THE STATE OF ARIZONA AND THAT THE COMMISSION ALSO PROVIDE A STUDY GROUP MECHANISM FOR CONCERNED CITIZENS TO HAVE INPUT AND DISCUSS ANY ISSUES AND CONCERNS AROUND THE DEPARTMENT'S USE OF ROTENONE OR ANTIMYCIN A.

**Vote:** Unanimous

#### SB 1395: Endangered Species Act; Interstate Compact

- Passed BSFSS Committee (5-1) DPA; Received passed recommendations from COW.

#### SB 1392: Mexican Gray Wolf; Interstate Compact

- Passed Senate (21-8); Assigned to House Jud.

#### HCM 2002: Remove Gray Wolf; Endangered Species

- Passed House Environment & Natural Resources (7-2); Passed House Rules (7-0); Passed House (39-20).

Potential Regulatory Policy Items In Budget:

**SB 1335: Hunting at Night; Varmints**

- The Department has submitted language for this bill per Commission direction and has started the rulemaking process.

**Rose Canyon Lake**

- The Commission will address an item later in this meeting.

**Congressional Update****HR 919: Mohave Shooting Range**

- To provide for the conveyance of certain public land in Mohave Valley, Mohave County, Arizona, administered by the Bureau of Land management to the Arizona Game and Fish Commission, for use as a public shooting range
- March 3, 2011 – Referred to the House Committee on Natural Resources.

**Motion:** Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO SUPPORT HR 919.

**Vote:** Unanimous

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**2. Shooting Sports Activities Briefing**

**Presenter:** Jay Cook, Shooting Range Branch Chief

Mr. Cook provided the Commission with a Power Point presentation highlighting several items in the Shooting Sports Activities Briefing that was provided to the Commission prior to this meeting and was available to the public. The report included shooting programs and shooting range development statewide and covered activities that occurred since the February 2011 Commission meeting. This briefing is part of the Department's ongoing commitment to provide the Commission with updates on a regular basis.

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Meeting recessed for a break at 8:55 a.m.

Meeting reconvened at 9:05 a.m.

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**2. (continued) Shooting Sports Activities Briefing**

**Presenter:** Jay Cook, Shooting Range Branch Chief

Mr. Cook continued with an update on the Northern Arizona Shooting Range. The update included the process for the conceptual range design and public comment statistics from two open houses and from the website. There were approximately 186 total comments submitted; 127 were in support of the range design or generally supportive, 28 expressed concerns or

opposition, and 31 comments were unrelated to the Foster Ranch location. The Commission was presented with a draft Master Plan of the range design (attached) and a list of potential sound mitigation strategies being considered by the Department. The Department requested Commission approval of the range design as presented.

### Public Comment

#### Region II, Flagstaff:

Diane Chung, Superintendent for the National Monuments in Flagstaff and representing the National Park Service: Provided information related to the conceptual Master Plan from the National Park Service's senior scientist in their Natural Sounds Program in Ft. Collins, Colorado (Additional information available on the National Park Service website). Comments included that 1) the orientation of the 800 yard long distance rifle range is problematic because these projectiles are supersonic and the range is aimed directly at the eastern end of Walnut Canyon National Monument, 2) the potential orientations within the sporting clay field and trap and skeet field may also project a lot of noise towards the Monument; and 3) the design of the target area is not specified. In conclusion, if all weapons are oriented away from the Park and some care is taken in designing berms, walls and target areas, and if hours of operation are limited to periods when temperature aversion would be unlikely, then gunshots would not normally be heard in the Park.

Tom Mackin, Coconino Sportsmen: Supports the NASR project and thanked the Commission for their efforts.

Tom Britt, representing himself: Supports the NASR; a shooting range in the Flagstaff area has been needed for many, many years.

James Mehen: Supports the NASR. (Turned in a Speaker Card in support, but did not speak)

Dennis Hall: Submitted a Speaker Card in support of the NASR; Did not speak but comments on back of card included that people needed to get out of the cinder pits, especially for law enforcement training.

#### Region V, Tucson:

Zack Taylor, Competitive Rifle Shooting Ranges: Supports the NASR, but it needs to accommodate long range high-powered rifle shooters; The only long range rifle range in Arizona is the Ben Avery and seven months out of the year it is unusable because it is too hot, unbearable and dangerous; Competitive ranges must face north, they are rectangular and they must have target butts. You cannot develop any kind of marksmanship program without a suitable range.

Chairman Woodhouse asked Mr. Taylor to explain for the record why ranges needed to face north.

Mr. Taylor stated that being in the northern hemisphere, the sun is in the southern sky, and if you face east or west you are either facing the morning sun or the evening sun. So if you don't face north, users won't use the range and it's not useful for the purpose of competitive shooting.

Richard Luckett, Arizona Trap Shooting Association and Amateur Trapshooting Association: Supports the NASR; holding a trap shooting event in July in Northern Arizona will really be a benefit to the State of Arizona trap shooters; it will bring people in from other states as well.

Phoenix Headquarters:

Perry Shirley from Flagstaff: Supports the NASR; Did not speak but wrote comments on the back of Speaker Card; Comments included particular support of a long range facility; expressed concern that the Master Plan does not accommodate expansion to a regional facility in the future as the Commission's objective states; Urged the Commission to not approve a Master Plan that does not support a long range facility along with the other shooting disciplines.

Bill McLean from Mormon Lake and Gold Canyon: Supports the NASR. Mr. McLean shared some information that he recently learned as follows: It is common to have shooting ranges on National Park facilities. National Park facilities actually support, maintain and administer their own shooting ranges. The Grand Canyon National Park has two shooting ranges within the National Park boundaries, one at the south rim and one at the north rim. Mr. McLean asked Mr. Cook to comment on discussions he had with the folks that run those facilities.

Mr. Cook informed the Commission that he contacted staff at Grand Canyon National Park. Both ranges are about 1.5 miles from the visitor centers. There are about 125 Park officers that train and use those facilities. The staff at Grand Canyon National Park stated that they have not received any calls with complaints or any significant issues from those activities.

Mr. Woodhouse asked Ms. Chung where her officers did their training to maintain their qualifications.

Ms. Chung stated that the officers train near Wupatki National Monument and at the Grand Canyon ranges. The Wupatki location is an informal range and the officers take their own targets and remove them when they are done.

Chairman Woodhouse asked Ms. Chung if he were to go shooting at the Wupatki location, would he be considered a wildcat shooter.

Ms. Chung stated that he would and added that she would prefer the rangers to train at a location developed by the Game and Fish Department.

**Motion:** Harris moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE NORTHERN ARIZONA SHOOTING RANGE MASTER PLAN AS PROPOSED.

**Vote:** Unanimous

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8. Petition by Mr. Cody Harwood for Return of Deer Antlers

**Presenter:** Ron Sieg, Flagstaff Regional Supervisor

Mr. Cody Harwood petitioned the Commission for return of deer antlers from a wounding loss deer recovered eight days after the end of the permitted hunt. On December 28, 2010, Mr. Harwood shot a mule deer buck during his archery hunt. Mr. Harwood pursued the deer for the rest of the day and finally decided to leave it until the next day. Overnight approximately 26" of snow fell making further pursuit impractical. Over the next two weeks, Mr. Harwood spent spare time looking for the deer, even using snowmobiles in the search. Mr. Harwood's tag expired on December 31, 2010. On January 8, 2011, eight days after the end of the hunt, Mr. Harwood found what he believed to be the same deer. He contacted the Department, and Department staff went to the scene and took possession of the antlers.

Commission Rule R12-4-302 states that "an individual shall use a tag only in the season and hunt area from which the tag is valid." Further, Law Enforcement Directive LEM 1011, in accordance with Commission direction under the allowances of ARS § 17-240 states that "generally, the Department has not allowed possession of fresh wildlife parts, where the animal's cause of death is determined to be from other than a natural cause." Specifically, the directive goes on to state "unnatural events would be such things as wounding loss, vehicle collisions or illegal take." It then continues to state, "If the officer determines that an unnatural event, other than illegal activity, has killed the animal, possession of the part will not be allowed."

Mr. Cody Harwood was present and addressed the Commission in support of his petition.

Mr. Darren Harwood, father of Cody Harwood, addressed the Commission on his son's behalf. His son took the proper steps in this situation and he is hoping for a good outcome.

Ms. Laurie Harwood, mother of Cody Harwood, addressed the Commission and emphasized how much the deer meant to her son. Ms. Harwood asked the Commission to consider that and not how many dollars the deer could be sold for at auction.

Each Commissioner individually commended Mr. Cody Harwood for doing the right thing and for being an ethical hunter. The Commission further commented that it is because of the unethical hunter that these rules are in place and must be adhered to. The Commission has had some other recent similar cases involving very ethical and good people and the Commission had to rule against them. The Commission expressed their regrets for this situation, but added that fortunately there is an avenue for Mr. Harwood to obtain the deer antlers and that is through the asset sale.

**Motion:** Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO DENY MR. HARWOOD'S PETITION AND RETAIN THE ANTLERS FOR PUBLIC SALE AT THE ASSETS AUCTION.

**Vote:** Unanimous

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2. (continued) Shooting Sports Activities Briefing

**Presenter:** Jay Cook, Shooting Range Branch Chief

Mr. Noble C. Hathaway, President of the Arizona State Rifle and Pistol Association (ASRPA), provided a Power Point presentation to the Commission on the activities of the ASRPA. The ASRPA oversees all NRA, CMP and Olympic style competition in Arizona. They are active in education and training, especially for juniors, and play an active role in the State's legislative process. ASRPA has been a partner with the Game and Fish Department in supporting and promoting the Ben Avery Shooting Facility since its inception over 40 years ago. The ASRPA promotes many forms of shooting competition throughout Arizona.

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Meeting recessed for a break at 10:45 a.m.

Meeting reconvened at 10:55 a.m.

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### 3. 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 February 2011 Commission meeting and was provided in fulfillment of the Department's commitment to brief the Commission on a regular basis.

Mr. Gray highlighted a couple of activities using a Power Point presentation. Those activities were the recent Challenged Kids Fishing Clinic hosted by Region VI and the Game Rangers Association, and the Junior Jack Camp held in Alter Valley, sponsored by SCI and the Sportsmen's Warehouse. An upcoming event is the SCTP Commissioner's Cups. The Sporting Clays Tournament will be held on March 26, the same day as the Outdoor Expo at BASF. The Trap Meet will be at the Tucson Trap and Skeet on April 23 and the Skeet Shoot will be at BASF on May 7. The Commissioners are invited to attend and help hand out the trophies.

Commissioner Harris requested that these items be on the Commissioners' calendar so that Commissioners can be aware and attend some of these events when possible.

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### 4. Selection of New Members of the Heritage Public Advisory Committee

**Presenter:** Ty Gray, Assistant Director

The Commission was asked to select seven new members from a list of nominees for the Heritage Public Advisory Committee (HPAC). The terms of seven members of the HPAC are due to expire in March 2011. The positions involve one representative from each Region and one statewide representative. The terms are for three years. In accordance with the HPAC Charter, two nominees for each Region and two statewide nominees were provided to the

Commission for their consideration as appointments to the HPAC. Biographical information was also provided. The Commission selected the following nominees using a balloting process:

<u>Region I</u> Nick Lund	<u>Region II</u> Noah W. Stalvey	<u>Region III</u> Henry Dahlberg	<u>Region IV</u> Jonathan Lines
<u>Region V</u> Kerry Baldwin	<u>Region VI</u> Gary Allen	<u>State</u> Jeff Williamson	

**Motion:** Husted moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE NEW MEMBERS OF THE HERITAGE PUBLIC ADVISORY COMMITTEE AS SELECTED IN THE BALLOTING PROCESS.

**Vote:** Unanimous

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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 February 2011 Commission meeting. This update is in fulfillment of the Department's commitment to brief the Commission on a regular basis regarding decisions and actions on all State and Federal lands in Arizona. There were no additional updates provided at this meeting.

Mr. Avey provided one additional update. The BLM has produced a draft EIS for the proposed 20-year withdrawal of uranium on the north rim and a small section around the Tusayan area. Public comments are due by April 4, 2011 and the Department is in the process of preparing those comments. Four alternatives were proposed: 1) No action alternative, 2) approximately one million acres of withdrawal, 3) approximately 600,000 acres of withdrawal, and 4) approximately 300,000 acres of withdrawal. The Department may need to bring this back to the Commission at a telephonic Commission meeting.

