

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, February 1, 2013
Saturday, February 2, 2013
Yuma City Hall Council Chambers
One City Plaza
Yuma, Arizona 85364

PRESENT: (Commission)

(Director and Staff)

Chairman Jack F. Husted
Vice Chairman John W. Harris
Commissioner Robert E. Mansell
Commissioner Kurt R. Davis
Commissioner Edward "Pat" Madden

Director Larry D. Voyles
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Linda Pollock

Chairman Husted 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 dated January 28, 2013.

Chairman Husted requested a moment of silence for the family of Officer Nathan Douglas of Florida's Fish and Wildlife Conservation Commission. Officer Nathan Douglas recently lost his wife, Cecilia, and daughters, Madison and Rylee in a tragic car accident.

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1. Yuma Community Forum

Presenter: Pat Barber, Yuma Regional Supervisor

Mr. Barber facilitated an informal roundtable forum with the Commission, Department staff, several community leaders, and members of the public. The following presentations were provided that outlined ongoing collaborative work and projects:

- Kofa Bighorn Sheep Restoration Project – Limiting Mountain Lion Predation of Bighorn Sheep
- Sonoran Pronghorn – Proactive Management
- Wildlife Management and Yuma County Agriculture – Habitat, Problems and Partnerships
- Fisheries Program – Working in and with local communities to improve the "Quality of Life"
- City of Yuma Agua Viva Urban Lake Project
- Marketing and Business Partnerships - A fresh approach to engaging local communities
- Dove Hunting in Yuma

The presentations were followed with open discussion on current and potential future collaborative efforts.

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2. Call to the Public

There were no requests to speak at this time.

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3. Wildlife Conservation Education Center Progress Briefing

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

Mr. Gray introduced Phil Weddle with Weddle Gilmore and Randy Schilling with Schilling Consulting. In early November 2012, the Department contracted with Weddle Gilmore to develop conceptual design documents and an approximate cost estimate for the proposed Wildlife Conservation Education Center (Wildlife Center). Schilling Consulting was hired in January 2013 to assist in developing a capital fundraising campaign.

Mr. Gilmore provided the Commission with a PowerPoint presentation of his proposed conceptual designs, including a site plan and renderings of some physical structures.

Commissioner Harris stated that he would like to slow down the design process and specifically define the objectives of what the Commission is trying to accomplish with the Wildlife Center. Additionally, he would like to have a Commission Liaison to work with the Department on those goals and objectives. He has some concerns that the designs are looking like a zoo and he would like to take a hard look at that before moving forward. Commissioner Harris volunteered to be the liaison unless another Commissioner wanted the position.

Mr. Schilling briefed the Commission on the capital campaign process, key components, and the solicitation of gifts. Mr. Schilling will be doing a feasibility study to see how much money could potentially be raised for the Wildlife Center project.

The Commission discussed moving forward with raising capital and slowing down on the design phase to see what happens with fundraising. Also discussed was how much the Wildlife Center would cost to run annually and the possibility of having onsite retail components to help with operating costs.

Commissioner Harris stated that the Wildlife Center discussions initially began with the idea of moving the Adobe Mountain Wildlife Rehabilitation Center to the Ben Avery Shooting Facility, for many reasons, and he wants to make sure that the rehabilitation center is part of the educational component and is incorporated into the design.

Director Voyles stated that he will be asking Department staff to work with the Commission Liaison to bring back a Commission Objective Statement for the Wildlife Center and to ask the Commission to vote on it for this project.

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4. Legislative Engagement and State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

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

- Days of Regular Session: 19; Bills Posted: 844
- New Arizona Game and Fish Commissioner Edward “Pat” Madden was confirmed by the Legislature on Thursday, January 31, 2013
- February 4 is the last day for Senate bills to be introduced without special permission
- February 11 is the last day for House bills to be introduced without special permission
- February 22 is the last day for House consideration of House bills and Senate consideration of Senate bills
- Senate and House appropriation Committees are holding budget hearings for AHCCCS, Universities, Department of Corrections, Economic Security, Education, and Health Services.

Commission Supported Legislation

SB 1223: License Classifications; Fees:

- Assigned to Natural Resources and Rural Affairs / Appropriations
- Scheduled for a hearing in NRRA on February 6, 2013

Mr. Guiles noted that this is the license simplification bill that the Department has been working on with the Commission. The language was presented to the Commission at the last Commission meeting. Mr. Guiles recommended that the Commission take a formal position to support the bill now that it has a bill number.

Motion: Harris moved and Mansell seconded THAT THE COMMISSION VOTE TO SUPPORT SB 1223, LICENSE CLASSIFICATIONS; FEES.

Vote: Unanimous

Other Legislation of Interest

The Department is monitoring these bills:

- HB 2468: Discounted Hunting Licenses for Veterans; Soldiers
- SCR 1013: Endangered Species Act
- HB 2234: Firearm; Definition (Multiple firearm related bills)
- HB 2172: ADOT Administration (SLIF)
- HB 2299: All-Terrain Vehicles; Definition

Legislative Day is set for February 19, 2013. The Department will provide lunch to Legislators and the Commission on the Senate Lawn. Invitations have been sent out.

Chairman Husted requested that special focus be given to the congressional bills related to firearms.

Mr. Guiles stated that the Department is tracking those and will provide the Commission with updates.

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5. Director's Goal and Objective #9 Update – License Simplification and Fee Flexibility

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

Mr. Gray provided a PowerPoint presentation on Department activities towards achieving Director's Goal and Objective #9 – License Simplification and Fee Flexibility. The presentation included a status update on the progress, activities, and upcoming milestones. The Director's Goal and Objective #9 ties into SB 1223, which the Commission voted to support in agenda item #4 Legislative Update. Mr. Gray's presentation included the following timelines and progress:

Deliverables/Milestones:

- Obtain Commission approval for new DGO by September 9, 2012 - complete
- Draft legislation to authorize Commission to establish fees and licenses classes from Title 17 and 5 in Rule by December 8, 2012 - complete
- Develop and implement a Constituent Outreach Plan by December 31, 2012 – complete/ongoing
- Run and pass legislation by June 26, 2013 – in process
- Draft proposed license structure and fee options by Feb 28, 2013
- Update on-line license sales programming by October 1, 2013B
- Complete exempt rulemaking to establish new structure and fees by September 30, 2013
- Implement new license and fee structures on January 1, 2014.

