

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, May 11, 2012
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director and Staff)

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

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

Chairman Freeman called the meeting to order and led those present through the Pledge of Allegiance. The Commission introduced themselves and Director Voyles introduced his staff. Commissioner Mansell was not present until later in the day. This meeting followed an agenda revision #2 dated May 9, 2012.

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Awards and Recognition

Director Voyles presented Wildlife Manager Dan Dymond with the 2011 Shikar Safari Wildlife Officer of the Year Award. Each year this award is presented to conservation officers in all 50 states, and the Canadian Provinces and Territories. The award recognizes officers for their outstanding performance and dedication to protecting and preserving wildlife. In addition to the award the Safari Club provided Mr. Dymond with a \$20,000 life insurance policy to help protect his family.

Director Voyles also presented the Commission with a Colt Single Action Army Revolver that was awarded to the Department from the Vice-President of Colt's Manufacturing Company Carlton Chen to commemorate its adoption as Arizona's State Firearm.

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1. Call to the Public

Michael Mayer, representing himself, requested that the Commission review the hunting regulations for the McDowell Sonoran Preserve. A habitat study needs to be done on the preserve. He would like to see the Commission work closely with the McDowell Preserve Conservancy.

Judith Anderson, representing herself, urged the Commission to reconsider their coyote management policy. It is not currently a great success. There were no coyotes in her Tempe neighborhood in the past, but they are there now, and they are a danger to children and pets. There needs to be a sustained population control effort or at least some type of removal policy.

Mariam Ephraim, representing the Tempe community, also expressed concerns about the coyote population in Tempe. Additionally, there are communication problems between the community and the Arizona Game and Fish Department. There needs to be a way to disseminate information and to educate the community. Ms. Ephraim recommended that the Department work with a point person in the community on the coyote issues.

Assistant Director Leonard Ordway stated that the Department has a tremendous program relative to working with HOA's and the communities and directed Region VI Supervisor Rod Lucas to follow up with Ms. Anderson and Ms. Ephraim.

Mike Sorum, representing himself, addressed the Commission in support of predators. He previously submitted a letter requesting a predator workshop with the Commission and constituent groups. In regards to the coyote issues in the Tempe community, he believes there just needs to be better education. This situation may also call for a workshop.

Larry Landry, representing himself, commented that he is one of the citizen members for the Arizona Natural Resources Protection Act Committee (See agenda item #2A). As of yesterday, all related petitions have been pulled and they have been destroyed. He apologized for wasting the Commission's and the Department staff's time. The intent was to do no harm to Game and Fish. The OHV and SLIF section was a huge mistake and will no longer be written the same way in the initiative. There will be nothing in the re-filed initiative that deals with anything with Game and Fish. He requested that the Department's Attorney's General review the re-written initiative.

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2. Legislative Engagement and State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission using a Power Point presentation 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 (also available to the public). The briefing included the following updates:

The Arizona State Legislature went Sine Die on May 3, 2012. There were 116 regular days of session. Session activities included the following:

- Bills Posted: 1395
- Bills Passed: 387
- Bills Vetoed: 19
- Bills Signed: 321

The Commission was provided with a year-end 2012 Legislative Summary that included the following information:

Commission Supported Legislation

SB 1300: game and fish department; continuation

- Signed by Governor of 4/17/212 (House final vote 57-0; Senate final vote 24-6)

HB 2322: watercraft; registration; fees

- Signed by Governor on 4/11/2012 (House final vote 55-0; Senate Third Read 22-6)

HB 2639: game and fish omnibus act

- Signed by Governor on 4/17/2012 (House final vote 50-0; Senate Third Read 24-5)

Commission Opposed Legislation

SB 1453: applying aquatic poisons (Rotenone)

- Assigned to House Environment Committee – HELD

HB 2072: sale of big game tags

- Has not received a hearing

HB 2540: AZ wildlife conservation service

- Has not received a hearing

Dead Bills of Interest

HB 2786: off-highway vehicles; indicia

- Held on 2/16/2012

HCR 2047: state parks heritage fund; restoration

- Has not moved since 2/9/2012

SB 1521: heritage fund; audit; hearing

- Held by sponsor

SB 135: game and fish omnibus act

- Held by sponsor

Signed Bills of Interest

HB 2640: hunting; firearm magazine capacity

- Signed by Governor on 3/21/2012

HB 2728: firearms; sound suppressors; hunting

- Signed by Governor on 3/29/2012

HB 2457: S/E possessions of weapons while hunting

- Signed by Governor on 4/11/2012

HB 2571: S/E State personnel system

- Signed by Governor on 5/10/2012
- Consolidates State Personnel Systems

- Converts employees to uncovered status beginning 9/29/2012 (new hires, supervisors, grade 19+ positions, Attorneys and IT positions)
- Freezes current covered/uncovered status for Peace Officers, DPS civilians, Correctional Officers
- Covered Full authority Peace Officers as certified by AZPOST appointed to a position that requires such a certification would appeal suspensions greater than 80 hours, demotions and dismissals to the Law Enforcement Merit System Council (LEMSC) and not the State Personnel Board
- Arizona Game and Fish Director now serves at the pleasure of the Commission.

Congressional Update

Renewable Energy Legislation: The Department has been in discussions regarding renewable energy legislation. Congressman Gosar is looking at introducing legislation in the near future and has asked the Department for comments and input. Once the legislation is drafted, the Department will bring that back and ask the Commission to take a position. This will be a pilot program for renewable energy, such as wind and solar, where the monies would come back to the states and counties on a lease basis.

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2A. The Arizona Natural Resources Protection Act

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles introduced Cristie Statler with the Arizona State Parks Foundation who addressed the Commission regarding the proposed Arizona Natural Resources Protection Act, a potential citizens' initiative for the 2012 November ballot.

Ms. Statler stated that the Arizona State Parks Foundation has taken an active role in supporting the Natural Resources Protection Act. Ms. Statler was prepared to present to the Commission the aspects and features of the Act, but as the Commission heard from Mr. Landry earlier in the Public Comment (agenda item #1), the legislation is undergoing some significant change.

Mr. Larry Landry addressed the Commission and provided them with a Question/Answer Fact Sheet regarding the Arizona Natural Resources Protection Act (attached). Mr. Landry discussed the Fact Sheet and the Arizona Natural Resources Protection Act with the Commission and stated that it will be changed so that there is absolutely no impact to the Game and Fish Department. Mr. Landry added that his involvement in this initiative is as a private citizen and not as a Parks Board member.

Chairman Freeman asked about the timeline for the Department to review and/or provide input in the proposed legislation.

Mr. Landry stated that he plans to re-file the initiative on Monday, but may be able to put that off for a day or two.

Public Comment

Jeff Williamson, Arizona Heritage Alliance Board, addressed the Commission. The Arizona Heritage Alliance Board met on this issue earlier this week and has chosen not to take a position. They have some concerns about the language and concerns about the engagement of Game and Fish and State Parks, both of which are beneficiaries of the Heritage Fund. They very much support enhancing and replenishing the Heritage Fund and they support voter protection of it, but they are not confident in the draft legislation in its current form. They have a team that will be working with Mr. Landry and will work with the Game and Fish Department as well.

The Commission discussed what direction to give to the Department and what may or may not be possible in light of the short time frame, as far as having the initiative language reviewed by the Department and the Attorneys, and then having that brought before the Commission.

Motion: Davis moved and Husted seconded THAT THE COMMISSION VOTE TO INSTRUCT THE DEPARTMENT AND LEGAL COUNSEL TO EVALUATE AND WORK WITH THE AUTHORS IN PROVIDING FEEDBACK THAT MAXIMIZES PROTECTION OF DEPARTMENT RESOURCES (INCLUDES THE VOTER PROTECTION ASPECT), THAT CREATES OR OPENS OPPORTUNITIES FOR FUNDING STREAMS, AND THE ABILITY TO HAVE MAXIMUM FLEXIBILITY WITH THOSE FUNDING SOURCES.

Mr. Odenkirk questioned the motion stating that he was uncertain as to whether or not the Commission was limiting direction to make sure that the language in the initiative causes no harm to Department funding, or goes beyond that and asks the Department to develop language that will provide greater protection than what currently exists.

Commissioner Husted clarified that the motion meant: A) make sure the Department/Commission doesn't lose any money, B) protect the money we do have, and C) create flexibility for those monies. These are the priorities, in this order, as time allows.

Director Voyles stated that Department staff will work through the weekend to see what input can be provided and then will coordinate with the Chair on how to move forward from there.

Mr. Landry asked that the Department's Attorney's General and the State Parks Attorney's General discuss the initiative with each other to make sure no further mistakes are made.

Chairman Freeman confirmed with the Director that the Attorney's would discuss as time allows.

Director Voyles clarified that he understood that the Commission's direction to the Department is to review the initiative, but not to propose language. Following that review, the Director will have a conversation with the Chair and then the Chair and Vice Chair will have a discussion. The Department will not proceed unilaterally without at least the input of the Chair and Vice Chair and an assessment of whether it needed to come back to the full Commission.

Commissioner Harris stated that he will oppose this motion because the Commission needs information and the Department can get that information and bring that back to the Commission as they need and/or see fit. That is the Director's and staff's role and a motion is not needed to accomplish that.

Vote: Aye - Freeman, Husted, Davis
Nay - Harris
Passed 3 to 1
Mansell not present

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Meeting recessed for a break at 9:40 a.m.

Meeting reconvened at 9:55 a.m.

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3. Shooting Sports Activities Briefing

Presenter: Jay Cook, Shooting Sports 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 (also available to the public). The report included shooting programs and shooting range development statewide and covered activities that occurred since the last regular Commission meeting. This briefing is part of the Department's ongoing commitment to provide the Commission with updates on a regular basis.

Chairman Freeman announced that the Tin Man 200 event will be held this weekend. This will be an opportunity to shoot 200 clay targets at two Arizona ranges, 100 clay targets at the Northern Arizona Shooting Range on May 19 and 100 clay targets at the Ben Avery Shooting Range on May 20. The event is open to members of the National Sporting Clays Association and to non-members.

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4. Request for Commission to Approve the Properties Identified for Sale or Exchange by Lands Council.

Presenter: Josh Avey, Habitat Branch Chief

Mr. Avey briefed the Commission using a PowerPoint presentation on Commission-owned properties identified by the Lands Council for future disposal or sale. The Commission was provided with a list of these properties and the list was available to the public.

The Lands Council charter, approved on May 17, 2010, identifies as one of its primary responsibilities, the identification of Commission owned property and realty interests that should be divested or disposed of. The Lands Council developed an evaluation process that uses input from the Regions and the Land and Water Program to identify properties that no longer meet the purposes for which they were acquired. Properties might be disposed of when they cease to meet their intended purpose; their value has been significantly degraded due to habitat conversion, surrounding development; or when their greatest wildlife value lies in their exchange potential. In some instances, properties could be exchanged for managed properties where fee simple interest in the property would be of greater benefit to the Commission.

The Commission discussed the list of properties with Mr. Avey and the Director, and asked several questions about specific properties on the list.

Director Voyles suggested that the Commission could consider this briefing as informational only and as an opportunity to provide feedback to the Department about the properties. Any formal action by the Commission could take place at a future meeting.

Commissioner Harris noted that Commissioner Mansell was not present and he would like to hear some of his thoughts before the Commission moves forward.

Chairman Freeman agreed, but still asked Mr. Avey to read the Department's recommendation.

Mr. Avey stated that there was no hurry for the Commission to take action, but the Department's recommendation will be: That the Commission approve the list of Commission-owned properties identified by Lands Council, that no longer meet their original purposes, for future disposal, exchange or sale.

Commissioner Harris requested that the recommendation be broadened a little bit, because while a property might not meet its original purpose as stated in the motion, there might be some other wildlife value that the Commission might want to consider.

