

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, June 22, 2012
Saturday, June 23, 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. This meeting followed an agenda revision #2 dated June 20, 2012.

Wildlife Contracts Branch Chief Tim Wade informed the Commission of an award presented to the Department from the National Association of Environmental Professionals. The award was for the three sheep overpasses on US 93 and the associated research that went along with determining the placement and the construction of the overpasses. Mr. Wade showed the award to the Commission.

The Commission called for an early break so that the Department could take care of some technical difficulties with the telephones and connections with the regional offices.

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Meeting recessed for a break at 8:10 a.m.
Meeting reconvened at 8:25 a.m.

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Chairman Freeman called the meeting back to order and led those present through a moment of silence in observance of Memorial Day and National Peace Officer Memorial Day, and to remember Engine Boss Anthony Poke of Yuma Arizona who recently lost his life in an accident while in route to the Montezuma Fire, and for two Arizona military personnel who recently lost their lives in the line of duty, Sargent First Class Barrett W. McNabb of Chino Valley and First Lieutenant Alejo R. Thompson of Yuma.

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1. Call to the Public

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

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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:

State

Next Legislative Session

- There will be a large turnover for the next legislative season. Fifteen legislators are moving on or moving into other positions.

Legislative Tours

- The Department's Summer/Fall Legislative Tours have been scheduled: Vermillion Cliffs (August 6-8), Hart Prairie Preserve (August 28-30), Sipe White Mountain WA (September 11-13), and Horseshoe Ranch (Date TBD).

Congressional

S. 3240 The Farm Bill:

- Passed Senate 64-36 yesterday afternoon
- Senate considered 73 out of 283 amendments filed (The Tester/Thune amendment, known as the Sportsmen's Package, was ruled non-germane and was not part of the negotiated amendments considered. May be considered at a later date or in conference
- Udall (CO) amendment doubles funding for battling bark beetle from \$100m to \$200m
- EQUIP and WHIP funds largely left intact – (AGFD Voluntary Access Program)

Land and Water Conservation Fund (LWCF):

- The House/Senate Transportation measure (H.R. 4348 & S. 1813) continues to move forward in Conference committee, the following language was added with respect to LWCF stating: “(d) PUBLIC ACCESS.—Not less than 1.5 percent of the annual authorized funding amount shall be made available each year for projects that secure recreational public access to existing federal public land for hunting, fishing, and other recreational purposes”
- Potential of nearly \$9m in funding for Western States
- Potential for largest appropriation of LWCF to date.

Upcoming House Renewable Energy Legislation:

- Congressman Gosar (CD1) to introduce (input provided from Department)
- SB 1775 -Sponsors : Risch (R-ID), Tester (D-Mt)
- Change current process from ROW grants to leases (similar to oil/gas)
- Of the 35% conservation mitigation fund uses: Mitigation for fish, wildlife, habitat, corridors and water resources; Land acquisition within NPS, NFS or NLCS; Recreational access and LWCF activities.

Other Bills & Notes of Interest:

- H.R. 5855: Homeland Security Appropriation Act for 2013 (passed the House) 100 mile zone from border; environmental laws waived; \$3 million redirected from “environmental mitigation” to U.S. Border Patrol Air and Marine Interdiction capabilities. (significant environmental mitigation revenues used in AZ).
- H.R. 2578 Conservation & Economic Growth Act of 2012 (passed the House) 14 bill package; Increases from 10 years to 20 grazing leases on federal lands; Allows for the use of Pittman Robertson funds for shooting range acquisition, operating and maintenance; Waives all environmental laws within 100 miles of the Border.

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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.

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4. Statewide Shooting Range Grant Requests for FY 2013

Presenter: Anthony Chavez, Statewide Shooting Range Administrator

Mr. Chavez briefed the Commission using a Power Point presentation on the Department’s Shooting Range Grants Program, which received eight grant applications for fiscal year 2013. The Department recommended that the Commission approve five of the applications: 1) Construction of facility and improvements at the Granite Mountain Archery Range (Prescott); 2) Construction and facility improvements at the Town of Chino Valley Shooting Range (Chino Valley); 3) Construction and improvements to stabilize and increase the height of the impact and lateral berms at the Pima Pistol Club (Tucson); 4) Development and construction of a fixed distance and walking course archery range at Naranja Park in the Town of Oro Valley (Oro Valley); and 5) Construction and relocation of a handicap accessible trap range at the Lake Havasu City Sportsman’s Club (Lake Havasu City) for a total of \$77,027.00.

The following is a summary of the grant applications received for the FY13 Shooting Ranges Grant cycle:

Granite Mountain Archery Range-Granite Mountain Archers (Prescott): Requested \$4,027.00 to upgrade the electrical system in the classroom and develop ADA access on the practice range. Department recommendation: Fund total amount requested.

Town of Chino Valley Police Department Shooting Range (Chino Valley): Requested \$50,000.00 to begin the second phase of the master plan adding one additional range to the west of the existing ranges and extend the distance of the rifle range completed in phase I.

Construction includes but not limited to improving roadways, restroom facilities, site leveling, berm construction, shade structures and developing shooting positions. Department recommendation: Partial funding of \$25,000 to conduct construction and facility improvements.

Pima Pistol Club (Tucson): Requested \$20,000.00 to upgrade and develop new safety berms on the public shooting range. Construction includes but not limited to leveling, grading, and improving the bullet impact areas of the berms. Department recommendation: Partial funding of \$15,000.00 of total amount requested.

Town of Oro Valley Archery Range (Oro Valley): Requested \$50,000.00 to develop an archery range on Naranja Park. Construction and facility improvements will include the installation and development of a fixed distance shooting range, covered firing points, parking lots, a walking archery course and trails, signage and restroom facilities. Department recommendation: Partial funding of \$15,000.00 of total amount requested.

Lake Havasu City Sportsman's Club (Lake Havasu City): Requested \$34,497.00 to remove and relocate a deteriorating trap field for safety and to upgrade the facility for handicap accessible sidewalks and ADA requirements. Department recommendation: Partial funding of \$18,000.00 of the total amount.

7-Mile Shooting Range-Mohave Sportsman's Club (Kingman): Requested \$18,690.00 to construct shade canopies and outdoor tables at the trap range. Department recommendation: No funding.

Sierra Vista Shooting Range-Sierra Vista Rod and Gun Club (Sierra Vista): Requested \$46,325.00 to construct and develop a new trap and skeet field that includes service buildings and parking lots. Department recommendation: No funding.

Casa Grande Trap and Skeet Association (Casa Grande): Requested \$26,155.00 to construct and install lights on trap fields, install a storage container and install handicap accessible sidewalks. Department recommendation: No funding.

Motion: Harris moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE THE SHOOTING RANGE GRANT APPLICATIONS FOR THE FY13 GRANT CYCLE FOR A TOTAL OF \$77,027.00 AS PRESENTED.

Vote: Unanimous

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5. 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 introduced Education Branch Chief Kellie Tharp who provided an update to the Commission on the Wildlife Center. Ms. Tharp briefed the Commission on the requirements for a successful fundraising campaign and the elements of a campaign plan. The following is a list of next step items in the process:

- July- Request For Quote (RFQ) process for the Architect begins
- Formalize the Capital Campaign Board
 - Identify type of Capital Campaign (Bricks and Mortar, Endowment, Combined)
 - Identify the Capital Campaign Goal (Construction, fundraising costs, equipment, endowment, software; Based on the portion of the total cost to be funded by the campaign)
 - Construct a Gift Range Chart (Determines the quantity of gifts and number of prospects required to achieve the goal; Establishes levels used for naming opportunities)
 - Identify donors and lead donors (81% of giving comes from individual donors; 2011 individual giving is up +4%)
 - Develop the Case Statement (Describes campaign objectives, monetary goals, table of gifts, donor recognition, policies and other relevant information; This becomes the source for all campaign materials; Required for the Feasibility Study).

Mr. Gray provided the Commission with an update on the Director's Goal and Objective #9 using a Power Point presentation. This goal and objective is on target according to the Gantt chart and the timeline previously provided to the Commission.

Commissioner Davis stated that there are two different teams looking at two different aspects of the licenses and fees. He recommended that the Department combine these efforts and then one strategic decision can be made with all the matters discussed and voted on by the Commission.

The Commission was in consensus to direct the Department as recommended by Commissioner Davis.

Director Voyles agreed that the Department needed to look at this as one package and right now they are built into two different goals and objectives. The Department will look into crafting what this will look like if they are combined into one.

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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: Larry Riley, Assistant Director, Wildlife Management Division

A copy of the Lands Update report (attached) was provided to the Commission prior to this meeting and was made available to the public in the materials laid out at the entrance to the meeting room. The update addressed the latest developments relating to the implementation of land and water resource management plans; development projects on private, state and federal lands in Arizona and other related matters; and included federal land and water management 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. Riley provided an addition update using a Power Point presentation on the BLM's Lower Sonoran/ Sonoran Desert National Monument Resource Management Plan (RMP). The final Environmental Impact Statement (EIS) was recently released and is in the midst of its 30-day appeal period prior to the issuance of the final Record of Decision. This is something that the Department has been engaged in as a cooperating agency for about a decade. In April of this year, the Department met with BLM to discuss the proposed RMP and final EIS. The Department's focus has been to ensure the conservation of wildlife resources and associated recreational opportunities, as well as ensure that the Commission's trust responsibilities and authorities were upheld. One of the major issues identified by the Commission over the last several years is associated with the continued opportunity for responsible dispersed recreational target shooting on the Sonoran Desert National Monument. The Commission previously took a specific position on this issue with regard to the Ironwood National Monument. The preferred alternative in the final EIS includes the opportunity for dispersed recreational shooting opportunity, so in that regard the Department has been successful in representing the Commission's perspectives. The final EIS is available for public inspection and the final Record of Decision will take place in just under 30 days from now.

One of the things that the Department does on behalf of the Commission is maintain the Commission's standing with regard to these kinds of decisions at every step along the way. The Department maintains its engagement so that the Commission can be involved. Should a decision be appealed, the Commission would be in position to and have the ability to intervene in that appeal. In the future, the Department will continue to maintain the Commission's standing so that any future decisions relative to this issue would trigger the Commission's ability to express its view. The Commission and Department could be fully engaged. To that end, the Department is planning to correspond with the BLM, not to appeal, but to indicate that the Department believes their decision to include dispersed recreational shooting in their preferred and selected alternative is appropriate. That decision fits with the BLM's multiple use mission and the Department recognizes and respects their decision.

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7. Update and Overview of The Nature Conservancy and its Arizona Programs and Accomplishments.

Presenter: Eric Gardner, Nongame Branch Chief

Mr. Gardner introduced Pat Graham, Arizona State Director of The Nature Conservancy who provided the Commission with a briefing on The Nature Conservancy's approach to conservation, some of the cooperative efforts between The Nature Conservancy and the Game and Fish Department, and some of the challenges and opportunities of The Nature Conservancy in Arizona. Mr. Graham provided the Commission with an informational packet that included The Nature Conservancy Arizona Annual Report for 2011, an issue of Field Notes for Spring 2012, a list of The Nature Conservancy Arizona Board of Trustees, and other pertinent information. The mission of The Nature Conservancy is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.

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Meeting recessed for a break at 10:00 a.m.

Meeting reconvened at 10:15 a.m.

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8. FY 14 & 15 Budget Development Process

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan presented the Commission with a Power Point presentation on the Fiscal Year 14 and 15 budget development process. The purpose of this presentation is to discuss the Department's approach to developing and managing the budget, to present the status of major funding sources, and to present the draft budget to the Commission. The presentation included charts and graphs, as well as the following information:

Budget Development Approach

Budget Development Direction:

- Maintain commission priorities (GIS, License Dealer Automation, Enterprise Architecture, online review tool, Adobe Wildlife Center)
- Identify and maintain programs that interconnect with and effect other important, global interests (Heritage Fund programs, Bald Eagle Nest Watch, CAMP, etc.)
- Employee welfare and safety (rabies, communication)
- Maintain/increase outreach capabilities that improve effectiveness and reach a diverse customer base
- Preserve revenue generating functions
- Maintain appropriate fund balance reserve of \$15 million to ensure Agency sustainability and flexibility.

Assumptions/Methods:

- Sustain and enhance match for federal funds by maximizing non-cash match
- Identify/sustain base funding for Department properties/wildlife areas
- Seek license fee increase in 2014
- Base budgets reflect need and direction
- Use Director's authority under personnel reform to incentivize employee performance
- Right-size vehicle fleet and manage at safe, sustainable levels
- Continue Heritage grant payments at FY 2013 levels
- Economy will not improve through FY2015 – revise and manage at conservative levels
- The 5% retention bonus included in the personnel reform bill will continue permanently
- Fuel costs will increase by 20% by FY2015
- Maintain vacancies by fund
- Manage computer equipment and replace every four years, or as needed.
- Fund Capital Campaign Development for Adobe
- Eliminate Special Budget Line Items in the Watercraft fund.