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6. 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 Renewing a Special Land Use Permit with the Arizona State Land Department for Continued Use of State Land Currently Managed as Part of the Arlington Wildlife Area.

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

Since 1996, the Commission has had a Special Land Use Permit (SLUP) with the Arizona State Land Department for use of state land that is managed as part of the Arlington Wildlife Area (AWA). The SLUP was acquired for the protection and enhancement of wildlife and habitat. It provides connectivity between AWA, Powers Butte and portions of the PLO 1015 properties. The current Permit is set to expire on April 18, 2011.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE RENEWING A SPECIAL LAND USE PERMIT WITH THE ARIZONA STATE LAND DEPARTMENT FOR CONTINUED USE OF STATE LAND CURRENTLY MANAGED AS PART OF THE ARLINGTON WILDLIFE AREA, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE THE AGREEMENT.

b. First Request for the Commission to Approve an Amendment to the Cooperative Agreement with Salt River Project (SRP) for the Purpose of Stream Gauge Equipment Relocation and Installation of a Monitoring Camera and Related Infrastructure within the Upper Verde River Wildlife Area, Yavapai County, Arizona.

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

The Arizona Game and Fish Department (Department) received a request from SRP to relocate the existing stream gauge measurement equipment out of the high flow channel, install a pole, satellite transmitter, monitoring camera, and solar cells within the Commission's Upper Verde River Wildlife Area (Campbell Ranch Parcel). The current Cooperative Agreement authorized SRP to construct and maintain the gauge for a 10-year period. In order to allow for the additional activities proposed by SRP, an amendment to the Cooperative Agreement (provided to the Commission for consideration) will need to be executed. The Department has determined that the proposed modifications are compatible with the purposes of the wildlife area. This project will allow for the collection and evaluation of accurate surface water flow data specific to the Upper Verde River, which will provide the Department and other resource management agencies with greater management opportunities.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE AN AMENDMENT TO THE COOPERATIVE AGREEMENT WITH SALT RIVER PROJECT FOR THE PURPOSE OF STREAM GAUGE EQUIPMENT RELOCATION AND INSTALLATION OF A MONITORING CAMERA AND RELATED INFRASTRUCTURE WITHIN THE UPPER VERDE RIVER WILDLIFE AREA, YAVAPAI COUNTY, ARIZONA, AND EXECUTE THE AMENDMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL. THE COMMISSION MAY VOTE TO TAKE ACTION ON, OR PROVIDE THE DEPARTMENT DIRECTION ON THIS ITEM.

**Motion:** Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A AND B.

**Vote:** Unanimous

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7. Consideration of the 12A Habitat Stamp Fund Budget for Calendar Year 2011

**Presenter:** Ron Sieg, Flagstaff Regional Supervisor

Each year the Commission is asked to approve the recommended budget for the 12A Habitat Stamp Fund for the calendar year. The Kaibab National Forest and the Department jointly develop this budget proposal. A synopsis of expenditures during calendar year 2010, revenue for calendar year 2010 and planned expenditures for calendar year 2011 were presented as follows:

Calendar Year 2010:

Category	Planned Expenditure	Actual Expenditure
Support of ongoing seeding, herbicide, PJ clearing, arch survey, checkstation staffing	\$56,870.54	\$7,788
Total	\$56,870.54	\$7,788

Calendar Year 2011:

Carryover funds	\$49,083
2010 calendar year stamp sales	
• 1,832 stamps @ \$15	\$27,480
Available funds	\$76,563

Proposed activities:

Project	FS Contribution	Kaibab Tag Fund	Total
FS Westside Kaibab Herbicide/seeding project	\$72,000	\$70,000	\$142,000
Checkstation staffing		\$6,563	\$6,563

**Motion:** Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE 12A HABITAT STAMP FUND BUDGET FOR CALENDAR YEAR 2011.

**Vote:** Unanimous

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## 9. 2011 Director's Goals and Objectives

**Presenter:** Bob Broscheid, Deputy Director

Deputy Director Broscheid provided the Commission with a copy of the Final 2011 Director's Goals and Objectives (attached) with modifications, changes and deletions that the Commission provided at the March 9, 2011 Commission Workshop.

Commissioner Harris requested that Goal #5 be expanded to a goal of the Commission as well as the Department. Accomplishing this goal will help several of the other goals to be successful.

Commissioner Husted agreed and suggested that Commissioner Freeman create a sub-committee with the orders of dreaming big and the Commission will go find the money.

Mr. Odenkirk advised the Commission on their statutory authority related to fundraising. The Commission has the authority to accept donations, but for soliciting donations Mr. Odenkirk advised that the Commission take a more passive role. The Commission can inform and educate the public on the Commission's ability to accept donations and how those donations will be used, but not to go out and actively engage in asking for funds.

Commissioner Woodhouse confirmed with Mr. Odenkirk that the Commission could work in an unofficial capacity (not using Department or Commission resources) through an organization that doesn't have that kind of restraint.

Commissioner Mansell suggested moving fast on this as well because he knows of elementary teachers that are uncomfortable going to the Adobe Mountain Wildlife Center with its current location being at the juvenile detention center.

The Commission discussed foundations and organizations that they might work with and how that might work.

Director Voyles commented that the Commission may not want to lock into any particular organization until the organization's Articles of Incorporation are reviewed for the scope and limits on what they can or cannot do. Also, the Commission may not want to lock into an organization that doesn't have any institutional ties to the Department.

Chairman Woodhouse suggested that the Commission approve this in the goals and objectives and then discuss further at the next Commission meeting. This will give the Department more time for research.

The Commission was in consensus to add to Goal 5 the following language to the beginning of the first sentence: "The Commission and the Department will work collectively to" relocate the Adobe Mountain Wildlife Education and Rehabilitation Facility...

Commissioner Freeman suggested the Commission take action on the changes made at the Commission Workshop before moving on with the Final 2011 Goals and Objectives.

**Motion:** Husted moved and Harris seconded THAT THE COMMISSION VOTE TO REMOVE THE THREE GOALS AS DISCUSSED AT THE MARCH 9, 2011 COMMISSION WORKSHOP. THOSE THREE GOALS ARE 1) THE SHOOTING SPORTS PROGRAM, 2) THE RECRUITMENT AND RETENTION OF HUNTERS AND ANGLERS, AND 3) EXPANDING THE BLACK-FOOTED FERRET POPULATION.

Commissioner Harris commented that removing these goals does not minimize the Department's impacts or efforts on these goals. These goals will continue to be important to the Commission and the Department and the Department will continue moving forward on these goals without having them specifically listed on the 2011 Goals and Objectives.

**Vote:** Unanimous

Mr. Broscheid went through and discussed each goal in the Final 2011 Director's Goals and Objectives. The Commission made the following minor adjustments:

Goal 6: Change "proprietary rights" to "intellectual property" in the last sentence of the first paragraph.

Goal 12: Change term "supplant" to "enhance" (or something similar) at the end of second line, third bullet.

Goal 14: Change first sentence to read: "Department employee morale is of high importance to be monitored by the following deliverables:"

**Motion:** Harris moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE FINAL 2011 DIRECTOR'S GOALS AND OBJECTIVES AS PRESENTED AND MODIFIED AT THE MARCH 11, 2011 COMMISSION MEETING.

**Vote:** Unanimous

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## 12. Call to the Public

There were no requests from the public to speak.

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Meeting recessed for a break at 12:10 p.m.

Meeting reconvened at 1:30 p.m.

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## 10. Commission Rules of Practice

**Presenter:** Bob Broscheid, Deputy Director

Mr. Broscheid presented a draft "Commission Rules of Practice" (attached) for Commission consideration and possible adoption as a guidance document for future Commissions. The

document consists of approaches and rules of practice that the Commission has been operating under over time, but has never officially been codified into one guidance document. Mr. Broscheid briefed the Commission on changes or clarifications made to the document as directed by the Commission at its February meeting.

**Motion:** Freeman moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT THE COMMISSION RULES OF PRACTICE AS PRESENTED.

Commissioner Harris commented on the Commission committee assignments and noted that there should be some language that the new incoming Commissioner will take over the vacant committee position.

Commissioner Freeman agreed that the current practice does not always work out well.

Chairman Woodhouse suggested that Commissioners Harris and Freeman discuss there issues and then bring this back to the Commission for discussion at a future Commission meeting.

**Vote:** Unanimous

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#### 11. Consideration of On-the-Road Commission Meetings for 2011

**Presenter:** Bob Broscheid, Deputy Director

The Commission discussed and considered the possibility of holding future Commission meetings at sites other than the Game and Fish Department headquarters during 2011. The concerns are the costs, and the ability to webcast off-site meetings.

**Motion:** Husted moved and Mansell seconded THAT THE COMMISSION VOTE TO HOLD ONE REGULAR MEETING IN YUMA AND ONE WORKSHOP ON THE EAST SIDE OF THE STATE (MAYBE SIPES) IN 2011.

Commissioner Harris stated that if the Commission passes this motion he would like to see a cost estimate comparison of the meeting in Yuma and a meeting at the Headquarters in Phoenix.

Commissioner Freeman asked that the motion be amended to include a contingency that there be the ability to webcast the public meeting.

Commissioner Husted added that he would like to count the benefit of the off-site meeting as well as the cost.

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

The Department will bring back some dates for the off-site meeting and workshop and present those to the Commission at the April Commission meeting.

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

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

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

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Meeting recessed for a break at 3:45 p.m.

Meeting reconvened at 3:55 p.m.

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13. Law Enforcement Program Briefing

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

Mr. Elms briefed the Commission on activities and developments since the February 2011 meeting relating to the Department's Law Enforcement Program. This briefing was in fulfillment of the Commission's request to be briefed on a monthly basis regarding activities and developments relating to the Department's Law Enforcement Program. The Commission was provided with a written report (also available to the public) and a Power Point presentation by Mr. Elms which highlighted some items in the report including law enforcement training activity, wildlife enforcement activity, watercraft and OHV enforcement activities, and partnerships that were developed and fostered in this reporting period.

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15. Petition by Kevin Herring to change Commission Rule R12-4-517C to allow for the use of non-motorized watercraft on Rose Canyon Lake.

**Presenter:** Raul Vega, Tucson Regional Supervisor

In December 2010 the Department received a petition from Kevin Herring asking the Commission to modify Commission Rule R12-4-517C to allow for use of non-motorized watercraft on Rose Canyon Lake (Lake) for the purposes training for Canoe Safety and Rescue Merit Badges as a part of the Boy Scouts of America program. The proponent of the rule change represents the Catalina Council of the Boy Scouts of America.

Rose Canyon Lake was formed behind a dam constructed by the Department in 1960. The seven acre lake is located approximately 30 miles north of Tucson in Pima County on Coronado National Forest, Santa Catalina Ranger District (Forest) lands in the Santa Catalina Mountains. The Lake sits at an elevation of 7,000 feet and is surrounded by mature ponderosa pines making it a popular summer time destination. The Lake is adjacent to a campground managed by a Forest concessionaire that offers 74 single unit campsites and two group sites.

In 1958 the Forest issued a Special Use Permit allowing for lake construction with the primary purposes of fishing and wildlife. The Department was issued the water rights to fill the lake from the Arizona State Land Commissioner in 1960. Since the creation of the Lake, Commission Rule has prohibited watercraft use on the lake and as a result it has been managed exclusively as a fishery. There is excellent shore line access as well as a handicap pier fishing opportunity. There is no record of the reasoning for prohibiting watercraft, but the configuration, small size and the availability of shoreline angling likely limited the need and demand for watercraft.

On May 24, 1985, the Forest issued a special closure order prohibiting persons from entry into or being in the Lake. This special order prohibits uses including swimming and the use of floatation devices other than watercraft not covered in Commission Rule. It is believed that this order was issued to address angler conflicts and the safety concerns associated with the prohibited activities.

The Lake is stocked in the springtime and early fall months with rainbow trout. Depending upon water quality, there is generally a reduction/suspension of stocking in June, July and August due to increased water temperatures and the lack of dissolved oxygen. Although there is a decrease in the fish stocked in the summer, the fishing pressure remains high. A creel survey conducted in 1994 indicates that June is the peak month of use with a monthly mean of 43.5 anglers counted per visit. May was the next highest (29.7), followed by July (23), September (22.9), and August (18.1). In all months the pressure on the fishery was greatest during the weekends with a marked decrease during the week. During June the mean average number of anglers observed per count was 65 during the weekend and then dropped to 22 during the week. July had 29 anglers on average during the weekend and then saw a drop during the weekdays to 17 anglers per count.