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5. Wildlife Center Project Briefing

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

Mr. Gray provided the Commission with an update using a PowerPoint presentation on the status of the proposed wildlife rehabilitation and education center which will be located at the Department Headquarters. The update included a briefing on the debt service, intern assistance, potential funding options, design and conceptual planning, donor menu, revised fundraising campaign, and coordination with Wildlife for Tomorrow and the Adobe Mountain Wildlife Center Auxiliary.

Commissioner Davis recommended that the Department talk to the three Arizona state universities about their experiences and their consultants regarding capital campaigns. All three are currently involved in capital campaigns and have been successful even in tough times. Also, at some point a full time person will be needed for this and so that should be a part of the analysis. The Department may also want to consider that there are synergy opportunities out there and one that should be explored is the Arizona Experience Center that the Arizona Centennial Commission along with the Governor was working on. The Center has not been able to be funded and opened, so that should be looked at as an opportunity and potential partner. If that Center we're functioning, it could feed opportunity into the wildlife center.

Mr. Gray stated that it was on the Department's list to talk with the universities and that the Department has been considering a full time campaign person. Also, the Department is heavily involved with the Arizona Experience, but not in the way mentioned by Commissioner Davis, so the Department will look into that.

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Meeting recessed for a break at 11:00 a.m.

Meeting reconvened at 11:10 a.m.

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13A. Proposed Grand Canyon Watershed National Monument and Draft Commission Resolution – Loss of Multiple-Use Public Lands due to Special Land Use Designations

Presenter: Josh Avey, Habitat Branch Chief

Mr. Avey briefed the Commission using a PowerPoint presentation on the Department's analysis of the new proposal of a National Monument Designation in northern Arizona for the Grand Canyon Watershed (attached to the April 13-14, 2012 Commission meeting minutes) that was released by the Center for Biological Diversity, Grand Canyon Wildlands Council, and The Wilderness Society. This proposal covers a total area of 1.7 million acres and would connect the Glen Canyon Recreation Area with the Parashant National Monument. The Department also provided the Commission with a draft Commission Resolution (attached) that addresses overarching concerns regarding the loss of multiple-use public lands due to special land use designations including National Monuments.

Public land managers have a responsibility to the people of Arizona to ensure continued opportunities for multiple-use recreational activities. Once federal lands are converted to special use lands such as wilderness and national monuments, the Federal Land Policy and Management Act (FLPMA) mandate no longer applies and those lands permanently lose multiple-use provisions. The Department is concerned that the continual conversion of public lands from multiple-use to special or single use results in the net loss of wildlife resources, wildlife related recreational opportunities, and economic benefit to the local community, county, and state. Further, the Department recommends that any proposed special land use designation on federal lands are analyzed for impacts to the Arizona Game and Fish Department's ability to fulfill its trust responsibility to manage the state's wildlife resources.

Mr. Avey's presentation included the following information and Department analysis:

Stated Goals of National Monument (NM) Proposal:

- Permanently protect old growth forests
- Protect native wildlife and corridors
- Protect archaeological sites and traditional tribal access
- Reduce road density
- Provide for voluntary retirement of grazing permits
- Prevent new uranium mines.

Department analysis of NM stated goal "permanently protect old growth forests":

- There is a high fire risk in north and south rim forests due to unnatural densities of small-diameter trees (has caused loss to forest management industry; the federal processes for thinning are very rigorous)
- Mechanical thinning and prescribed burning are necessary to restore healthy conditions prior to reintroduction of natural fire

- Department supports protection of old growth trees but advocates for mechanical thinning to meet restoration objectives
- The Department fought an uphill battle as a cooperating agency during the planning process to maintain management authority on the 2 existing monuments on the strip (NM designation may restrict mechanical thinning; it is unclear if mechanical or other vegetation habitat improvement projects relative to old growth pinyon juniper would be allowed; thinning projects are often scrutinized and delayed on NM).

Department analysis of NM stated goal “protect native wildlife and corridors”:

Wildlife resources within the proposed area:

- 8 Threatened or Endangered Species (California condor 10(j), Mexican spotted owl, Apache trout, Southwestern willow flycatcher, humpback chub, plus 3 cactus species)
- Big game populations within Game Management Units 12A, 12B, and 13A, including North Kaibab mule deer herd and House Rock Valley
- Potential distributions identified for 65 Species of Greater Conservation Needs
- Includes largest unfragmented habitat block in Arizona
- Includes large areas of highest conservation potential identified within the Department’s Species and Habitat Conservation Guide
- Crucial wildlife movement corridors, including the Kaibab-Paunsagunt Wildlife Corridor across Utah border.

Lessons learned from Vermillion Cliffs and Grand Canyon Parashant NM designations:

- Monument designation can lead to restrictions on proactive wildlife management, including: Wildlife population augmentations; wildlife habitat manipulations/enhancements; wildlife water developments; and hunting, fishing access
- Monument designation may prompt external pressure to seek a mandatory lead ban, which will jeopardize the success of the Department’s ongoing, voluntary non-lead efforts to restore California condor populations.

Department’s analysis of NM stated goal “Reduce Road Density”:

- Lessons learned from Vermillion Cliffs and Grand Canyon Parashant NM designations: Monument designation increases restrictions on access to hunting, wildlife viewing, and outdoor recreation
- Motorized big game retrieval may be restricted, again threatening the success of the Department’s voluntary non-lead efforts to restore California condor populations (the voluntary gut pile removal may be compromised without the use of motorized big game retrieval).

Department analysis of NM stated goal “provide for voluntary retirement of grazing permits”:

- Loss of active livestock management can cause significant loss of water availability for wildlife
- Retirement of grazing could enhance forage availability and habitat structure, particularly in riparian areas, however, through the Department’s Regional Wildlife Managers and Landowner Relations Program the Department has many cooperative habitat improvement projects with Arizona Strip ranchers that have benefited wildlife and relationships.

Department analysis of NM stated goal “prevent new uranium mines”:

- The Department and the Commission support mineral extraction as an important and acceptable use of public lands
- Recently, the Secretary of Interior signed a Record of Decision (ROD) withdrawing a significant portion of this area from new mining claims for a period of 20 years which the Commission supported because: Unknown impacts to wildlife deserve cautious approach and further study; risks of habitat fragmentation; and variability in disturbance size and reclamation recovery
- Any further restrictions would be disingenuous to the public process.

National Monument Designation Impacts to the Department’s Mission

NM designations jeopardize the Department’s capacity to protect hunting, camping, target shooting, wildlife viewing, antler collecting, habitat improvement and restoration, wildlife population augmentation, wildlife water development, and public access.

Lessons Learned – AZ Strip Planning Area

- There is external pressure to shift joint monument management to solely National Park Service
- Subsequent lawsuits regarding non-lead ammo and road densities involved significant Department employee time to ensure State interests were protected
- Continued efforts to increase restrictions on hunting and hunter access (i.e. road plans)
- The Department has invested 8 years of cooperating agency planning and coordination that would be negated
- It is disingenuous to disregard all of the public planning processes and efforts by proposing a designation that requires no public input or Congressional oversight.

Public Comment

Kim Crumbo, Conservation Director, Grand Canyon Wildlands Council, addressed the Commission in support of the National Monument designation in northern Arizona for the Grand Canyon Watershed. Mr. Crumbo provided the Commission with a PowerPoint presentation.

Mike Quigley, Arizona Representative, The Wilderness Society, addressed the Commission in support of the NM designation of the Grand Canyon Watershed. Mr. Quigley asked that the Commission take no actions that makes productive discussion any more difficult than it already is, and that they either vote against the Commission resolution that will be presented today or table the action pending further discussion and redrafting. Additionally, Mr. Quigley asked the Commission to direct the Department to substantively engage with all Arizonans and others who support habitat and wildlife in our great state.

Bruce Ricia, property owner in northern Arizona Strip area, expressed concerns about where his property is located with respect to the NM designation. He has concerns about roads being closed. He is opposed to the NM designation.

Gary Watson, Supervisor Mohave County District #1: Opposes the NM designation and provided materials to the Commission that included a letter of opposition from the Utah Washington County Commission Chairman and an article of opposition from the Kingman Daily Miner.

Shari Farrington, Field Representative for Congressman Trent Franks: Opposes the proposal for a NM in the Grand Canyon Watershed. It will lock up 1.7 million acres and it is without congressional approval and public input. The federal government should get out of the way and let the states manage their own natural resources.

Dave Richins, Policy Director, Sonoran Institute: Opposes the NM designation; prefers a methodical process that is truly stakeholder driven; also has concerns about the Commission resolution and the way it is written, because it leads to concerns about economic development. The resolution is written in a general blanket way for general land designations and that causes concern on both sides of the coin.

Ian Dowdy, Conservation Outreach Associate, Arizona Wilderness Coalition: Supports the NM designation. Expressed concerns about the structure and form of the Commission resolution, in particular because it supports multiple-use lands when multiple-use lands are often times those that are hindering the preservation of wildlife.

Sandy Bahr, Chapter Director, Sierra Club – Grand Canyon Chapter: Supports the NM designation and opposes the Commission resolution. Disagrees with the word “disingenuous” in Mr. Avey’s presentation. Habitat and habitat fragmentation are key issues. It seems the Department would want to look at ways to protect these lands and keep them un-fragmented for wildlife.

Patrick Bray, Executive Vice President, Arizona Cattle Growers Association: Adamantly opposes monument designations and fully supports the Commission resolution.

(Called in from Region II)

Alicyn Gitlin, Grand Canyon Program Coordinator, Sierra Club - Grand Canyon Chapter, Grand Canyon Protection Campaign: Supports the NM designation. Resides in and recreates in northern Arizona.

(Called in from Region V)

Matt Skroch, Executive Director, Arizona Wilderness Coalition: Supports the NM designation and opposes the Commission resolution. The resolution goes beyond national monuments and makes fairly broad blanket statements around special designations across the state.

Pete Bengtson, representing himself (Not present, but submitted written comments): Supports the NM designation and asked the Commission to support it.

(Called in from Region I)

Craig Miller, Senior Southwest Representative, Defenders of Wildlife: Supports the NM designation and opposes the Commission resolution. The Defenders of Wildlife and the Game and Fish Department missions are very similar. What is needed is cooperation and better communication. He encouraged the Commission to revisit the Commission resolution and

initiate dialogue with the drafters of the NM proposal to see where Commission concerns can be addressed.

Steve Clark, President, Arizona Elk Society: Opposes the NM designation. There has been no discussion of the hidden agendas that are in the proposal, such as maintaining waters once the ranchers are gone.

Chairman Freeman commented that when the federal government gets involved with the Department to manage wildlife it gets very difficult, such as the Department's inability to effectively manage buffalo up at House Rock where the buffalo go onto the National Park, and in regards to the condor, there was the inability to get onto the Park when they needed to find a condor.

Commissioner Husted stated that this boils down to the difference between preservation and conservation. He is in favor of what the Department has recommended.

Commissioner Davis stated that these lands are conserved and are currently held in trust for the people. Changing the status of those lands to monument status has broad and very specific implications for access, for hunting, for recreation, funding, and further implications for where this could end up going. The National Park Service/Monuments do not have a track record for effectively using the North American Model. He has reviewed the Commission resolution and believes it is well written and will support it.

Commissioner Harris agreed with the other Commissioners and will support the resolution.

Chairman Freeman commented that the big picture here is not what piece of land becomes a wilderness area, but is how the Department/Commission can effectively manage wildlife.

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO OPPOSE THE PROPOSED GRAND CANYON WATERSHED NATIONAL MONUMENT.

Vote: Unanimous
4 to 0
Mansell not present

Motion: Davis moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT THE PROPOSED RESOLUTION AS PRESENTED (ATTACHED) CONCERNING THE LOSS OF MULTIPLE-USE PUBLIC LANDS DUE TO SPECIAL LAND USE DESIGNATIONS.

Vote: Unanimous
4 to 0
Mansell not present

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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 in regards to agenda item #16.

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

Vote: Unanimous
4 to 0
Mansell not present

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Public Session reconvened at 1:52 p.m.