The Commission was provided with packets containing detailed budget information (also available to the public) that included the Department's draft total budget requests, and breakdowns of the Department's funding sources and costs. The Commission will review the packets and contact Ms. Morgan individually with any questions or recommended changes. The final budget will be presented to the Commission for approval at the August Commission meeting. The Department's budget must be submitted to the Governor's Office by September 1,

2012. Also, beginning in September, the Department will be providing the Commission with a monthly budget status report for FY13.

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9. Consent Agenda

The following items were grouped together and noticed as consent agenda items to expedite action on routine matters. These items were provided to the Commission prior to this meeting and the Department requested that the Commission approve these matters as presented, subject to approval or recommendations of the Office of the Attorney General. Director Voyles presented each item to the Commission and none were deemed necessary to remove for discussion.

a. Request for the Commission to Approve Entering Into a License Agreement and to Proceed with Disposal of a portion of the Page Springs Fish Hatchery Property, Yavapai County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

The Page Springs Restaurant, now known as Up the Creek Grill, is located on Page Springs Road, northeast of the Bubbling Ponds Hatchery. The restaurant's original building was constructed in 1956 as a general store. In 1974, the general store building was expanded and eventually transformed to a restaurant. As late as the 1990s, the technology of land surveying tools changed tremendously, making modern surveys more accurate. A portion of the restaurant, the parking area, and the leach field are on Commission-owned property. Patrons of the restaurant often park on the south side of Page Springs Road and walk across the road to access the restaurant. Yavapai County also has an interest in seeing this issue resolved as it relates to county permitting and the desired improvements the new owners wish to implement.

This trespass poses liability issues to the Department in its current state. Approval to enter into a license agreement as an interim solution, and finalize with the disposal of a portion of the property of sufficient size to encompass the building, current parking and leach field, would serve to resolve the trespass and remove the liability currently facing the Department. The Department has determined that these measures will not interfere with the operation of the Fish Hatchery and will also benefit the Commission and the Department by supporting positive relationships with private land owners in the area. This is consistent and compatible with the operation of the Page Springs Fish Hatchery.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE ENTERING INTO A LICENSE AGREEMENT, AND TO PROCEED WITH DISPOSAL OF A PORTION OF THE PAGE SPRINGS FISH HATCHERY PROPERTY, YAVAPAI COUNTY, ARIZONA, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE DISPOSAL AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Cooperative Agreement between the Arizona Game and Fish Commission and the Flood Control District of Maricopa County

Presenter: Tim Wade, Wildlife Contracts Branch Chief

The Flood Control District of Maricopa County (District) frequently has the need to retain the services of a reliable and experienced biological consultant. Services they need include: conducting field activities in support of the Migratory Bird Treaty Act and other federal wildlife acts and state wildlife statutes, performing field surveys related to wildlife habitats and vegetative communities, participating in habitat restoration activities, providing recommendations regarding "wildlife friendly" flood control designs and/or specific locations for incorporation of these designs into existing or planned flood control and remediation structures, providing guidance and recommendations regarding wildlife connectivity issues as related to flood control and remediation structures and Area Drainage Master Plans, developing recommended biological resources compatibility ratings for flood hazard mitigation strategies, performing species occurrence and/or suitable habitat surveys and providing Clean Water Act Section 404 in-lieu fee services.

The Department has the ability to provide these services for a fee to the District. In order to be retained by the District to perform these services, the Department must have an overarching agreement in place. This agreement will allow project-specific Collection Agreements to be entered into for individual work assignments when the District seeks to retain the contracted services of the Department for wildlife management or wildlife research purposes.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE A COOPERATIVE AGREEMENT BETWEEN THE ARIZONA GAME AND FISH COMMISSION AND THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY.

c. Request for the Commission to Approve a Memorandum of Understanding Among the Arizona Game and Fish Commission, Utah Department of Transportation and the Utah Division of Wildlife Resources.

Presenter: Tim Wade, Wildlife Contracts Branch Chief

A significant proportion of the Paunsaugunt deer herd migrates into Arizona on a yearly basis. This herd makes up a proportion of the deer hunted and harvested in 12B. US Highway 89 constitutes a significant source of mortality for deer traveling to and from Arizona and is particularly detrimental to bucks in the rut and fawns encountering the highway for the first time (Messmer and Klimack 1999). Deer crossing US Highway 89 also pose a safety risk to motorists. However, the areas along Highway 89 with the highest number of deer/vehicle collisions are known and the types of roadway crossing structures and fences to minimize the problem are also known. Utah has obtained approximately \$625,000 of the \$2.4 million needed to address this problem, but Utah's funds are contingent upon finding partners to help complete the project. The project would build new crossing structures and retrofitting existing culverts. Funnel-fencing would be required to force deer to these crossings. The Arizona Game and Fish Department has agreed to partner with the State of Utah, with Commission approval, by contributing \$130,000. Through the Department's Habitat Partnership Committee program, the Arizona Deer Association and Mule Deer Foundation have approved \$25,000/ year for the next 4 years for assistance towards the purchase and install of wildlife crossings. Through the Big Game Donation fund, the Department will commit \$15,000/ year for the first 2 years. This will provide \$40,000 for years one and two and \$25,000 for years three and four. This contribution was approved by the Habitat Partnership Committee.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING AMONG THE ARIZONA GAME AND FISH COMMISSION, UTAH DEPARTMENT OF TRANSPORTATION AND THE UTAH DIVISION OF WILDLIFE RESOURCES.

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

Vote: Unanimous

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11. 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, forest fire updates 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 Programs.

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15. Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2013 and January 2014.

Presenter: Ben Alteneder, Community and Congressional Relations

Mr. Alteneder presented the Commission with dates and locations for the January 2013 Commission meetings and January 2014. The Commission discussed and agreed on the following:

<u>Date</u>	<u>Location</u>
January 11-12	Phoenix (Date set in June 2011)
February 1-2	Region IV
March 8-9	Region V
April 12-13	Phoenix (hunt orders)
May 10-11	Region III
June 8-10	Commission/Executive Staff Retreat
June 21-22	Region VI (hunt orders)
August 2-3	Region II (hunt orders)
September 6-7	Region I
November 1-2	Location TBD
December 6-7	Phoenix (hunt orders)
January 10-11, 2014	Phoenix - Commission Meeting

Motion: Mansell moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT THE SCHEDULE AS PRESENTED WITH THE FOLLOWING CHANGES: MOVE THE

FEBRUARY DATES TO FEBRUARY 1-2, MOVE THE COMMISSION RETREAT TO JUNE 8-10, AND ADD A WORKSHOP ON NOVEMBER 1-2.

Vote: Unanimous

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16. Update of Commission Awards.

Presenter: Ben Alteneider, Community and Congressional Relations

Mr. Alteneider presented the Commission with a list of award categories for the 2012 Commission Awards to be presented at the January 2013 Commission Awards Banquet as follows:

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

YOUTH ENVIRONMENTALIST OF THE YEAR: Any individual, 18 years of age or younger, who has excelled in efforts to benefit wildlife and the mission of the Arizona Game and Fish Department.

OUTDOOR WRITER OF THE YEAR: Any professional or freelance writer who has excelled in highlighting issues or activities pertaining to the welfare of wildlife and the mission of the Arizona Game and Fish Department.

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

CONSERVATION ORGANIZATION OF THE YEAR: Any organization, group, foundation, or agency that has excelled in efforts to enhance the welfare of wildlife, wildlife related recreation, and the mission of the Game and Fish Department.

CONSERVATIONIST OF THE YEAR: Any individual, not associated with a professional agency, which has excelled in efforts to enhance, conserve, and manage wildlife or their habitats.

NATURAL RESOURCE PROFESSIONAL OF THE YEAR: Any individual who through a professional agency affiliation has excelled in efforts to enhance, conserve, and manage wildlife or their habitats.

VOLUNTEER OF THE YEAR: Any individual who, as a *registered volunteer* with the Department, has excelled in efforts to support and benefit the mission of the Arizona Game and Fish Department.

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

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

ADVOCATE OF THE YEAR: Any individual that has engaged in political advocacy for the betterment of wildlife conservation and in the support of the mission of the Arizona Game and Fish Department.

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

BUCK APPLEBY HUNTER EDUCATION INSTRUCTOR OF THE YEAR AWARD: Any hunter education instructor who actively participates in hunter education activities and demonstrates the highest level of customer service, dedication and professionalism during these activities. Award category recently approved by the AZGFD Commission in honor of Buck Appleby, a long time hunter education instructor who passed away in 2010.

WILDLIFE HABITAT STEWARD OF THE YEAR: Nominations solicited by SSDV (Troy Christensen) and reviewed and ranked by LLSRC for Commission consideration.

CHAIRMAN'S AWARD: At the sole discretion of the Commission Chair. (Nominations not taken).

Motion: Mansell moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT THE AWARD CATEGORIES FOR THE 2012 COMMISSION AWARDS AS PRESENTED.

Vote: Unanimous

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Meeting recessed for a lunch at 11:30 p.m.

Meeting reconvened at 1:30 p.m.

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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.

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

Vote: Unanimous

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

Presenter: John Romero, Acting Law Enforcement Branch Chief

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

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Meeting recessed for a break at 11:30 a.m.
Meeting reconvened at 1:30 p.m.

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13. Rehearing Request Regarding Previous License Revocation/Civil Assessment.

Presenter: Gene F. Elms, Law Enforcement Branch Chief

On March 16, 2012, Michael Sheets was convicted in the Flagstaff Justice Court for possession of unlawfully taken wildlife. On May 11, 2012, the Commission revoked Michael Sheets' hunting, fishing and trapping license for a period of five (5) years, invoked a \$1,500.00 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. Sheets requested a rehearing of this matter and decision, citing he never received the original Notice of Hearing and, therefore, was unable to address the Commission. Mr. Sheets has been notified of this hearing by certified mail.

Mr. Sheets was present and addressed the Commission stating that he did not receive the Notice of the original hearing. His hunting rights are very important to him and he would definitely have been present. Additionally, he felt the five year revocation was extreme. He asked for leniency because he did not waste the game meat. He just didn't call Game and Fish when he realized that what he did could be illegal. He has been a hunter and fisher in Arizona for 27 years with no problems.

Motion: Mansell moved and Harris seconded THAT THE COMMISSION AMEND ITS PREVIOUS LICENSE REVOCATION FOR MICHAEL SHEETS TO A THREE YEAR REVOCATION PERIOD INSTEAD OF A FIVE YEAR REVOCATION PERIOD.

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

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14. Rehearing Request Regarding Previous License Revocation/Civil Assessment.

Presenter: Gene F. Elms, Law Enforcement Branch Chief

On December 13, 2011, David Silva was convicted in the Mayer Justice Court for taking wildlife with the wrong species tag. On April 13, 2012, the Commission revoked David Silva’s hunting, fishing and trapping license for a period of five (5) years, invoked a \$1,500.00 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. Silva requested a rehearing of this matter and decision, citing the revocation of his license for five (5) years is excessive. Mr. Silva has been notified of this hearing by certified mail.

Mr. Silva was not present, but provided a letter to the Commission for their consideration.

The Commission read and considered Mr. Silva’s letter.

Motion: Husted moved and Mansell seconded THAT THE COMMISSION VOTE TO DENY MR. DAVID SILVA’S REQUEST FOR A REHEARING.

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

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10. Call to the Public

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

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Meeting recessed for the day at 3:00 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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

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1. Call to the Public

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

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1A. Dominic Torres petition for Commission Hearing Under R12-4-611.

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on Mr. Dominic Torres' petition to the Commission. On March 29, 2012 credit card charges for successful applicants in the 2012 Elk/Antelope draw commenced and the process completed on April 5, 2012. Results were announced on Monday April 9, 2012. Mr. Torres contacted the Department to dispute his credit card being dishonored for the draw tags. He was informed that the Department made three attempts to collect the \$342.00 on March 29, 2012 for the three elk tags on the application and all three attempts were declined by his credit card issuer. He then contacted his bank and called the Department with his bank representative on the line. After verifying the account information, the bank representative stated that they showed no history of the transaction. Mr. Torres was advised that his only remedy would be to petition the Commission. His petition was received by the Department on April 11, 2012. Documentation attached to his petition consisted of a printout of his account balance and activity.

At the April 13-14, 2012 Commission meeting, after the Department was made aware of a national news story regarding a security breach of VISA/MasterCard, the Commission directed the Department to determine how many applicants and potential permits were impacted by mailing letters to applicants whose credit cards had been rejected. Mr. Torres was sent a letter as part of this group. Once he received his letter, he contacted the Department again and at that time he was advised that he needed to have a letter from his credit card issuer stating there was either fraud or a hold placed on his account when the Department attempted to collect for the tags. He stated that his information was contained in his petition.