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6. Consideration of the 12A Habitat Stamp Fund Budget for Calendar Year 2013

Presenter: Craig McMullen, Flagstaff Regional Supervisor

Mr. McMullen briefed the Commission using a PowerPoint presentation on the 12A Habitat Stamp Fund Budget for Calendar Year 2013 for spending funds generated under the Cooperative Agreement between the Kaibab National Forest and the Department. Each year the Commission is asked to approve the budget for the 12A Habitat Stamp Fund for the calendar year. The Kaibab National Forest and the Department jointly develop this budget proposal. A synopsis of expenditures during calendar year 2012, revenue generated for calendar year 2012 and planned expenditures for calendar year 2013 were presented as follows:

Calendar Year 2012:

<u>Category</u>	<u>Planned Expenditure</u>	<u>Actual Expenditure</u>
Kaibab Deer Telemetry Collars (Spring 2012)	\$30,000	\$26,361

Checkstation Staffing (Fall 2012)	\$7,500	\$7,380
Support for ongoing seeding, herbicide, pinyon-juniper clearing or water development projects	\$12,895	
Total	\$50,395	\$33,740

Calendar Year 2013

Carryover funds	\$16,655
2012 calendar year stamp sales	\$35,730
Available funds	\$52,385

Proposed activities:

<u>Category</u>	<u>Planned Expenditure</u>
Checkstation staffing	\$7,500
Support for ongoing cheatgrass work on Westside project, Kaibab deer telemetry project continuation, or water development projects	\$44,885
Total	\$52,385

The Commission was in consensus for the Department to place this item on the consent agenda for the March 2013 Commission meeting.

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7. Intergovernmental Agreement (IGA) for the creation and participation in the Arizona Child Abduction Response Team (CART) for Coconino County

Presenter: Craig McMullen, Flagstaff Regional Supervisor

Mr. McMullen briefed the Commission using a PowerPoint presentation. The purpose of this Agreement is to establish a regional team of the Arizona Child Abduction Response Team (CART) in northern Arizona. The primary goal of this Agreement is to provide a pool of specialized law enforcement agencies and their officers to focus on an immediate response to a child abduction in northern Arizona. Each agency's jurisdiction, resources, equipment and skill sets makes it advantageous to enter this agreement. The Department's primary role will be to render assistance in the rural and outlying areas outside of the incorporated areas. The Department officers are regularly called upon by the other northern Arizona law enforcement agencies to assist with law enforcement operations in these outlying areas because Department officers are considered to have unique knowledge and skill sets compared to municipal and county officers, such as tracking, glassing, traveling in rough conditions and weather, and familiarity with the elements and network of roads in remote areas.

In the case that a child is abducted in northern Arizona and the CART is activated, the Department will be notified of the occurrence and will be included in intelligence, and potentially, rescue efforts. By signing this agreement and becoming part of the CART, Department officers will be informed and prepared to participate in the humanitarian effort of rescuing an abducted child. The following agencies will be part of the CART: Coconino County

Sheriff's Office, Department of Public Safety, City of Flagstaff, City of Williams, City of Sedona, City of Page, City of Fredonia, and Northern Arizona University.

The Commission discussed and agreed that they appreciate this effort.

The Commission was in consensus for the Department to place this item on the consent agenda for the March 2013 Commission meeting.

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Meeting recessed for lunch at 12:09 p.m.

Meeting reconvened at 1:30 p.m.

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8. Call to the Public

Russell McCloud, Yuma County Supervisor, invited the Commission to a Marti Gras Block Party on Main Street sponsored by the Yuma Rotary Club.

Doug Beach, President, Yuma Valley Rod and Gun Club, presented the Department's Region IV Supervisor Pat Barber with an award for his commitment to the community and to the Game and Fish Department. He also had an award for Region IV's John Hervert and will present that to him at the first opportunity.

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9. Request for Refund of a Deer Tag for John W. Smith and License and Tag Fees for James D. Moore for 2012 Ft. Huachuca Deer Hunt

Presenter: Lizette Morgan, CFO, Business & Finance

Ms. Morgan briefed the Commission on the request by John W. Smith and James D. Moore for a refund of their deer tag. Mr. Smith and Mr. Moore were denied a Ft. Huachuca permit after being drawn for Ft. Huachuca hunts because they did not meet the criteria for hunting on the military installation. Mr. Smith and Mr. Moore applied for a military deer hunt on Ft. Huachuca. The applicants contacted the Fort and obtained the hunt numbers and the instructions from the Fort. Both submitted individual applications for a deer hunt and were successfully drawn. Both applicants' credit cards were charged and the permits were issued in accordance with Department policy. Department records indicate that neither applicant have previously been drawn for a military hunt. According to petitioner Mr. Smith, on September 5, 2012, he traveled to the Fort and registered his firearm per their requirement. He then went to the Sportsman's Center to get his Fort Huachuca permit to validate his deer tag. According to Mr. Smith, he was told that he could not get a Fort Huachuca permit because they had tightened their interpretation of the hunting regulations and he was not eligible. In order to be eligible for Fort Huachuca hunt applicants must meet one of the following criteria:

- All active and retired military personnel (worldwide), their spouses, and legal dependents 10 years old or older

- Full-time Civil Service and Non-appropriated Fund employees of Ft. Huachuca, their spouse and legal dependents 10 years or older. Proof of civilian status requires showing a Ft. Huachuca Identification card. A previous year's permit is not sufficient proof of eligibility.

Department staff contacted Fort Huachuca and spoke with Sheridan Stone, the Fort Huachuca biologist in charge of hunting on the Fort for the past 27 years. Mr. Stone spoke with Mr. Smith when he went to the Fort and according to Mr. Stone, the applicants are both Federal Law Enforcement Agents but they do not meet the criteria to hunt on the installation because they are not assigned to the installation nor are they retired or active duty military members. Additionally, according to Mr. Stone, the eligibility criteria for hunting on the fort has not changed in many years.

Motion: Harris moved and Mansell seconded that the COMMISSION VOTE TO DENY JOHN W. SMITH AND JAMES D. MOORE'S REQUEST FOR REFUNDS.

Vote: Unanimous

Commissioner Davis commented that he has some concerns about who is really controlling access in these kinds of facilities. In Flagstaff there is a lot of misinformation about who can do what, when and how. A lot of this comes from the Military Installations and then the Commission ends up appearing like the bad guys. He is concerned about these hunts becoming "who you know" hunts and he would like the Department to look at the rules and policies associated with these hunts and re-evaluate whether they meet what the Department/Commission believes is appropriate.

Director Voyles stated that the Department will provide at a future Commission meeting an analysis of the current situation and options.

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10. Request for Commission to Approve the License Agreement with Adair Ranges Inc.

Presenter: Jay Cook, Shooting Ranges Branch Chief

Mr. Cooked briefed the Commission on the license agreement with Adair Ranges Inc. to manage the Adair Shooting Park, Yuma County. The Department and the Adair Ranges Inc. (Club) have developed a license agreement that outlines the management responsibilities of the Club with respect to the Adair Shooting Park property in Yuma County. The shooting park consists of 340.67 acres and includes improvements. The Club has been managing the range under Yuma County's ownership, but upon finalization of the transfer of the Bureau of Reclamation Dedication (approved by the Commission on December 17, 2011) to the Commission; an agreement will be executed with the Club.

Former Game and Fish Commissioner Robbie Woodhouse addressed the Commission and expressed his appreciation to the Commission and Department for their support for this range in Yuma.