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Commissioner Mansell arrived during Executive Session and was present for the rest of the meeting.

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

Presenter: Josh Avey, Habitat Branch Chief

A copy of the Lands Update report (attached) was provided to the Commission prior to this meeting and was available to the public. The update addressed the latest developments relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other related matters, and included decisions or activities since the last regular 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.

Mr. Avey provided one additional update. The Department will be bringing back to the Commission at a future meeting a Memorandum of Understanding (MOU) with the City of Scottsdale with regards to the McDowell Mountain Preserve. This will be a starting point to address the issues as mentioned in agenda item #1, Call to the Public. An update on the McDowell Mountain Preserve is included in the Land Update report

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12. 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 Commission to Approve Renewal of the Navopache Electric Company Power Line Agreement on the Commission-Owned Lee Valley Lands Property.

Presenter: Josh Avey, Habitat Branch Chief

In 1969, the Commission granted the Navopache Electric Company (NEC) a non-exclusive 20 foot wide easement for the purpose of providing electrical services to the citizens of Arizona, and has continued to renew the agreement since that time. The Department feels it is in the best interest of the State of Arizona to renew this agreement again and authorize NEC to continue providing electrical service through March of 2019.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE RENEWAL OF THE NAVOPACHE ELECTRIC COMPANY POWER LINE AGREEMENT ON THE COMMISSION OWNED LEE VALLEY LANDS PROPERTY, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE RIGHT-OF-WAY, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Request for Commission to Approve Renewal of the Navopache Electric Cooperative Power Line Agreement across the Commission-Owned Grasslands Wildlife Area.

Presenter: Josh Avey, Habitat Branch Chief

In 2001, the Commission granted the Navopache Electric Cooperative (NEC) a non-exclusive 20 foot wide right-of-way across the Grasslands Wildlife Area for the purpose of providing electrical services to a well located on property owned by our grazing lease permittee. It would be in the best interest of the Department to renew this agreement and authorize NEC to continue providing electrical service through May of 2022.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE RENEWAL OF THE NAVOPACHE ELECTRIC COOPERATIVE POWER LINE AGREEMENT ACROSS THE COMMISSION OWNED GRASSLANDS WILDLIFE AREA, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE RIGHT-OF-WAY, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

c. Request for Commission to Approve and Authorize Execution of the Memorandum of Understanding with the Bureau of Reclamation and the National Park Service for Participation as a Cooperating Agency in the Environmental Impact Statement for the Long Term Experimental and Management Plan for Operation of Glen Canyon Dam.

Presenter: Lawrence M. Riley, Assistant Director

The Department has been a long-term cooperator in the operations of Glen Canyon Dam, which form Lake Powell in Glen Canyon Recreation Area, and the Lees Ferry tail-water trout fishery between the dam and Grand Canyon National Park (GCNP). The Department has been collaborating with the Bureau of Reclamation (BOR) and the US Geological Survey (USGS) on

scientific investigations in Glen and Grand Canyon since 1982. Those investigations focus on the effects of dam operations on the trout fishery in the National Recreation Area as well as native aquatic wildlife downstream in GCNP. During 1989 through 1995, the Department assisted the BOR as a cooperating agency on the Environmental Impact Statement (EIS) for operations of the dam, and has represented the Commission on the Federal Advisory Committee advising the Department of Interior (DOI) on operations ever since. More recently, the Commission entered into agreements with BOR to assist as a cooperating agency on two Environmental Assessments related to dam operations.

The DOI has invited the Commission to act as a cooperating agency on its current endeavor, to develop an EIS governing the Long-Term Experimental and Management of Operations of Glen Canyon Dam. This would replace the current Record of Decision for Operations that was reached in 1996 and would govern dam operations for the next 15 years or so. The Colorado River through Glen and Grand Canyons constitutes a major aquatic wildlife habitat resource unparalleled in the rest of Arizona. It provides approximately 300 miles of river reach. It houses a well recognized rainbow trout fishery that draws anglers from across the state and across the nation. In Grand Canyon, it also houses a population of endangered humpback chub that is of considerable importance.

The Department has worked productively with the BOR in the past to assure the continued prominence of the rainbow trout fishery in Glen Canyon as well as the survival and improvement of the hump back chub population in Grand Canyon. Participation as a cooperating agency assures the Commission a direct voice in development of alternatives as well as analysis of effects, and our best opportunity to influence future operational decisions regarding the dam.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE BUREAU OF RECLAMATION AND THE NATIONAL PARK SERVICE FOR PARTICIPATION AS A COOPERATING AGENCY IN THE ENVIRONMENTAL IMPACT STATEMENT FOR THE LONG TERM EXPERIMENTAL AND MANAGEMENT PLAN FOR OPERATION OF GLEN CANYON DAM, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL

d. Request for Commission to Approve Renewal of the Hillside Road Right-of-Way on Arizona State Trust Land for Recreational Access into the Northern Portion of the Weaver Mountains.

Presenter: Al Eiden, Landowner Relations Program Manager

Since 2001 the Department has had a right-of-way with the Arizona State Land Department for recreational access across State Trust Lands for the purpose of providing recreational access into the northern portions of the Weaver Mountains. Other access routes are across private property and have not been readily available to public use. The Department feels it is in the best interest of the citizens of Arizona to continue to provide this access by renewing this Right-of-Way. This Right-of-Way will provide access to hunters, wildlife viewers, hikers, bikers, and other outdoor recreationists.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE RENEWAL OF THE HILLSIDE ROAD RIGHT-OF-WAY ON ARIZONA STATE TRUST LAND FOR RECREATIONAL ACCESS INTO THE NORTHERN PORTION OF THE WEAVER MOUNTAINS, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE RIGHT-OF-WAY, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Motion: Husted moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A, B, C, and D.

Vote: Unanimous

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14. Call to the Public

There were no requests from the public to speak to the Commission.

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16. 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 F. 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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17. Rehearing Request Regarding Previous License Revocation/Civil Assessment.

Presenter: Gene F. Elms, Law Enforcement Branch Chief

On October 11, 2011, Kyle D. Mullins, was convicted in the Payson Regional Justice Court for taking wildlife without a valid tag and take wildlife closed season. On February 10, 2012, the Commission revoked Kyle D. Mullins' hunting, fishing and trapping licenses for a period of five (5) years, invoked a \$6,500.00 civil assessment, and further required him to complete a Hunter Education Course before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Mullins requested a rehearing of this matter and decision citing the revocation and civil assessment amounts are excessive. Mr. Mullins was notified of this hearing by certified mail. The Commission was provided with all pertinent materials related to this case including a copy of the request for rehearing from Mr. Mullins.

Mr. Mullins was not present.

Motion: Husted moved and Mansell seconded THAT THE COMMISSION VOTE TO DENY THE REQUEST BY KYLE D. MULLINS FOR A REHEARING.

Vote: Unanimous

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8. PS Ranch Property – Cabin Replacement

Presenter: Jon Cooley, Region I Supervisor

Mr. Cooley provided the Commission with an update on the insurance claim process related to the replacement of the PS Ranch cabin (and other insured assets) that were lost during the 2011 Wallow Fire. Given the historic record of the property and its structures, Commission interest was raised on the design and functionality of the replacement building. Therefore, the Department presented the Commission with two general design alternatives and outlined steps of accompanying claim settlement processes so that the Department can proceed in meeting imposed claim timelines. The two replacement alternatives are: 1) To replicate the historical cabin in both design and materials, or 2) To build a cost/maintenance efficient alternative using more contemporary materials and construction techniques. It is the Department's intent to not change the primary management objectives for the property.

The primary management objectives of the property are to: 1) Provide habitat for big game species (elk, deer and turkey); and 2) Maintain riparian and wet meadow habitats for various game and nongame wildlife species. PS Ranch is an approximate 250-acre Commission-owned property that was acquired by the Arizona Game and Fish Department (Department) in 1968. The property was purchased with Pittman-Robertson federal aid funds and is an in-holding within the Apache National Forest, located approximately 12 miles south of Big Lake. The history of the property (and the historical structures that came with the property when purchased by the Department) includes originally serving as the Homestead of the Slaughter Family, which utilized the property to support their ranching operations. Two primary historical buildings, a log cabin and a smaller log outbuilding (originally built by the Slaughters in 1885) existed on the property during the Department's ownership of the property. Under its ownership, the Department has used PS Ranch and the main cabin as a remote administrative facility to support various field operations occurring in GMU 1 and 27. Additional structures and facility improvements have been added to the property during the Department's ownership, but the primary value and use of the property infrastructure has been tied to the main log cabin serving as a field housing/kitchen facility for field personnel.

This main cabin and the smaller log outbuilding were completely destroyed during the 2011 Wallow Fire, which blew through the area early in the fire event. Since incurring this loss, the Department has been working with the Arizona Department of Administration (ADOA) insurance personnel to coordinate completion of associated loss claims so that a replacement of the main cabin can be accomplished given the Department's desire to maintain this facility as a remote field station. The timeline for processing this existing claim through ADOA, leading up to actual construction of the replacement building, is very constrained and does not allow for extended evaluation of options. Additionally, final ADOA claim settlement is limited to replacing lost equipment and providing a structure to original functionality, and nothing beyond. Other criteria the Department is utilizing to evaluate final cabin design/construction (in addition to meeting the primary ADOA original functionality limitation) are ongoing use compatibility,

long-term maintenance cost efficiency, fire/pest resilience, area aesthetics, and overall structural durability/integrity.

Commissioner Husted stated that this historical building meant a lot to Department folks and to the community and he, as well as others, would like to see the building replaced with a replica. Interest has been expressed by the local community to rebuild the log cabin, believing that it can be done locally at a low replacement cost that should be approvable by ADOA.

Commissioner Harris confirmed with Mr. Cooley that the insurance settlement is for replacement only and if nothing was done for replacement, there would be no settlement.

The Commission discussed the options such as building something that would be fire resistant and have low maintenance, and also discussed possibly building something that looked like a replica, but with upgrades and improvements where possible using more modern materials.

Public Comment

Steve Clark, representing himself, suggested that it should be a balance of building a replica while making modern improvements.

Mr. Cooley recommended that the Commission direct the Department to develop a floor plan and incorporate the log construction with a balance of modern upgrades, keeping in mind functionality and long-term maintenance efficiency, as well as something that will pass the insurance claim process with ADOA.

Director Voyles suggested that the Department prepare a plan that includes specifications for a natural log cabin exterior as well as specifications for a log siding approach. If a bidder can be competitive using real logs, then we can go that route. Director Voyles also stated that the Department would be very reluctant to spend any wildlife dollars above and beyond the insurance settlement for historical purposes.

The Commission concurred with Director Voyles' statement that no wildlife dollars, above and beyond the ADOA insurance settlement, be spent on replacing the structure.

Commissioner Husted stated that he is not comfortable with providing comparisons to ADOA. The Department pays insurance premiums to ADOA and that is for replacement value, so the Department should provide ADOA with a bid for the cost of a replica log cabin. If that can be built then we should build it – and that is without any Game and Fish dollars.

Motion: Husted moved and Davis seconded THAT THE COMMISSION DIRECT THE DEPARTMENT, WITHIN THE CONSTRAINTS OF THE BUDGET PROVIDED BY ADOA REPLACEMENT, THAT THE DEPARTMENT ATTEMPT TO BUILD A LOG CABIN REPLICA THAT FITS THE FUNCTIONALITY REQUIREMENTS OF ADOA; AND IF THAT ATTEMPT IS UNSUCCESSFUL, THE DEPARTMENT WILL LOOK AT ALTERNATIVES TO COME AS CLOSE TO A REPLICA AS POSSIBLE; AND NO GAME AND FISH DOLLARS WILL BE USED.

Vote: Unanimous

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9. Briefing on the Administrative Processes Associated with the Issuance, Sale, and Transfer of Special Big Game License Tags and Consideration of Potential Amendments.