At the May 11, 2012 Commission meeting, the Commission set the criteria for relief and Mr. Torres was sent a second letter stating he did not meet the criteria as set forth by the Commission. In this case, there was no supporting documentation of fraud or a hold by his bank. Mr. Torres contacted the Department and was again informed that he needed to submit a letter from his bank documenting the fraud. Mr. Torres stated that he wanted the Department to proceed with his original petition. Mr. Torres did not provide proof to the Department that there was a fraud hold placed on his account and therefore does not meet the criteria for relief.

Mr. Torres was not present.

Public Comment

Mr. Ron Sager addressed the Commission and expressed his appreciation for the work they do for Arizona's wildlife. Mr. Sager requested to speak on this item because he had a similar circumstance. He had sufficient funds in his account to cover his and his son's elk applications, but due to a bank error, his credit card was dishonored. His was not a fraud case, but a general error case. Mr. Sager requested that the Commission consider granting licenses or reinstatement of bonus points to those who submit letters stating that bank errors occurred and can submit documentation.

Chairman Freeman stated that when this national credit card fraud situation occurred, the Commission tried to remedy the issues it caused for draw applicants who were adversely affected. But the Commission had to limit the scope to this specific fraud incident and set

criteria for timelines and documentation. The Department did a tremendous amount of work to determine the biological impacts on what the Commission wanted to do to make it right for our customers. Chairman Freeman stated that he appreciates Mr. Sager's support for the Department and he is troubled by his situation, but the Commission has to stand by the rules and procedures that it makes or there would be mayhem, and it could jeopardize future Commission's in making things right when something like this credit card fraud issue happens.

Chairman Freeman asked Ms. Morgan in regards to Mr. Torres' petition, if Mr. Torres followed the procedures set forth by the Commission to remedy the credit card fraud situation.

Ms. Morgan stated that Mr. Torres did not provide bank documentation stating that his credit card was denied or put on hold due to the credit card fraud situation.

Commissioner Husted clarified and confirmed two things with Mr. Odenkirk: First, that Mr. Sager's situation was different in that his was a bank error and not related to the credit card fraud issue, and second, that Mr. Sager would need to file a petition in order for the Commission to consider his situation.

Commissioner Davis thanked Mr. Sager for coming to the Commission meeting and presenting his issues. He understands that sometimes bank errors happen and it can be frustrating. He is extraordinarily sympathetic, but there are always going to be some issues related to the draw and personal banking situations. This other situation that the Commission is dealing with is not a personal banking situation, but is a national fraudulent attack on the credit card system. On personal banking situations, Commissioner Davis is sympathetic, but the Commission would be hearing petitions year-round and so it has to stop somewhere. Filing a petition may sound like a bureaucratic process, but it protects the sanctity and honor of the process. So he hopes Mr. Sager does not think the Commission doesn't care and are just telling him he has to file a petition. Commissioner Davis stated that he does care and feels for Mr. Sager's situation.

Commissioner Harris agreed with Commissioner Davis' comments and stated that he is also sympathetic, but Mr. Sager's situation is different than Mr. Torres' and if he wants to be heard by the Commission then he needs to file a petition.

Chairman Freeman agreed and recommended that Mr. Sager discuss his issues with Department staff and decide if he wants to file a petition.

Motion: Mansell moved and Husted seconded THAT THE COMMISSION VOTE TO DENY THE PETITION OF MR. DOMINIC TORRES FOR PERMIT TAGS FOR WHICH HIS APPLICATION WAS DRAWN.

Commissioner Davis requested that the Commission's comments be on the record to show that the Commission is not denying this request out of disregard for the petition. It is important and it matters, but there has to be a point where it stops.

Commissioner Husted requested that the Commission look at some of the issues that cause draw applicants to be rejected and find ways to alleviate some of these issues.

Ms. Morgan stated that there may be an opportunity in the Article 1 rulemaking process to perhaps address some of these situations.

Director Voyles stated that the Department's Article 1 Rulemaking Team is already reviewing some of these issues according to prior Commission direction.

Vote: Unanimous

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1B. Request for Refund or Bonus Points by Steve Sherbondy.

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on Mr. Steve Sherbondy's petition to the Commission. Mr. Sherbondy was drawn for elk (Hunt #3010, Units 3A and 3C) for the 2012 season. According to his petition, he would like to have a refund or his bonus points reinstated because he is suffering from a medical condition and will be unable to participate in his hunt. Mr. Sherbondy is requesting: 1) refund and bonus points, 2) bonus points only, or 3) refund with no bonus points.

Mr. Sherbondy was not present.

Commissioner Harris commented that, as in the previous petition, the Department is looking into some remedy for these situations in the Article 1 rulemaking, but for today he would have to deny this petition according to the rules as the Commission has consistently done in the past.

Commissioner Husted commented and confirmed with Ms. Morgan that the Department has informed Mr. Sherbondy of the Champ permit that allows a person to hunt from his vehicle and also the opportunities to gift a tag to a minor child in the family or a 501c3 organization.

Commissioner Mansell commented that he is sympathetic and he believes the Commission is in support of some kind of tag surrender, so he hopes the Commission makes some changes to avoid future issues like this.

Motion: Husted moved and Harris seconded THAT THE COMMISSION VOTE TO DENY STEVE SHERBONDY'S PETITION FOR A REFUND OR THE RETURN OF HIS BONUS POINTS.

Vote: Unanimous

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1C. Request for Permit by Kenneth E. Lewis

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on Mr. Kenneth Lewis' petition to the Commission. Mr. Kenneth Lewis and his co-applicant Stephen Lewis were drawn for a Bull Elk Hunt in Unit 4A,

archery. His credit card was declined and his application was subsequently rejected. Mr. Lewis was sent the same letter as the other applicants whose credit cards were rejected. Mr. Lewis' bank provided the following information: On March 23, 2012 according to US Bank, Mr. Lewis contacted them to report that his new card had not been received. For security purposes, the bank closed his account number and rushed a new card to him. Bank records indicate that the new card was activated on March 27, 2012. The bank also noted that because the old account number was closed, the old card would not have been valid. Mr. Lewis also alleges that he attempted to change the card on file in our system on March 20 and 21, 2012, but the system was inoperable. The Department did not deactivate the credit card update program until the morning of Tuesday, March 27, 2012. As a result, Mr. Lewis did not have a valid credit card on file with the Department at the time credit cards were run.

Mr. Kenneth Lewis was present at the Regional Office in Pinetop and addressed the Commission by telephone conferencing. His issue is specifically related to not being able to change his credit card information due to a computer glitch in the system.

Commissioner Mansell asked Ms. Morgan if there were any records of any problems with the system.

Ms. Morgan stated that there are no records of any problems with the system and that there is documentation from the vendor that during the dates that Mr. Lewis was trying to make his changes, other changes were going through for other people.

Chairman Freeman stated that, as in the previous petitions, the Department is looking into some remedy for these situations in the Article 1 rulemaking.

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO DENY KENNETH LEWIS' PETITION FOR BONUS POINTS OR A PERMIT.

Vote: Unanimous

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1D. Request for Bonus and Loyalty Points by David Castro, MD

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on Dr. David Castro's request that all applicants that were drawn, but had their credit cards denied, be provided with bonus and loyalty points because they are in compliance with R12-4-104 and R12-4-107. Dr. Castro applied for an elk permit during the 2012 winter draw, and purchased a license and paid the \$7.50 application fee online. Ultimately, Dr. Castro was drawn for elk, however his credit card was not honored by the bank and he was ultimately rejected resulting in his application being rejected and his current year's bonus points forfeited.

Dr. Castro was one of the applicants who received a letter from the Department regarding the credit card security breach issue. Dr. Castro mailed the Department a letter from his bank stating that he had fraud on his account and it had been closed. Dr. Castro was informed that the

Department needed additional information from the bank in order to meet the criteria established by the Commission. In this case, the Department needed the date the fraud or hold occurred. Dr. Castro is petitioning the Commission because he believes his application meets the criteria for a valid application under the criteria set forth in R12-4-107 Section C and R12-4-104 as he has paid for a license and submitted the permit application fee.

The Department's Assistant Attorney General has provided guidance to the Department in the past that online applications successful in the draw are invalid under R12-4-104(G) when the application does not include a valid credit card for payment. In these cases, the Department is required to reject the application because it is not submitted in accordance with the rule and no bonus point is awarded.

Chairman Freeman confirmed with Ms. Morgan that Dr. Castro was aware that the Department just needed the dates that the fraud or hold was placed on his credit card and that he had time and opportunity to provide that information.

Ms. Morgan stated that he was aware and had opportunity to provide the information, but that his concerns were more for the interpretation of the Administrative Code and the Rule.

Motion: Husted moved and Mansell seconded THAT THE COMMISSION VOTE TO DENY DR. DAVID CASTRO'S REQUEST TO AWARD BONUS POINTS AND LOYALTY POINTS TO ALL OF THOSE APPLICANTS WHOSE CREDIT CARDS WERE DECLINED IN THE DRAW.

Vote: Unanimous

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2. Consideration of Proposed Commission Orders 19, 20, and 24 for the 2012–2013 Hunting Season.

Presenter: Mike Rabe, Small Game Program Supervisor

Mr. Rabe presented the Commission with the Department's proposals for establishing seasons and season dates, bag and possession limits, and open-closed areas for Commission Order 19 (dove), Commission Order 20 (band-tailed pigeons), and Commission Order 24 (sandhill cranes) for the 2012-2013 hunting seasons. A Power Point presentation was provided that included historical information, graph comparisons, survey data, and maps. A detailed description of all proposals were provided to the Commission prior to this meeting for review and consideration and was also available for public review at all Department offices. Information provided included the following:

Commission Order 19 – Dove

Harvest data—The Fish and Wildlife Service estimates dove harvest in Arizona through the Harvest Information Program (HIP). The HIP program estimates hunter participation, success, and harvest by surveying a random sample of hunters who purchase an Arizona Migratory Game Bird Stamp. This survey has been in place since 1999.

Mourning dove—HIP harvest data for the 2010 dove seasons indicated the number of hunters hunting mourning doves increased 9% from the 2009 season. Similarly, the number of days hunters spent in the field increased 11% in 2010. According to HIP, the total mourning dove harvest in 2010 was 784,400 birds, an increase of 20% over the previous year's harvest. HIP data for 2011 is not yet available.

White-winged dove—HIP harvest data for the 2010 seasons indicate 84,900 white-winged doves were harvested, a 32% decrease over 2009. HIP data for 2011 is not yet available.

Dove call counts—Dove call counts are conducted each year during the last week of May. Therefore, call counts for 2012 have been conducted but were not available at this time. The 2011 call count index for mourning doves was 14.5, a 28% decrease from the 2010 call count (20.2). White-winged call counts in 2011 increased slightly compared to 2010 (24.4 and 23.6 respectively).

Mourning dove harvest management plan—In March 2008, the Pacific Flyway Council adopted an interim harvest strategy for mourning doves for implementation in 2009. This harvest strategy uses call counts, harvest estimates derived from HIP, harvest rate derived from banding, and Breeding Bird Survey data to calculate a trend for dove populations. The trend estimate is then used to assign harvest packages for mourning dove seasons. For this year, the trend indicates a moderate season framework for mourning doves; this is no change from last year's season structure.

White-winged dove season framework change—In March 2011, the Pacific Flyway Council recommended a change in the white-winged dove season framework for Arizona. The previous framework allowed a maximum bag of 6 white-winged doves per day for the early season hunt. The 2011 framework allowed the white-winged bag to be considered as part of the aggregate in the 10 mourning dove bag limit. This allows hunters to bag 10 doves total, either 10 mourning doves, 10 white-winged doves, or an aggregate of the two species. This makes it easier for hunters to avoid an inadvertent over limit of white winged doves. Hunters responded positively to this change last year and few problems were reported as a result of the change.

Eurasian collared doves—In 2008, the Commission opened yearlong seasons on Eurasian collared doves with an unlimited bag. This year, the Department recommends keeping that same season structure. Because they are non-native, they are specifically excluded from the Migratory Bird Treaty Act, so the Fish and Wildlife Service has no management oversight; management in Arizona therefore belongs entirely to the Arizona Game and Fish Commission.

Changes in open areas for dove hunting—Due to legislation in Arizona last year allowing hunting in areas within municipal boundaries safe for hunting, many areas previously closed to dove hunting will be open again this year.

Harvest strategy for mourning doves adopted by the Pacific Flyway Council, March, 2012 recommends a moderate framework for this year. The white-winged dove season bag limit is now tied to the mourning dove framework and applies to both species in an aggregate. The white-winged dove framework still differs in that it is only a 15 day season from September 1–15.