Mr. Herring's proposed change to Commission Rule R12-4-517C would open the Lake for watercraft use Monday through Friday from 9:00 a.m. to 4:00 p.m. for the months of June and July. The Lake is being sought for the activity because of its close proximity to the Boy Scouts Camp Lawton in the Santa Catalina Mountains. As previously discussed, the Forest has a special closure order for the lake which will also need to be modified for the proposed activity to take place.

The Department recommended that the Commission approve Mr. Herring's Petition. If approved, the Department will submit a letter to the Governor's Office, requesting permission to proceed with rulemaking to amend R12-4-517. If the Governor's Office approves the Department's exception request, the Department will initiate rulemaking designed to implement the proposed amendment. 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 exception request, the Department will refrain from pursuing the rulemaking activities outlined above until the moratorium lifts next year or other legislative relief occurs and allows for the same.

#### Public Comment

Kevin Herring, Citizen in Southern Arizona and BSA Board Member, addressed the Commission on behalf of his petition. There are limited opportunities for the boy scouts in this area and this

would provide them with a great opportunity to learn and earn merit badges. The days and times are designed to minimize disruption to anglers.

The Commission discussed the compromise in the selected days and times for the boy scout activities.

Commissioner Freeman stated that he has issues with rule changes for special groups. He also has concerns about the angling community there and would like to see more buy-in from them before he can support this.

Commissioner Mansell expressed concerns about management problems for employees and/or hostility in the community and those types of issues.

Mr. Vega responded that the Department plans to try this for one year to see how it works out.

Commissioners Mansell and Freeman expressed concern about telling people who show up with their kids and a canoe that they are not allowed to use the lake when they can see it being used by the boy scouts.

Mr. Vega stated that several scenarios have been discussed on how to handle these situations. Signs will be put up and canoes will not be stored near the lake, and they will just have to explain to people as needed about the situation and the agreement with the boy scouts.

Commissioner Husted stated that he sees this as similar to a Special Use Permit with the Forest Service and he doesn't see any issues with it.

Joe Sacco, Wildlife Manager Supervisor, clarified that there are two rules in place, the Commission's rule and the Forest Service rule. The Forest Service rule does not allow entry into the lake without an exemption, so the boy scouts will have to go through the Forest Service in order to get that exemption. The exemption will have specific terms and conditions. Mr. Sacco recommended that when the Commission's rule is drafted, that it state that the Forest Service's Special Use Permit must be in place for someone to be on the lake. That way the Department can enforce it if a person is on or in the lake without a proper permit or if they were operating outside of the scope of the permit. Mr. Sacco also noted that the Forest Service has not changed their rule at this point and that bringing this to the Commission is only the first step in making this change.

#### Public Comment

Justin W. Rice, Catalina Council, Boy Scouts of America, addressed the Commission in support of the Petition.

**Motion:** Husted moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THIS RECOMMENDATION FOR APPROVAL OF THE PETITION AND SUBMISSION TO THE GOVERNOR'S OFFICE, REQUESTING PERMISSION TO INITIATE RULEMAKING TO AMEND R12-4-517; WITH THE CAVEAT THAT, IN THE PROCESS, THE COMMISSION RE-EVALUATE THIS IN ONE YEAR.

Commissioner Freeman explained that he will vote no because he is not willing to enter into a rule change not knowing what the rule is going to be. Also, he sees this as preferential treatment being given to landowners near one of the Commission's assets and he thinks this is extremely exclusive to the general public.

Leonard Ordway, Assistant Director, Field Operations, clarified that in the rulemaking process the Commission will have the say on the final language.

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

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16. Request by Mr. Noble C. Hathaway for Commission Consideration of Proposed Rule Change to Commission Rule 12-4-303; Unlawful Devices, Methods, and Ammunition.

**Presenter:** Rod Lucas, Region VI Supervisor

The Department received a petition from Mr. Noble C. Hathaway dated August 31, 2010, proposing changes to Commission Rule R12-4-303; Unlawful Devices, Methods, and Ammunition, specifically requesting modifications to R12-4-303.A.2. to allow full-jacketed ammunition designed for military use and to remove R12-4-303.A.4 that restricts the magazine capacity for semiautomatic centerfire rifles to no more than five cartridges.

Given that the Article 3 Rules regarding the taking and handling of wildlife are currently undergoing their Five-Year Rule Review, the Article 3 team was asked to consider and evaluate Mr. Hathaway's request. The Article 3 Rule team evaluated Mr. Hathaway's request, and initially recommended a change to R12-4-303A by striking the word "possess" in the last sentence. Mr. Lucas advised that the Article 3 team met again today and after taking another look at R12-4-303A, the team recommended a change other than striking the word "possess" and is drafting a section, 303B, that would remove the five magazine capacity and restriction and allow for the possession of that as well as full-jacketed ammunition designed for military use. Those two specifically would be allowed to possess while the other prohibited methods and devices would still be restricted to "possess." As such, an individual would be allowed to possess and use (e.g., self-defense, etc.) full-jacketed ammunition designed for military use and a magazine for semiautomatic centerfire rifles having a capacity of more than five cartridges as long as they do not use these devices or ammunition to take wildlife as defined in A.R.S. §17-101(18).

The draft Article 3 Five-Year Rule Review package, that includes this recommended change to R12-4-303A, will be presented to the Commission at their May 2011 meeting in Phoenix.

Public Comment

Landis Aiden, Arizona State Rifle and Pistol Association, addressed the Commission in support of this Petition. The intent is to allow possession of a high capacity magazine and military ammunition for self defense purposes, particularly while hunting in Southern Arizona near the border.

**Motion:** Husted moved and Harris seconded THAT THE COMMISSION VOTE TO DENY NOBLE C. HATHAWAY'S REQUEST WITH THE UNDERSTANDING THAT THE DEPARTMENT IS HANDLING THE ISSUES BROUGHT FORWARD IN THE ONGOING ARTICLE 3 RULES REVIEW PROCESS.

The Commission discussed the process and timeline of exempt rulemaking and regular rulemaking and the cost of taking a rule out of cycle.

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

\* \* \* \* \*

17. Request by Mr. Ronnie D. Deloach Asking for Re-instatement of his Deer Bonus Points.

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

Mr. Ronnie D. Deloach requested re-instatement of his bonus points due to mechanical issues with his truck while driving to his deer hunt on November 3, 2010. Current rules only authorize the award of bonus points by the Director for acts that the Department is in error as per R12-4-10(R).

Mr. Deloach was not present.

Commissioner Mansell stated for the record that this past year he held a deer tag and the night before the deer season opened, he took his wife to the emergency room and she was operated on the next day. He missed his the entire deer season along with his son-in-law. Throughout the state there are probably hundreds of people that may have experienced similar situations and so with that, Commissioner Mansell moved the motion.

**Motion:** Mansell moved and Husted seconded THAT THE COMMISSION VOTE TO DENY MR. RONNIE D. DELOACH'S REQUEST FOR RE-INSTATEMENT OF BONUS POINTS.

**Vote:** Unanimous

\* \* \* \* \*

18. Enterprise Architecture and E-Commerce Update

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

Mr. Bullington provided the Commission with an E-Commerce Update and an Enterprise Architecture (EA) Overview using a Power Point presentation. The presentation included the current status for the EA and updates regarding online watercraft registration renewals, license sales, big game applications, on-line draw application update, Point of Sales Software and other

related EA and E-Commerce projects. The update covered challenges and tentative schedules, and included the following recent successes and the status of other IS projects:

Recent Successes:

- Migration of Watercraft Informix database to SQL
- IS Staff Training for Visual Studio & C# Programming, Project Management & ITIL
- Completion of Chronic Wasting Disease Web App.
- Completion of Draw Results Web App.
- Regional Office Renovations & Upgrade Data Cable

Other IS Projects:

- Completed - Environmental Monitoring System in Server Room
- In Process - Integrate Enterprise GIS plan into IS master plan
- In Process - Investigate VM Server deployment
- Planning - Increase network bandwidth to all regional offices
- In Process - Conversion of Informix databases to Microsoft SQL
- In Process - Design/ implement an automated document management/ e-discovery system
- In Process - Develop “anywhere/anytime” access to Department data using wireless devices, cell phones, mobile apps, web portals, etc.

\* \* \* \* \*

19. Call to the Public

There were no requests to speak at this time.

\* \* \* \* \*

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

**Vote:** Unanimous

\* \* \* \* \*

Public Meeting reconvened at 5:55 a.m.

\* \* \* \* \*

21. 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.

\* \* \* \* \*

22. Approval of Minutes and Signing of Minutes

**Motion:** Harris moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM JANUARY 28, 2011, FEBRUARY 4, 2011, FEBRUARY 8, 2011 AND FEBRUARY 15, 2011.

**Vote:** Unanimous

The Commission signed the minutes following approval.

\* \* \* \* \*

23. Director and Chairman’s Report

Director Voyles:

- With the Commission’s permission, Director Voyles only reported on one item. Director Voyles congratulated the following Department employees and non-governmental organizations for the successful closing of the purchase of Horseshoe Ranch: Dana Warnecke, Angie Lohse, Tom Hildebrandt, Rod Lucas, Pat Crouch, Kelly Wolff-Krauter, Arizona Antelope Foundation, National Wild Turkey Foundation, Arizona Wildlife Foundation, Arizona Audubon, Mule Deer Foundation, the Trust for Public Lands, and the Nature Conservancy.

Chairman Woodhouse did not report activities at this meeting.

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24. Commissioner’s Reports

There were no reports provided at this meeting.

\* \* \* \* \*

25. Future Agenda Items and Action Items

Future agenda items and action items from this meeting were not reviewed.

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

**Vote:** Unanimous

\* \* \* \* \*

Meeting recessed for the day at 6:00 p.m.

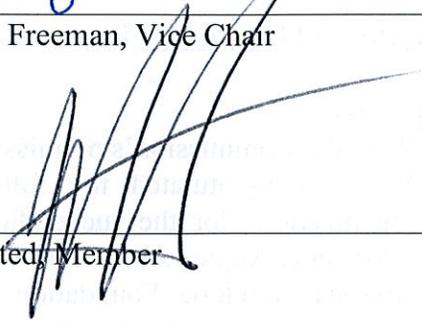
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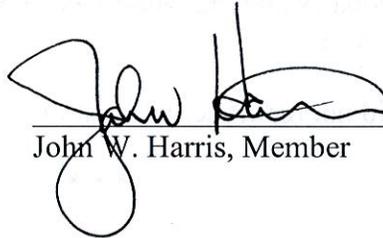
Robert R. Woodhouse, Chairman



Norman W. Freeman, Vice Chair



Jack F. Husted, Member

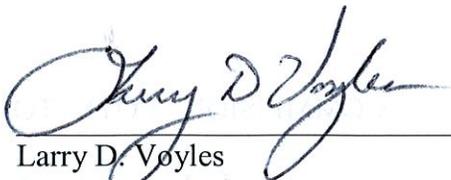


John W. Harris, Member



Robert E. Mansell, Member

ATTEST:



Larry D. Voyles  
Secretary and Director

**Game and Fish Litigation Report  
Presented at the Commission Meeting  
March 9, 2011**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Court of Appeals issued an opinion on December 21, 2010. The Court held that wildlife conservation, and the conservation of bighorn sheep in particular, is a purpose of the Kofa Wilderness Area. The Court, however, found that the Service did not sufficiently explain

that redeveloping two water structures in the wilderness area was necessary to restore the bighorn sheep population. The Court expected the Service to evaluate alternative actions to determine whether these alternatives would increase the sheep population without the additional water. The court remanded the case back to the district court for a decision on whether to allow the Service to supplement its decision.