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling briefed the Commission using a PowerPoint presentation on the administrative processes associated with the issuance, sale, and transfer of Special Big Game License Tags, and asked the Commission to consider an amendment to the Big Game License Tag Sales Agreement with Wildlife Conservation Organizations, authorizing a method by which to charge credit or debit card transaction fees on future raffle or auction sales.

Special Big Game License Tags (SBGLTs) were first authorized by statute in 1983, and have raised \$19,541,006 since the inception of the program. As identified in statute, tags are awarded to a qualifying nongovernmental wildlife conservation organization (WCO) that in turn auctions or raffles these tags. All proceeds (100% of gross sales) from the auction or raffle are returned to the Commission, and are used to fund projects through the Arizona Habitat Partnership Committee. Annually, the Arizona Game and Fish Commission awards the three SBGLTs for each big game species to WCOs that underwrite all promotional costs in accordance with A.R.S. 17-346 and A.A.C. R12-4-120. The WCOs submit a letter prior to awarding by the Commission that outlines the details of their planned marketing and sign a sales agreement following the award that commits terms and conditions governing the program. The agreement template was last amended and adopted by the Commission in December 2010. Terms and conditions of the agreement currently require the successful WCO bidders to transfer gross proceeds from their sales back to the Commission. There are no provisions in the current agreement allowing for the WCOs to collect or withhold any credit or debit card transaction fees.

The issue of credit card or debit card fees has emerged as a confounding issue regarding the raffle and auction of Special Big Game License Tags. Over the course of the last decade, the use of credit and debit cards to purchase raffle chances – particularly via web based transactions – has become common place. The use of credit cards and debit cards is not without cost, and the costs are currently borne by the WCO facilitating the raffle or auction. As currently written, all proceeds from the raffle or auction (gross) are required to be transferred to the Commission.

Upon review with the Attorney General, WCOs may lawfully offset their credit or debit card expenses associated with the raffle or auction expenses if:

- a. The WCO offers alternate methods of payment for the raffle or auction that incur no transaction fees (e.g., check, cash, or money order),
- b. The WCO provides prior notice through advertising that credit or debit card transaction fees will be added to the purchase price of a raffle ticket or winning auction bid, and the WCO discloses the amount of the fee or percentage of the purchase price that will be charged for the transaction fee,
- c. The purchaser pays the cost of credit or debit card transaction fees in addition to the price of the raffle ticket or special big game tag. The WCO is prohibited from reducing the winning bid amount or the price of a raffle ticket by any amount to offset the transaction fees,

- d. The amount charged the purchaser for debit or credit card transaction fees cannot exceed the actual transaction fees charged by the credit or debit card financial institution, and
- e. The WCO submits to the Department when available all credit and debit card transaction fee records.

Chairman Freeman stated that if the Commission awards a tag to an organization through this agreement, and that organization then takes that tag to a third party for auction, he wants to be sure that it is clear to that third party that this is the underlying agreement and that this agreement extends to them. Further, he wants it in writing and he wants to know at the time that these tags are awarded if an organization is planning to take the awarded tag to a third party.

Mr. Wakeling stated, first that the Department has not discovered any impropriety at all and no inappropriate charges were made that he is aware of, and second, that each of the groups provide a letter to the Commission that identifies how they plan to market and sell the tag, which includes whether they are going to use a third party.

Public Comment

Steve Clark, President, Arizona Elk Society and representing Arizona Super Big Game Raffle: This amendment will create a hardship on the organizations. Every credit card company charges different fees based on the individual card, such as a corporate or business card or a mail order card. So to come up with actual fees, it will have to be broken down to individual cards and individual customers. The list will be huge. There needs to be more discussion on how this can be auditable and made easier for the organizations.

Chairman Freeman stated that the intent here is to help the organizations recoup those credit card fees and not to make things difficult.

Mr. Odenkirk stated that the two bottom lines are that the Department must recover the proceeds of the sale, the full amount and it cannot be reduced by transaction fees, and the Department has to be able to audit what those transaction fees are to ensure that the organizations are not receiving more than what they are actually charged by the credit card companies. He is open to other processes as long as they meet these criteria.

Director Voyles suggested and discussed with Chief Financial Officer Lizette Morgan that the credit and debit card transaction fees could be assessed in the amalgam rather than at the individual level. That would be auditable and one fee could be created that would be adequate to address that on each transaction, so that in the amalgam there would be enough money there to cover the interests of the organization. The balance then would be remitted to the Department, which would be for the purchase of the tag.

Ms. Morgan stated that this could definitely be done in accounting after the fact. If the organization fails to collect enough fees, then the organization would be liable for the difference, and if the organization collects too much in fees, that excess would also have to be remitted to the Department. This would at least take away the burden of having to figure the fees on every single transaction.

Meeting recessed for a break at 4:00 p.m.

Meeting reconvened at 4:10 p.m.

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9. (continued) Briefing on the Administrative Processes Associated with the Issuance, Sale, and Transfer of Special Big Game License Tags and Consideration of Potential Amendments.

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling provided the Commission with the following suggested edits to the proposed amendment: 1) Change the word actual to estimated in the first and fifth bullets, 2) Bullet five will read: “The Awardee submits to the Department a reconciliation of all credit/debit card transaction/discount fees compared to actual collections,” and 3) Add a sixth bullet: “If actual transaction and discount fees collected exceed the actual debit and credit card fees assessed, the Awardee shall remit the difference to the Department..”

Commissioner Davis suggested that the fourth bullet should have the word estimated in it as well and further suggested that the agreement should state “estimated” throughout for clarification of meaning and intent.

Proposed Amendment:

- The Awardee may assess special big game tag purchasers or purchasers of raffle tickets the estimated credit or debit card transaction fees associated with the raffle or auction of special big game tags provided:
 - a. The Awardee offers alternate methods of payment for the raffle or auction that incur no transaction fees (e.g., check, cash, or money order),
 - b. The Awardee provides prior notice through advertising that estimated credit or debit card transaction fees will be added to the purchase price of a raffle ticket or winning auction bid, and the Awardee discloses the amount of the estimated fee or percentage of the purchase price that will be charged for the transaction fee,
 - c. The purchaser pays the estimated cost of credit or debit card transaction fees in addition to the price of the raffle ticket or special big game tag. The Awardee is prohibited from reducing the winning bid amount or the price of a raffle ticket by any amount to offset the transaction fees,
 - d. The amount charged the purchaser for debit or credit card transaction fees cannot exceed the estimated transaction fees charged by the credit or debit card financial institution,
 - e. The Awardee must submit to the Department transaction and discount fee records and a reconciliation of all debit and credit card transaction or discount fees compared to actual collections, and

- f. If actual transaction and discount fees collected exceed the actual debit and credit card fees assessed, the Awardee shall remit the difference to the Department.

Motion: Davis moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE AMENDED BIG GAME LICENSE TAG SALES AGREEMENT AS PRESENTED WITH THE ADDITIONAL AMENDMENTS AS DISCUSSED, FOR THE BIG GAME LICENSE TAG SALES AGREEMENT BETWEEN THE COMMISSION AND WILDLIFE CONSERVATION ORGANIZATIONS AWARDED THESE TAGS BEGINNING IN JUNE 2012 FOR SALE BY RAFFLE OR AUCTION.

Vote: Unanimous

Ron Pittman, Rocky Mountain Elk Foundation: Clarified with the Commission that on the application to receive the tags that the estimated credit/debit transaction charges are to be listed.

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10. 2012 Elk and Pronghorn Draw Briefing

Presenter: Doug Cummings, Branch Chief, Information Systems

Mr. Cummings provided the Commission with a PowerPoint presentation related to the lessons learned from the 2012 Elk and Pronghorn draw and the planned actions to improve this process. Information included in the presentation were the major process components, the high level technical architecture, what went wrong, immediate actions taken, lessons learned and the department's plan of action.

While the Department completed the 2012 Elk and Pronghorn draw and published the draw results on April 10 (ten days earlier than the advertised date for publishing of April 20), the Department experienced significant issues in this process. Additionally some applicants were denied tags due to credit industry issues outside of their control. The online Application system and the lottery draw system worked successfully. The two primary issues were:

1. The credit industry announced that potential credit card fraud had occurred and in order to protect their card holders they would be restricting the cards from use. This created a condition in which applicants that were drawn could be rejected as a result of the banks denying charges on the applicant's credit card
2. Draw results were published initially on Monday, April 9. A significant number of applicants began immediately checking the draw results web page which was misdiagnosed as a fraudulent (Denial of Service) attack on the Arizona State web sites. This resulted in 176 Arizona State web sites being impacted, and the draw results being taken off-line and then made available on Tuesday, April 10.

The lessons learned included the following:

- The need to explore methods for collecting a backup payment mechanism from applicants
- Complete draw results load prior to opening results on the results web site
- Applicants draw results checking should not be routed through www.azgfd.gov
- Must thoroughly load test prior to beginning the draw process

- Architecture must be tuned based on this event and load testing results (add www.azgfd.gov to the load balancers white list)

Department's Plan of Action:

- Complete load test – prior fall hunt draw
- Direct draw results traffic directly to the results page, reducing traffic funneled through www.azgfd.gov – prior to fall hunt draw
- White-list www.azgfd.gov – prior to fall hunt draw
- Complete database load of draw results prior to allowing applicants to check results – prior to fall hunt draw
- Ensure prepared to notify E-Staff and Commissioners in the event of a problem – prior to fall hunt draw
- Investigate ability to accept multiple credit cards on applications
- Investigate ability to email results to applicants (potentially prior to posting on the draw results web page and require E-News signup)

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11. Credit Card Issues Related to the Draw

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on options for dealing with credit cards that were denied as a result of a large security breach at VISA and Mastercard.

On March 27, 2012, the Department “turned off” the option that allows hunt permit-tag applicants to update or change their credit card information. On March 29, 2012 credit card charges for those successful in the 2012 Elk/Antelope draw commenced. As standard procedure when credit cards are denied, the Department reissues the tag to the next person who would have been drawn. However, over the course of the next several days, the Department was made aware of a national news story regarding a security breach of VISA/Mastercard. Additionally, the Department began receiving calls from applicants whose cards had been placed on hold or canceled because of this security breach.

Under ARS R12-4-611 and consistent with the direction of the Commission at the April meeting, the Department initiated a process to determine how many applicants and potential permits were caught up in this issue by mailing letters to applicants whose credit cards had been rejected. In the letter, applicants were asked to contact the Department if they believed these unfortunate circumstances applied to their situation. Applicants were provided a deadline of May 4, 2012 by which to provide a letter from the card issuer documenting the circumstances of fraud or a hold/cancel due to this security breach. Petitions from those individuals responding to the Department's notice have been compiled and provided to the Commission for a remedy in response to the hold placed on credit cards. The Department received a total of 28 documentation letters that impacted 38 applicants/permits. Of those, 1 was for antelope and 37 were for elk.

The Department's Assistant Attorney General has advised that potential remedies the Commission may consider are as follows:

1. Recognizing that the applications were rejected due to no fault of the applicants, the Commission can authorize the Department to issue additional hunt permit-tags for those applications rejected due to credit card fraud. Any applicant eligible for such a tag who obtains a hunt permit-tag in the first-come process can be offered the option to exchange the tags. This option is preferred because the applicants would have received tags if not for the credit card fraud
2. The applications that were rejected due to credit card fraud were not valid, and therefore, these applicants would not violate Rule R12-4-104(L) by submitting another application for a bonus point only. An applicant can use the same bonus point hunt number from the hunt order to reapply. By submitting a valid bonus point application, the Department can award a bonus point for the particular genus, and the applicant will not lose the loyalty point for failing to submit a valid application.

The Commission can address this issue in two parts. The first part would be to set the criteria under which the Commission would provide relief to an applicant who was the victim of the credit card security breach. The Commission can then decide on the appropriate remedy, if any, for applicants meeting the Commission's established criteria.