Motion: Davis moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE LICENSE AGREEMENT WITH ADAIR RANGES INC. AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous

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

Presenter: Gene Elms, Law Enforcement Branch Chief

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

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2. Consent Agenda (Pulled from Saturday 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 consent agenda item g was removed by request from Commissioner Davis. Commissioner Davis has a conflict with item g and will recuse himself from that item. The following consent agenda items were presented for approval:

a. Shooting Sports Activities Briefing

Presenter: Jay Cook, Shooting Sports Branch Chief

The Commission was provided with a written Shooting Sports Activities Briefing prior to this meeting (also available to the public) of Department activities related to shooting sports, including shooting programs and shooting range development statewide. The briefing covers activities that have occurred since the last Commission meeting. The briefing was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

b. Information, Education and Wildlife Recreation Activities Briefing

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

The Commission was provided with a written Information, Education and Wildlife Recreation Activities briefing prior to this meeting (also available to the public) of Department activities and events related to Information, Education and Wildlife Recreation Programs. The briefing covers activities and events that have occurred since the last Commission meeting, including the

proposed Wildlife Center project. The briefing was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

c. Law Enforcement Program Briefing

Presenter: Gene F. Elms, Law Enforcement Branch Chief

The Commission was provided with a written Law Enforcement Program Briefing prior to this meeting of Department activities and developments relating to the Department's Law Enforcement Program. The briefing covers activities and events that have occurred since the last Commission meeting. The briefing was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

d. Lands and Habitat Program Update

Presenter: Lawrence M. Riley, Assistant Director, Wildlife Management Division

The Commission was provided with a written Lands and Habitat Program Update (attached) prior to this meeting (also available to the public) of Department activities and events related to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related thereto. The update covers activities and events that have occurred since the last Commission meeting. The update was placed on the consent agenda for approval or to be pulled from the consent agenda for questions and/or discussion.

e. Request for Commission to Approve a Cooperative Agreement with Heritage Farms

Presenter: Lawrence M. Riley, Assistant Director

In June of 2008, the Commission acquired 158 acres of retired farmland from the Alma Richardson Trust. The property is adjacent to and managed as part of the Arlington Wildlife Area. The property came with water rights that if not used in within the next year, are in jeopardy of being forfeited. The Department is not in the position to use the water rights at this time. Therefore, it is to our advantage to enter into this agreement which authorizes Heritage Farms to farm the Richardson portion of the wildlife area, thereby exercising our water rights within the required timeframe. The terms and condition of the agreement will require the licensee to redevelop and maintain the irrigation pipelines, canals, ditches and control structures needed to deliver water to the property. Additionally, the Licensee will leave at least 5% of any crops grown un-harvested to provide a food source for local wildlife. The arrangement would not only allow the Commission to retain our water right, but also get the needed irrigation infrastructure onto the property.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE A COOPERATIVE AGREEMENT WITH HERITAGE FARMS FOR THE PURPOSE OF FARMING A PORTION OF THE ARLINGTON WILDLIFE AREA, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE AGREEMENT, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

f. Request for the Commission to Approve a Memorandum of Understanding with Bureau of Land Management (BLM) and Western Area Power Administration (Western)

Presenter: Lawrence M. Riley, Assistant Director

BLM and Western are leading the effort to develop an EIS for the Southline Project. The Southline Project consists of constructing, operating, and maintaining a high-voltage power line in two segments totaling approximately 360 miles. The first segment would be a new double circuit 345-kilovolt line from a substation in Afton, New Mexico (south of Las Cruces), to a substation in Apache, Arizona (south of Willcox). This 225-mile segment would provide up to 1,500 megawatts of capacity. The second segment would be an upgrading and rebuilding of about 130 miles of existing transmission lines between the Apache substation and the Saguaro substation northwest of Tucson. It would provide capacity for an additional 1,000 megawatts of electricity. Southline is solely an electric transmission project, and is not a power generation facility. The Department requested to have Cooperating Agency status in the development of the EIS. The purposes of this MOU are:

1. To designate Arizona Game and Fish Department as a Cooperating Agency in the EIS process
2. To provide a framework for cooperation and coordination between the Lead Agencies and the Cooperator that will ensure successful completion of the EIS in a timely, efficient, and thorough manner
3. To recognize that the BLM and Western are the Lead Agencies with responsibility for the completion of the EIS and the Records of Decision (ROD)
4. To describe the respective responsibilities, jurisdictional authority, and expertise of each of the Parties in the EIS process.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING TO ALLOW THE DEPARTMENT TO BE A COOPERATING AGENCY IN THE DEVELOPMENT OF THE SOUTHLINE TRANSMISSION LINE PROJECT ENVIRONMENTAL IMPACT STATEMENT (EIS) AND TO EXECUTE THE AGREEMENT AS RECOMMENDED AND APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A, B, C, D, E, AND F (ITEM G WAS REMOVED FOR A SEPARATE VOTE).

Vote: Unanimous

g. Request for Commission to Approve Renewal of a License Agreement with Qwest Corporation for the Operation of Communication Lines Located on the Ben Avery Shooting Facility

Presenter: Lawrence M. Riley, Assistant Director

In April of 1983, the Commission entered into an agreement with US West Telephone Company (now Qwest Corporation), for the construction, operation, and maintenance of communication lines and appurtenant facilities on certain lands located within the Ben Avery Shooting Facility. The agreement has been renewed several times since and now Qwest is requesting to renew it once again. The Department believes this use of the land to be in the furtherance of public interest.

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE RENEWAL OF AN AGREEMENT WITH QWEST CORPORATION FOR THE OPERATION OF COMMUNICATION LINES LOCATED ON THE BEN AVERY SHOOTING FACILITY, AND TO AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE AGREEMENT, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous
4-0
Davis recused

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6. Executive Session (Pulled from Saturday’s agenda)

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 Madden seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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Meeting recessed for the day at 3:51 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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Chairman Husted called the meeting back to order and led 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 to speak at this time.

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2. Consent Agenda (Addressed on Friday)

See Friday following agenda item #11.

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3. Overview of Border Issues in the Yuma Region

Presenter: Pat Barber, Region IV Supervisor

Mr. Barber provided an overview using a PowerPoint presentation of current border issues in southwestern Arizona. The presentation covered issues related to activities along the United States border with Mexico within the Yuma Region. The overview provided information and maps relative to the current level of activity, the impact to public and employee safety, the impact of these activities on Department programs, and the impact to wildlife and wildlife habitat. The following information was included in the presentation:

- There is approximately 150 miles of the border which includes two WM Districts, Yuma and Tucson; the border is also shared with the Tohono O'odam Nation
- Land managers in the area includes BLM, BMGR, USFWS (CPNWR), Park Service (OPNM)
- Game management focus in the area are Bighorn Sheep management and hunting, and Sonoran Pronghorn management (captive breeding); other programs (Flat-tailed Horned Lizards, Desert Tortoise, and others (research, monitoring)
- The Yuma sector is considered nearly 100% secured from people smuggling activity, but drug activity still occurs; The Tucson sector is considerably higher in people smuggling and drug activity
- GMU 40A and the Vekol Valley, about 50-75 miles north from the border, is historically a popular hunting and recreation area with mule deer, white tail deer, javalina, sheep and quail hunting. This is the area on the SDNM that BLM posted as a dangerous area; public use became very low from 2010 – 2011
- Damages have to be repaired; at least 3-4 catchments have been damaged – some on multiple occasions. Some float valves and lines purposefully tampered with to drain the tank; remote cameras indicate much more human visitation than animal on some catchments and we believe they are keeping wildlife away
- How the Department conducts business: Anyone working south of I-8 must coordinate with the region; location and current intelligence are determined for necessary armed escort; in some areas officers must work in pairs; catchment and development crews must be escorted; biologists must be escorted; costs are programmed into project - cost and time is additive to WM workload; other added expenses are satellite phones, personal locators, truck mounted GPS units.