Harvest strategy for mourning doves adopted by the Pacific Flyway Council, March 2012:

<u>State</u>	<u>Restricted Framework</u>	<u>Moderate Framework</u>	<u>Liberal Framework</u>
Arizona California	60 days, the season may be split between two periods; September 1–15 and November 1–January 15; Bag and Possession limits of 8 and 16 respectively	60 days, the season may be split between two periods; September 1–15 and November 1–January 15; Bag and Possession limits of 10 and 20 respectively	60 days, the season may be split between two periods; September 1–15 and November 1–January 15; Bag and Possession limits of 12 and 24 respectively
Nevada Utah Idaho Oregon Washington	30 days, Bag and Possession limits of 8 and 16 respectively	30 days, Bag and Possession limits of 10 and 20 respectively	30 days, Bag and Possession limits of 12 and 24 respectively

Season Structure Recommendation:

The Department recommends no change to the season structure for mourning doves and white-winged doves over the 2011 recommendation. The 2012 recommendation is for a September season of 15 days from September 1–15 as per Federal Frameworks. The late season recommendation is for the season to be open from November 23, 2012 to January 6, 2013 for mourning doves only. This recommendation is the maximum number of days allowed under Federal Frameworks.

For the early season the Department recommends an aggregate bag of 10 mourning doves and white-winged doves, as per the revised Federal Frameworks. Recommended possession limits are 20 mourning doves or white-winged doves in the aggregate after opening day in the early season. For the late season, bag is recommended at 10 mourning doves per day and 20 in possession.

The dates for the Robbins Butte junior's-only hunt are recommended for September 1–2, 2012. Within the area, shooting stations will be established to accommodate 2 junior hunters each. Should demand exceed supply, shooting stations will be assigned by a drawing at 4:45 a.m. at the Robbins Butte Wildlife Area headquarters. To facilitate hunt operation, hunters will be required to check in and out. Bag limits and shooting hours will be the same as for the general season. Personnel from the Hunter Education Program and Region 6 will conduct the hunt.

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

The Department recommends that Eurasian collared dove season to be open year long (September 1, 2012 through August 31, 2013) with an unlimited bag limit. Falconry will be a legal method of take and also open yearlong for Eurasian collared doves.

Commission Order 20 – Band-tailed Pigeon:

In 1997, the Harvest Information Program (HIP) replaced Arizona's harvest survey protocol for band-tailed pigeon. Band-tailed pigeons have always been difficult to survey for both harvest and population information. The principle management difficulty with these birds is that few hunters hunt them, so harvest information is difficult to estimate since traditional surveys often miss the majority of band-tail pigeon hunters. In addition, band-tailed pigeon distribution is spotty and changes from year to year. Birds typically congregate where mast and other food sources are abundant, but those areas differ from year to year and may even change mid-summer.

Harvest information obtained from band-tailed pigeon hunters for the 1999–2010 seasons indicate Arizona has between 400 and 2,300 active hunters; 1,800 hunters were estimated in 2010. HIP harvest estimates indicate variable harvest of band-tails over 2001–2010 (400, 1,000, 1,400, 1,400, 2,200, 500, 1,000, 1,300, 2,300, and 700 respectively). Data from 2011 is not yet available.

Season Structure Recommendation:

The Federal Frameworks for band-tailed pigeons within the four-corner states allow for seasons of not more than 30 consecutive days between September 1 and November 30 with a bag and possession limit of 5 and 10, respectively.

The Department is recommending that the season should be September 7–September 30, 2012 which allows for 4 weekends of hunting opportunity. Bag and possession limits of 5 and 10, respectively, are recommended statewide.

Commission Order 24 – Sandhill Crane

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

The Pacific Flyway Council approved an updated RMP plan in March 2007. The RMP Cooperative Flyway Management plan established population objectives, a survey to monitor recruitment, and harvest levels that are designed to maintain a stable abundance between 17,000–21,000 birds. The plan contains a formula for calculating allowable annual harvests to achieve population objectives. All sandhill crane hunters in the range of the RMP must obtain a state permit to hunt cranes. This provides the sampling frame for independent state harvest estimates and allows for assignment of harvest quotas by state. In many areas, harvest estimates are supplemented by mandatory check station reporting. The Federal Frameworks cite the management plans approved by both the Central and Pacific Flyway Councils.

In 2012, there will not be check stations for M-CP or RMP sandhill cranes in the Whitewater Draw/Wilcox Playa areas. Check stations for RMP cranes are mandated every 3 years; the next

check station for RMP cranes will be in fall 2014. Of all the birds checked in 2011, 34 were determined to be RMP cranes. Arizona's allocation of RMP cranes for 2011 was 118. Arizona remained well within the allocation last year. Arizona has never exceeded its allocation for RMP cranes.

Arizona's allocation for 2012 is 85 RMP cranes. The 2011 population estimate for RMP cranes was 17,494. This allocation is a reflection that RMP crane populations are within the population objective (17,000–21,000) defined in the management plan for sandhill cranes of in the Pacific Flyway.

Arizona has conducted its own January survey of M-CP and RMP sandhill cranes since 1978 and that survey shows a steady increase in the numbers of cranes wintering in the state. In 1978, the Department counted 4,264 wintering cranes in Arizona. In the 2012 survey, 34,459 cranes were counted. Wintering habitat in both White-Water Draw and Wilcox Playa and widespread corn production in the Sulfur Springs Valley is the primary reason Arizona winters so many sandhill cranes.

Lower Colorado River Valley (LCRV) Cranes – This year, the Department recommends no hunt for LCRV cranes. The count in 2012 was 2,646, resulting in a three year average 2,442 which is below the 2,500 crane threshold for a hunt as defined in the management plan for LCRV cranes. Therefore a hunt for LCRV cranes is not recommended.

Season Structure Recommendation:

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

The Department is recommending four general 3-day hunts beginning on November 16, with 85 permits in each hunt. An archery hunt is recommended for November 9–11 and a junior's-only hunt is recommended for December 7–9 with 25 permits in each hunt. There will be at least one non-hunt day between each hunt. All hunters that successfully draw for cranes receive 3 tags.

New this year, the Department is recommending two additional hunts of 10 permits each in Unit 28 to address depredation complaints. This hunt is recommended for November 20-22 and November 28-30. A mandatory check is required for the Unit 28 hunts only. This check is a requirement of the RMP crane management plan whenever a new area is opened to hunting. The check will be staffed with Region 5 and Game Branch personnel. All hunters receiving tags for this hunt will be sent letters explaining the reason for the check station requirement and location.

With the recommended season structure, we estimate total harvest will be between 200 to 400 cranes. The predicted removal of RMP birds is estimated at 25–70 birds. This is well within the RMP allocation for Arizona (85).

Lower Colorado River Population – A hunt for Lower Colorado River sandhill cranes is not recommended for this year due to the three year average below 2,500 birds.

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 19: DOVE, COMMISSION ORDER 20: BAND-TAILED PIGEON, AND COMMISSION ORDER 24: SANDHILL CRANE, AS PRESENTED.

Vote: Unanimous

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Meeting recessed for a break at 9:00 a.m.

Meeting reconvened at 9:15 a.m.

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3. Consideration of Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Black Bear, and Mountain Lion for the 2013–2014 Special License Tag Hunting Seasons

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig presented the Commission with Commission Order 29 for the 2013–2014 special big game license tag hunting seasons for mule deer, white-tailed deer, pronghorn antelope, elk, turkey, javelina, bighorn sheep, buffalo, bear, and mountain lion, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License Tags. A detailed description of all proposals were available at all Department offices and was provided to the Commission prior to this meeting for review and consideration. A.R.S. 17-346 authorizes the Commission to set seasons for up to three (3) special license tags for each big game species. Due to recent legislation in Arizona, many areas previously closed to hunting within municipality limits are again open this year. This is not expected to substantively influence special big game license tag hunters. It is recommended that all special big game license tag hunt seasons be open yearlong, with the season for each species commencing on August 15, 2013 and ending on August 14, 2014.

Recommended open areas for the special license-tag hunts are as follows:

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

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

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

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

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

Turkey: Special license-tags will be valid for Units 1, 3B–10 (except Camp Navajo in Unit 6B), 11M, 12A, 13A, 13BS, 17A, 17B, 20A, 22, 23, 27, 29, 33, 34A, and 35A (except Fort Huachuca in Unit 35A).

Bighorn Sheep: One special license-tag will be valid for Units 9, 10, 12A, 12B, 13A, 13B, 15A, 15B, 15C, 15D, and 16A (except Mohave County Park Lands). A second special license-tag will be valid for Units 16B, 22, 24B, 28 (south of US Hwy 70), 31, 32, 37A, 39 (west of Old AZ Hwy 80), 40B, 41, 43A, 43B, 44A (west of the Swansea Road and south of Bill Williams River Rd.), 44B, 45A, 45B, 45C (including the Kofa NWR), 46A, and 46B (including the Cabeza Prieta NWR). A third special license-tag will be valid for Unit 6A, Bear Canyon Hunt Area in Unit 27, Lower Blue River Hunt Area in Unit 27, Foote Creek Hunt Area in Unit 27 North, Unit 27 (south of FR 217 and west of US Hwy 191), and Unit 28 (north of US Hwy 70)

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

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

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

Chairman Freeman suggested that sometime in the future the Commission discuss either taking an additional tag or one of these tags and putting them into the draw. Not everyone belongs to a club or participates in the Big Game Super Raffle that would like to have an opportunity to have a tag like this.

Commissioner Harris stated that the concept mentioned by Chairman Freeman is the concept behind the Big Game Super Raffle – to provide an opportunity where, for a limited amount of money, a person can put in for an additional chance to draw a tag.

Chairman Freeman agreed, but stated that the draw provided other aspects that benefit wildlife management in a different way than the Big Game Super Raffle.

Commissioner Davis commented that he would like to have a future discussion about it because it could be an additional opportunity for unsuccessful draw applicants. Maybe the unsuccessful applicants could be put into a pool for a second draw and have another chance for a tag.

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

Vote: Unanimous

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4. Consideration of Applications for Special Big Game Hunt License Tags for Antelope, Bighorn Sheep, Black Bear, Buffalo, Elk, Javelina, Mountain Lion, Mule Deer, White-tailed Deer, and Turkey for 2013-2014

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling briefed the Commission using a Power Point presentation. ARS 17-346 authorizes the Commission to provide up to 3 special big game license-tags per year per applicable big game species. AAC R12-4-120 governs the issuance, sale, and transfer of special big game license-tags including the proposal requirements and process, successful applicant requirements, and special big game license-tag applicability and requirements. The total income from this program since inception in 1984 is \$20,476,636. Funds are consolidated into and administered from 10 species accounts as directed by the Commission. The special tag dollars are spent through the Habitat Partnership Committee (HPC), a collaborative group consisting of representatives from various organizations and the Department.

The Department has received applications for Special Big Game License Tags from the following nonprofit organizations in accordance with A.R.S. 17-346 and Commission Rule R12-4-120:

Arizona Antelope Foundation (AAF): Requests two (2) Special Antelope License Tags for auction and one (1) Special Antelope Tag for raffle in the Arizona Big Game Super Raffle (AZBGSR). In lieu of their own request for a raffle tag, AAF supports the issuance of a Special Antelope License Tag by the Commission to the AZBGSR. One of the tags for auction will be auctioned at the 2013 AAF Banquet and the other tag for auction will be auctioned at the 2013 ADBSS Banquet. In addition, AAF also requests one (1) Special Buffalo License Tag, one (1) Special Black Bear Tag, one (1) Special Mountain Lion Tag and one (1) Special Javelina License Tag. These tags will be auctioned at the 2013 AAF Fundraising Banquet.

Arizona Big Game Super Raffle (AZBGSR): Requests one tag for each of Arizona's ten big game species. The request is for: One (1) Antelope, one (1) Desert Bighorn Sheep, one (1) Black Bear, one (1) Buffalo, one (1) Coues Whitetail, one (1) Elk, one (1) Javelina, one (1) Mountain Lion, one (1) Mule Deer, and one (1) Turkey Special Big Game License Tags. All tags will be sold in the Arizona Big Game Super Raffle.

Arizona Bowhunters Association (ABA): Requests one (1) Special Javelina License Tag, one (1) Black Bear Special License Tag and one (1) Buffalo Special License Tag. All tags will be auctioned at the 2013 ABA Annual Awards Banquet. The ABA also supports the Arizona Big Game Super Raffle and is in favor of one tag for each species to be awarded to that organization.

Arizona Deer Association (ADA): Requests two (2) Special Mule Deer License Tags, two (2) Special Whitetail Deer License Tags, and one (1) Special Mountain Lion License Tag, all to be auctioned at the 2013 ADA Annual Fundraiser or other ADA sponsored event. The ADA also supports the issuance of one of each Big Game Special License Tags to the AZBGSR Committee. If for some reason the tags would not be given to the AZBGSR directly, the ADA request that they be granted the mule deer and whitetail deer tags to be raffled through the AZBGSR, or to be auctioned at the ADA's 2013 fundraiser or another ADA sponsored event.