**The Safari Club International (intervener) filed a petition for rehearing en banc. On March 1, 2011, the Ninth Circuit issued an order denying the petition.**

**2. *Anderson v. Arizona Game and Fish Department, et al.*, 2 CA-CV 2010-0098** Plaintiff Ralph Anderson seeks judicial review of the Commission's June 27, 2008 action revoking his licenses to take wildlife for ten years for taking big game in excess of bag limit (bull elk). Anderson had previously had his hunting privileges revoked for five years for taking a Gould's turkey during closed season. On March 8, 2010 the Pinal County Superior Court affirmed the Commission's decision. Anderson appealed to the Arizona Court of Appeals. The Court of Appeals, in a decision filed November 8, 2010, reversed in part and affirmed in part. The Court held that A.R.S. §17-340(B) does not grant the Commission authority to impose consecutive sanctions on offenders for repeat offenses. The Court affirmed the Commission's power to impose additional sanctions under A.R.S. §17-340(B)(2) while a person is serving a current term of revocation and to revoke or suspend the license of a person whose license has already been revoked based on a conviction of another covered Title 17 offense. Anderson has filed a petition for review to the Arizona Supreme Court seeking review of the Court of Appeal's ruling that the Commission can further sanction a person whose hunting licenses have already been revoked. The Department filed a response to the petition on January 7, 2011. **The Department is awaiting a decision from the Arizona Supreme Court.**

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

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

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

The IBLA issued an opinion on December 7, 2010, affirming the BLM's decision to transfer land to the Department for use as a shooting range. The IBLA found that the BLM did not violate NEPA or the National Historic Preservation Act.

**4. *Center for Biological Diversity v. U.S. Bureau of Land Management et al.* CV-09-8011-PCT-PGR; *The Wilderness Society et al. v. U.S. Bureau of Land Management et al.* CV-09-8010-PCT-PGR.** On May 9, 2008, Records of Decision and Approved Resource

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

The National Rifle Association is an intervener. The Arizona Game and Fish Department has been granted *amicus* status, as has Safari Club. AGFD filed an *amicus* brief in the CBD case, which argued that BLM was not legally obligated to analyze the effects of lead ammunition on California condors in the BLM strip district, as the manner and methods of hunting are vested exclusively with the Arizona Game and Fish Commission.

CBD seeks a court order setting aside all Plans as arbitrary and capricious. The Wilderness Society seeks the same result, but only for the Vermillion Cliffs and Grand Canyon-Parashant Plans. Both plaintiffs request a remand to BLM for further proceedings. If the Court finds BLM's actions arbitrary or capricious, the Court will then conduct the "remedy" phase of the case, where the plaintiffs may seek injunctions against motorized use of roads or the use of lead ammunition during the period of time that BLM is revising its RMPs in accordance with the Court's ruling. **All briefs have now been filed. To date, the matter has not been calendared for oral argument.**

**5. *Lorta v. Arizona Game and Fish Commission et al., CV-11-134.*** Plaintiffs filed an action on February 15, 2011, seeking judicial review of the Commission's license revocation and civil assessment decisions. The case was filed in Santa Cruz County Superior Court. The Commission has until March 16, 2011 to file a responsive pleading.

**Lands Update**  
For the Arizona Game and Fish Commission  
March 4, 2011  
Phoenix, Arizona

**FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING**

**Coconino National Forest**

The Forest released a revised working draft of their Land Management Plan. The Department is currently reviewing this document. A meeting is scheduled for March 7 between the Department and Forest Planners to beta test the working draft and ensure that appropriate wildlife standards and guidelines from the 1996 Forest Plan Amendment are carried forward.

The Department continues to work with the Forest on Travel Management Rule issues. The Forest is expected to release a decision on TMR sometime this spring.

**Coronado National Forest**

The Draft Environmental Impact Statement (DEIS) for the Coronado's Land Management Plan is expected to be released in March or April of 2011. The plan will be open for public comment for 45 days. The Department previously commented on the Working Draft of the Plan and continues to communicate with the Forest as the DEIS develops.

**Kaibab National Forest**

The Forest has released the final Tusayan Ranger District Travel Management Environmental Assessment and Decision Notice. The Forest Supervisor has selected Alternative 3 which allows travel on approximately 566 miles of roads including 15 miles of short road segments that will be added to the designated system as they provide access to a variety of recreational activities including motorized dispersed camping. The selected alternative will also result in about 143 miles of road closure. As per the press release, it is stated that Alternative 3 will "allow the limited use of motor vehicles within one mile of all designated system roads (except where prohibited) to retrieve a downed elk by an individual who has legally taken that animal. Legally harvested elk may be retrieved during all legal elk hunting seasons, as designated by the Arizona Game and Fish Department, and for 24 hours following the end of each season. Only one vehicle (one trip in and one trip out) would be allowed for Motorized Big Game Retrieval (MBGR) per harvested animal. Hunters will be required to use the most direct and least ground disturbing route in and out of the area to accomplish the retrieval. MBGR would not be allowed in existing off road travel restricted areas, or when conditions are such that travel would cause damage to natural and/or cultural resources. Motorized vehicles would not be permitted to cross riparian areas, streams and rivers except at hardened crossings or crossings with existing culverts."

### **Tonto National Forest**

The Department will participate in the annual coordination meeting with the TNF in March. In addition, the Department continues to work with the National Environmental Policy Act (NEPA) compliance planner for planning a meeting regarding the travel management plan and opportunity to discuss concerns before the public release of the document.

## **U.S. FOREST SERVICE**

### **Four Forests Restoration Initiative (4FRI)**

The US Forest Service (USFS) has held a series of scoping workshops for the Proposed Action for the first 4FRI Environmental Impact Statement (EIS). This first EIS covers 750,000 acres of both the Coconino and Kaibab National Forests primarily in the landscape south and west of Flagstaff and Williams. The proposed action includes plans for forest restoration, reintroduction of fire, decommissioning of roads (likely those identified in Travel Management Rule), as well as restoration of dry ephemeral channels, springs, and grasslands. The Department has been actively involved in these workshops in addition to providing wildlife corridor data to influence project design. A Draft EIS is expected in fall 2011, and a Record of Decision in spring 2012. A Memorandum of Understanding (MOU) between USFS and stakeholders has been drafted and signed by most parties, with State and local governments currently reviewing and considering signature. The purpose of the MOU is to formalize collaboration between USFS and stakeholders for the 4FRI project.

### **Apache-Sitgreaves National Forests**

Department personnel continue to coordinate with the Alpine Ranger District on the Beaver Creek Wildland Urban Interface Forest Restoration Project located in Greenlee County. The project encompasses approximately 35,380 acres on the Alpine Ranger District. The Proposed Action includes thinning trees on approximately 32,028 acres and broadcast burning up to a total of 34,710 acres. The Department has previously expressed its support for this project and continues to work closely with the Alpine District to help incorporate wildlife habitat needs into treatment prescriptions as they are developed.

### **Coconino National Forest**

The Forest released a Proposed Action for the Post-Tornado Resource Protection and Recovery Project to reduce the risk of catastrophic fire and bark beetle infestation following extensive damage caused by tornados on October 6, 2010, and to alleviate safety issues along forest roads and camping corridors. The Forest is concerned about unnatural fuel loadings exceeding 50 tons/acre and the high risk of bark beetle infestation spreading to surrounding forests. They are proposing salvage of downed and damaged trees in the tornado corridors, including the Little Springs Mexican Spotted Owl Protected Activity Center. Total estimated acreage for the proposed action is 3,989 acres. The Forest is also analyzing an alternative that would treat ¼ mile buffer zone on both sides of the tornado corridor. This alternative would increase the treatment area to 18,756 acres. The Department has been an active participant on the Interdisciplinary Team (IDT) for this project and provided wildlife information to the specialists for their analysis. In particular we recommended areas of deferral to protect important fawning/calving/poulting areas and bear denning/foraging areas, as well as areas where snag retention would help bats and bald eagles. During the IDT process, the Department questioned the need to treat the buffer zones and did not support the 18,000-acre alternative.

The Forest is actively working on rehabilitation, reforestation, and roadside salvage proposals for the 2010 Schultz Fire which burned over 15,000 acres in the San Francisco Peaks. They have been actively consulting with the Department to ensure our concerns are addressed. The Department has been working closely with the Forest on aspen recovery efforts within the Schultz Fire area. Approximately \$30,000 in funding for jackstrawing in aspen (dropping and leaving pine trees in a criss-cross pattern to discourage ungulate travel) has been approved from the recent Habitat Partnership Committee cycle.

Also related to aspen recovery on the Forest, hunt recommendations were changed at the Commission meeting and permits were maintained at the 2010 levels, but with a continued late general antlerless season and a new Peaks Hunt unit designation to focus hunters into the aspen zone of 7E to further reduce the elk population due to continued heavy aspen browsing. As part of the overall partnership to address aspen decline, the Forest has been working on aspen recovery in the Hart Prairie Forest Restoration and Fuels Reduction Project which is also in Unit 7. The Forest has established approximately half of the planned aspen monitoring sites on the Hart Prairie Project, drafted a monitoring protocol (with Department input), and completed the first round of pretreatment monitoring this past summer. The first jackstrawing project has been completed on approximately 10 acres. Another 100 acres of burning was planned for last fall, but conditions were too wet to burn. Approximately 200 acres are planned for either burning or jackstrawing between Hart Prairie and the Schultz Fire beginning in spring 2011.

### **Kaibab National Forest**

The Department continues to collaborate with the North Kaibab Ranger District on wildlife habitat improvement projects. All planned habitat projects from the Westside NEPA compliance project have been completed, with the last treatment area completed in September 2010 with an approximately 150-acre grinding project to improve browse forage. The Forest continues to work on a cheatgrass treatment project in the Buckhorn area (approximately 930 acres), which the Department supports. This project involves spring spraying of cheatgrass and fall seeding of native browse species for wildlife.

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

### **AZ Strip Field Office**

#### Uranium Withdrawal Environmental Impact Statement (EIS)

The EIS became available for public review and comment on February 18. BLM is the lead on the EIS with cooperation from U.S. Forest Service, the U.S. Geological Survey, U.S. Fish and Wildlife Service, the National Park Service, AZ Native American tribes, and other state and local agencies. The notice published by the Environmental Protection Agency in the *Federal Register* initiates a 45-day public comment period which will end on April 4<sup>th</sup>. The Department's main concerns all along have been habitat fragmentation due to increased traffic in otherwise remote areas, potential disruption of movement of wildlife, invasive weeds, and restoration of future exploration and mining operations.

The Draft EIS discusses the potential impacts that each of four alternatives would have on the "human environment and natural and cultural resources". The Draft EIS does not identify a preferred alternative. As per the press release, the alternatives are as follows:

- **Alternative A** is the No Action Alternative, under which no withdrawal would occur and hardrock mineral exploration and mining would continue throughout the study area in accordance with existing BLM and Forest Service regulations and land use plans.
- **Alternative B** is to withdraw about 1 million acres from hardrock mineral exploration and mining for 20 years subject to valid existing rights. The land is in three parcels: two are north of the Grand Canyon National Park on BLM Arizona Strip and Kaibab National Forest lands; and one is south of the Grand Canyon also in the Kaibab National Forest. The authority for the withdrawal comes from Section 204 of the Federal Land Policy and Management Act. If implemented, this withdrawal would not prevent any other development under laws regulating mineral leasing, geothermal leasing, mineral materials or public lands.
- **Alternative C** is to withdraw a reduced area of about 650,000 acres from hardrock mineral exploration and mining for 20 years, subject to valid existing rights. This is the largest contiguous area with resources that could be adversely affected by mineral exploration and mining. The resources potentially affected are cultural, hydrologic, recreational, visual, and biologic.
- **Alternative D** is to withdraw a further reduced area of about 300,000 acres from hardrock mineral exploration and mining for 20 years, subject to valid existing rights. This is the largest contiguous area with the highest concentration of resources that could adversely be affected by mineral exploration and mining.

#### **Lower Sonoran Field Office**

The Department released the administrative Draft Resource Management Plan (RMP/Draft EIS) for the Lower Sonoran Field Office and Sonoran Desert National Monument on July 20, 2010. The Department has reviewed the administrative Draft RMP and provided the BLM with comments. The public Draft RMP was originally scheduled to be released on October 8, 2010, but has now been delayed until March 2011. Additionally, as part of the settlement agreement, the BLM will not open any of the currently-closed roads within the Monument until the completion of the RMP and Record of Decision.

#### **Phoenix District Office**

The Department participated in the annual coordination meeting on February 24. The meeting covered organizational/staff changes and focuses on the larger picture of coordination and collaboration. Both agencies gave presentations on the various programs and personnel. Discussion included updates on the RMP's, travel management planning and implementation, fuels management, programmatic EA/EIS's and some other cooperative projects. The meeting was well received and brought forth opportunities for the Department to be involved in additional project/NEPA specific meetings.