The Department recommends the following criteria:

- The credit cards in question must have had a "hold" placed upon it or been canceled between March 27, 2012 and April 5, 2012. This timeframe encompasses the date the Department turned off the ability to change cards and the final activity date of cards
- Proof in the form of a letter from the card issuer has been provided to the Department by the established deadline of May 4, 2012. This letter must indicate that the card was placed on hold or canceled as a result of fraud occurring between the dates as specified above
- Biological Impact Assessment: The Department has conducted an assessment to ensure there would be no population-level biological impact to issuing additional permits
- If the applicant purchased a leftover tag, the applicant shall be offered the choice of the leftover permit or the permit the applicant would have been drawn for; but not both.

The Department recommends that all of the applicants meeting the above criteria be provided a hunt/permit tag as recommended in Option 1 of the provided legal advice.

Commissioner Davis stated that he would like the applicants be able to choose between the two options provided by the Assistant Attorney General.

Mr. Odenkirk stated that the Commission could choose to do that.

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO ACCEPT THE PETITIONS AND APPROVE THE CRITERIA FOR PROVIDING HUNT/PERMIT TAGS OR BONUS POINTS TO APPLICANTS DENIED PERMITS IN THE 2012 ELK/ANTELOPE DRAWING AS A RESULT OF A CREDIT CARD SECURITY BREACH BY VISA/MASTERCARD.

Vote: Unanimous

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13. Information, Education and Wildlife Recreation Activities Briefing

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

Mr. Gray provided the Commission with a written 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 last regular Commission meeting and was provided in fulfillment of the Department's commitment to brief the Commission on a regular basis. Mr. Gray provided the following additional updates:

18th Annual Communicator Awards

This International Awards Program received over 6,000 entries. Department's Publication and AV Sections received the following 12 Awards:

- Award of Excellence (Gold) – Best in Field
 - Chiricahua leopard frog portrait for photography – G. Andrejko
 - “Eagle Nest Down” for Online Documentary – C. Lynde
- Awards of Distinction (Silver) – Exceed Industry Standards
 - “Condor ER” article for copy/writing - Julie Hammonds
 - Bighorn portrait for photography - G. Andrejko
 - Wading raccoon for photography – G. Andrejko
 - “Bridging the Gap” for interior design – C. Carpenter
 - “Closer to Home” for interior design - C. Carpenter
 - “Wolf Count” for interior design – C. Carpenter
 - Arizona Wildlife Views magazine in government category - PUBS
 - Arizona Wildlife Views magazine for overall design – C. Carpenter
 - “Eagle Nest Down” Film/Video Nature/Wildlife – C. Lynde
 - “Mule Deer RX” Film/Video Nature/Wildlife – C. Lynde (Kaibab mule deer health assessment)

Mr. Gray introduced the Department's Wildlife Recreation Branch Chief Craig McMullen who provided the Commission with a 2011-2012 Hunter Recruitment and Retention Summary. In this season that is just wrapping up, there were 45 events with 42 partnering organization/industries. There were 782 primary participants and 1,904 new event attendees (20% female, 95% plan to hunt in the future, and they came from 67 cities/towns). Mr. McMullen also provided the Commission with survey results using a PowerPoint presentation that included charts and graphs and other data from studies nationwide on hunter recruitment and retention.

Mr. Gray followed up with an update on the Director's Goal and Objective #9, Simplification of the Hunt License Structure and the Youth Definition. The Department is currently on target according to the Gantt chart previously provided to the Commission on this goal and objective.

Regarding discussions at the last Commission meeting about youth licenses fees being free up to 18 years of age, the Department will bring that back at the June Commission meeting and will provide an analysis of how it would be done and what the implications or impact might be.

Director Voyles noted that hunter recruitment and retention was one of the issues cited by the proponents of HB 2072. It is evident that this Department has worked at both the local level and national level, and has done quite a bit of work from top to bottom.

Public Comment

Steve Clark, AES: Thanked the Commission for directing the Department to develop the Wildlife Recreation Branch and he thanked the Director for choosing Craig McMullen to lead the branch.

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15. Law Enforcement Program Briefing

Presenter: Gene F. Elms, Law Enforcement Branch Chief

Prior to this meeting, the Commission was provided with a written report that included law enforcement training activity, wildlife enforcement activity, watercraft and OHV enforcement activities, outreach, and partnerships that were developed and fostered in this reporting period. This briefing is in fulfillment of the Commission's request to be briefed on a monthly basis regarding the Department's Law Enforcement Program.

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21. Director's and Chairman's Reports

The Commission was in consensus to dispense with the Director's and Chairman's reports except for a couple items from the Director.

Director Voyles presented the Commission with the 2012 Heritage Grant Awards (attached). Each Commissioner was provided with a copy and copies were available to the public.

Director Voyles also reported on the Department's work with the Council to Advance Hunting and Shooting Sports. He had the opportunity to have dinner with Richard Childress of NASCAR, who is working diligently with the Council on how reach a broader audience. He has 4-5 different celebrities that are sportsmen and would be willing to use their Facebook pages to get the word out about hunting. Between these 4-5 people and the number of hits they get on their sites, approximately 4 million young people could be reached.

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22. Commissioners' Reports

The Commission was in consensus to dispense with the Commissioners' reports.

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20. Approval of Minutes and Signing of Minutes.

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM APRIL 13-14, 2012.

Vote: Unanimous

The Commission signed the minutes following approval.

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18. 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 Davis seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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19. Litigation Report

Motion: Mansell moved and Husted seconded THAT THE COMMISSION VOTE TO RATIFY DIRECTION GIVEN TO LEGAL COUNSEL IN EXECUTIVE SESSION TO NOT PARTICIPATE IN MEDIATION CONCERNING THE REED CASE.

Vote: Unanimous

The Commission was provided with a written Litigation Report (attached), which was also provided to the public.

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23. Future Agenda Items and Action Items

Mr. Broscheid did not capture any action and future agenda items at this meeting:

Director Voyles requested an agenda item to be a detailed laydown of the budget for the coming fiscal year.

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

Vote: Unanimous

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Meeting adjourned at 7:03 p.m.

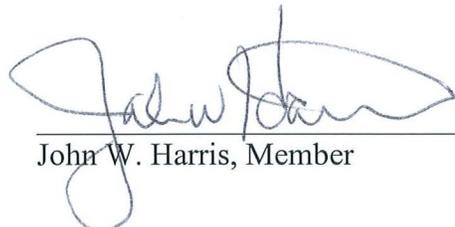
* * * * *



Norman W. Freeman, Chairman



Jack F. Husted, Vice Chair



John W. Harris, Member

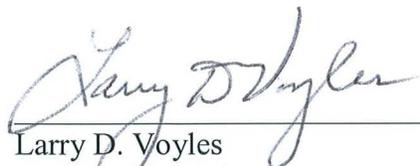


Robert E. Mansell, Member



Kurt R. Davis, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
May 11, 2012**

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

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

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

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

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

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

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

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

As for the motions to intervene filed by the State of Arizona and various conservation organizations, the court has indicated it will not likely rule on these motions prior to the time the parties file their motions for summary judgment. The court, however, granted permission to the applicants for intervention to file motions for summary judgment. Also, the plaintiffs stated on the record that they have no objection to the State of Arizona intervening in the case.

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

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

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

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

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

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

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

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

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

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

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. The Ninth Circuit has returned the case to the District Court for further action and Judge Bolton has been assigned the case.

The Court held a status conference on May 9, 2011, to determine how to proceed with the case. The plaintiffs and the federal defendants advised the court that they are in preliminary settlement discussions. The court will allow the parties sixty days to settle the case. If the parties do not report a settlement by July 8, 2008, the court will set a briefing schedule on what remedy the court should order.

Based on a stipulated motion filed by the federal parties and the plaintiffs, the court on August 10, 2011, issued an order granting the parties an additional 30 days to reach a settlement and to submit a status report by September 9, 2011. Based on a stipulation from the plaintiffs and federal defendants, the court issued an additional order giving the parties until October 24, 2011 to file a status report.

The parties filed a stipulated briefing schedule on October 31, 2011, and the Court entered an order on November 1, 2011, requiring the plaintiffs to file a motion for injunctive relief by December 16, 2011, defendants' and interveners' response by January 27, 2012, and plaintiffs' reply by February 24, 2012. Briefing is complete on the plaintiffs' motion for injunctive relief.

2. *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) challenges the road designations in the Plans by alleging violations of the NEPA, FLPMA, NHPA and presidential proclamations for the Vermillion Cliffs and Grand Canyon-Parashant.

The court granted BLM's motions for summary judgment on all issues in both cases, agreeing with BLM, NRA, Safari Club and AGFD that the management of hunting on public lands is reserved to the states, and that BLM is not authorized by any federal regulation or policy to regulate the manner or methods of hunting on its public lands. On October 17 the Wilderness Society filed a notice of appeal to the Ninth Circuit Court of Appeals.

3. *Reed v. Arizona Game and Fish Department and Commission, C20111354.* The plaintiffs filed an action on March 3, 2011, seeking judicial review of the Commission's license revocation and civil assessment decisions. The case was filed in Pima County Superior Court. We agreed to waive service of process, and in so doing, we have sixty days to respond to the complaint.

On May 6, 2011, we filed a partial motion to dismiss the civil assessment claims and a motion to enlarge the time to file an answer. The Reeds filed a response on May 19, 2011 and we filed a reply in support of the motion to dismiss on May 27, 2011. The Court scheduled an oral argument hearing for July 5, 2011.

The Court denied the defendants' motion to dismiss on the basis that the Commission's authority to revoke license privileges until the assessment is paid in full makes the civil assessment decision a final agency decision subject to judicial review. The defendants filed their Answer on July 25, 2011, to the First Amended Complaint.

The Department filed the administrative record on September 26, 2011. The plaintiffs have 45 days from that date to file an opening brief. The plaintiffs filed an opening brief on October 14, 2011 and the Commission's answering brief is due December 13, 2011. The Plaintiffs filed a reply on December 30, 2011.

The Court issued a ruling on January 31, 2012, affirming the Commission's license revocation and civil assessment decisions. The Court entered a judgment for the Commission on February 15, 2012. The plaintiffs filed with the Court a motion to vacate and for rehearing on February 28, 2012.

The Court denied the plaintiffs' motion to vacate on March 22, 2012. **The plaintiffs filed a notice of appeal on April 20, 2012.**

4. *United States and State of Arizona v. Freeport-McMoran Inc., et al.*, 12-CV-00307-TUC-CKJ. A consent decree resolving claims of natural resource damages against Freeport-McMoran for bird mortalities at the Morenci Mine in 2000-2001 was filed in the federal district court on April 24, 2012. The plaintiffs are the United States, acting through the Fish and Wildlife Service as the federal natural resource trustee, and the State of Arizona, represented by the Director of the Arizona Department of Environmental Quality as the State natural resource trustee. The \$6.8M cash-out settlement is the result of negotiations that began in 2003 among the Fish and Wildlife Service, the Arizona Game and Fish Department (participating at the request of the ADEQ Director) and Freeport-McMoran. The settlement, which is subject to federal court review and approval, resolves the claims of the United States and the State of Arizona for natural resource damages pursuant to CERCLA, 42 U.S.C. §9607, and grants Freeport McMoran a covenant not to sue. In a companion case, Freeport-McMoran settled similar natural resource damage claims in 2011 with the FWS and the State of New Mexico for bird mortalities at its Tyrone and Chino Mines in New Mexico.

The Arizona settlement proceeds will be deposited in a federal natural resources recovery fund and may be expended solely for the Congressionally-directed purposes of restoring, replacing or acquiring the equivalent of the injured resources. A trustee council will be formed, consisting of one representative from AGFD, ADEQ, and USFWS. The trustee council will then select Arizona projects to fund following public comment.