Arizona Desert Bighorn Sheep Society (ADBSS): Requests one (1) Special Bighorn Sheep License Tag to be auctioned for a *Mexicana* desert bighorn sheep, at either the Wild Sheep Foundation's 2013 Convention, the Safari Club International 2013 Convention, or the ADBSS 30th Annual Fundraising Banquet in March, 2013. ADBSS also requests one (1) Special Bighorn Sheep License Tag to be auctioned for Rocky Mountain bighorn sheep at the ADBSS Fundraising Banquet in March, 2013 or by the Wild Sheep Foundation at its 2013 Convention. ADBSS also requests one (1) Special Mountain Lion License Tag to be auctioned at the ADBSS Fundraising Banquet in March, 2013. Additionally, ADBSS supports the issuance of the third Special Bighorn Sheep License Tag to the AZBGSR. If the Commission does not issue this tag to the AZBGSR directly, ADBSS requests that it be granted the tag to be raffled through the AZBGSR or to be auctioned at the ADBSS fundraiser in March, 2013. ADBSS is also willing to auction any other Special Big Game License Tags the Commission would like to issue at their fundraiser banquet in March 2013 if there is an opportunity.

Arizona Elk Society (AES): Requests one (1) Special Elk License Tag and one (1) Special Buffalo License Tag, both to be auctioned at the AES Annual Fundraising Banquet in March, 2013. The AES supports the awarding one of the Special Elk License Tags to next year's AZBGSR. In the event that there are tags unapplied for in this year's distribution of tags, the AES is willing to auction any other special tags at their fundraising banquet in March 2013 that the Commission may elect to issue to their organization.

Mule Deer Foundation (MDF): Requests one (1) Special Mule Deer License Tag and one (1) Special Whitetail Deer License Tag. Both tags will be auctioned at the MDF National Convention, February 21-24, 2013.

National Wild Turkey Federation (NWTF): Requests two (2) Special Turkey License Tags, one to be raffled by the Arizona Chapter of the NWTF and the other for auction in conjunction with the SCI-AZ fundraising banquet. Then NWTF also requests that one (1) Special Turkey License tag be given to the AZBGSR.

Rocky Mountain Elk Foundation (RMEF): Requests one (1) Special Elk License Tag, to be auctioned at the RMEF 29th Anniversary Elk Camp convention in Las Vegas, Nevada, February 28 – March 3, 2013.

Safari Club International – Arizona Chapter (SCI-AZ): Requests one (1) Special Whitetail Deer License Tag, one (1) Special Mule Deer License Tag and one (1) Special Javelina Tag. All tags will be sold by auction at their fundraiser to be held in Tucson in July 2013.

Safari Club International – Phoenix Chapter (PHXSCI): Requests one (1) Special Whitetail Deer License Tag and one (1) Special Black Bear License Tag, both tags to be auctioned at their annual fundraiser. PHXSCI is also willing to take any other tags that the Commission is willing to offer.

Public Comment

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

- Curt Steinke, President, ADBSS
- Gale Mettenbrink, Board Member and Secretary, PHXSCI
- Miles Moretti, President/CEO, Mule Deer Foundation
- Mark Bool, ADA
- Rich Williams, Vice President, AZ State Chapter – NWTf
- Charlie Kelly, President, AZGBSR
- Tod Molesworth, Vice President, SCI-AZ

The Commission used an electronic ballot system to make their individual selections for awarding the special big game license-tags. This process allowed the public and the Commission to view each individual Commissioner's selections. The Commission selections and votes were as follows:

Antelope – Commission selections: Two tags to AAF; one tag to AZBGSR (Unanimous).

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO AWARD THE ANTELOPE SPECIAL BIG GAME TAGS AS FOLLOWS: TWO TO THE ARIZONA ANTELOPE FOUNDATION AND ONE TO THE ARIZONA BIG GAME SUPER RAFFLE.

Vote: Unanimous

Black Bear – Commission selections: One tag to AZBGSR; one tag to ABA; one tag to PHXSCI (Unanimous).

Motion: Husted moved and Davis seconded THAT THE COMMISSION VOTE TO AWARD THE BLACK BEAR SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE, ONE TO THE ARIZONA BOWHUNTERS ASSOCIATION, AND ONE TO THE PHOENIX CHAPTER – SAFARI CLUB INTERNATIONAL.

Vote: Unanimous

Bighorn Sheep - Commission selections: One tag to AZBGSR (*Nelsoni*); two tags to ADBSS (one Rocky Mountain and one *Mexicana*) (Unanimous).

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO AWARD THE BIGHORN SHEEP SPECIAL BIG GAME TAGS AS FOLLOWS: ONE (*NELSONI*) TO THE ARIZONA BIG GAME SUPER RAFFLE, AND TWO (ONE ROCKY MOUNTAIN AND ONE *MEXICANA*) TO THE ARIZONA DESERT BIGHORN SHEEP SOCIETY.

Vote: Unanimous

Buffalo – Commission selections by majority: One tag to AZBGSR; one tag to ABA one tag to AES. (Davis selected AZBGSR, AAF, AES).

Motion: Mansell moved and Harris seconded THAT THE COMMISSION VOTE TO AWARD THE BUFFALO SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE, ONE TO THE ARIZONA BOWHUNTERS ASSOCIATION, AND ONE TO THE ARIZONA ELK SOCIETY.

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

Elk – Commission selections: One tag to AZBGSR; one tag to AES; one tag to RMEF (Unanimous).

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO AWARD THE ELK SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE, ONE TO THE ARIZONA ELK SOCIETY, AND ONE TO THE ROCKY MOUNTAIN ELK FOUNDATION.

Vote: Unanimous

Javelina – Commission selections: One tag to AZBGSR; one tag to ABA; one tag to SCI-AZ (Unanimous).

Motion: Davis moved and Harris seconded THAT THE COMMISSION VOTE TO AWARD THE JAVELINA SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE, ONE TO THE ARIZONA BOWHUNTERS ASSOCIATION, AND ONE TO THE SAFARI CLUB INTERNATIONAL – ARIZONA CHAPTER.

Vote: Unanimous

Mule Deer – Commission selections: One tag to AZBGSR; one tag to ADA; one tag to MDF (Unanimous).

Motion: Harris moved and Mansell seconded THAT THE COMMISSION VOTE TO AWARD THE MULE DEER SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE, ONE TO THE ARIZONA DEER ASSOCIATION, AND ONE TO THE MULE DEER FOUNDATION.

Vote: Unanimous

Turkey – Commission selections: One tag to AZBGSR; two tags to NWTF (Unanimous).

Motion: Davis moved and Husted seconded THAT THE COMMISSION VOTE TO AWARD THE TURKEY SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE AND TWO TO THE NATIONAL WILD TURKEY FEDERATION.

Vote: Unanimous

Whitetail Deer – Commission selections by majority: One tag to AZBGSR; one tag to MDF and one tag to SCI-AZ. (Davis selected ADA, MDF, PHXSCI; Mansell selected AZBGSR, ADA, SCI-AZ).

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO AWARD THE WHITETAIL DEER SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE, ONE TO THE MULE DEER FOUNDATION, AND ONE TO THE SAFARI CLUB INTERNATIONAL – PHOENIX CHAPTER.

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

Mountain Lion – Commission selections by majority: One tag to AZBGSR; one tag to ADA; and one tag to ADBSS (Davis selected AAF, AZBGSR, ADBSS).

Motion: Harris moved and Mansell seconded THAT THE COMMISSION VOTE TO AWARD THE MOUNTAIN LION SPECIAL BIG GAME TAGS AS FOLLOWS: ONE TO THE ARIZONA BIG GAME SUPER RAFFLE, ONE TO THE ARIZONA DEER ASSOCIATION, AND ONE TO THE ARIZONA DESERT BIGHORN SHEEP SOCIETY.

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

* * * * *

5. 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 Husted seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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6. Litigation Report

The Commission was provided with a written Litigation Report (attached), which was also provided to the public. There were no additional updates and the Commission had no comments or questions.

* * * * *

7. Approval of Minutes and Signing of Minutes.

Motion: Harris moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM MAY 11, 2012.

Vote: Unanimous

The Commission signed the minutes following approval.

* * * * *

8. Director's and Chairman's Reports

The Commission was in consensus to dispense with the Chairman's report.

Director Voyles provided a few brief updates on the following:

- He was the anchor speaker in the Plenary Session at the first ever Canadian Wildlife Congress. There were about 450 people in the audience, including about 150 from the United States. There was a cross section of people in the conservation movement. His speech was possibly the first time that the State Wildlife Conservation machine was defined as a single entity. It was discussed that the combined budgets of the fifty states is about 4 to 4.5 billion dollars that compares to the 1.1 billion dollars for the USFWS. The combined law enforcement capacity of the states is about 8,000 Game Wardens compared to 624 from the USFWS. Comparable amounts of lands in the neighborhood of 175 million acres of lands are administered by the State machine verses the USFWS. Discussion centered on the user pay/user benefit construct and the fact that the 4.5 billion was highly dependant upon the hunter/angler to provide the resources necessary and that keeping the hunter/angler on the landscape was essential to keeping that 4.5 billion dollar conservation machine functional. Also discussed was the loss of the user pay/user benefit construct in the southwest U.S. Forest conservation machine with the demise of the forest industries and demise of the revenues coming from the forest industries, as well as the virtual elimination of forest health management. It was pointed out that prior to 1990 the largest fire in Arizona was slightly over 50,000 acres. Post 1990 we have exceeded a half million acres with fires. We basically drew a correlation to the fact that a mistake was made once by underestimating financial importance of the user pay/user benefit construct in forest management, so let's not make the same mistake in wildlife management.
- Made several trips that involved meetings with the Wildlife and Hunter Heritage Conservation Committee (WHHCC). The meetings involved efforts to enable the retention of some capability for dispersed recreational shooting. At WAFWA last year the Directors voted for a measure to encourage the development of joint training on authorities of state and federal entities for wildlife conservation. It appeared to cause some rancor among the federal services, but the WHHCC sent a letter to the Secretaries of the Interior and of Agriculture. They are forming a subcommittee to look at how to further that training, but more significantly, the USFWS met with us and are committed to standing that up for all USFWS employees using their National Conservation Training Center and using the AFWA presentation model that was given at WAFWA as the foundational document to build from. This will have an impact on all federal employees of the USFWS in understanding the state role.
- A big accomplishment was achieved through the federal Endangered Species Act (ESA) Task Force. A letter of direction was sent out from the Director of the USFWS to all Regional Directors expressing how important it was that they treat us as partners in how they manage the incidental take statement relative to the ESA. That is a huge factor in

the cost that we have been facing with our federal aid program and it is also on the agenda for the only other federal and state joint task force the USFWS has which is the Federal Aid Joint Task Force. So these two task forces are both working together to resolve that problem.

* * * * *

9. Commissioners' Reports

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

* * * * *

10. Future Agenda Items and Action Items

Mr. Broscheid captured the following action and future agenda items:

- The Department will combine the two Director's Goals and Objectives into one Goal and Objective regarding the license fee structure and flexibility. This will be brought back to the August Commission meeting for review and approval by the Commission
- Leonard Ordway and Gene Elms will meet with Commissioner Davis on the Homeland Security grants regarding the instate command vehicle
- Changes will be made to the Commission meeting dates for 2013 as discussed and approved by the Commission at this meeting
- The Department will continue to look at Article 1 rulemaking to make changes and ensure consistency with regard to successful hunt draw applications
- The Department will continue to look at opportunities to apply or re-apply for a special big game tags options in addition to the ones the Commission allocated today.

Commissioner Davis congratulated and thanked Department employees, Julie Carter and Maddie Fenske for their efforts on behalf of the Department as follows:

- Julie Carter in the Fisheries Branch worked with others to complete the Piscicide Treatment Procedures Manual. The Manual provides the mechanism to ensure that legal requirements, industry and EPA best practices, and the Rotenone Review Advisory Committee's recommendations are incorporated into Department procedures
- Maddie Fenske, the Department's Watercraft Administrator, was responsible for developing a partnership with RBFF to market to lapsed boater registrants. This partnership resulted in a direct mail marketing effort that generated \$110,000 in revenue and nearly 3,000 expired boats were registered. Through this partnership, all of this was accomplished at no cost to the Department.

Ms. Morgan, CFO, Business and Finance, reported that last year for the fall draw the Department had 107,000 applicants. This year, as a result of the online application, there were 133,000 applicants, which is an increase of about 24%.