Commissioner Davis asked about Homeland Security grants to assist in paying for some of the damage incurred by the Department.

Mr. Barber stated that the Department receives Homeland Security dollars through other agencies through contract grants.

Director Voyles stated that there is a significant amount of Homeland Security dollars that were established that go primarily through the Department of Interior and our Department has taken advantage of those for some specific projects, but he doesn't know if that source has been tapped for routine wildlife management needs that have been impacted, so the Department will check to see if there is any opportunity there.

Commissioner Davis stated that it would be good for the Department and the Commission to have a two-page summary on the financial effects to the Department. It would be helpful to the Director and Commissioners in conversations when they go to Washington to have an outline of the financial impacts to the Department and its ability to manage wildlife and wildlife resources.

Director Voyles stated that the Department Headquarters to work with the regions to identify those impacts and costs.

Chairman Husted suggested that some potential solutions also be included in the summary.

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4. Developing a Commission Policy Statement on Travel and Access to Arizona's Public Lands

Presenter: Lawrence M. Riley, Assistant Director, Wildlife Management Division

Mr. Riley provided the Commission with a second draft Commission Policy Statement establishing the Commission's position regarding access upon public lands held by the USDA Forest Service and USDOJ Bureau of Land Management. The Commission has expressed its concern regarding the effects of public land access restrictions on wildlife-related recreation and other activities under their jurisdiction. During a Commission workshop in November of 2012, the Commission explored issues regarding travel management planning on the National Forests in Arizona. At its regularly scheduled December 2012 meeting, the Commission directed the Department to facilitate the development of a policy statement that would express the Commission's concern and position. The Policy Statement would provide an overarching perspective on the part of the Commission and provide guidance to the Department in its interaction with Federal Land Managers regarding travel management. The Commission reviewed alternative approaches to providing the Department with its guidance on travel management during its January meeting. Based upon Commission guidance, a revised statement has been developed and provided to the Commission for review.

Commissioner Mansell stated that he would like a week or two to review the draft and possibly provide some written feedback to Mr. Riley for review by the Commission at the next meeting.

Commissioner Davis offered to do the same and to do that in conjunction with Commissioner Mansell.

Mr. Riley will work with the two Commissioners to revise the draft and then bring that back to the March meeting.

Director Voyles clarified that the other three Commissioners will provide feedback individually to Mr. Riley and that only two Commissioners, Mansell and Davis, will be working together. This item will be on the agenda for March with ample time if possible for the Commission to thoroughly review and work on the policy statement.

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5. Director's Goals and Objectives

Presenter: Ben Alteneder, Community and Congressional Relations

Mr. Alteneder briefed the Commission on the close out of the 2012 Director's Goals and Objectives followed by discussion of the process for establishing the 2013 Director's Goals and Objectives. The Department provided the final report of the 2012 Director's Goals and Objectives on December 31, 2012. All of the deliverables were met for the following goals:

- Strategic Planning Process
- Law Enforcement
 - Note: The deliverable related to officer recruitment was on target to be met, but was not met due to fluctuation in officers joining and leaving the force
- GIS Enhancements
- Department Workforce Development
- Enterprise Architecture
- License Dealer Automation
- Lead and Wildlife Mortality
- Commission-owned Land and Properties
- Simplify Hunt and Fish License Structure and Youth Definition.

The Department does not have any recommendations for the 3013 goals, however the following activities will move forward from the 2012 goals:

- Enterprise Architecture Business Plan
- GIS Enhancements
- Lead and Wildlife Issues
- Training in the Workforce Development
- Legislation to Simplify Hunt and Fish License Structure and Youth Definition

The Commission discussed whether the Director's Goals and Objectives was still an appropriate tool.

Commissioner Mansell commented that they should actually be called the Department's Goals and Objectives. At one time the Director may have been evaluated by the Goals and Objectives but the Commission is not doing it that way anymore.

Commissioner Davis sees the value in the Director's Goals and Objectives, but he is not sure that it is a dynamic process. This appears to be a top down process and a dynamic process would include input from folks on the ground, the Commission, the Director, and the leadership. We need all these pieces and then we have a plan that we want to achieve and when we want to achieve them. From his perspective this whole thing needs to be redone.

The Commission discussed with the Director that the Department could identify individual Commissioner priorities and integrate those into the operational planning process, and then ensure that the Department reports back to the Commission on those priorities. Discussion included that the goals in the Goals and Objectives were good and valuable goals and that it is the Goals and Objectives process that is being questioned and discussed, not the goals. The goals and objectives could be imbedded into another process.

Director Voyles stated the Commission is talking about moving away from the Goals and Objectives as an evaluation tool for the Director, which was already done in the last evaluation where the Commission created more of a leadership evaluation tool. Now we are talking about measuring performance at an operational level and we have built a strategic plan that encapsulates all of those. So we will now have discussions of Commission operational priorities rather than discussions of Goals and Objectives and we will make sure that we imbed those into the operational planning process and track our performance. It is still good to have dialogue between Commissioners at Commission meetings to make sure that the priorities are for all five Commissioners.

Chairman Husted stated that he would like to see a cheat sheet or outline of what is a rule, what is a Commission Order, what is a guideline, and what is a priority, etc. and points of contact. That would be a first step and then we can begin to blend these processes.

Mr. Alteneder summarized the Commission's discussion/direction as follows: The Department will work on drafting a proposed process for Commission operational priorities which address how a Commission effectively impacts the Department while ensuring that individual Commissioner's goals have the buy-in of the entire Commission.

Commissioner Davis also noted that the Commission wants to have integration with operational and strategic plans so that there are not parallel plans.

Director Voyles clarified this exercise will be conducted to provide input and background to the operational plan development, so that the Commission priorities are captured for operational activities. When the Department priorities bubble up then we can meld these together.

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6. Executive Session

The Commission met in Executive Session on Friday at the end of the day and did not need to go back into Executive Session.

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7. Litigation Report

There were no comments or questions on the Litigation Report.

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7. Approval of Minutes and Signing of Minutes.

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM JANUARY 11-12, 2013.

Vote: Unanimous

The Commission signed the minutes following approval.