#### **Safford Field Office**

After attending four public meetings as a Cooperating Agency with the BLM and The Nature Conservancy regarding the Aravaipa Ecosystem Management Plan (AEMP), the Department submitted comments pertaining to some unresolved access issues within the project area. From the time in which the partners submitted the first AEMP draft until completion of the public

review draft, a few of the on-the-ground conditions have changed that were not considered in the AEMP. These include some road closures that do not have public rights-of-way, some additional landowner negotiations, and obtaining some additional public access easements. Therefore, the Department recommended updating the travel management plan within the AEMP to reflect these changes. The period for accepting public comments on the AEMP ended January 15<sup>th</sup>.

### **Yuma Field Office**

Department personnel assisted the Yuma Field Office of the BLM with ongoing route evaluation efforts of the La Posa area as part of their Travel Management Planning efforts. The Yuma Field Office estimates that one more week of route evaluations are needed before moving on to the Cibola-Ehrenburg area.

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

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

The proposed final Resource Management Plan and Environmental Impact Statement for the Ironwood Forest National Monument has cleared the Washington review and is expected to be released to the public within 45 days. The Department anticipates recreational shooting to be restricted in the new plan and has initiated discussions with BLM regarding the possibility of developing a new shooting range that will serve the same shooting constituency that utilized public lands that are part of the IFNM.

### **Grand Canyon-Parashant National Monument / Vermillion Cliffs National Monument**

The Department recently commented on the Pakoon Springs Removal of Non-natives and Management of Public Use Environmental Assessment. The Department has been supportive of this effort to restore Pakoon Springs as it provides excellent waterfowl habitat and is a potential reintroduction site for the Relict Leopard Frog (only if bullfrog eradication is possible). The Department does have some initial concerns with some of the management that the BLM is proposing at this time, such as the discouraging of fishing, and general language suggesting that visitor use has increased in terms of upland game bird hunting and associated littering. The Department is confident that we can resolve any issues associated with public management and will start working toward solutions at our annual coordination meeting Feb 23<sup>rd</sup> and 24<sup>th</sup>.

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 and Safari Clubs are amici.

Plaintiffs have filed their motions for summary judgment; the federal government has filed responses and cross-motions for summary judgment. CBD's motion attracted all the attention from intervenor NRA and amicus Safari Club, both of whom focused on the lead ammunition issue. The AGFD amicus brief argued that BLM was not required to analyze the effect of lead ammunition on California condors in the BLM strip district, as the manner and methods of hunting are vested exclusively with the Arizona Game and Fish Commission.

Neither NRA nor amicus Safari Club filed anything in the Wilderness Society case. The Department filed a Notice of Non-Filing in the Wilderness Society case on the grounds that AGFD comments in the Administrative Record did not reflect on the issues raised by Wilderness Society, namely the alleged lack of protection of Monument objects (historical, archeological) and the claim that the BLM route decision tree, as designed by its contractor, overdesignated routes for vehicular use. CBD and Wilderness Society filed their oppositions to BLM's motions for summary judgments on Jan 7. BLM filed its reply in support of its motion for summary judgment, and CBD filed its reply and responses to the amici briefs on February 11. BLM then responded to CBD's arguments. Oral argument has not been scheduled yet.

## **DEPARTMENT OF DEFENSE**

### **Davis-Monthan Air Force Base INRMP**

The Department commented on a preliminary draft Integrated Natural Resource Management Plan (INRMP) for Davis-Monthan Air Force Base (DM). DM is located in Tucson and is surrounded by the urban area but has wildlife issues of importance to the Department, including occupied habitat for burrowing owls and corridor habitat for lesser long-nosed bats. Among the Department's suggestions for DM was the need to develop an inventory and monitoring plan in response to the monitoring requirements set forth in the INRMP.

### **Camp Navajo Army National Guard Depot**

Camp Navajo recently invited the Department to review their plans for forest restoration and fuels reduction across the southern portion of the base. Camp Navajo is planning to reduce unnatural tree densities while enhancing corridors for pronghorn, turkey, and mountain lion. They are also planning to create target/threshold habitat for the Mexican spotted owl. The Department is supportive of Camp Navajo's plans and we have planned a joint field trip for February 28<sup>th</sup> to look at regional forest restoration treatments that meet wildlife objectives. Camp Navajo is also planning to conduct downed and damaged tree salvage in the tornado paths that resulted from the October 6, 2010 tornados.

## **NATURAL RESOURCES CONSERVATION SERVICE (NRCS)**

The Department is working closely with NRCS's Flagstaff Field Office staff on developing a Cooperative Conservation Partnership Initiative in the Hart Ranch/Diablo Trust/Clear Creek Ranch area. The intent of the project is to expand and tie together grassland restoration and wildlife habitat restoration through Pinyon-Juniper woodland restoration (thinning) accomplished in previous ranch-by-ranch basis projects. The project will improve habitat conditions for grassland associated and Pinyon-Juniper savannah associated wildlife species.

Proposed partners in the project include the affected ranches, USDA – NRCS, Coconino NRCD and USDA – Forest Service, as well as the Arizona Game and Fish Department. We anticipate interviewing ranchers and agency staff in March, April and possibly May in conjunction with field inventory of the existing condition to determine areas with the most need and potential of improvement through habitat improvement projects. The Department plans to have a project proposal ready for submission to NRCS by early summer 2011.

The Department recently field tested and provided comment on Arizona NRCS's Wildlife Habitat Evaluation Guide (WHEG). The WHEG is a tool used by Arizona NRCS to assess four major components of wildlife habitat: food, cover, water and fragmentation during the field inventory NRCS provides its clients to determine if a resource problem occurs for any of the NRCS identified resource concerns.

## **U. S. BUREAU of RECLAMATION**

### **Glen Canyon Dam High Flow Experimental Protocol Environmental Assessment**

The Department was invited by the Bureau of Reclamation to serve as a cooperating agency in the preparation of this environmental assessment (EA). The proposed action is to develop a protocol that will evaluate short-duration, high-volume dam releases during sediment enriched conditions for a 10 year period to determine how multiple events can be used to build and maintain sandbars and beaches downstream. The Department has participated in weekly conference calls and provided comments on a cooperators draft of the EA on December 7, 2010. The comments provided expressed the Department's concerns on the unknown impacts that multiple high flows will have on humpback chub and rainbow trout at Lees Ferry. The EA was released for public comment beginning January 18, 2011. The public comment period has been extended until March 18, 2011. The Department is currently reviewing the EA and will provide additional comments.

### **Nonnative Fish Control Environmental Assessment**

The Department was invited by the Bureau of Reclamation to serve as a cooperating agency in the preparation of this environmental assessment (EA). The proposed action is to reduce the number of non-native fish in the Colorado River below Glen Canyon Dam that prey on and compete with endangered fish. The Department has participated on weekly conference calls, attended a structured decision making workshop, and provided comments on a cooperators draft of the EA on January 7, 2011. A public review draft was released on January 28, 2011 and comments will be accepted until March 18, 2011. The Department is currently reviewing the EA and will provide additional comments.

The Department conducted a roundtable meeting with the Lees Ferry Anglers and Guides, and Marble Canyon business on January 28, 2011, and personnel from USFWS, NPS and USBR. The meeting is a continuation of roundtable meetings with these groups to discuss issues involving the Lees Ferry fishery and other management actions involving the Adaptive Management Workgroup for the operation of Glenn Canyon Dam. Much of the meeting was spent discussing the two EAs referenced above and potential impacts to the anglers, guides and business interests as a result of these proposed actions.

## **U.S. FISH and WILDLIFE SERVICE**

### **Kofa National Wildlife Refuge (Kofa NWR)**

In November 2010, Department and FWS personnel completed the Kofa NWR annual bighorn sheep survey. Survey estimates indicate a current population of 402 individual sheep. The bighorn sheep population estimates for the Kofa NWR from 2006 through 2009 were 390, 460, 436, and 410 individuals, respectively. Additionally, the Department is monitoring 26 bighorn sheep ewes on the Kofa NWR, each fitted satellite GPS collars. Department personnel continue working to capture lions in box traps and snares set within the Kofa Mountains Complex Predation Management Area for research, monitoring, and management purposes. There are currently four lions collared and being monitored in the Management Area by Department personnel. On Monday, February 14, 2011 a female lion in Unit 45B was captured, collared, and released in healthy condition.

## **GENERAL UPDATES**

### **Central Arizona Grasslands Strategy**

#### Anvil Rock Ranch

Work on Anvil Rock Ranch in GMU 18B is nearly complete and will encompass a total of 1160 acres, 780 of which is deeded land. All encumbered monies will be spent upon this project's completion, which is imminent. Department personnel met with the owner of the Anvil Rock Ranch to assess progress on the grassland restoration project and to discuss the value of the project given recent discussions with NextEra Energy. NextEra has expressed interest in purchasing a significant portion of recently treated land. While on location, Department personnel also met with the contractor and observed a group of 15 pronghorn moving through the recently treated area, lending qualitative support to the effectiveness of this grassland restoration effort.

#### Yolo Ranch

Yolo Ranch successfully secured \$100,000 in funding from the Arizona Department of Agriculture's Livestock, Crop & Conservation Grant. We will be matching this to approximately \$178,000 in Landowner Incentive Program (LIP) funding to expedite the Central AZ Grassland dollars already spent on the Yolo Ranch (\$50K in 2009- Phase I).

#### 7-Up Ranch

Phase I work on the 7-Up Ranch is nearly complete. Contractors have treated approximately 330 acres. Records indicate that at this project's completion we will have spent approximately \$77,000 on this ranch as part of the Phase I allocation.

#### K4 Ranch (Mud Tank Wash Grassland Enhancement Project)

The Mud Tank Wash Grassland Enhancement Project – also known as K4 - is not currently being funded by Central AZ Grassland dollars, but will treat approximately 1000 acres of prime grassland habitat on deeded and state lands. This project is being funded through the USFWS "Partners" program (\$40K) and LIP dollars (\$20K). Habitat Partnership Committee funding has been sought to help support this project, but at this time, the status of this potential support is unknown. Should Habitat Partnership Committee (HPC) funding not surface, we will likely request that Central AZ Grassland dollars (\$10 to \$15K) be encumbered this next cycle to support this project.

### Spider Ranch (Smith Mesa Habitat Improvement Project)

The Smith Mesa Habitat Improvement project, located on the Spider Ranch, is also being evaluated for support by the HPC. Other funding mechanisms have yet been targeted to this project, and estimates would likely run between \$100 to \$120/acre. This could be a project specific candidate for the Department's Yavapai County RAC grant application.

### **City of Yuma 2012 General Plan**

The City of Yuma is underway on the 10-year update of the General Plan. Last approved by the City Council and the voters of Yuma in 2002, the General Plan is a policy document and guide to provide comprehensive direction for the growth and development of the City of Yuma. The update will involve public review and comment, an update of the technical aspects of the General Plan, incorporation of City Council directed amendments and a consideration of best practices from around the state. The Department will be reviewing and commenting on the draft plan and working with the City on developing the final plan

### **Community Fishing Pond – Town of Eagar**

The Department is continuing its efforts with the Town of Eagar (Town) toward the creation of a 2-acre fishing pond. The conceptual agreement is that the Town would provide the water, as well as maintenance of the grounds. The Department would construct the pond on Department property, provide fish and lease the property back to the Town at a nominal cost. The property identified is the 26-Bar property in Eagar. The Department has forwarded a draft cooperative agreement to the Town for their review.

Department personnel have conducted water quality monitoring of White Mountain area lakes that have the potential to winterkill (Crescent, Carnero and Lee Valley Lakes). Monitoring results indicate that none of these lakes have winterkilled so far. Based on current projections, Crescent Lake is unlikely to winterkill this year. There is still a chance that Carnero and Lee Valley lakes may experience winterkill.

### **Javelina Hunt Camp and Outdoor Fair**

Department personnel coordinated with the American Bow Hunters Association (ABA) in hosting the first annual Javelina Hunt and Outdoor Fair which took place over the opening weekend of the Javelina hunting season on February 18<sup>th</sup> and 19<sup>th</sup>. 20 members of the public and an assortment of vendors signed up and came out to participate in the event, despite severe, inclement weather that moved into the Region on Friday. While not the numbers that were hoped for, the event was considered a success – with sincere appreciation expressed for the Department's efforts by the ABA.