* * * * *

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

Vote: Unanimous

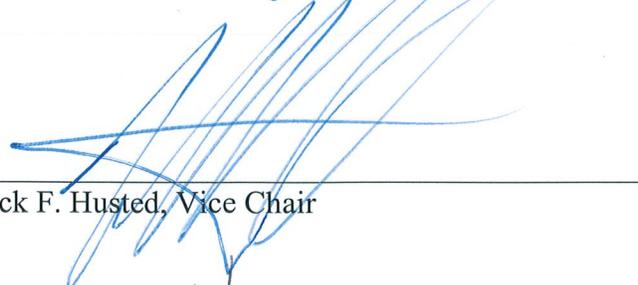
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Meeting adjourned at 1:00 p.m.

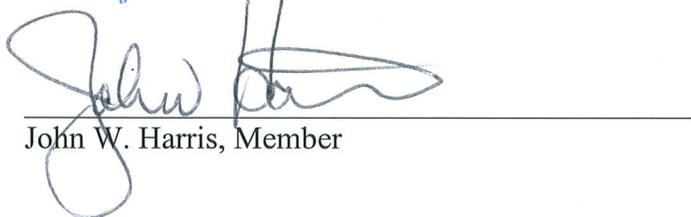
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Norman W. Freeman, Chairman



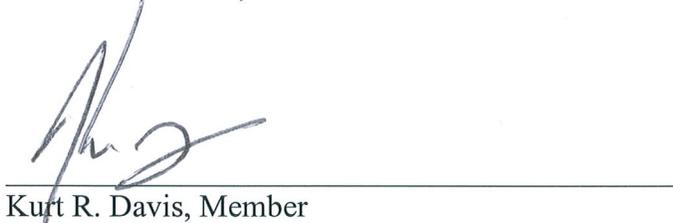
Jack F. Husted, Vice Chair



John W. Harris, Member

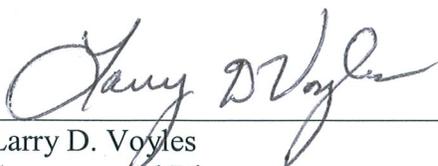


Robert E. Mansell, Member



Kurt R. Davis, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
June 22, 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.

The Court issued an order on May 11, 2012 denying the plaintiffs' motion for injunctive relief. The Court remanded the matter back to the USFWS for action consistent with the Ninth Circuit's opinion.

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. The Wilderness Society appealed to the Ninth Circuit. **Briefs have been filed. One of the issues raised by the Wilderness Society is whether BLM's resource management plan failed to protect ruins, wildlife and other monument objects by allowing motor vehicle use on unmaintained routes that don't qualify as "roads".**

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. **The Pima County Clerk's Office transmitted the record to the Court of Appeals on June 8, 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
June 15, 2012
Phoenix, Arizona

FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING

Coronado National Forest

The Department continues to participate on the Coronado National Forest's "Collaborative Alternative Team" (CAT) to develop an alternative to the Forest's "Proposed Action" regarding travel management planning. CAT is a 15 member group comprised of outside agencies, local government, landowners/ranchers, sportsmen, and environmental groups. 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. Hired to facilitate this process is the "*U.S. Institute for Environmental Conflict Resolution, of the Udall Foundation.*" CAT's alternative will encompass Travel Management Plans on every district within the Forest. To date, CAT has met and reviewed the road system on each ranger district except the Sierra Vista District, which will be completed in June. They have finalized their recommendations for the Safford, Nogales, Douglas, and Santa Catalina Ranger districts. Within their alternative, on any road that CAT cannot reach a consensus, the individual district ranger will determine how that road should be managed for the collaborative alternative. The next meeting is scheduled for June 2nd in Sierra Vista.

Kaibab National Forest

The Notice of Availability for the draft Environmental Impact Statement for the Forest was published in the Federal Register on April 20, 2012, which initiated the 90 day comment period. The Department is currently reviewing the document and will submit comments by July 18, 2012. The revised Land Management Plan guides the Forest in fulfilling its stewardship responsibilities and provides direction in the form of desired conditions, objectives, standards, guidelines, and suitability. The planning rule also directs the Forest to use the best available science, and provides a framework for adaptive management. This draft plan is much more strategic in nature than the previous plan; therefore the Department will be reviewing the document and asking for assurances that the level of detail is enough to translate into how management will be implemented on the landscape. Key variables the Department will be looking for are consistency with the restoration framework set forth by the Four Forest Restoration Initiative (4FRI), clear and detailed desired conditions, and how Standards and Guidelines may be implemented. The Department has had a very productive relationship with the Kaibab throughout plan revision and their process has been very transparent.

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 held its annual coordination meeting with the Apache-Sitgreaves National Forests on May 4. Topics of discussion included updates by the Forest regarding its major issues and activities, as well as other work anticipated to occur over the next year. These included the Wallow West and Timber-Mesa Vernon WUI analyses, the White Mountain Stewardship Contract, the 4-Forest Restoration Initiative, and planned range restocking within the Wallow Fire area.

Wallow Fire Area Aspen Photo Point Monitoring

During the week of May 14th, the Department established 192 photo points within the Wallow Fire perimeter (GMU 1 and 27). Establishment of these photo points will assist the Department in tracking the recruitment and retention of aspen within the Wallow Fire burned area. The Forest, university researchers and the Department have expressed concerns relative to ungulate use on aspen and the potential for that use to hinder recruitment and retention of aspen within the burned area. The photo point monitoring protocol will provide for photographic documentation of changes to aspen recruitment and retention by photo comparison from year to year. Although the Department continues to coordinate with the Forest and university researchers in an effort to develop and seek funding for a more rigorous aspen research/monitoring protocol, the group agreed that it was important to begin to collect information that could document aspen recruitment and retention within the first year post-fire and beyond. It is anticipated that this photo point monitoring protocol will be in place for at least the next 3-5 years. More points will be set within the next few weeks and even more may be set in subsequent years depending on field evaluations.

Coconino National Forest

Fossil Creek Wild and Scenic River Comprehensive River Management Planning (CRMP)

The Forest is working on an Environmental Assessment for the Fossil Creek CRMP, which is a requirement of its Wild and Scenic River designation. The Fossil Creek CRMP is expected to address protection of the Wild and Scenic 'outstandingly remarkable values' which have been determined to be recreation, geology, fish and aquatic resources, wildlife, history and traditional cultural uses, and water. On May 10, the Forest granted the Department Cooperating Agency status for the CRMP planning process. As part of this relationship, the Forest will provide the Department with a seat on the interdisciplinary planning team to provide input into their process. In exchange, the Department will provide our Fisheries Program staff capacity and expertise and other areas of expertise as needed. A Proposed Action for the CRMP has been released, and the Forest is in the process of developing their Environmental Assessment.

Four Forests Restoration Initiative (4FRI)

4FRI is a federally-funded, US Forest Service Collaborative Forest Landscape Restoration (CFLR) Project to restore ponderosa pine forests across 2.4 million acres of the Apache-Sitgreaves, Coconino, Kaibab, and Tonto National Forests over the next 20 years. Collaboration and planning have been ongoing since 2009, and the Department is a founding member of the 4FRI Stakeholder Group which includes a diverse list of over 35 organizations. The Department is also a Cooperating Agency on the USFS 4FRI Coconino-Kaibab Project, which is an Environmental Impact Statement (EIS) proposing mechanical thinning and burning over 580,000

acres on those two forests. Planning on the Coconino-Kaibab Project is ongoing, and the expected release of the Draft EIS is late July or early August.

On May 18, the USFS announced their decision for awarding a 4FRI stewardship contract to Pioneer Forest Products (Pioneer). This is the largest stewardship contract awarded in USFS history involving roughly 300,000 acres of ponderosa pine to be treated over 10 years. Pioneer intends to construct a wood mill in Winslow, creating jobs for plant construction and operation as well as logging and trucking. Small diameter, ponderosa pine timber will be converted into non-commodity, high value lumber, laminate wood panels used for doors, windows, furniture, cabinetry, and specialty components. A portion of the wood slash will be used for the mill's kiln-firing. Pioneer proposes to also use slash in the production of biodiesel fuel. Pioneer will begin harvesting 5,000 acres this year and proposes full capacity at 30,000+ acres per year by the end of 2013. Whereas forest thinning to remove small diameter wood typically costs the USFS \$500-1000 per acre, the stewardship contract results in a USFS profit of roughly \$22 per acre in a goods-for-services arrangement where the profits go back onto the land in the form of road work or other restoration activities. Significant media resulted from the contract award, and the 4FRI Stakeholder Group publicly stated its support for a contract being awarded. A small group of organizations that are part of the Stakeholder Group filed their own public statements in opposition of the contract decision.

Recognizing the immediate need for landscape-scale restoration work to begin, the Department is supportive of a stewardship contract going forward. Pioneer will be interacting with the Stakeholder Group on June 27 at their monthly meeting in Pinetop.

In other 4FRI news, the Department is an active member of the 4FRI Stakeholders' Landscape Assessment and Monitoring Working Group, where we have been meeting with USFS Leadership on the four forests to begin developing a Monitoring and Adaptive Management Program. The response from the USFS Leadership has been positive, and ongoing discussions of how the Department and others can engage the USFS in multi-party monitoring and adaptive management have been very productive and encouraging.

Tonto National Forest

Myrtle Wildland Urban Interface

The Forest recently released the draft environmental assessment for the Myrtle Wildland Urban Interface project. This project is part of the larger 4FRI. The project was designed to reduce the risks of potential for catastrophic fire within the analysis area. The Department expressed concern with the proposed alternative and lack of consistency with the strategy and design features developed from the larger 4FRI. In addition, the proposed action is different from the initial action proposed in 2009 through the scoping process. The document lacks the detailed analysis and measures for adequate comparison of the alternatives with regards to minimizing impacts to wildlife.

Kaibab National Forest

Ida Grassland Restoration Project

The Arizona Elk Society Ida Grassland Restoration Project work day was held on May 19-20. The location was in GMU 7W on the Forest next to Potato Hill near the Hobble Mountains. The

project focus was to cut invading junipers and pinions to restore the historically connected grasslands that wildlife use during the winter. There were a total of 69 volunteers who came out to help cut junipers. Included in that group were members from the Arizona Elk Society, US Forest Service, Boy Scout Troop 214, Dysart High School Wrestling Team, Phoenix Varmint Callers Inc, and the Department. Approximately 250 acres were treated.

Salt River Allotments Vegetation Management Project

This Environmental Impact Statement will analyze management strategies to maintain and improve ecological conditions on six grazing allotments along the Salt River corridor, between Roosevelt Lake and the Fort Apache Indian Reservation. The Forest NEPA team has agreed to analyze a “Habitat Optimization Alternative” that has been developed by project biologists in coordination with the Department. In the future, the Department will be working with the Forest to develop desired future conditions and habitat management prescriptions to optimize forage production and habitat quality for game species. Habitat treatment tools such as prescribed fire, mechanical treatments, revegetation and grazing management will be used. Priority areas for game species have been mapped, and evaluation of existing conditions and development of habitat management/enhancement prescriptions and recommendations are coming in the future. Special status species will be addressed individually and we are working to include Statewide Wildlife Action Plan (SWAP) species and the Department’s crucial habitats within the planning. We are also including any special status species reintroduction plans identified by the Department Fisheries program Conservation and Mitigation Program (CAMP) related and Nongame program. Currently, the Department has identified reintroduction of narrow-headed gartersnake into Ash Creek as a proposed action to be analyzed within the NEPA and consulted on during the related Section 7 consultation. This is an effort to streamline project compliance by the Department and Forest.

BUREAU OF LAND MANAGEMENT (BLM)

Arizona Strip District

The Department has just completed review of the BLM draft uranium mining Best Management Practices. This document was written as part of the follow up to the mineral withdrawal EIS. The Department has been asking for a document like this for several years, and if BMP’s are implemented well, it may alleviate most of our wildlife concerns surrounding uranium mining. While this initial document lacked some detailed information of wildlife protections measures, we are hopeful that our comments, as a cooperating agency, will be taken seriously. Most of our comments to date relate to protection measures for habitat disturbance associated with exploration, as well as measures to prevent wildlife harm (falling into collection ponds, mud pits, etc) at mine sites.

Kingman BLM Field Office

The Department coordinated and facilitated a meeting with BLM and the Department’s Development Branch to develop wildlife waters on Goodwin Mesa (Francis Creek Ranch/GMU 18B) in the Upper Burrow Creek Wilderness Area. The group began developing a minimum tools analysis for the proposed project that is necessary for compliance with the Wilderness Act when development is proposed in any Wilderness areas. A follow up meeting has been scheduled to continue work on this analysis.

Safford Field Office

The Department met with the Safford Field Office and their NEPA contractor regarding the implementation of the Noland Ranch Coordinated Resource Management Plan (CRMP). The affected area includes a Forest Service allotment, three BLM allotments, State Trust Lands and private lands belonging to the Freeport McMoran Mine in Morenci. This area is home to a large Rocky Mountain bighorn sheep herd along Eagle Creek. The CRMP will fence off portions of Eagle Creek from livestock use for most of the year, establish several new livestock and wildlife waters, and implement a new grazing system. The Department made several recommendations regarding fencing appropriate for bighorn sheep habitat to allow sheep access among the grazing pastures and to new waters established through this plan. The Department also recommended strategic locations for new wildlife waters to benefit the sheep herd and other wildlife species.