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9. Director's and Chairman's Reports

Chairman Husted:

- Met with the Director and a Senator over some issues
- Attended the Shot Show
- Met with the Nature Conservancy
- Will be meeting with Apache County on predator issues

Director Voyles:

- Attended the Shot Show in Las Vegas (NSSF Discuss 2013 Outreach and Funding Plans; Field and Stream Heroes of Conservation Roundtable Lunch; TRCP to convene policy forum; Breakfast meeting with Outdoor Roadmap; Surrogate Species meeting with Dan Ashe)
- Met with State Land Department regarding Desert Wells Staging Area
- Met with Kevin Kinsall to discuss the implementation of the Governor's Executive Order and plans for establishing a conservation vision for Arizona
- Met with Wildlife Diversity Program Managers from around the nation and spoke on Arizona's concepts of a broader partnership with the community of industry as well as wildlife interests in NGO and creating a 21st century vision of habitat conservation and partnership instead of in competition with industry
- Attended the SCI National Convention in Reno, Nevada (Represented the Governor on the Border Governor's Conference at the Wildlife Table, assisted with a Meet and Greet for New Mexico at a breakfast meeting with Norden Van Horne of Waters for Wildlife, held a conference call with the Director of USFWS to discuss wolf conservation)
- Met with Steve Hirsch, et al. regarding the Capitol Campaign for the Wildlife Education Center.
- Met with TNC and State Parks to discuss an initiative surrounding the relationship between water, conservation water management, and the quality of riparian habitat and corridors through the state

- Had a dinner meeting with Pat Bray and Bass Aja to discuss some issues of potential concern for the livestock growers.

* * * * *

10. Commissioners' Reports

The Commissioners reported the following activities since the last Commission meeting:

Commissioner Mansell:

- Attended the WAFWA mid-winter conference
- Attended the Commission meeting
- Attended the Shot Show in Las Vegas.

Commissioner Harris:

- Had numerous discussions with different organizations regarding the license simplification
- Attended an HPC meeting
- Met multiple times as the Commission Liaison with the Catalina Sheep Transplant Group
- Attended the Wild Sheep Convention
- Attended a VirTra training seminar

Commissioner Davis:

- Worked with Department staff on the license simplification legislation
- Worked with Department staff with the Governor's Office on the Natural Resources Council

Commissioner Madden:

- Received multiple briefings from the Department and has a lot of materials to read and look over
- Met with Coconino County Sheriff Bill Pribil regarding enhancing the funding for Search and Rescue throughout the state.

* * * * *

11. Future Agenda Items and Action Items

Assistant Director Ty Gray captured the following action/future agenda items:

- Department staff will work with Commissioner Harris to refine the objective for the Wildlife Center. The Department will suspend or slow down the design phase until the objectives are defined and we have feedback from the Capital Campaign study; included in the study will be the potential for endowments for future operations and maintenance; will consider how/where retail might factor into the design or support for the facility; outline the procedures for negotiating with perspective donors
- Move the 12A Habitat Stamp to the Consent Agenda for March
- Move the IGA for CART to the Consent Agenda for March; Department Officers will be alerted to 999 calls from other agencies and Department 999 calls will go out to others

- Move the Consent Agenda to Friday
- Regarding Fort Huachuca and other military installation hunts, the Department will develop an analysis, report and presentation on hunt management controls in reference to Title 17, Commission Rules, and other options for the Commission to consider
- The Department will prepare a two-page summary regarding impacts to wildlife recreation and cost to the Department to operate near the border. The summary will include proposals for solutions
- Regard Travel Management, Assistant Director Larry Riley will work with Commissioners Mansell and Davis to refine the Commission policy statement on travel and access on Arizona public lands
- Regarding the Director's Goals and Objectives, the Department will work on drafting a proposed process for Commission operational priorities which addresses how a Commissioner affectively impacts the Department while ensuring that individual Commissioners goals have the buy-in of the entire Commission and are ultimately embedded in the operational and strategic plans of the Department; as part of that the Department will create a cliff note/cheat sheet on the different terminologies and processes for the Commission's use
- The Department will look into the satellite locator as provided in a brochure picked up from the Shot Show by Chairman Husted.

Chairman Husted added, in regards to the border issues, that the Department the word opportunities along with solutions, opportunities such as where we can pickup funds or FTE's.

* * * * *

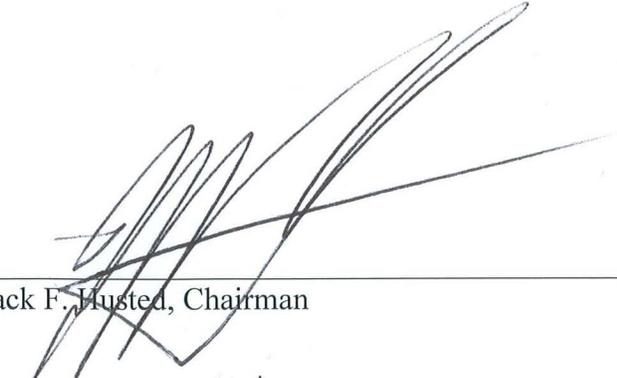
Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

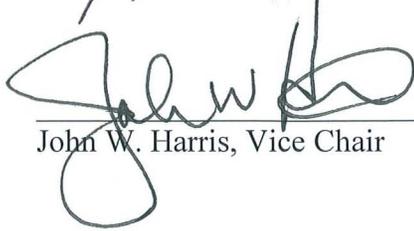
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Meeting adjourned at 10:15 a.m.

* * * * *



Jack F. Husted, Chairman



John W. Harris, Vice Chair



Robert E. Mansell, Member

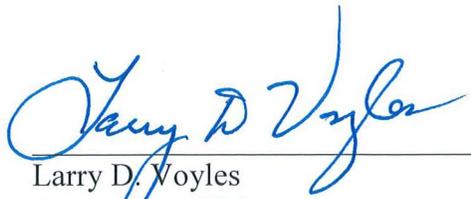


Kurt R. Davis, Member



Edward "Pat" Madden, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
February 1, 2013**

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. ***Center for Biological Diversity et al. v. United States Forest Service***, CV-12-8176-PCT-SMM. Plaintiffs filed an action in the U.S. District Court for Arizona on September 4, 2012. The lawsuit alleges the U.S. Forest Service is violating the Resource Conservation Recovery Act ("RCRA") by allowing the disposal of lead ammunition on the Kaibab National Forest, and the disposal results in significant harm to the California condors and other avian wildlife. Plaintiffs are seeking declaratory and injunctive relief requiring the Forest Service to abate the harm.

On November 4, 2012, the State of Arizona on behalf of the Arizona Game and Fish Commission filed a limited motion to intervene for the sole purpose of filing a motion to dismiss on the grounds that the State of Arizona is a required party but joining the State is not feasible due to sovereign immunity. Because the State is a required party that cannot be joined, the case must be dismissed. Plaintiffs filed a response to the State's motion on November 20, 2012. Plaintiffs did not object to the State's intervention but argued that the State does not meet the requirements of a required party.