### **Lee Valley Lands – Proposed Municipal Fishing Pond**

The Lee Valley Lands property was acquired in 1960 for its associated water rights. Subsequently, the water rights have been severed and transferred to Lee Valley Reservoir. Currently the property has been passively managed with little significant wildlife or habitat value and has been identified by the Region as a candidate for disposal. It is located within the city limits of the Town of Eagar (Town). Fisheries Branch, Region I and the Town are in support of constructing a municipal fishing pond on a portion of the property. The Department would construct the pond and parking area, and manage the water quality and fish community, while the Town would provide the water and manage public use and maintenance of the property. The

lake would be approximately 2 acres in size and be placed on less than 10 acres of the 71 acre site. Fisheries Branch has approximately \$70,000 of Dingell-Johnson Sportfish Restoration funds to designate to initial construction of the site. The pond and related improvements would create recreational and fishing opportunities for area residents and local youth groups. An estimated increase of \$30,000 per year in fishing license sales is anticipated and as much as \$60,000 to 150,000 annually into the local economy.

The obligations of each party will be captured in a Cooperative Agreement between the Commission and the Town which will be presented to the Commission for approval. A Lease Agreement authorizing the town to manage the site will be executed after site construction has been completed. The Lease Agreement would include the terms and conditions of site management.

One option is to eventually convey the proposed 10 acres of the subject property to the Town of Eagar. This would be predicated on having received benefit from the facility commensurate with the value of the property at that time. Increased fishing license sales (estimated above) could suffice as the measure of "benefit". The Town is receptive to this option. Because this property was purchased with federal funding, federal aid approval and reimbursement will be necessary. The amount to be reimbursed would be based on the appraised value of the property at the time of disposal. A Cooperative Agreement will be presented to the Commission for consideration at the April Commission meeting.

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

The Department continues to participate in the alternatives selection for the Powerline/Vineyard/Rittenhouse dam rehabilitation or replacement project. The Department will be recommending soft structural modifications and identification of quality habitat along this area of connectivity for a diversity of species. The Department has been involved in this project for several years and remains concerned for this entire east valley area that includes a multitude of development planning, highway additions/modifications and other threats identified for the future.

#### **Maricopa County Air Quality Update**

After working for nearly three years with Maricopa County Air Quality Department the Department (along with several other agencies, critter groups, and OHV groups) exerted enough influence for Maricopa County to revise their ordinances, which prior to 01/12/11 essentially eliminated public travel on dirt roads in Maricopa County that were not designated as open. The latest version includes a broader definition of managed trail systems and roads or highways and therefore should allow access to ASLD properties, other properties without designated roads, and a provision allowing for agreements with landowners to allow public access on private property (landowner access program). The permission would have to be gained for cross country travel only, or for roads that do not meet the current definition. This is much more manageable than the old version of the ordinance.

#### **Pinal County Air Quality Update**

The Department has been working with Pinal County Air Quality Department and Arizona Department of Environmental Quality for almost as long because the EPA has and is currently in the process of designating large portions of Pinal County as "Non-attainment" for ambient air quality standards. This means that over the next three years Pinal County will have to come up

with rules/regulations/policies contained within a State Implementation Plan (SIP) to address the poor air quality. We will have to work to influence the anticipated rules/regulations/policies just as we have in Maricopa County to ensure that they are not too restrictive on access for outdoor related recreation.

### **Proposed Rosemont Copper Project**

The Department continues to closely monitor the progress of the Draft Environmental Impact Statement (DEIS) for the proposed Rosemont Copper Mine. On February 14<sup>th</sup> the Forest cancelled the Cooperating Agencies Meeting scheduled for February 17<sup>th</sup>. The Forest cited the reason for the cancellation as “Logistics around the groundwater modeling topic just aren't coming together” and “Several key people, including other cooperating agency representatives, either are not available or are requesting additional time to prepare their presentations. We will look to discussing this topic next time”. It is unknown if the internal draft EIS is still under review by the federal decision agencies (BLM, ACOE) and no definite date for the DEIS release to Cooperators has been announced by the Forest.

The scheduled topic of the cancelled Cooperators Meeting is significant to the Department which has commented on several groundwater reports previously prepared for the Rosemont Copper Project by the proponent's consultant, Errol L. Montgomery and Associates. The Department is concerned about the potential for the open pit to act as a hydraulic sink that may have a significant drying effect on the basin's springs, seeps, and potentially Cienega Creek itself. The waters not swallowed by the pit or buried under the tailings are important habitat components in the surrounding landscape. The Department found the previous groundwater modeling did not incorporate the known fractured geology of the area but rather modeled the geology with homogeneous porosity similar to wet sand, which drains equally in all directions. Fractured geology may drain quickly, or not at all dependant on where the fractures lie in relation to groundwater sources and sinks. Moreover, drainage may occur over substantial distance in relatively short time periods compared to the homogeneous porosity model. Techniques exist to model fractured geology with some accuracy. The Department, therefore, is interested in additional modeling efforts which may more accurately model the situation.

At the January 20 Cooperators meeting the Forest provided a DVD over 350 documents and reports. 150-200 of these are “new” documents; meaning they had never been posted to the Forest EIS website or otherwise made available to the Cooperators. The Forest stated that the documents are “draft decisional” and should aid the cooperators review of the draft EIS in lieu of a longer review period for that document. The Department has only reviewed a handful of these reports. The DVD provided to the cooperators on January 20<sup>th</sup> appears to list several new reports and addendums to reports on the groundwater situation. The Department has not reviewed these reports.

At the January 20<sup>th</sup> Cooperating Agencies Meeting the Department learned that the Coronado National Forest (Forest) will not release the 700-page DEIS until it has been thoroughly vetted internally. The Forest still has not provided a date for the release of the DEIS. Last month the Department anticipated a possible late February or early March pre-public release to the cooperating agencies, and now anticipates that window has been moved to mid-March or early April.

The Forest announced last month that it has a new website manager to maintain its website and the former problems with posting documents to the site, communication with cooperators, discussion forums, RSS feeds and other issues will now progress and therefore communication will be better. The Department has not received any updates over the last month on this progress.

The documents that the Forest advised last month that are yet “too preliminary” to be made available to the Cooperators have still not been made available to the Cooperators. Forest Staff have advised the Department that these documents are still preliminary and are under the purview of the Forest’s consultant, SWCA (the Department has been requesting access to the biological data).

## **Renewable Energy Development**

### ***Wind***

#### Timberline Wind Project

Duke Energy is proposing a 300 MW wind energy facility spanning across US Highway 60 between Vernon and Springerville, in Apache County. The wind facility will comprise approximately 150 turbines and will encompass 50,000 acres near Cerro Montosa. Department personnel are coordinating with Duke Energy and their consultant, ARCADIS, on wildlife concerns pertaining to this project. Currently, Duke does not have a Power Purchase Agreement in place but they are actively pursuing one. This project may entail a 7-8 mile interconnect to the substation between the project area and Springerville.

Iberdrola Renewables will be before the Apache County Planning and Zoning Commission for a met tower installation just outside of Springerville, AZ. Iberdrola Renewables operates the Dry Lake Wind Facility near Holbrook which currently consists of 61 turbines.

#### NextEra Energy Resources

The Department offered testimony at a special hearing in early February at which the Coconino County Board of Supervisors heard an appeal of the Planning and Zoning Commission’s prior approval of NextEra Energy Resources, LLC’s request for a conditional use permit for a wind farm on Perrin Ranch. The project was approved by the Board of Supervisors with support for a number of recommendations provided by Department staff in their prior comment letter to Planning and Zoning. The Department is working with NextEra, its environmental consultant SWCA, and US Fish and Wildlife Service biologists to develop an Avian and Bat Protection Plan (ABPP) for the Perrin Ranch wind facility. Development of an ABPP was one of the conditions attached to the approval by the Board of Supervisors, and the draft ABPP includes provision of funding by NextEra for research studies of golden eagles and other wildlife that may be impacted by wind development at Perrin Ranch.

Due to a federal nexus associated with the Perrin Ranch Wind Project, Western Area Power is in the process of drafting an Environmental Assessment (EA) for the proposed project. Early scoping is under way for this EA now, and the Department expects to see that document within the next month or two. Also, Perrin ranch is seeking right-of-way permit from the AZ State Land Department and approval from the Arizona Corporation Committee’s line siting process. The Public hearing for the ACC will be held in Flagstaff the first week in March.

## ***Solar***

### Sonoran Solar Project

The BLM has reinitiated DEIS planning for the Sonoran Solar project in Little Rainbow Valley. The project proponent, Nextera, has decided to pursue PhotoVoltaic technology to eliminate issues with proposed ground water withdrawal for a parabolic trough solar thermal system. The Department supports this alternative. The BLM has asked the Department to continue working with Nextera on developing wildlife mitigation.

### Quartzsite Solar

The Department has been reviewing the administrative draft EIS for the proposed project. Department personnel, other agency biologists, and project proponents are currently working to determine appropriate mitigation for impacts to wildlife and recreation.

### Hyder Solar

The administrative draft EIS is still being developed. Currently, the project is waiting for the U.S. Corps of Engineers to verify the jurisdictional delineation of washes in the project area.

## **SunZia Transmission Line Project**

The Department continues to monitor the proposed SunZia Transmission Line Project. This project proposes a high-capacity transmission line beginning in northeastern New Mexico and terminating near Eloy, Arizona. SunZia will consist of up to two 500KV transmission lines, towers, service roads, and several new substations. Project proponents anticipate an imminent need to transport energy from proposed new, energy resources such as wind, and solar in the Southwest to the Western power grid. Traditional power generating stations have also been proposed for the area which could utilize the new lines. BLM is responsible for preparing an environmental impact statement (EIS).

Several potential routes have been identified for the project, including one route that would bisect the Galiuro Mountains between the Aravaipa Wilderness and the Galiuro Wilderness, and several potential routes in the San Pedro Valley, the Sulfur Springs Valley, and along the I-10 Corridor. The Department has concerns about direct impacts of the line including habitat fragmentation, as well as indirect and cumulative effects including attracting development of such facilities to important wildlife habitats such as pronghorn habitat in Sulphur Springs Valley.

## **Transportation**

### US 60 Superior to Globe

The proposed improvements and/or realignment of US 60 between Superior to Globe is currently 1.5 years behind the original schedule as contractual issues, tribal concerns and budgets have delayed the process in the development of the EIS. The Department participated in a recent meeting of the US 60 team and the discussion included questions and concerns for both archaeological and biological levels appropriate for the environmental evaluation at this particular stage of the project. The proposed alternatives are still undetermined as to what may stay with some strong focus now placed on the Queen Creek alternative. Impacts to Queen Creek by widening the existing alignment are still not determined at this time; but it has been determined that the Canyon could be improved according to Federal construction standards. Other issues in question are cumulative impacts to water flow through the canyon, placement of an east-bound tunnel, and possible cultural impacts with this alternative. Contracts are being

amended and the push to move forward continues for the environmental/cultural studies. No meeting for the team will be held in February and will resume meeting in March.

### **Wildlife Areas**

#### Raymond Wildlife Area

In an attempt to improve habitat conditions and encourage the bison to stay on the wildlife area, the Department is working on a new pipeline, 10,000-gallon storage tank, and water trough. These improvements are planned in the southwest corner of the wildlife area where it is currently dry and the bison habitually escape to get water about a mile away on the Flying M Ranch.

#### House Rock Wildlife Area (HRWA)

A new wildlife catchment, Buck Farm #2, has been completed at the wildlife area. In addition, 2 20,000-gallon storage tanks were added to the HRWA pipeline system.

#### Sunflower Flat Wildlife Area

The Department has planned for a new fence and signage project at the wildlife area to improve wetland habitat conditions and prevent recreational damage. Construction is expected to begin once the weather dries out and environmental compliance work has been completed.

### **Wildlife Linkages/Corridors**

Statewide coordination is continuing for the county workshops. The Department has been working on a draft document to be used as the template for reporting on the results of the county-wide linkage assessments. That template is undergoing a final internal review and will be provided to the Arizona Wildlife Linkages Workgroup, which serves as the steering committee for this work, for their input. Specific updates are below:

#### City of Surprise General Plan amendment

The Department continues to participate in land use planning and linkage planning with the City. The city has issued notification (2-18-11) of the 60-day review period for a major amendment to incorporate information on Wildlife linkages.