Yuma Field Office

The Yuma Field Office began the burro gather for the Cibola-Trigo Herd Management Area (HMA) on June 6 2012. The plan is to remove 320 burros form the HMA

DEPARTMENT OF DEFENSE

Borderland Management Task Force

The Department met with representatives from U.S. Border Patrol, Bureau of Land Management, and Bureau of Reclamation to discuss natural resource issues along the border. The primary topic was the ongoing Border Patrol mitigation efforts at Paradise Cove.

Sonoran Conservation Partnership

The Department met with representatives form Luke Air Force Base, Marine Corps Air Station, Kofa and Cabeza Prieta National Wildlife Refuges and U.S. Fish and Wildlife Service to discuss conservation efforts on the Barry M. Goldwater Range and Yuma Proving Ground.

BUREAU OF RECLAMATION & NATIONAL PARK SERVICE

At the May 11 Commission meeting the Commission approved the execution of a Memorandum of Understanding with the Bureau of Reclamation (Reclamation) and National Park Service (NPS) for participation as a Cooperating Agency in the Long Term Experimental and Management Plan (LTEMP) Environmental Impact Statement (EIS). The purpose of the LTEMP is to evaluate dam operations and provide the basis for decisions that identify management actions and experimental options that will provide a framework for adaptively managing Glen Canyon Dam over the next 15 to 20 years. The last EIS for Glen Canyon Dam, which was led by Reclamation, was completed in 1995. The purpose of this EIS is to use scientific information developed over the past 15 years to better inform decisions on dam operations and other management and experimental actions so that the Secretary of Interior may continue to meet statutory responsibilities for protecting downstream resources. A scoping report was published in March summarizing comments received during the scoping period. A number of anglers and angling groups provided comments expressing the value of the Lees Ferry rainbow trout fishery.

Additionally, a number of commenter's expressed the value of the native aquatic community downstream from Lees Ferry. The Department has been participating in monthly conference calls and participated in a cooperators webinar on June 8 where draft alternatives were presented. The Department is currently reviewing those alternatives. It is anticipated that a draft EIS will be completed by December 2012 with the final EIS completed by fall 2013. This is a very ambitious deadline, which Reclamation and NPS are currently evaluating. A website has been developed to track the progress of this EIS: <http://ltempeis.anl.gov/index.cfm>. The Department received approval from the Commission to sign a memorandum of understanding which outlined the Departments role as a cooperator.

GENERAL UPDATES

Access Agreements

Anvil Rock Ranch

The Department secured the signature of the owner of the Anvil Rock Ranch for a five year Access agreement. This agreement will provide access through the property to points east, including Buck Tank (Double O) and the western half of Yavapai Ranch. The Department is currently working on a conservation plan for Anvil Rock Ranch as part of the National Resource Conservation Service deliverables.

Cane Springs

The Department met with Cane Spring's Ranch ownership to assess the ranch pond project completed last summer. The Department gained her assistance in facilitating the completion of an NRCS, Wildlife Habitat Incentive Program application, along with her neighbor who operates the Greenwood Community Allotment, near Wikieup. The Department provided species identifications of snail and bird species for all parties.

Dunton Ranch

The Department assisted Kingman NRCS personnel with range inventory, range health assessment and wildlife habitat evaluations on the Dunton Ranch. The Department provided information on brush management (juniper clearing) prescription information to the rancher and how this would benefit both cattle and wildlife. During these discussions conditions of developing an access agreement between the Ranch and the Department was developed. The following day, ownership confirmed that the Ranch would like to partner on a seven year agreement for lands north of I-40.

Hualapai Allotment

The Department assessed the Hualapai Allotment with the landowner, to determine if his land qualified for Voluntary Public Access program support; it was determined to be a candidate for VPA support. Elements of this agreement will be determined at a later date. The rancher is interested in utilizing funding to support efforts in dirt tank clean-out and restoration.

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 currently deciding

between a three or five year Agreement. 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.

Mohave Livestock Association (MLA)

The Department attended a meeting of the Mohave Livestock Association in Kingman. Information was provided to the group on Departmental Access funding support. Several ranchers in attendance seemed interested in this program. Within two weeks appointments were set to evaluate three independent ranchers for potential access agreements – all in Mohave County.

Kane Ranch

The Department worked with the Grand Canyon Trust, Arizona Antelope Foundation, and the Arizona Wildlife Federation to remove three miles of barbed wire fence on the Kane Ranch in House Rock Valley. This project was designed to enhance movement of pronghorn throughout the Valley. Funding for this project was provided through the Habitat Partnership Committee process.

The Arizona Wildlife Federation and the Department are implementing a National Forest Foundation grant to improve wildlife habitat and permeability within the Woody Ridge Wildlife Corridor located in GMU 6B in Coconino County. The corridor links habitat in the San Francisco Peaks area south to the Mogollon Rim. Volunteer work days are being held throughout the summer to repair livestock fencing to wildlife-friendly standards, obliterate user-created roads and trails, and remove invasive weeds within the corridor. Project sites are on or adjacent to the Coconino National Forest and include forest grazing allotments, Coconino County's Rogers Lake Natural Area, Centennial Forest State Land parcels, and City of Flagstaff utility properties. Community stewardship is building among these stakeholders and volunteer groups like Friends of Northern Arizona Forests, Grand Canyon Trust, Northern Arizona University, and sportsmen's groups to restore this crucial landscape feature.

Spider Ranch

The Department made a site visit to the Smith Mesa Habitat Restoration Project on the Spider Ranch to assess progress and check on contractor's compliance to Prescott National Forest prescription. Progress on the project exceeds expectations. The Department also met with the Spider Ranch Manager, to provide clarity on funding and time-tables associated with additional EQIP cost-share on an additional 200 acres contiguous to current work being undertaken on Smith Mesa.

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.

Wildlife Areas

House Rock Wildlife Area

In late April the Department installed a liner at Pond 3 at House Rock Wildlife Area. The dirt tank at Pond 3 has been dry for a number of years and at one time was the favorite watering site for the buffalo. HPC funds were used for most of the work and Pond 3 is now full for the first time in a long time.

Lamar Haines Wildlife Area

The Department has been evaluating Veit Springs on Lamar Haines Wildlife Area for the potential to move it from a non-functioning to a functioning spring. Veit Springs is a group of three springs for which the Department holds the water rights. However, currently two of the three springs lack surface flow likely due to historic plumbing developments in place prior to Department ownership. As the Department works on perfecting those water rights with ADWR, we are also exploring restoration options to restore surface flows and create wetland pond habitat for native aquatic wildlife, such as the northern leopard frog.

Coordinated Resource Management Plans (CRMP)

Rhyolite Peak

Work began on the Rhyolite Peak CRMP near Sheldon. An initial meeting was held in April and field work to inventory range health began May 24. Collaborating agencies include the Department, Arizona Association of Conservation Districts, NRCS, BLM and State Land Department.

Big Ranch A

The Department participated in an initial Coordinated Resource Management Planning Meeting (CRMP) for Big Ranch A, in cooperation with NRCS, BLM, UofA Extension, and Mohave Livestock Association. The purpose of the meeting was to begin developing an allotment management plan that meets the range needs of the permittee, while at the same time addressing the habitat needs of wildlife.

Natural Resource Conservation Service (NRCS)

The Department continues to partner with the NRCS and is hosting a cross training opportunity later this month. This training is intended to provide an introduction and review of NRCS standards and specifications, and how to design practices. The Department continues to build relationships with the NRCS offices as the regional positions fill and take hold. Joint trainings, meetings, and field activities continue to pave the way to this partnership.

Natural Resources Conservation Districts

The Department attended Natural Resource Conservation District (NRCD) meetings for Willcox-San Simon, San Pedro, Whitewater Draw, and Hereford NRCDs to explain the new cost-shared position between the Department and NRCS. Only the Whitewater Draw NRCD expressed concerns with regard to having a biologist working closely with NRCS. The San Pedro NRCD discussed problems with BLM fencing along the San Pedro River, and requested the Department be an advocate with them as they work on these fencing issues with the BLM.

Willcox Field Office

The Department assisted the NRCS Willcox Office in conducting archaeological surveys in the upper Sulphur Springs Valley as part of our cooperative Bonita Grassland Restoration project. This project is in the third year of implementation and has resulted in the removal of mesquite on approximately 7000 acres. The Department's goal is to improve pronghorn and scaled quail habitat on approximately 20,000 acres over five years. All private lands involved in the mesquite clearing phase of the project will be surveyed for historic and pre-historic artifacts prior to receiving the mesquite grubbing treatments. The Department's assistance with these efforts has allowed more acres to be treated than would otherwise be possible with the available funding. Additionally, the Department is preparing a conservation plan for the Fort Grant Correctional Facility managed by the Arizona Department of Corrections (ADOC), which will tie into the Bonita Grasslands restoration area. ADOC holds a 3,000-acre state grazing allotment permit for beef cattle.

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 part of the larger Pinal Partnership. The 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, drainage and OHV planning information into the discussions. The Department participated in this month's meeting discussion with the county to gain insight into the various processes, ordinances and regulations currently under jurisdiction of the flood control district. The discussion included efforts to work more collaboratively and incorporate the Department on planning efforts as we move forward.

PM-10

Pinal County Air Quality Update

As of May 22, EPA is redesignating a portion of Pinal County to nonattainment for the 1987 24-hour PM10 national ambient air quality standard (NAAQS). It appears that the EPA has taken stakeholder input and reduced the size of the nonattainment area by approximately 36% when compared to the draft nonattainment area boundary proposed in 2010. The areas that were excluded from this final designation were large areas of Tonto National Forest, BLM, and Arizona State Trust Lands that are not developed and did not make sense to include in the nonattainment area. This reduction in size is a positive outcome for the Department in regards to future restrictions to motorized outdoor-related recreation. Many heavily used OHV areas in Pinal County and hunting areas were originally included in the original nonattainment boundary but are now excluded. The areas include populous segments of Pinal County, including the San Tan Valley area, Maricopa, Casa Grande, and portions of Coolidge, Florence and Eloy. The Arizona Department of Environmental Quality and Pinal County Air-Quality Dept will be required to identify sources of PM-10 (e.g. dirt roads, construction, agriculture, livestock ops,

etc.) and outline what measures (e.g. State Implementation Plan (SIP)) will be implemented to ensure levels are in compliance with the described federal standards. Pinal County will have approximately 18 months to draft a SIP and associated rules and regulations on PM-10 sources outlined in the SIP.

Proposed Rosemont Copper Project

The Coronado National Forest held a meeting for the Cooperating Agencies of the Rosemont Copper Project on May 23. The meeting was called to discuss monitoring requirements for regulatory or permitting agencies and status of the Environmental Impact Statement (EIS). A number of agencies attended. One goal of the meeting was to begin a series of workgroup meetings for monitoring plans. The Department identified the need for a workgroup to discuss identification and mitigation for impacts to wildlife, with emphasis on wildlife not listed under the Endangered Species Act (ESA). The Department noted that we have regulatory authority over the take of wildlife, that there should be a plan to avoid, minimize, and mitigate take of wildlife, and there should be a monitoring plan to minimize and document take. The Forest clarified that they do indeed have authority to require mitigation for impacts to wildlife. The Department previously commented extensively on the DEIS regarding the lack of meaningful mitigation identified in the DEIS. The Forest stated that mitigation is an “evolving topic” and that there are still many discussions to come in the ongoing conversation about mitigation.

Young’s Farm Proposal to Sever and Transfer Existing Water Right

Yavapai Land Holdings, LLC and Young Acres, Inc. bought Young’s Farm near Dewey, Arizona from the Young family several years ago. In March 2011, the new owners filed an application with the Department of Water Resources (ADWR) to sever and transfer the existing water right historically used for irrigating the farm to a new municipal use on the formerly farmed land. The intent was to provide for an assured water supply for the future development of the farm as a housing development. On April 28, 2011, the Department filed a protest of the proposed sever and transfer application as allowed under state statute. The grounds for the protest to the sever and transfer application were as follows: Conflicts with a prior vested right (The Department recently acquired Horseshoe Ranch and its existing water rights from the Agua Fria River downstream from Young’s Farm), Menace to public safety (lack of a drought conservation plan or back-up supply) and Against the interest and welfare of the public (the sever and transfer identified more water than legally put to a beneficial use, established a dual filed right under both surface and groundwater statutes, and harm to riparian habitat and public natural resources). More recently, the current owners of Young’s Farm have leased the land back to a local farmer thus placing the land back into production and as of May 6, 2011 the Arizona Department of Water Resources has suspended review of the application for the Sever and Transfer.