The National Rifle Association (NRA) and Safari Club International (SCI) filed motions to intervene on November 21, 2012. The State filed a reply on December 4, 2012, to the Plaintiffs' response to the State's motion to intervene. The U.S. Forest Service filed a motion to dismiss on December 14, 2012, on the basis the Court lacks jurisdiction. Plaintiffs filed a response to NRA's motion to intervene on January 4, 2013. **On January 22, 2013, the National Shooting Sports Foundation (NSSF) filed a separate motion to intervene.**

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 Reed's opening brief to the Arizona Court of Appeals was filed on August 15, 2012. The Commission's filed its answering brief on October 15, 2012, and the Reeds filed a reply brief on November 5, 2012.

The court of appeals issued a memorandum decision on January 24, 2013, affirming the trial court's decision upholding the Commission's license revocation and civil assessment actions.

4. *WildEarth Guardians v. James Lane, 12-00118 (LFG-KBM).* Plaintiff challenges New Mexico's failure to regulate trapping in the Mexican wolf occupied range to avoid take of any wolves. The Commission authorized the filing of an amicus curiae brief in support of New Mexico. The Court granted the Commission's motion for leave to file an amicus brief and on September 19, 2012, the Commission filed its amicus brief. Plaintiff filed a response on October 9, 2012, and the Commission filed a reply on October 30, 2012.

The Court issued an order on December 3, 2012, granting Defendants' motion to dismiss for failure to state a claim. Plaintiff filed a notice of appeal on December 28, 2012. The Tenth Circuit issued a briefing schedule on January 3, 2013, ordering Plaintiff to file an opening brief within forty days.

Lands Update
For the Arizona Game and Fish Commission
January 25, 2012
Phoenix, Arizona

U.S. FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING

General Planning Status – Please see attached worksheet.

Apache-Sitgreaves National Forest

The Proposed Plan and Draft Environmental Impact Statement are currently receiving final formatting edits. It is anticipated that these documents will be published and available for review in February 2013.

Coconino National Forest

The Forest continues internal development of its Revised Land and Resource Management Plan (LRMP). Release of the Draft Environmental Impact Statement (EIS) is expected in early 2013.

The Forest is in the implementation phase of its Travel Management Plan (TMP).

Coronado National Forest

The Draft Land and Resource Management Plan and EIS are currently in internal review and are expected to be available for public input in late fall of 2013.

The Draft Travel Management Plans are being developed for each District and will be released successively for public comment beginning in early 2013.

Kaibab National Forest

The Forest continues to work toward release of a Final EIS for its Land and Resource Management Plan (LRMP). Preliminary indications are for a release in early 2013.

The North Kaibab Ranger District released its Record of Decision for their TMP, and the Department subsequently appealed the Forest's Decision (see attached appeal). The appeal addressed two main issues: 1) the omission of Motorized Big Game Retrieval (MBGR) for deer, and 2) the inadequate provision of dispersed camping in the pinyon-juniper habitats.

The Department received a 'final administrative determination' from the Deputy Regional Forester denying the Department's appeal on the TMP. As it stands, MBGR will be allowed for bison and elk, 1 mile from designated system roads (except where prohibited). Motorized dispersed camping will be allowed 300 feet from either side of 99 miles of specified roads and 100 feet from either side of 104 miles.

Tonto National Forest

The Forest LRMP has been under internal revision and is anticipated to be out for scoping in 2014 with a 4-6 year timeline for the final LRMP and EIS. The TMP has not been issued a final decision at this time. The Forest has determined the need for elevation of the NEPA process (from EA to EIS) for the TMP that would allow for the further coordination and potential for

additional alternatives to be developed. The proposed action notice for the TMP EIS is anticipated out in the next few weeks. The LRMP process will take on a more collaborative approach, beginning with a workshop to define partner roles and responsibilities, etc. The intent is to have Department involvement early and throughout the process. The Department will be meeting again with the TNF leadership in February. In March, the annual coordination meeting with the TNF, AGFD, and the USFWS will be held.

U.S. FOREST SERVICE - General

Coronado National Forest

Proposed Rosemont Copper Project

The Department will meet with the Forest and the U.S. Fish and Wildlife Service on January 23rd regarding Endangered Species Act (ESA) Section 7 consultation. The Department expects the Service to provide the Forest additional input on the Biological Assessment.

Prescott National Forest (PNF)

The Department and Prescott National Forest Annual Coordination Meeting is scheduled for February 12.

Yavapai Ranch PAD Recreational Access Team Meeting

A date in February is being identified for the next Yavapai Ranch PAD Recreational Access Team Meeting – wherein the Recreational Access Plan to preserve the public’s access to Forest Lands will be discussed. The Department, PNF, TNC, AZ State Land Trust, and Yavapai Ranch Management will be in attendance to continue working on the details of the recreational access plan.

Tonto National Forest

Kerr/Goldfields and Stewart Mountain Communication Sites

The Tonto has just released the scoping notice for the development of an EA on a proposed action to establish a communications site at the Kerr/Goldfield Admin Site and add a 45 foot free standing microwave tower at the existing Stewart Mountain Communications Site. The purpose of the project is to improve cellular communication and internet service in the area of the Lower Salt River Recreation Area and to the Administrative Sites. The Department has had preliminary coordination with the forest and recently provided comments on the project including recommendations for considering project timing to decrease the disturbance to breeding bald eagles as well as the potential for impacts to desert tortoise.

Red Creek

The Forest has scoped a proposal to improve ecological conditions and to authorize continued livestock grazing on the Red Creek, Six Bar, and Skeleton Ridge allotments (Allotments) in the Cave Creek Ranger District. The Department provided preliminary comments and recommendations for preparation of an Environmental Assessment. Primary interests are opportunities to develop water and infrastructure improvement projects, management of the Verde River Wild & Scenic and other riparian systems, native fish stocking actions, address resource impacts from the Cave Creek Complex wildfire and considerations for Special Status

Species and Arizona's Species of Greatest Conservation Need (SWAP). The Department remains in coordination with the forest.

SR6

The Forest continues to develop an EIS to analyze management strategies that maintain and improve ecological conditions on six grazing allotments along the Salt River corridor, between Roosevelt Lake and the Fort Apache Indian Reservation. Draft Specialist Reports were released to permittees this fall. The Habitat Optimization Alt. 4 has been drafted. The DEIS is nearly complete and anticipated release is in January for 45 day review period. The Department has requested copies of the Specialists Reports. The Department has not yet received the DEIS for review.

Sustainable Recreation Program

The Forest has initiated review of its developed recreation program and is currently hosting several public open house meetings. From the input at these meetings, the Forest will be putting forward a proposal which could result in changes to the operation and maintenance of recreation sites on the forest and potential fee modifications. The second round of public meetings will be hosted in fall of 2013 to share the proposal and capture additional comments. The Department attended and participated in one or more of the open house meetings.