Lands Update
For the Arizona Game and Fish Commission
May 4, 2012
Phoenix, Arizona

FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING

Coconino National Forest

The Forest has released their Motor Vehicle Use Map and began public outreach for Travel Management Rule (TMR) implementation. They have developed a hotline to answer questions about the TMR the public may have. They will be staffing the Hotline on weekends for at least the next 3-4 weeks or longer depending on call volume. The number is their front desk number 928-527-3600 and it will be operated from 9 AM-5 PM. The Forest is planning to release the Draft Environmental Impact Statement (EIS) for its Land Resource Management Plan in late summer 2012 for a 90-day review, with the Final EIS expected by the end of 2013.

Coronado National Forest

The Coronado National Forest is accepting scoping comments for the Travel Management Environmental Assessments being prepared on the Douglas, Nogales, Sierra Vista and Safford Ranger Districts until June 1, 2012. This comment period is parallel to the collaborative alternative process being conducted with the public, and the U.S. Institute for Environmental Conflict Resolution. The Forest has solicited comments at least three times and the Department has provided comments on the various travel management plans since 2007. We are currently analyzing the latest scoping information and will provide additional comments while incorporating our previous comments from the last two comment periods.

The Forest hired the “*U.S. Institute for Environmental Conflict Resolution, of the Udall Foundation*” to develop a working group from outside agencies, local government, landowners/ranchers, sportsmen, and environmental groups and facilitate seven public meetings. This fifteen-person “Collaborative Alternative Team” (CAT), was selected to develop an alternative to the Forest’s “Proposed Action”, and they will travel to public meetings in each Ranger District. The CAT team is working to identify common-ground, on what changes should be made to the Forest road system. The team is identifying recreational and habitat concerns and is expected to produce a “*Collaborative Alternative*” so the Forest can potentially use this information to modify their Proposed Action, on each Ranger District.

The Department has a regional access specialist on the CAT core team, with local wildlife managers contributing their expertise at the local meetings. The Department participated and helped fund a similar collaborative effort using the same Udall Institute several years ago for the BLM’s Middle Gila Travel Management Plan with the end result being that no consensus could be reached. However, that plan was not appealed and has since gone into effect although has not been fully implemented.

The Forest has published the Working Draft of the Coronado National Forest Plan on the Coronado’s website and informed the Department that we may review and comment, although this draft version is preliminary and not yet part of the National Environmental Policy Act (NEPA) process. The Department is reviewing the draft.

Tonto National Forest

The Forest updated the Department during a recent coordination meeting regarding the timeline for the Land Management Plan revision by 2014 with anticipation of 4-6 years for the final.

U.S. FOREST SERVICE

Apache-Sitgreaves National Forests (A-S)

The Department recently received scoping documentation and attended a public open house held by the Forest, where members of the Interdisciplinary Team were available to discuss the Rim Lakes Forest Restoration Project (Project). The Project proposes forest restoration treatments through uneven-aged selective cutting of trees and broadcast burning in Ponderosa pine, pine-oak, and dry mixed conifer stands on the Black Mesa Ranger District along the Mogollon Rim west of and in the vicinity of Forest Lakes. Although an Environmental Assessment was originally prepared in September of 2011, following an objection and subsequent instructions to the Forest from the Regional Forester for corrections, the Forest has decided to move forward with the development of an Environmental Impact Statement.

The Department held a coordination meeting with the Apache-Sitgreaves National Forest on April 26 to plan native fish conservation projects and monitoring. This coordination meeting is held annually to plan field projects and NEPA needs for the year. The Bureau of Reclamation also participated due to their involvement in a large Blue River fish barrier project on the Forest.

BUREAU OF LAND MANAGEMENT (BLM)

Arizona Strip District

The Department is being interviewed as part of the BLM Arizona Strip District Office's (ASDO) Resource Management Plans (RMPs) evaluation process. The Department submitted general comments stating that we believe the RMPs provide a valuable framework for wildlife management activities and as the evaluation progresses, any suggested changes/revisions to wildlife decisions be considered in full collaboration with the Department because changes and/or revisions could impact our ability to manage wildlife, and be outside the scope of the intent of the decisions. Our only "formal" recommendation was that the revision incorporate the Mule Deer and Bighorn Sheep plans, which were developed cooperatively with the BLM.

Kingman BLM Field Office

The Department assisted the BLM Kingman Field Office in monitoring an ephemeral forage survey on the Big Ranch A and Gold Basin Allotments. Next week, the Department will begin participating in the development of a Coordinated Resource Management Agreement (CRMA) for the allotments in cooperation with BLM, NRCS, UA Extension, the Permittee, and representatives from the Mohave Livestock Association.

Lower Sonoran Field Office

The Lower Sonoran Field Office released the draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for the Lower Sonoran and Sonoran Desert National

Monument in June of 2011. The final EIS and proposed RMP have been delayed from the previously anticipated release date of May 4, 2012 to reassess management proposals due to new information. The Field Office intends to meet a September 15, 2012 completion date. The Department continues to coordinate with BLM to incorporate the Department's input and expertise.

Yuma Field Office

The Yuma Field Office planned burro gather for the Cibola-Trigo HMA was appealed with request for a stay. The Interior Board of Land Use Appeals has denied the position for stay. BLM is scheduled to begin on May 29.

The Department met with the Yuma Field Office and U.S Fish and Wildlife Service Refuge Complex Office in April to make final edits to the Trigo-Imperial Wilderness Plan.

DEPARTMENT OF DEFENSE

Florence Military Range (Florence)

The Integrated Resource Management Plan (INRMP) was released for final review by cooperating agencies. The purpose of the INRMP is to develop a plan that integrates natural resources management with the military mission. Florence must provide a variety of environmental conditions and ecosystems in which to train soldiers while providing for sustainable, healthy ecosystems and complying with all applicable environmental laws and regulations. The INRMP provides the basis for the conservation and protection of natural resources by reducing potential adverse effects on the species found on the installation and simultaneously conserving biodiversity. Implementation of this plan will increase overall knowledge of Florence's ecosystem through surveys, research, and outreach programs. The Department provided various comments to update, clarify, and strengthen the partnership between the agencies, in support of the overall goals and objectives. The final INRMP has been signed by Director Voyles.

Luke Air Force Base

The Department met with staff from Luke Air Force Base to discuss the proposed five-year review of the INRMP. The Department does not anticipate significant issues with the review.

MCAS

The Department will meet with staff from Marine Corp Air Station to discuss their five year review in May.

GENERAL UPDATES

Access Agreements

Dunton/Fort Rock Ranch

The Department met with the rancher of the Dunton/Fort Rock Ranch in GMU 18A, who is seeking support for cattle tank clean-outs and pond sealing on private and State Lands associated with the Ranch. The rancher verbally agreed to a long-term Access Agreement in exchange for

Department financial support which will be utilized in tank/pond restoration as well as road maintenance

Wagon Bow Property Owners Association (POA)

The Department initiated a follow-up contact with the Vice President of the Wagon Bow POA in GMU 18B to finalize components of a pending seven year Access Agreement that is being finalized with the homeowners association.

Cauthen Cattle Company

The Department met with the owners of the Cauthen Cattle Company near Ash Fork in GMU 19B to modify an existing Access Agreement – extending the life of the Agreement in exchange for funding support that will assist in the renovation of numerous dirt tanks on the ranch. The suite of waters proposed for redevelopment will provide much needed perennial waters for the benefit of the livestock operation and many resident game and nongame species.

Upper Music Mountain Allotment

The Department and Ranch Management have verbally agreed to an Access Agreement on the Upper Music Mountain Allotment in GMU 15A. The Department forwarded the owner of the Ranch two separate draft Access Agreements for review. The owner is deciding between three and five year Agreements. Funding from the selected Agreement will be utilized by the rancher to renovate waters, clean and restore dirt tanks, and address other resource and management concerns on the Ranch.

Fool Hollow Lake

The Department conducted a fish population survey at Fool Hollow Lake on April 17-18 to track 1,500 recently stocked rainbow trout. The 9-10 inch hatchery trout were all tagged with a fluorescent marker that could be detected when the fish are captured. The survey found very few stocked trout remaining in the lake after only one week. These results are due to heavy predation on the small stocked trout by numerous piscivores that are present, including northern pike, walleye, largemouth bass, and smallmouth bass. An effort to control the numbers of northern pike in the lake was conducted in March 2012, removing 35 pike that were estimated to be able to consume over 4,000 trout annually. The March removal effort caught a large pike measuring 45 inches long and 26 pounds. This recent survey caught another large pike weighing 18 pounds. All the pike were lethally removed. The decision to remove the pike, including the trophy individuals, was based on the management plan for Fool Hollow Lake. This plan identifies the management emphasis as family fishing (high catch rates of any species) and bass fishing, which was developed through collaboration with several agencies, the public, and angler groups several years ago. Pike were identified as a problem in the lake and mechanical removal efforts, like the one conducted in March, was identified as a management strategy. Although pike reach trophy sizes in the lake, they are seldom caught, while impacting other fish populations that anglers do catch and prefer. When the plan was developed, pike made up approximately 17% of the total fish composition of the lake, but only 0.7% of the catch.

Crescent Lake, Lee Valley Lake and Carnero Lake

The Department conducted fish population surveys in April at three lakes known to experience winter fish kills, Crescent Lake, Lee Valley Lake, and Carnero Lake. The winter conditions were considered to be fairly light and normally would not expect fish kills, but two of the lakes

had large aquatic weed loads going into the winter which can use up oxygen under the ice cover. Winter monitoring surveys of oxygen levels were good through most of the winter, but were near the threshold in early March. The surveys found that trout survived the winter at all three lakes, but Crescent Lake and Carnero Lake both experienced partial kills. Large rainbow trout were likely killed at Crescent. Only small rainbow trout and brook trout of all sizes were found. As oxygen levels decrease, large rainbow trout die first, then small rainbows, then large brook trout, then small brook trout last. At Carnero, very few fish were caught, and some decaying carcasses were observed after ice-out. Both lakes will be immediately restocked to restore adequate fish numbers for anglers. Lee Valley Lake appeared to survive the winter well, with both Apache trout and Arctic grayling being caught in the surveys, including some fairly large grayling.

McDowell Mountain Preserve

The City of Scottsdale and the Department are currently finalizing an Intergovernmental Agreement to cooperatively manage fish and wildlife resources, practice multiple-use resource management, coordinate natural resource planning efforts, law enforcement and information and education program on city lands. The Department continues to work collaboratively with the City regarding the research and management of the preserve. The Department recently met with the City for discussion and identification of any concerns for the trails planning in the area. The Department recommended minor adjustments with the trails plans to minimize impacts to the wildlife linkage bottleneck within the planning area and suggested condensing a few of the trails planned.

Coconino County Rogers Lake Natural Area

The Department continues to advise Coconino County Parks and Recreation on the development of a comprehensive management plan and monitoring program for Rogers Lake County Natural Area (RLCNA). In May the Department will attend meetings with Northern Arizona University forest restoration specialists and NRCS rangeland monitoring staff to define monitoring protocols for forested and grassland portions of RLCNA.

Natural Resource Conservation Service (NRCS)

The Department continues to assist NRCS with development of a Cooperative Conservation Partner Initiative Plan for the Anderson Mesa area. This is a collaborative plan developed with the Flying M, Bar T Bar, and Hopi 3 Canyon Ranches as well as the US Forest Service and State Land Department. Rangeland inventory work is ongoing on the Flying M Ranch. Information collected will help design grassland restoration projects as well as range and habitat improvements.

The Department continues to work with NRCS on a range inventory for the Babbitt's Cataract Ranch.

The Department is working with NRCS and University of Arizona Cooperative Extension Staff to develop wildlife-friendly guidance for application of Tebuthion herbicide for control of big sagebrush. This is a common rangeland improvement practice on the Arizona Strip and North Kaibab, with mixed benefits for wildlife habitat. The Department is working with Cooperative Extension staff to select monitoring locations, gathering soils information, verify the ecological site and gather general plant community notes, including response to the treatment. Upon

completion of the field verification the monitoring data will be analyzed to determine pre-treatment plant community and what correlations can be made to determine successful treatment.