The Department has been and continues to negotiate a resolution to the Department’s protest of this Sever and Transfer of an existing water right.

RENEWABLE ENERGY DEVELOPMENT

WIND

Mohave County Wind Project

The proponents of the Mohave County Wind Farm project held public meeting for response to the draft EIS the week of May 14. Public concerns included aquifer depletion, access restrictions, and property tax increases. The main question asked was where the generated electricity would be going, and if local labor would be hired for the project. Public comments will be accepted through June 11 and addressed in the final EIS.

BP Wind Energy is currently working with the Department to refine key elements of the Eagle Conservation Plan and the Avian and Bat Protection Plan. Department meetings are being held to cover mitigation measures and address areas of concern. BP has decided to change the project layout design by moving turbines away from eagle use areas in the Northwest corner of the Western boundary. The 2012 eagle survey provided BP with data showing greater eagle use in this area, including an active golden eagle nest in the NW corner. This greatly reduces the projects proposed eagle fatality estimation and affects the amount of eagle mitigation needed for the project.

Grapevine Wind

The Department and the USFWS (Service) met with project developer Foresight Wind Energy to discuss the Bird and Bat Conservation Strategy (BBCS). These draft plans are voluntary plans put forth by developers as good-faith efforts in order to proactively address potential impacts to bats and birds resulting from the construction, maintenance, and operation of a wind facility. It is developed prior to construction to help ensure the project is designed, constructed and operated to avoid and/or minimize potential impacts to bats, birds, and other wildlife and their habitats, and to ensure compliance with applicable state and Federal laws.

While the Department encourages and participates in these plans, it is understood that per the legal authority to manage wildlife in the public trust, it is not possible for the Department to absolve individuals, corporations, or agencies from liability even if they implement bat and bird mortality avoidance or similar conservations measures. There is no wildlife threshold taken at wind energy sites beyond which the Department will initiate enforcement action, although the Department focuses its resources on investigating and prosecuting individuals and companies that take wildlife without regard for their actions or without taking effective steps to avoid or minimize take.

More specifically, the goal of BBCS's are to meet the intent of the Migratory Bird Treaty Act (MBTA, as amended), the Bald and Golden Eagle Protection Act (BGEPA, as amended), and state wildlife guidelines (AGFD 2009) by reducing risk to bat and bird species and mitigation of unavoidable risks. The BBCS framework is to identify the operational risks associated with bat and bird interactions with the project, identify measures to avoid and minimize risks through site planning and resource protection measures, describe the adaptive management, monitoring, and reporting plans for the project, and voluntarily develop measures to address wind/wildlife impacts in coordination with federal and state wildlife agencies.

The Grapevine BBCS is a good first draft; however, the Department and the Service are awaiting additional 2011/2012 wildlife data in order to refine recommendations on avoidance and mitigation measures. These data should be available fall 2012.

Proposed Sasabe Natural Gas Pipeline

El Paso Natural Gas (EPNG) is proposing a new 36-inch diameter natural gas pipeline, extending approximately 60 miles from an existing Kinder Morgan facility west of Tucson to the international border near Sasabe. One possible route would cross the Buenos Aires National Wildlife Refuge along State Highway 286. The Department has initiated dialogue with EPNG (recently purchased by Kinder Morgan). Public open house meetings are scheduled for June 5 in Tucson and June 6 in Arivaca.

SOLAR

San Luis Solar

The Department recently provided comments on Special Use Permit application for a solar photovoltaic facility on approximately 175 acres of land east of San Luis, Arizona. The Department notes the proposed project site consists of agricultural land and is not considered high quality wildlife habitat. For these reasons the Department does not anticipate significant impacts to wildlife resulting from the approval of this project.

Yuma Foothills Solar

The Department recently provided comments on a Special Use Permit application for a 400 acre solar photovoltaic facility on land managed by the Arizona State Land Department south of Yuma. There are concerns about the impacts this project would have on the flat-tailed horned lizard (FTHL) which is listed as a Wildlife of Special Concern. The land selected for this project is relatively un-impacted desert habitat that is historically and currently occupied by the FTHL. Department personnel are communicating with Yuma County about the impact this project will have on the species.

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 project team 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 is currently reviewing the biological evaluation and draft administrative environmental assessment and will be providing comments for review by the project team before the end of the month.

Arizona Corporation Commission Hearing on Rosemont Transmission Line

On May 17, the Arizona Corporation Commission (ACC) unanimously voted to approve Tucson Electric Power’s Certificate of Environmental Compatibility (CEC) to construct and operate a new transmission line to provide electricity for the proposed Rosemont Copper Mine.

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, DOI requested that the Draft Environmental Impact Statement (DEIS) be released to the public no later than May 25, 2012. This expedited schedule required BLM to release the document to the public prior to addressing the Department’s previously provided comments. During the 90-day comment period, the BLM will simultaneously address cooperating agency comments and public comments. The DEIS is now available on the BLM project website. The Department received the hard copies on May 24, 2012. BLM has committed to contacting the Department in the very near future to coordinate interim meetings to discuss the project, comments, and any unresolved issues. BLM plans to meet with cooperators in mid June to discuss unresolved/unincorporated comments and upcoming public meetings; hold public meetings in late June, early July; hold a conference call with cooperators in mid-August; 90-day comment period for the DEIS ends August 22, 2012.

Timeline for the DEIS:

May 25, 2012	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.

Southline

The Southline Transmission Project is a proposed transmission line between New Mexico (south of Las Cruces) and Arizona (northwest of Tucson). The project is being designed to minimize land and resource impacts by developing an approximate 240-mile route of new, 345kV double-circuit transmission lines along existing linear features between the existing Afton (NM) and Apache (AZ) substations, and upgrading approximately 120 miles of existing transmission lines (from a single-circuit 115kV to double-circuit 230kV) between the Apache (AZ) and Saguaro (AZ) substations. The Department will have cooperating agency status throughout this project.

TRANSPORTATION

Deer Valley Parkway (formerly Beardsley Parkway)

Maricopa County Department of Transportation (MCDOT) corridor feasibility study for the 6-8 lane parkway is ongoing. The analysis area has been reduced to include the general alignment of Deer Valley Road east/west between the US 60 and the proposed Wild Rose Parkway north of the White Tank Mountains in western Maricopa County. The Town of Buckeye will be conducting a transportation plan for portions between Wild Rose Parkway and the Hassayampa River corridor. The Department continues to participate in Technical Advisory Committee meetings and provide input on wildlife and wildlife habitat issues/opportunities/constraints. Most recently the Department reviewed the Technical Memorandums 1-3: Existing and Future Features; Environmental Overview; Drainage Overview. Project planners have included wildlife linkage designs and goals for the White Tank Mountains into the Environmental Overview as well as other special status species concerns. The Department has recommended management actions that protect desert washes and habitat connectivity and survey to determine if Desert tortoise (Sonoran population) occupy suitable habitat within the project area as part of any future analysis for parkway design and in order to develop site specific mitigation for this species.

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. 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. These discussions included the Environmental Protection Agency, Army Corp of Engineers and Pinal County. This discussion provided sufficient rationale for the retainment of an alternative west of the CAP, along with two other additional alternatives west of the CAP. The June meeting has been cancelled. Currently, the alternatives selection report is being compiled to be completed for internal review by ADOT in late June. Planning is also commencing for the environmental fieldwork. The Department is internally working together across Regions and work units to provide adequate participation on this project.

Maricopa County Department of Transportation

Maricopa County Department of Transportation (MCDOT) initiated a corridor feasibility study for the proposed Camelback Parkway. This parkway will span 15 miles and provide an east/west

link across the Hassayampa River between Sun Valley Parkway and Tonopah Parkway. The Department will continue to participate on the Technical Advisory Committee and provide concerns with connectivity and permeability, fragmentation, degradation, and access.

Sonoran Valley Parkway

The BLM received a right-of-way application from the City of Goodyear to construct and operate a 200 foot-wide roadway for the Sonoran Valley Parkway project. The length of the road would be between 12 and 16 miles long, depending on selected alternatives. The Department is currently entering into a MOU with BLM for participation as a cooperating agency in the process for the parkway.

SR 95 Climbing Lane and Fencing Project

The Department performed a field review of the SR 95 Climbing Lane/Fencing Project to identify location and type of interim fencing mitigation necessary to maintain connectivity for wildlife throughout the project footprint. The proposed work will include construction of non-standard game fencing along both sides of SR 95 highway; cattle guards at permitted access points and fencing at culvert headwalls and flood gates. The Department submitted follow-up project guidance regarding fence construction and Wildlife Connectivity to ADOT, SR 95 Engineering Consultants, and Contracts Branch.

State Route 303L

The environmental feasibility study and proposed alternatives for the expansion of this state route in the Rainbow Valley transportation system is being conducted. The purpose of the study at this time is to identify the preferred Gila River crossing and freeway corridor to inform the engineering and environmental studies. The Department provided recent comments from the scoping meeting to include consideration focus on the existing Rainbow Valley Road and reduce the redundancy of major transportation corridors within the planning area. This study overlaps with the Sonoran Valley Parkway proposal and justification of the need should be clarified in more detail. The Department has identified 'Alternative 3' along existing Rainbow Valley Road as having the least potential for impacts to wildlife and habitats. In addition, concerns to special status species, riparian habitat, xeroriparian habitat, wildlife connectivity, recreation and access have been identified.

US 60, Silver King/Superior

The project is to widen the existing US 60 to a four-lane rural and urban fringe cross section. The project begins around Boyce Thompson Arboretum and ends 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 project currently is in the permitting/clearances phase for the geotech investigations for the project. The Department is 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 and Wildlife Contracts is also involved in the current discussions and reviews of the 20% designs for the bridges. The Department continues to coordinate and provide information for the biological evaluation and NEPA process.

Wild Rose Parkway Feasibility Study

Maricopa County Dept. of Transportation (MCDOT) corridor feasibility study for the 6-8 lane parkway is ongoing and the Department continues to participate on the Technical Advisory Committee (TAC). The proposed parkway will provide a north/south link between Sun Valley Parkway and US 60, north of the White Tank Mountains. Similar to all parkways proposed in western Maricopa County, MCDOT has stated that the purpose and need for action is based on the projected “build-out” transportation demands analyzed around the MAG Hassayampa Framework Study. Most recently the Department reviewed and provided input on the Environmental Overview and project consultants presented the Tech Memo 3 – Drainage Overview. Department concerns in the analysis area are: maintenance of wildlife habitat connectivity between the White Tank Mountains and surrounding undeveloped lands; preservation of outdoor recreation and hunting opportunities associated with the White Tank Mountains. There is no alignment under consideration that would avoid the need for mitigation of losses to habitat connectivity. The parkway will traverse two major wash corridors (Iona/Trilby washes) that are components of a linkage plan, and the CAP canal and ROWs which are also part of a linkage plan. Recently the City of Surprise amended their General Land Use plan to include portions of these wash corridors south of CAP as wildlife linkages. The Department has provided wildlife information to project consultants for inclusion in the biological portion of the Environmental Overview Technical Report. Inclusion of linkage goals and objectives into corridor feasibility technical reports will identify the need to incorporate wildlife friendly crossing structures, where the parkway will impact linkage goals, in future parkway design and engineering plans.

City of Phoenix

The City of Phoenix continues to move forward with the Black Canyon Corridor Study-North Gateway Village. The concept study was adopted in the fall of 1997 by the city within an amendment to the general plan. The concept plan proposed the development of regional employment centers, balanced residential communities integrated with the surrounding desert environment. The Department recently became involved in the planning for the North Gateway Village part of the plan as it addresses the vicinity of the Ben Avery Shooting Facility and the Headquarters office. The Department is planning to meet directly with the planners for further discussions and clarifications.

City of Peoria – Open Space Preservation Program

The City Planning and Community Development Department has initiated the development of a comprehensive open space program within the City and Planning Area (General Plan). Previously, the City implemented regulatory tools including Hillside Development Overlay (HDO) and Desert Lands Conservation Overlay (DLCO) as a means to guide development in these sensitive areas. The Open Space Preservation Program will be designed to work in concert with these tools. The City provided a presentation on their program to the Department and key governmental/agency partners to introduce the plan, discuss the modeling process behind the plan, goals and objectives, and to initiate lines of communication and collaboration on the vision and implementation of the plan. The plan has 4 key elements to the vision for the program: identify ecologically and historically significant lands; provide abundant, high quality recreational opportunities; create an extensive open space network for future generations to enjoy; and prioritize desirable open space properties for acquisition. The Department will be

working with the City and project consultants to provide feedback on how well the open space model and priority projects align with wildlife and outdoor recreational priorities that the Department has for the planning area.

Yavapai County

The Department completed and reviewed final draft comments and maps for the Yavapai County's Comprehensive Plan.