BUREAU OF LAND MANAGEMENT (BLM)

Hassayampa Field Office

The draft EIS/draft RMP amendment has been prepared to provide analysis for the potential impacts of granting a right-of-way to Arizona Public Service (APS) for the purpose of constructing and operating a 500/230kV overhead transmission line from the Morgan Substation to the planned Sun Valley Substation. The location for the proposed project includes BLM managed lands, Arizona State Trust lands and private lands in northern Maricopa County. Under the preferred alternative, the BLM would approve a 200-foot wide ROW within the existing designated utility corridor northeast of the Sun Valley Substation. The corridor would be either single use (north of SR74) or multiple use (south of SR74). DEIS/DRMP amendment is currently out for public comment. The Department has been involved with the project since the certification process was undertaken for the original corridor through the Corporation Commission in 2007. The Department is currently reviewing the DEIS for submission of comments within the February timeline. The Department has previously expressed concern for areas to the north of SR74 and will be evaluating the analysis within the DEIS/DRMP amendment along with measures to minimize impacts to those areas to inform the response necessary.

Kingman Field Office

The Department and Kingman BLM Annual Coordination Meeting is scheduled for February 7.

Tucson Field Office

Madrean Archipelago Rapid Ecoregional Assessment (MAREA)

The BLM has initiated the Madrean Archipelago Rapid Ecoregional Assessment (MAREA) for the Sky Island region located in Arizona (within Region V) and New Mexico. The MAREA is

intended to identify, assemble, synthesize, and integrate existing information about the native species, aquatic and terrestrial resources, and environmental change agents to provide information that will help BLM land managers in the ecoregion understand resource status and the potential for change of this status from a broad landscape viewpoint. This information will be used by the BLM to assist with its land management responsibilities, including Resource Management Plans (RMP's), developing best management practices (BMP's), authorizing uses, and establishing conservation and restoration priorities.

The BLM has contracted oversight of the development of the REA to NatureServe. NatureServe's biological subcontractor is The Sky Island Alliance. The Department has assigned staff from Headquarters and Region V to assist in development of the REA to ensure that Department interests are incorporated into the REA. The AMT has not met since the last Commission meeting.

Yuma Field Office

The Department met with BLM to discuss the Draft Environmental Assessment (EA) for the La Posa Travel Management Plan. The Department is reviewing the draft and preparing comments. The goal is to have the Draft EA out to the public by February 2013.

NATIONAL PARK

Greater Grand Canyon Landscape Assessment (GGCLA)

Grand Canyon National Park has initiated GGCLA for the Greater Grand Canyon area. The GGCLA is an effort to evaluate the condition of key natural and cultural resources of the greater Grand Canyon region in order to prioritize areas for management. The exact extent of the assessment area is yet to be defined. The Park and NAU's Landscape Ecology Lab have held one workshop to identify priority resources and threats. The Department will engage in upcoming technical work groups, coordinating closely with Habitat and Wildlife Branches in Phoenix.

Petrified Forest National Park (PFNP)

The annual coordination meeting with the PFNP is scheduled for February 6.

GENERAL UPDATES

Pima County

The U.S. Fish and Wildlife Service (FWS) released Pima County's draft Environmental Impact Statement for the draft Multi-Species Conservation Plan for Pima County. The goal of the plan is to balance protection of native plant and animal species and habitats with urban growth and development. FWS is accepting public comment on both documents until March 15, 2013. The Service is conducting a public meeting on February 21.

The Pima County Office of Sustainability and Conservation is also hosting an open house in each supervisorial district to provide information about the benefits of the Multi-Species Conservation Plan and the permit the County is seeking under the Endangered Species Act.

Wildlife Areas

Horseshoe Ranch

The Department continues to assess the water rights associated with the ranch and allotments and has developed a detailed report including recommendations. The Department continues to collect data on the property and work with partners to inform area management.

Triangle Bar Ranch

The Department completed the acquisition of the Triangle Bar Ranch in Pinal County along the San Pedro River at its confluence with Aravaipa Creek. The Ranch, combined with the San Pedro Properties acquired in 2012 total approximately 2000 acres of riparian lands along the San Pedro River. The river is perennial for approximately 5 miles in the property area and is home to many Species of Greatest Conservation Need, as well as species of Economic and Recreational Importance. The Department met on the property on January 17 and 18 to kick off planning for the new Wildlife Area.

Coordinated Resource Management Plans (CRMP)

Horseshoe

The Department continues to coordinate and participate on the CRMP for the Horseshoe and Copper Creek Allotments. Information is provided to the public via an updated web-site and the agencies are utilizing the services of a facilitation group. Progress continues as the group is winding up the completion of shared goals and objectives. Parallel to the administrative processes, field work has been conducted utilizing a new range and upland evaluation technique piloted by the BLM Assessment Inventory Monitoring Strategy (AIMS) for integrated renewable resources management. This work has been completed over the summer. Riparian monitoring is being scheduled, as well as an opportunity to initiate implementation of the Department's statewide fisheries management assessment tool on the allotment watershed. The sub-team for the fisheries assessment has met for the initial kick off and is currently gathering data. The desire to ensure the federal agencies can utilize the CRMP process as their NEPA for formal decision and implementation has affected the timelines somewhat, but will greatly enhance the ability to conduct management actions under one NEPA umbrella at process completion. The anticipated plan document completion will be in 2013. The second riparian/uplands workshop for strategies is scheduled for January 18. The next scheduled interagency meeting for discussion of goals and objectives is scheduled for February 7. A subgroup is meeting to discuss prioritization of waters and concerns at the HSR in February.

Hidden Cove Lake

On January 15, the Department met with City of Holbrook officials to discuss progress on the potential to develop a sport fishery at the city's Hidden Cove Park. Several external agencies were present to discuss other pre-existing planning efforts for the Park including restoration of a riparian zone below the pond; preservation and development of interpretive trails and products for the nearby petroglyph site; development of hiking, biking and equestrian trails; development of wildlife viewing blinds and products; and restoration of the historic ranch site.

The meeting focused on reviewing the necessary steps for the city to raise its effluent water quality at the pond from the current Class B rating to a Class A rating, allowing for open public recreational use including development of a sport fishery. The discussion also focused on pursuing financing to development infrastructure and filtration needed to raise the rating. The next meeting is scheduled for February.

Kane and Two Mile Research and Stewardship Partnership

The Department attended a meeting at Kane Headquarters to discuss updates on the Kane and Two Mile Partnership. Below are the highlights:

The North Kaibab Forest (Forest) is completing specialist reports for Kane Allotment Management Plan revision. The draft EA is expected May 2013. The Department has been working with the Forest and the permittee (Grand Canyon Trust) to ensure that livestock operations and wildlife management and restoration work are in coordination with one another. Our comments submitted on the Proposed Action reflect this commitment, and some concern over a fence that is being scoped which would be constructed on the west side of highway 67 from Jacob Lake to the NPS boundary. We are working with the Forest to ensure that if the fence is implemented, wildlife movement will not be inhibited.

NRCS provided an update on revisions to their Ecological Site mapping on the Paria Plateau. A number of new sites have been added, reflecting the diverse soils/climate/vegetation of the area. These should provide useful information for researchers/managers, and it may change the desired plant community to which the BLM manages for under their Standard and Guides process.

The Forest provided an update on Unit 12A-W seeding and cheatgrass control efforts. There was considerable discussion about need to move forward with experimental greenstripping efforts using native and/or introduced species. A field tour of recently-burned UT greenstripping areas will be scheduled, along with a follow-up meeting to plan implementation and additional NEPA that may be needed for project-scale work.