#### Coconino County

Department staff drafted a report describing the results of the Coconino County stakeholder workshops which will serve as the template for other county-specific linkage reports and is developing a final version based on internal review. Staff met with Coconino County planners to discuss selection of a subset of stakeholder-defined linkage areas for which we will develop GIS corridor designs based on focal species habitat suitability models. The Department shared Coconino County stakeholder linkage data with the Coconino National Forest to assist with forest planning and with the City of Flagstaff for development of open space maps for the revised Regional Land Use Plan.

#### McDowell Mountain Preserve

The Department continues to build the partnership with the City of Scottsdale regarding wildlife linkages planning & research for the McDowell Sonoran Preserve. The Department and the City held a workshop to identify the needs for research and long-term planning for the area. The Department is currently working with the City to complete an agreement to develop research project proposals to gather the baseline data necessary to make informed decisions.

#### Pima County Wildlife Linkages Assessment

Department personnel met with representatives from local partner organizations to begin planning the stakeholder workshop for Pima County to be held in April or May. This effort is different from other county efforts in that funding was received from the Pima County Regional Transportation Authority to create detailed fine-scale corridor reports for the County over the next eighteen months.

#### Pinal County and State Land Department

The Department met with Pinal County and the State Land Department to discuss linkage planning and process. The preliminary coordination discussion included the potential for an addendum to the comprehensive plan that incorporates linkage planning identification into the process and accompanying language to begin the discussions with the Department. The meeting promoted partnership and sharing of data for future planning efforts.

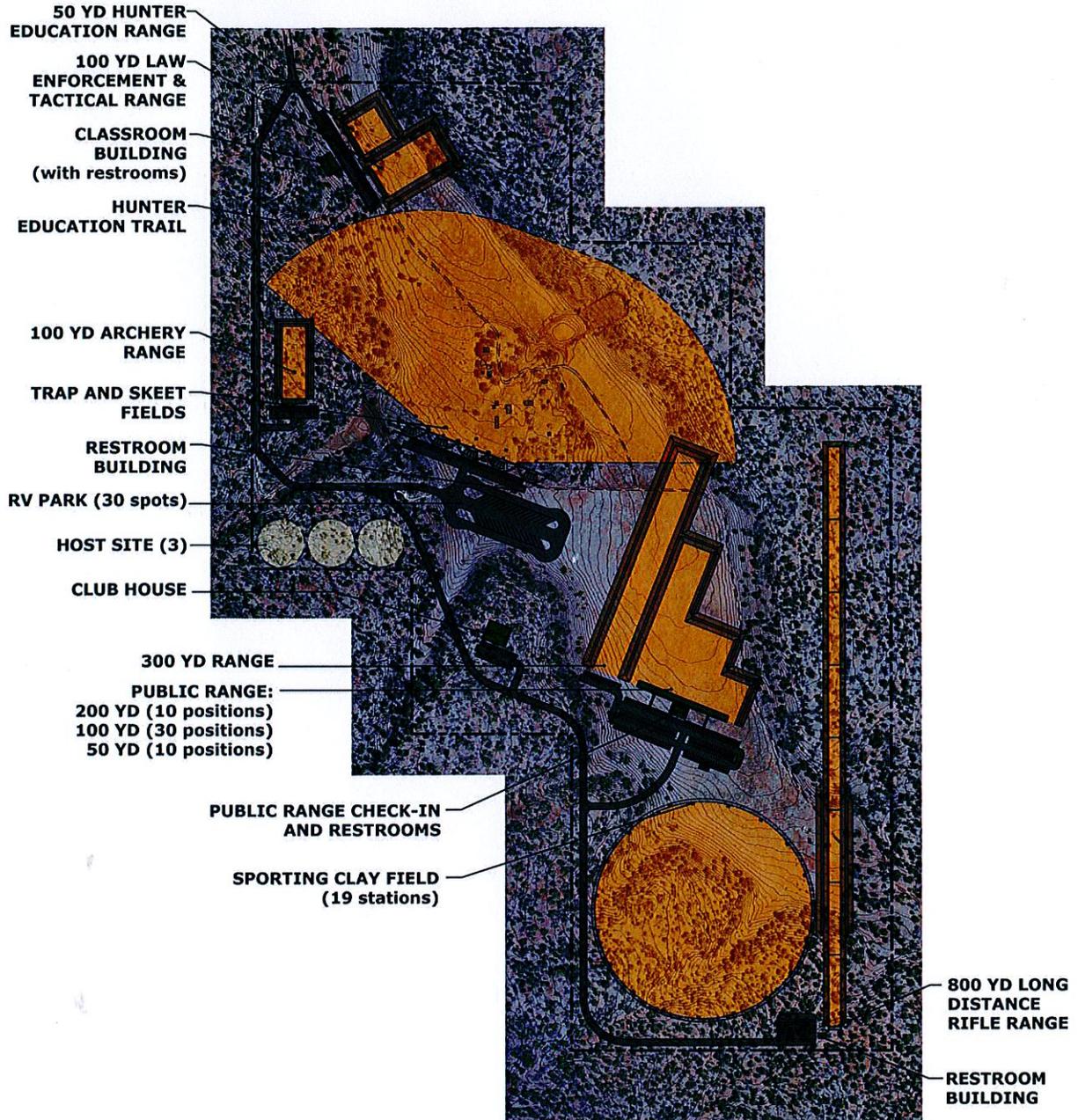
#### Yavapai County

Department personnel continue to coordinate with Yavapai County as it embarks on the formulation of a new Comprehensive Plan. Department personnel have been invited to sit on the Environmental Planning Committee that will draft the environmental and natural resources component of the plan.

#### US 93 Bighorn Sheep overpass

Cameras set up on the overpasses built over US 93 have documented a pair of rams using one of the bridges (at mile post 5.1). The overpasses were completed in late 2010 and the funnel fencing directing the movements of the sheep to the bridges has not yet been finished.

# NORTHERN ARIZONA SHOOTING RANGE SITE MASTER PLAN



**FINAL 2011 Director's Goals and Objectives**  
**ARIZONA GAME AND FISH COMMISSION MEETING**  
**March 11, 2011**

- ~~— Incorporate feedback from the January and February 2011 Commission meetings~~
- ~~— Continued discussions at March 9 Workshop and included changes.~~
- **Request Commission approval at March 11 Commission meeting.**

**1. Strategic Planning**

At the Dec. 2011 Commission meeting, the Department will present a draft 2018 Strategic Plan for Commission discussion. Throughout the coming calendar year, the Department will actively seek continued Commission participation in the preparation of the draft Strategic Plan and provide periodic progress updates. The Department will also provide the Commission with recommended approaches to future Strategic plan timelines, reviews, reporting and updates.

**Deliverables:**

- By Dec 2011, the Department will submit a Draft 2018 Strategic Plan for Commission review.

**Reporting:**

- Provide written updates throughout year.
- Future Commission meeting agenda item or Commission workshop.
- Draft Strategic Plan delivered to Commission in December 2011.

**2. Future Funding and Revenue**

By Dec. 2011, the Department will submit recommendation(s) for securing additional revenue in existing funds and potential alternative funding sources. Particular focus should be placed on increasing traditional funding streams. Recommendations will be developed using an analytical and business-model approach.

**Deliverables:**

- Analysis of viable funding options that includes effective price points for customer demand of hunt/fish license costing alternatives that includes various revenue projections vs. price comparisons.

**Reporting:**

- Provide Commission written updates throughout year.
- Agenda for future Commission meeting and/or workshop.
- Final report delivered in memo to Commission in December 2011.
- Proposed license fee changes (increases/decreases) will be presented late spring/early summer as Commission request to initiate rule-making.

**3. Wildlife-related Recreational Access**

By 2012, implement actions that will continue the Department's progress identified in the Access Program Framework that was developed in 2010.

**Deliverables:**

- Implement Training program for regional staff as a priority in the methods to promote relationships with private landowners through available programs;
- Coordinate access inventory and mapping efforts using GIS, and;
- Continue to pursue external funding opportunities related to recreational access.
- Provide recommendations to the Commission for immediate and long-term solutions to potential public access closures resulting from renewable energy development.

Reporting:

- Provide Commission written quarterly updates throughout year.
- Final closeout report delivered in memo to Commission in December 2011.

4. Law Enforcement

Increase and enhance Game and Fish law enforcement field capacity and presence through deployment of the professional Wildlife Manager model with LE field presence being a priority. Based on the Commission-directed law enforcement capacity review completed in 2010, ongoing activity implementation by the Department, and continuing Commission direction, the Department for 2011 will:

Deliverables:

- Maintain hiring, recruitment and resource assignment process to keep Wildlife Manager Districts full through better budget planning and hiring/personnel transaction processes;
- Continue deployment process for new Law Enforcement Specialist positions with goal to have nine positions assigned given current budget, and eventually (within three annual budget cycles) to have 14 positions (i.e. one per Field Supervisor Sector) assigned;
- Direct local regional training and assignment priorities to increase Game and Fish law enforcement field presence and patrol time, and at the same time increase law enforcement-related community involvement and landowner relationships;
- Complete process rework for Commissioned Reserve Officer Program and begin formal recruitment process for additional Reserves with objective of having a minimum of 10 Reserves (towards the goal of having one per Field Supervisor Sector) trained and deployed during this calendar year with the primary intent to augmentation of LE field presence being the priority.
  - Recommend resourcing needs (e.g., budget and equipment) towards doubling the Commissioned Reserve Officer Program beyond above stated objective;
- Increase recruitment and assignment process for regularly detailed non-commissioned volunteers in Field Operations Division so as to have a minimum of three per Region with intent of assigning them to Sectors (i.e. Field Supervisors or WMIII's).
- Continue to direct resources toward routine WM office/administrative from home office to mobile truck offices in order to free up Wildlife Manager time for additional law enforcement presence;
  - Develop an implementation plan for the deployment of technology, such as cellular smart devices and vehicle mounted laptops, which provide increased mobility and efficiency for WMs.
- Continue to explore additional funding streams and partnerships with other state jurisdictions with the intent to increase the Department's full time law enforcement capacity for natural resource protection across the state.

Reporting:

- Monthly LE Briefings to the Commission
- Final report delivered to Commission in December 2011.

### **5. Wildlife Education- Adobe Mtn. Education/Rehabilitation Facility**

Relocate the Adobe Mtn. Wildlife Education and Rehabilitation Facility (Wildlife Center) to the Department Headquarters site by 2013. The purpose of the new facility is to provide a variety of educational programs and venues for the public to learn about wildlife and be introduced to outdoor activities including hunting, fishing, wildlife watching, etc. The new center will also continue to provide immediate triage for sick, injured or orphaned wildlife for transfer to a licensed rehabilitator as well as serve as a holding facility for education and quarantined/seized wildlife.

#### **Deliverables:**

- Review and finalize construction plans to ensure compatibility with future Educational Programs.
- Construct main wildlife center building.
- Seek additional or alternative funding opportunities for construction, but project implementation is not contingent on success of external funding.

#### **Reporting:**

- Progress reported in monthly IEWR Commission update.
- Final report delivered in memo to Commission in December 2011

### **6. Geographic Information Systems and Capability**

Enhance Geographic Information System (GIS) capability to enable the Department to effectively, appropriately and methodically inform and influence the impact of Arizona's future on all wildlife and wildlife habitat. The Department will implement Level 3 of the GIS framework outlined in the final report for 2010 Director's Goal and Objectives. In the future, the Department will discuss with the Commission approaches for broadening our GIS capability into tools that better assist in the management of all wildlife and the potential for revenue generation, while preserving our proprietary rights to the information and associated systems.

#### **Deliverables:**

- Conduct a GIS Enterprise workshop with AGFD GIS and IT experts and managers (facilitated by ESRI – a GIS industry leader) to kick-off the implementation of the GIS framework outlined in the final report for 2010 Director's Goal and Objectives goal #3.
- Conduct a GIS data needs assessment to identify core GIS data sets for the Department and to inform GIS Enterprise implementation.
- Setup GIS development servers to test GIS enterprise technology and to inform Department-wide implementation needs and gaps.
- Identify practical tools and methods for implementing geospatial data and metadata standards and procedures developed during PIP XIV and inform GIS community of findings.
- Setup a GIS knowledgebase for GIS outreach.
- Setup a GIS work request system for AGFD to track and manage GIS tasks.
- Finalize and make available the web based Geospatial Planning Tool and begin outreach efforts to municipal, county, state agencies, and the public which control planning throughout the state.
- Recommend potential legal and regulatory approaches to preserving the Dept's proprietary rights associated with the data, information and GIS systems.