The Department met with University of Arizona and USFS staff to begin development of a plan for grassland restoration on the V Bar V Ranch in the Cedar Flats area on the southern portion of the Coconino National Forest. NRCS staff has been invited to assist with the plan.

Pinal Partnership Parks, Trails, Open Space and Public Lands Committee

The Pinal partnership, parks, trails, open space and public lands committee's purpose is to move forward with regional efforts to initiate localized citizen participation in discussions and projects across the county. This committee is charged with planning outreach, vision statements and recommendations about parks, trails and open space for the county comprehensive plan and open space and trails master plan. The goal of the committee is to protect regional landscapes and private rights while providing natural and multi-use recreational connectivity for parks, trails and open space and the education of Pinal County residents and visitors. The Department has re-initiated the commitment to the committee and we are currently engaging and providing wildlife linkages, recreation and OHV planning information in the discussions. The Department provided a presentation on wildlife linkages at the May 1 meeting.

PM-10

Pinal County Air Quality Update

The Department attended a stakeholder meeting hosted by ADEQ and Pinal County Air Quality District on February 9, 2012. The EPA 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 need to come up with rules/regulations/policies contained within a State Implementation Plan (SIP) to address the poor air quality. The expected boundary of the "non-attainment" area in Pinal County will be much larger than what the State submitted to the EPA. The Department 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. No new information is available.

Proposed Rosemont Copper Project

The Coronado National Forest announced a meeting of Rosemont Copper Project cooperating agencies will be held on Wednesday, May 23 to update cooperating agency representatives on the public comments, analysis and data needs, and ongoing and planned activities. An agenda with other topics will be sent out prior to the meeting. One potential topic is to flesh out additional monitoring requirements and details.

Renewable Energy Development

Wind

Mohave County Wind Project

The BLM will be holding four separate public meetings to encourage participation in review of the Draft EIS and to provide feedback and comments on the project analysis. These meeting will take place the week of May 14, 2012, in the towns of Kingman, Dolan Springs, White Hills and Peach Springs.

Eagle Conservation Plan (ECP)

An ECP conference call was held on April 17 and was attended by the Department, USFWS, BLM, BOR, , BP Wind Energy, Tetra Tech, and URS. The goal of the meeting was to recommend potential location options where eagle mitigation throughout the state could occur and to clarify what level of mitigation is equivalent to a credit for one eagle taken at the project site. The Department is working on a draft carcass removal protocol for this project and other projects to provide mitigation options for Wind Energy Developments throughout the State. BP Wind Energy is also working with the Department attorney to draft an Memorandum of Understanding that would describe the high level relationship for purposes of an implementation mechanism for the carcass removal program. The carcass removal protocol must be approved by the USFWS, which BP Wind Energy will be pursuing for approval of the ECP prior to BLM/Western/Reclamation signing the Record of Decision.

Boquillas

This wind farm is proposed for the Aubrey Cliffs area in Region 3. The Department met with USFWS biologists to discuss our respective analyses of biological studies conducted by Western Ecosystems Technology (WEST), Inc. at the project site and will submit a detailed comment letter shortly. The Department also participated in a meeting with Edison Mission Energy and the Navajo Tribal Utility Authority in late April to provide initial feedback on WEST's reports and review the developers' future plans. Edison Mission Energy (EME) announced it was withdrawing from its partnership with Navajo Tribal Utility Authority (NTUA) on the project, citing company financial constraints and concerns over profitability given the uncertain future of renewable energy tax credits. EME is working on a transition plan and NTUA will become sole developer, continuing to consult with the Department for evaluation of this project.

Coconino County Comprehensive Plan Energy Element

The Department and USFWS gave a presentation on wildlife issues and the role of agency consultation in wind permitting to a joint informational session of the Coconino County Planning and Zoning Commission and Board of Supervisors to assist with their review of the County's draft Energy Element. The Element was subsequently approved in public hearing by Planning and Zoning and now goes to the County Board of Supervisors for approval. If approved the Energy Element will be added as an amendment to the existing County Comprehensive plan.

Longview Energy Exchange, LLC Hydropower Project

Gridflex Energy, project proponent for the Longview Energy Exchange, LLC Hydropower Project, recently applied for a preliminary permit for the project with the Federal Energy Regulatory Commission (FERC). FERC has now approved Gridflex Energy's preliminary permit application, providing Gridflex with 3 years to conduct feasibility studies and consult with agencies relating to the project. The Department will be initiating consultation with the project proponent

Resolution Copper

Resolution Copper recently held a public meeting in Queen Valley due to complaints about wells going dry by residents. Resolution is planning to begin production in 2021 and they estimate they will contribute 20 billion dollars in total tax revenue. The planned land exchange to buy the USFS land at Oak Flats for other private land (one of which is the 78 Ranch on the San Pedro)

passed the House last October, but has not passed the Senate yet. Oak Flats would be necessary due to the shafts as well as the expectation of surface subsidence and mineral rights. Resolution is still at the prefeasibility stage and continues looking at alternatives for the mine footprint; the location of the mine tailings and mill site, as well as defining the scope of the project. The NEPA process (EIS) will begin when plan of operations and studies to determine the tailings and mill site and scope of operations are completed. The Department has requested current hydrology reports as they should show the effect to water levels in Devils Canyon, which is a location for Gila Chub reintroduction and upstream of Gila Chub critical habitat in Mineral Creek. Monitoring sites are not clearly defined in these areas. In addition, potential locations for the mine tailings include 11 sections on ASLD with piles 350 feet high and 7000 acres. Currently, ASLD process does not include any review by the Department for the geotechnical work. Resolution Copper recently provided an update through the Pinal Partnership breakfast that indicated they are still 10 years out for initiating operations with a vision of sustainability: environmental, social and economic, and are working to streamline measures with the state regulatory agencies.

Transmission Lines

APS Dugas to Morgan

The Bureau of Land Management (BLM), Agua Fria National Monument (AFNM) is currently soliciting input on a proposed Arizona Public Service (APS) project within the AFNM. The proposal consists of fiber optic installation on the existing Navajo to West Wing 500 kV overhead transmission line. APS has submitted an application to amend two existing BLM right-of-way (ROW) grants to accommodate the installation and maintenance of the fiber optic cable between the APS Dugas and Morgan substations. The BLM is conducting an Environmental Assessment (EA) to analyze potential impacts of the proposed project on the AFNM and the human environment. The Department participates on the team developing the EA to ensure minor routes identified do not conflict with the management of Horseshoe Ranch, along with providing input on the biological evaluation and potential impacts to wildlife resources and recreation in the area. The Department recently provided comments to the consultant working on the biological evaluation for consideration.

SunZia Transmission Line Project

SunZia is a DOI National Pilot Project and is receiving increased national attention. In an effort to get the information to the public and interested parties in an expedited manner, Washington, DC has requested that the Draft Environmental Impact Statement (DEIS) be released to the public no later than May 25, 2012.

The BLM is still reviewing comments from the cooperating agencies and has stated that they will make every attempt to have comments resolved or incorporated in the DEIS prior to publication; however, some comments may not be addressed until after the DEIS is published. The Department provided comments but was not able to review some portions of the administrative draft DEIS. A 90 day public comment period will start with the public draft and is anticipated to end on August 22. BLM will be coordinating interim meetings to discuss comments and unresolved issues.

Timeline for the DEIS:

May 25, 2012	Estimated Target Date for Release of the DEIS
Mid June	Cooperator Meeting – Discuss comments that have not been resolved/incorporated & discuss upcoming public meetings
Late June/July	Public Meetings
Mid-August	Conference Call with Cooperators – Opportunity for additional conversation & discussion with Cooperators
August 22, 2012	End of 90 day comment period

SunZia’s estimated total transmission capacity is 3,000 megawatts for two 500 kV AC lines, or 4,500 megawatts should a hybrid configuration of one 500 kV AC line and one 500 kV DC line be commercially justified through commitments for new generation facilities, which the Department is also concerned with. The length of the proposed route is approximately 460 miles, segments of which, could potentially fragment some of the largest blocks of unfragmented habitat in the state, as well as attract future infrastructure projects such as renewable energy development along its route. The Department’s major areas of concern include the Aravaipa-Galiuro habitat linkage area, Sulphur Springs Valley grasslands, and the San Pedro River Valley.

Transportation

North South Corridor Study

This study is to provide a connection between US 60 and I-10 in the east valley through identifying and evaluating routes. The Department participates on the stakeholder team. The Department has provided draft wildlife linkages information, and currently we are working directly with the project managers to address our immediate concerns for removal of an alignment on the west of the CAP in the northern area of the study. This particular alignment would have the least environmental impacts and would utilize some of the existing infrastructure. Alignments to the east of the CAP within the northern area of the study would impact wildlife linkages, access and recreation. The progress meeting was cancelled for April, but scheduled for May 15. In the interim, a small meeting was scheduled May 2 for specific discussion on the Department’s concerns.

US 60, Silver King/Superior

The project is to widen the existing US 60 to a 4 lane rural and urban fringe cross section. The project begins around Boyce Thompson Arboretum and end in the streets of Superior. The Department participates on the project team for incorporation of wildlife and recreational access concerns. The project began in the early 2000’s and NEPA documentation was completed at that time. Since it has been re-initiated, revisions to earlier documentation are necessary. The projects critical path currently is the permitting/clearances for the geotech investigations for the project. The Department is currently working with the team to incorporate wildlife friendly specifications into the culvert and bridge designs, along with updating the environmental documentation. This project includes several drainage, bridge structures and lighting that will provide opportunity for wildlife friendly retrofitting. In addition, several wildlife linkages will need to be considered in

project planning. The Department is coordinating with the consultants working on the biological evaluation and NEPA document.

Yavapai County

Following many months of participation on the Citizen Action Committees responsible for drafting the new components of Yavapai County's Comprehensive Plan (Plan), the Department is nearing completion in their review of the draft Plan and will soon be submitting final comments.

Draft - subject to change

Q: What is the Arizona Natural Resources Protection Act?

A: The Arizona Natural Resources Protection Act is an initiative that permanently voter protects opportunities for current and future generations to enjoy Arizona parks, natural resources, and outdoor recreation.

Q: Who are Citizens to Save Arizona's Natural Resources?

A: Citizens to Save Arizona's Natural Resources is a broad-based, non-partisan group of Arizonans coming together to protect our States' natural resources. Our top priority is voter approval of the Arizona Natural Resources Protection Act.

Q: Do Arizona State Parks need funding? How is the park system operating now?

A: The park system is in need of money for operations and deferred maintenance. 19 parks in the system are open to the public only because other entities, public and not-for-profits, have stepped forward to provide short-term, temporary funding. Additionally, due to a decade of the legislature failing to provide adequate funding, more than \$200 million of capital projects have been identified in your Arizona State Parks.

Q: How much does Arizona State Parks need to operate the state parks system?

A: According to the Morrison Institute, in order to maintain and operate the existing State Parks system, consisting of 28 parks and 2 natural areas, Arizona State Parks needs \$30-34 million annually. While it is anticipated that support from the voluntary vehicle registration donation will fund park operations, the voluntary vehicle registration donation (VVRD) should also enable Arizona State Parks to begin to address the \$200 million of deferred maintenance projects and capital needs that have accumulated since the state stopped funding capital and maintenance.

Q: Why doesn't Arizona State Parks raise admission fees?

A: The gate/admission fees at Arizona State Parks are currently among the highest in the United States. As state park revenues (gate fees, gift shop and reservation surcharge funds) were swept away from the park system by state budget cuts (\$15,759,300 since FY 2009), gate fee increases were imposed to maintain ever scaled down Arizona State Park operations.

Q: Will Arizona Sate Parks reduce admission fees after the initiative is passed?

A: The Arizona State Parks Board continuously reviews its fee structure, and steadfastly attempts to provide the best park experience at a reasonable cost.

Q: Why doesn't Arizona State Parks use more volunteers?

A: Last year, more than 50% of all the hours worked in an Arizona State park, were worked by volunteers. Last year, more than 1,800 people worked more than 260,000 hours (the equivalent of 125 full time employees) in our parks and in support of State Parks' mission.

Q: If the Arizona Natural Resources Protection Act passes, will State Parks' volunteer efforts subside, and the funding from partners disappear?

A: Absolutely not. Arizona State Parks is committed to expanding its award-winning volunteer program, and will always seek partners, public and private to support and augment the park system.

Q: What about privatization? What is Arizona State Parks doing to partner with the private sector?

A: Like park systems around the country, Arizona State Parks has a long history of contracting with the private sector. Private companies have been operating their businesses within State Parks since the late 1960s. In these times of severe budget restrictions, opportunities to partner are even more important to Arizona State Parks. Arizona State Parks will continue to seek private sector partnerships where they can protect natural and cultural resources, enhance the visitor's experience, reduce net costs, increase revenues and keep parks open.

Q: Who is Arizona Outdoors Now?

A: Arizona Outdoors Now is a newly formed 501(C)4 created to assist all aspects of outdoor recreation and natural resources

Q: What are our state parks?

A. Alamo Lake State Park, Boyce Thompson Arboretum State Park, Buckskin Mountain State Park, Catalina State Park, Cattail Cove State Park, Dead Horse Ranch State Park, Fool Hollow Lake Recreation Area, Fort Verde State Historic Park, Homolovi State Park, Jerome State Historic Park, Kartchner Caverns State Park, Lake Havasu State Park, Lost Dutchman State Park, Lyman Lake State Park, McFarland State Historic Park, Oracle State Park, Patagonia Lake State Park, Picacho Peak State Park, Red Rock State Park, Riordan Mansion State Historic Park, River Island Unit, Roper Lake State Park, San Rafael State Natural Area, Slide Rock State Park, Sonoita Creek State Natural Area, Tombstone Courthouse State Historic Park, Tonto Natural Bridge State Park, Tubac Presidio State Historic Park, Verde River Greenway State Natural Area, Yuma Quartermaster Depot State Historic Park, and Yuma Territorial Prison State Historic Park.

Q: How much will the Voluntary Vehicle Registration Donation for Arizona State Parks and Natural Resources generate?

A: Using participation data from other states that offer similar programs, we estimate that approximately \$30 to \$40 million per year could be raised from the \$14 voluntary donation to support Arizona State Parks. The collected funds will also establish a \$10 million grant program to finance watershed protection, trails, historic preservation, outdoor recreation, wildlife education, archaeological protection and off-road vehicle projects in the state of Arizona.

Q: If it's already included on my bill, do I really have a choice?

A: Yes, it is a donation, and you do have a choice.

Q: Where does the donation money go? How do we know it won't be swept and used for general state purposes?

A: The money is collected by the Arizona Department of Transportation and distributed to Arizona State Parks quarterly. The dedicated donation program revenues will be safeguarded by the Voter Protection Act.

Q: What, specifically, would the Natural Resources Protection Act do?

A: The initiative provides, through a \$14 VVRD, the funds necessary to protect Arizona's State Park system and help its natural and cultural resources. In addition to providing critical funding for the daily operation of our state's parks, it also provides the following:

- 1) Guarantees that all Arizona school children enjoy free entry to state parks when they are a part of a school education group
- 2) Voter protects all Arizona State Parks funds from raids by the Arizona state legislature
- 3) The first \$10 million earned will be used to fund an Arizona State Parks annual grant program to Arizona cities, towns, counties, Indian nations, governmental organizations and non-profit organizations used to finance historic preservation, outdoor recreation, hiking and off-road vehicle projects
- 4) Provides at least \$4 million to the annual grant program to Arizona cities and towns
- 5) ~~Voter protects the Arizona Game and Fish \$10 million Annual Arizona Heritage Fund grant allocations from raids by the Arizona state legislature.~~

**A RESOLUTION OF THE ARIZONA GAME AND FISH COMMISSION
CONCERNING THE LOSS OF MULTIPLE-USE PUBLIC LANDS DUE TO SPECIAL
LAND USE DESIGNATIONS**

WHEREAS, Arizona's great strength lies in the value of its public lands, and the ability for the public to access and utilize those lands for a variety of recreational uses, and

WHEREAS, although federal lands make up 42% of Arizona, more than 43% of those lands have special land use designations which prescribe significant restrictions to recreation and management. Only 23% of Arizona's lands remain open for public use and free from special land use designations, OR More than 77% of Arizona's lands are restricted from public access and recreation through ownership (private, state, and tribal) or through federal special land use designations, and

WHEREAS, the conservation of wildlife resources is the trust responsibility of the Arizona Game and Fish Commission (Commission) and this extends to all lands within Arizona, to ensure abundant wildlife resources for current and future generations, and

WHEREAS, with 4.5 million acres, Arizona has the 3rd highest total Designated Wilderness acreage in the U.S. This, coupled with an *additional* 5.8 million acres of special land use designations which include National Monuments, National Parks, National Wildlife Refuges, National Conservation Areas, Areas of Critical Environmental Concern, Wild and Scenic Rivers, and Wilderness Characteristics Areas, has caused the systematic loss of recreational opportunities and erosion of the Arizona Game and Fish Department's (Department) ability to proactively manage wildlife on over 10.3 million acres, and

WHEREAS, the Arizona Game and Fish Department has experienced restrictions resulting from special land use designations including project delays, increased costs, increased man-hours, and legal challenges. This ultimately leads to decreased efficiency in conserving and managing Arizona's wildlife resources, and

WHEREAS, public land managers have a responsibility to the people of Arizona to ensure continued opportunities for multiple-use recreational activities. For example, FLPMA (1976) is the Bureau of Land Management's (BLM) "organic act" that establishes the agency's multiple-use mandate to serve present and future generations. Once federal lands are converted to special use lands such as Wilderness and National Monuments, the FLPMA mandate no longer applies and those lands permanently lose multiple-use provisions, and;

WHEREAS, in spite of organic legislation emphasizing multiple-use of public lands, neither the USFS or BLM have established any objectives for acreages of public lands to be maintained in full multiple-use, free from restrictive designations in Arizona, and

WHEREAS, the Multiple-Use Sustained-Yield Act of 1960 and the Federal Land and Policy Management Act of 1976 both legally prohibit the federal land management agencies from affecting the state's jurisdiction and responsibilities.

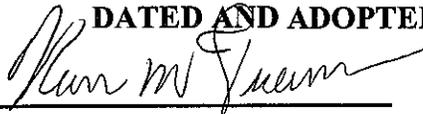
NOW, THEREFORE, BE IT RESOLVED that the Arizona Game and Fish Commission supports public land use that provides Arizona's public and resources with a net benefit, and

BE IT FURTHER RESOLVED that the Arizona Game and Fish Commission does not support the continual conversion of public lands from multiple-use to land use designations that result in the net loss of wildlife resources, wildlife related recreational opportunities, and wildlife dependent economic benefit without expressed concurrence of the state of Arizona and the Commission, and

BE IT FURTHER RESOLVED that any proposed special land use designation analyze the cumulative impacts of further loss of public lands that provide for multiple-use and wildlife related recreational and economic opportunities, and

BE IT FURTHER RESOLVED that any proposed special land use designation on federal lands analyze the impact to the Arizona Game and Fish Department's ability to fulfill its trust responsibility to manage the state's wildlife resources.

DATED AND ADOPTED this 11th day of May, 2012.



Norman W. Freeman

Chairman

Arizona Game and Fish Commission

2012 Heritage Grant Awards

Six Heritage Grant Workshops were held in five cities during August 2011. Ninety-nine applications were received by the September 30, 2011 deadline.

Environmental Education received twenty-nine applications. The amount available is \$ 32,000.00. The following six education programs are awarded 2011-2012 E.E. grants.

1. Deer Valley Unified School District, for the project “*Sonoran Desert Studies Program: Outdoor Wildlife Education.*” The award is in the amount of \$ 6,159.00.
2. Tempe Union School District, for the project “*Environmental Biology Field Course- A Post-Fire Revision Via Professional & Curriculum Development.*” The award is in the amount of \$ 1,700.00.
3. Coconino County Superintendent of Schools, for the project “*Five-Points Project: Exemplary Environmental Education in Northern Arizona.*” The award is in the amount of \$10,000.00.
4. City of Phoenix, for the project “*Audubon Arizona's River Connection Field Trip Transport.*” The award is in the amount of \$2,500.00.
5. Arizona Western College, for the project “*Bighorn Sheep Student Conservation Experience.*” The award is in the amount of \$2,500.00.
6. Bureau of Land Management, for the project “*Pathways to youth engaged stewardship on the Las Cienegas National Conservation area.*” The award is in the amount of \$8,500.00.

Schoolyard Habitat received eleven applications. The amount available is \$ 37,500.00. The following five schools are awarded 2011-2012 Schoolyard grants.

1. Vail School District, for the project “*Outdoor Learning Lab.*” The award is in the amount of \$ 4,100.00.
2. Tempe Union High School District, for the project “*Desert Vista Natural Habitat Project.*” The award is in the amount of \$ 9,555.00.
3. Tucson Unified School District, for the project “*Outdoor Wildlife Learning at Manzo Elementary School.*” The award is in the amount of \$ 8,600.00.
4. Skyview Charter School, for the project “*Skyview Schoolyard Habitat.*” The award is in the amount of \$ 5,887.00.
5. Arizona State University, for the project “*Let Nature Be Our Teacher.*” The award is in the amount of \$ 9,000.00.

Urban Wildlife received twenty-five applications. The amount available is \$ 112,500.00. The following five projects are awarded 2011-2012 Urban grants.

1. Town of Pinetop-Lakeside, for the project ***“White Mountains Wildlife Viewing Guide Webpage Development.”*** The award is in the amount of \$ 7,782.00.
2. City of Chandler, for the project ***“Tour de Bird.”*** The award is in the amount of \$9,080.00.
3. City of Tucson, for the project ***“Tucson Bird and Wildlife Festival: Birders Mean Business.”*** The award is in the amount of \$ 17,302.00.
4. City of Scottsdale, for the project ***“McDowell Sonoran Conservancy Baseline Fauna Survey.”*** The award is in the amount of \$ 24,600.00.
5. Mesa Community College, for the project ***“Red Mountain Cienega Courtyard Educational Display.”*** The award is in the amount of \$ 53,736.00.

Public Access received six applications. The amount available is \$ 50,000.00. The following two projects are awarded 2011-2012 Public Access grants.

1. Town of Sahuarita, for the project ***“Sahuarita Lake- Public Access For Persons with Disabilities.”*** The award is in the amount of \$ 9,500.00.
2. Town of Clarkdale, for the project ***“Verde River @ Clarkdale.”*** The award is in the amount of \$ 40,500.00.

IIAPM received twenty-eight applications. The amount available is \$ 200,000.00. The following five projects are awarded 2011-2012 IIAPM grants.

1. University of Arizona, for the project ***“Genetic Assessment of Arizona and Northern Mexico Ocelots.”*** The award is in the amount of \$ 14,528.00.
2. USDA Forest Service, for the project ***“Protection of Sensitive Habitat for Ferruginous Hawks and Other Grassland Wildlife on the Williams Ranger District, Kaibab National Forest.”*** The award is in the amount of \$49,636.00.
3. University of Arizona, for the project ***“Using Lidar to Map Distribution and Abundance of the Red-Faced Warble.”*** The award is in the amount of \$ 45,091.00.
4. University of Arizona, for the project ***“Status of the Arizona Gray Squirrels in the Santa Catalina and Rincon Mountains.”*** The award is in the amount of \$ 30,580.00.
5. Northern Arizona University, for the project ***“Northern Mexican Gartersnake Habitat Use and Ecology.”*** The award is in the amount of \$44,811.00.