#### **Reporting:**

- Provide Commission written updates throughout year.
- Final report delivered in memo to Commission in December 2011.
- Future agenda item in Commission Executive Session.

### **7. Workforce Development**

By Dec. 2012, the Department will finalize a workforce plan that includes the development of core competencies as part of the integrated training needs assessment (TNA).

#### **Deliverables:**

- By December 2011, the Department will finalize and implement the core competencies identified in the 2010 training needs assessment agency-wide.
- As a major component of the workforce development plan, incorporate a proactive approach to succession planning that focuses on mentoring and coaching of employees.

#### **Reporting:**

- Written updates provided to the Commission.
- Final report delivered in memo to Commission in December 2011.

### **8. Enterprise Architecture**

By 2012, complete the design of a Department Enterprise Architecture (EA) integrating all Department information, communication, computer/automation, web-based, database management, & GIS systems capable of supporting the Department into at least 2028. Simultaneously, as resourced, seek to aggressively implement appropriate elements of the EA.

#### **Deliverables (by Quarter or "Q"):**

- By Q1 2011 – Develop Enterprise Architecture Intranet presence.
- By Q2 2011 – Complete core .Net/C# and Microsoft Sql Server training (Database Engine)
- Q2 2011 – Form team to develop backend for NIC integration.
- Q2 2011 – Form team(s) to discuss and identify new application requirements.
- Q2 2011 – Form team to research Dealer Point of Sales application.
- Q2 2011 – Form team(s) to create data governance, ownership/security.
- Q3 2011 – Form team to research requirements for an AGFD Data Warehouse.
- By Q4 2011 – Complete specialized technology training (Microsoft Entity Framework/WCF/WFF, Sql Integration, Reporting and Analysis Services).
- Q2 - Q4 2011 – Complete online draw backend processing with new Enterprise Application Database.
- Q2 - Q4 2011 – Complete online license sales backend processing with new Enterprise Application Database.
- Q3 – Q4 2011 – Build out of Enterprise Software Lab.
- Q4 – Tangible deliverable.

#### **Reporting:**

- Update to Commission during quarterly E-Commerce reports in March, June, September, & December 2011.

- Discuss Goal progress with Commission at Commission workshop and provide the Director updates.
- Final report delivered in memo to Commission in December 2011.

### **9. On-line Hunt Draw**

By 2012, re-initiate the Department's on-line hunt draw application process and capability.

#### **Deliverables:**

- By Dec. 2011, the Department will complete the on-line draw application software ready for customer use.
  - o March-Aug 2011: Test, Fix, Re-Test Software.
  - o By July 2011, determine appropriate Hunt-Draw to go Live.
  - o August 2011-Dec 2011, develop full functionality testing to include credit card processing and full load testing.

#### **2011 Back-end processing deliverables:**

- By Feb 2011, form team to develop backend processing software.
- By March 2011, finish design of backend processing. Includes updates to existing Sportsman's database and design of the new Enterprise Application Database.
- By Feb 2011, identify addresses standardization vendor to use for data cleansing.
- Mar-Aug 2011, test updating Sportsman's database with Draw Application data.
- Mar-Aug 2011, test integration with NIC web services to retrieve Draw Application data.
- August 2011-Dec 2011, full testing with NIC.

#### **Reporting:**

- Update to Commission during quarterly E-Commerce reports in March, June, September, and December 2011.
- Discuss Goal progress with Commission at Commission workshop and provide the Director updates.
- Final report delivered in memo to Commission in December 2011.

### **10. Game Management- Mountain Lion**

Inform the Commission on the best available scientific information about the effects that mountain lion predation has on Arizona's big game populations; the scientific evidence for birth pulses of lions in Arizona; and the trends in lion population numbers, and the techniques that can be used to determine those trends.

#### **Deliverables:**

- Provide an assessment based on best available data of the influence of mountain lion birthing frequency by month as it applies to mountain lion management in Arizona through the hunt guidelines that will be delivered to the Commission in September 2011. The hunt guidelines presentation will include a briefing on monitoring approaches adopted since the Mountain Lion and Bear Conservation Strategies Report was provided to the Commission in March 2009.
- Provide an assessment of zones for mountain lion management, to include zones for standard management and limited population management, within the mountain lion section of the Comprehensive Game Management Plan to be provided to the Commission in January 2012.

- By June 2011, provide the Commission with a prioritized list of management information needs with recommendations for project initiation.

Reporting: (identified in deliverables above)

### **11. Lead and Wildlife Mortality**

The Department will continue to expand its dialogue with the public regarding wildlife mortality due to ingested lead and possible voluntary strategies to minimize that mortality over the next 10 years and evaluate progress annually.

#### Deliverables:

- Develop a "rack card" with a consistent message about the lead issue for distribution to the public inquiring on this issue or at outreach events.
- Expand the "condor non-lead" page in the deer hunting regulations to cover other species (e.g. eagles).
- Explore possible changes to our existing lead reduction program in condor range and the effects on participation/compliance if the Department, such as:
  - o Subsidize the difference in cost between lead and non-lead ammunition;
  - o Discount coupons for non-lead ammunition to varmint small game hunters;
  - o Incentives for carcass retrieval by varmint and small game hunters using lead ammunition.
- Notice in the fall 2012 elk regulations to cover other species.
- Notice in the 2011-2012 hunting and trapping regulations to address use of non-lead ammunition for varmint hunting, especially in condor range.
- Expand the messages we use at outreach events, such as the ISE and Expo, to cover more species issues associated with lead.
- Develop and implement a survey of Unit 9 and 10 tag holders regarding their lead-reduction efforts to gauge voluntary compliance with non-lead ammunition use when we ask for assistance but don't provide ammunition. This can be contrasted with the Unit 12A free-ammunition program.
- Provide additional outreach to our constituents regarding the performance, availability and cost of non-lead ammunition on the Department's web page. Add voluntary reduction efforts information to the appropriate "where to hunt" unit web pages in Region 2 and possibly Region 3 (GMU 10).
- Improve notices in the 2011-2012 fishing regulations to address the use of lead fishing tackle.

#### Reporting:

- Written updates provided quarterly or as Commission dictates.
- Final report delivered in memo to Commission in December 2011.

### **12. Lands Council: Commission-owned Lands and Properties**

The Department will continue to establish the processes necessary to effectively manage the Commission's lands and properties. The program will become integrated with budget and planning processes to ensure lands/properties and associated assets are identified, acquired, sustained/maintained, developed/expanded and, as appropriate, disposed of, in accordance with a statewide land management strategy.

#### **Deliverables:**

- Pilot a framework for a manageable GIS-based inventory of the Commission's property portfolio to simplify, consolidate, and improve tracking of properties and associated assets associated with Commission-owned property (pilot is Sipe White Mountain Wildlife Area).
- Identify potential property disposals/divestitures, while formalizing associated evaluation criteria and recommendation processes. Provide evaluation criteria and process recommendations to Executive Staff.
- Design community-based processes for inclusion in a Wildlife Area Management Planning Template that identify opportunities to expand upon, leverage, or supplant available Department dollars for purposes of acquiring, developing, operating and/or managing properties while maintaining the purposes and values for which the properties were acquired. Include identification and evaluation of enterprise oriented activities/uses of a property that could, consistent with the property's purpose, generate revenue to aid in the operation of that property. Pilot this community-based planning process with the development of the Horseshoe Ranch Wildlife Area Management Plan.
- Develop and recommend a process that integrates Lands Council recommendations into budget development processes used by Executive Staff on fiscal year budgets for all Department properties that serve to accurately identify base budget needs, Capital Improvement needs, enhancement needs by property in priority order.

#### **Reporting:**

- Written updates provided quarterly or as the Commission dictates.
- Final report delivered in memo to the Commission in December, 2011.

### **13. Simplify hunt and fish regulations.**

Current regulations are very complicated and difficult to understand, especially for new hunters/anglers. This may be impacting future recruitment efforts or deter people from participating.

#### **Deliverables:**

- At the December 2011 Commission meeting, the Department will identify and provide the Commission with recommendations for consistent definitions and simplification of the current license fee class structure identified in Title 17-333.

#### **Reporting:**

- Written updates provided to Commission on progress.
- Final report delivered at the Dec. Commission meeting.

**14. Employee Morale**

Department employee morale is of high importance to the Commission and we do it by monitoring the following deliverables:

**Deliverables:**

- The Department will continue to participate in the annual statewide ADOA (typically conducted in spring) and exceed the mean results of the annual statewide ADOA.
- Develop and implement the annual agency-wide employee survey (typically conducted in spring) and facilitate employee participation.

**Reporting:**

- By Dec. 2011, the Department will present the results of both surveys.

**Recommendation:**

The Department recommends that **the Commission vote to approve the 2011 Director's Goals and Objectives as presented/modified at the March 11 Commission Meeting.**

**DRAFT**

## Commission Practice and Procedures –March 2011

**Role of the Commission Chair** – To provide leadership to the full Commission and as with all Commissioners, be available to provide policy direction and guidance to the Director and Department staff as necessary, both during Commission meetings and for day to day coordination issues with the Department.

### Commission Meetings

**Agenda Items** - Any Commissioner may request an item for any agenda in accordance with open public meeting law. This should be coordinated between the interested Commissioner and the Chair. If an agreement is reached, the Department will then be notified by the Chair or the Commissioner requesting the item and the Department will staff appropriately.

**Draft Agendas** – The Department provides drafts of upcoming meeting agendas to Commissioners in advance of public notice of the agendas. This usually occurs no sooner than one week prior to posting the agenda publicly.

**Commission Action Items** – During Commission meetings at the end of each agenda item where direction is provided to the Department by the Commission, the Director will capture, clarify and communicate with the Commission the specifics of that action item (e.g., timing and or deliverables) that are expected by the Commission before the Chair moves on to the next agenda item. This will be done to ensure the Department and Director can accurately meet the Commission's expectations. Review of action items will remain a standing agenda item at each Commission meeting.

**Calling Telephonic Meetings** – Any Commissioner can request a telephonic Commission meeting in an instance where an item needs full Commission consideration and/or vote prior to the next regularly-scheduled meeting. However, only the chair has the authority to call a meeting unilaterally, so Commissioner(s) would be required to request that the Chair call the meeting. In the case that the Chair is unwilling or unable to call a telephonic meeting, a majority of the Commission can call a meeting. In this instance, the Department's legal counsel will be contacted and consulted.

**Outreach Surrounding Commission Meetings** – The Department will continue to produce pre- and post-meeting outreach to the Department's constituency and media sources following all Commission meetings. This outreach can include Commission actions taken, including positions and Department direction voted on by the Commission.

**Role of Legislative Commissioners** –The two designated legislative Commissioners are responsible to represent the Commission at the Legislature as necessary, including providing testimony, and speaking to members on issues that the Commission has taken formal positions. They will also be responsible to keep the Chair, other Commissioners and the Department

apprised of legislative issues and to work closely with the Department's Legislative Liaison. The Commission will vote publicly during the December Commission to select the two designees for the following year. The Legislative Commissioners may discuss, testify or take other necessary action on legislative matters on behalf of the Commission where scheduling a telephonic or emergency Commission meeting is not possible.

**Commission Chair and Commissioner Committee Assignments** – The Chair will assign commissioners to standing committees. The Commission will vote to approve the Chairperson of the Commission for the coming year during the January Commission meeting.

**Role of Commissioners as Committee Chairs** – Commissioner Committee Chairs are responsible for oversight of the activities of the assigned committees and to provide Committee actions/information back to the full Commission for consideration and discussion by the full Commission.

**Political Activity** - A.R.S. 17-213 and A.R.S. 41-772 prohibits state employees from taking active part in a political campaign or using his office to influence in any way an election or the results thereof. Although this prohibition does not apply to Commissioners, the Commission is not authorized to use public resources for political activities and cannot request the use of Department resources for political activity. This does not prevent the use of Department resources to provide factual information to the public on legislation, elections, ballot propositions or political campaigns.

**Commission Positions** – The position of the Commission may change over time on long-term issues addressed by multiple Commissions. In these cases, the Commission may ask the Department to provide updated historical information on past Commission positions etc. to describe for and assist current Commission members with a historical outlook on particular issues. In these cases, any Commissioner, in coordination with the Chair may direct the Department to provide the information to the full Commission.