Grand Canyon Trust reported on stewardship projects planned for 2013 across the Kane and Two Mile ranches, which include: fence modifications for pronghorn in House Rock Valley, tamarisk removal along the Paria River, and rebuilding fences around natural lakes on the Kaibab Plateau.

RENEWABLE ENERGY DEVELOPMENT

Sasabe Lateral Natural Gas Pipeline (El Paso Natural Gas/Kinder Morgan) (El Paso)

The Department continues to participate in the planning for the Sasabe Lateral pipeline which will export domestically produced natural gas to Mexico. A recent study by the Department of Energy suggests exportation of liquefied natural gas will increase gas prices within the U.S. as well as increase hydraulic fracturing to access gas resource on public lands. Both the pipelines and fracking activities have potential to impact wildlife and habitat. Local ranchers in the project location, which runs from Sasabe to near Tucson, with one alternative crossing the Buenos Aires National Wildlife Refuge, have expressed concern about increased border traffic along the project corridor.

The Department is finalizing an MOU with the Federal Energy Regulatory Commission (FERC) which is the lead agency on the EIS and is charged with overseeing preparation of the EIS for the project. The FERC Commission will determine whether to issue a certificate of public convenience and necessity, and a presidential permit for the project. In addition to consideration of environmental information presented in the EIS, the Commission also considers such non-environmental factors as engineering, markets, and rates in making its decision to approve or deny El Paso's request for a certificate and presidential permit. Neither the President, nor Congress, reviews the FERC's decision. If approved, El Paso would begin construction in the first quarter of 2014 with projected in-service at the end of September 2014.

WIND

Boquillas Wind Energy Project

The Department is scheduled to participate in a follow-up meeting later in early February with the Navajo Tribal Utility Authority and new project partner EDF Renewable Energy to provide feedback on a revised draft Eagle Conservation Plan (ECP) for the Boquillas Wind Energy Project (BWEF). The U.S. Fish and Wildlife Service will evaluate the revised ECP to help determine whether an eagle take permit for the project is warranted. The Department also shared its most recent comment letter on biological studies conducted at Boquillas by WEST, Inc. with EDF to ensure EDF is aware of all wildlife-related issues raised previously by the Department.

Dolan Springs Wind Energy Project

The proponent of the Dolan Springs Wind project, Iberdrola Renewables, had an introduction meeting in Kingman in November 2012. The meeting covered the intent and pre-application overview of the proposed project. Agencies in attendance included the BLM, FWS, AZGFD, Western, Mohave County, Hualapai Tribe, Fort Mohave Indian Tribe, USFWS and the NPS. Agency concerns included eagle nesting areas, foraging areas for bats, open mines, wildlife migration, and historical cultural issues.

Project Summary

- Up to 300 MW of generation
- Up to 150 wind turbine generators
- Approximately 47,000 acres of land in Mohave County, AZ
- Met campaign – 5 towers installed
- Interconnection request to Western Area Power Administration

Mohave Wind

BP Wind Energy has made a request to allow for a wider temporary road bed to accommodate collector lines. BP clarified that roads within the turbine corridors would not need to be wider, but they are limited on how many collector lines can be buried in a single trench. As more MW are pooled and the collector lines approach the substations, multiple trenches would be needed, which would result in a wider area of temporary disturbance. The EIS text description should explain that roads connecting the turbine corridor will be limited to 56-foot-wide temporary roads, where possible, but could expand to 75-foot-widths where necessary. These revisions were sent to the BLM for a one-day review period so revisions could be reviewed before being

incorporated into Chapter 2 of the final EIS. Based on these changes the preferred alternative is currently under review, and will be incorporated into the document text prior to solicitor review.

To keep the Final EIS on schedule for a release date to the public in late December 2012, BLM and Reclamation agreed to a five-day agency review time for the EIS sections. The Department of Interior will have a solicitor review when the entire document is completed. The BLM recommended electronic filing of the Final EIS for the EPA to be completed at least 10 days prior to the EPA publication date in the Federal Register.

The ROD will be jointly filed by the BLM and Bureau of Reclamation. Western is currently preparing a separate ROD. Currently the ROD is scheduled for February 2013, but the changes being made to the final EIS may slightly change this release deadline.

TRANSMISSION LINES

SunZia Transmission Line Project

The Bureau of Land Management continues to work on the Final Environmental Impact Statement for the SunZia Transmission Line Project. The preferred alternative for the project includes a route segment through the San Pedro River Valley. The project proponent's preferred route, as well as one potentially favored by the Department of Defense, includes a route that fragments the unfragmented habitat between the Aravaipa and Galiuro Wildernesses. The Department is concerned that any route through this area would impact bighorn sheep and other species, and may have cumulative effects that include the potential for other infrastructure to co-locate along this route. Proposed infrastructure under consideration for this area includes the Interstate 10 bypass, a project which the Commission voted to unanimously oppose via resolution during project development.

SunZia NEPA Process Timeline:

<u>May 25, 2012</u>	Release of the DEIS
<u>Mid June</u>	Cooperator Meeting – Discuss comments that have not been resolved/incorporated & discuss upcoming public meetings
<u>Late June/July</u>	Public Meetings
<u>Mid August</u>	Conference Call with Cooperators – Opportunity for additional conversation & discussion with Cooperators
<u>August 22, 2012</u>	End of 90 day comment period
<u>Early 2013</u>	Projected release of final EIS

TRANSPORTATION

Arizona Passenger Rail Corridor Study

The Federal Transit Administration and Federal Railroad Administration, in cooperation with the Arizona Department of Transportation (ADOT) are preparing a Tier 1 Environmental Impact Statement for the ADOT Passenger Rail Corridor Study. This study will investigate potential high-capacity transportation corridors, which could include intercity rail service between Tucson and Phoenix. The Department has participated in the preliminary stakeholders meetings and has

accepted the role as a participating agency on the Project. The Department has provided preliminary input at the various meetings to ensure consideration is given to wildlife connectivity, and minimization of impacts to wildlife and habitat through alternative evaluation. The Department is providing data to assist in the development of criteria for the evaluation of the alternatives and Tier 1 analysis process. The Department is concerned about the high number of alternative corridors in the east valley, undeveloped areas that seem to be favored throughout the process due to anticipated development. The Department submitted comments on the draft concept alternatives for the study and continues to provide support to the project team. The Department is in the process of scheduling a meeting with the project team for further discussions.

North/South Corridor Study

The purpose of this project is to provide a connection between US 60 and I-10 through identifying and evaluating various proposed routes. The study also has now included the reinitiation of the SR24 study area that crosses the North/South study area (from east to west). The studies will be combining efforts to determine the alternatives to be carried forward for the tier 1 EIS analysis. We have reviewed and provided comments on the draft alternatives selection report that will help to inform those alternatives being carried forward into the Draft Design Concept Report and DEIS. The Department remains consistent in support of those alternative routes west of the CAP canal, along existing infrastructure and minimizing potential impacts to environmental resources. We continue to provide information to assist in the development of analysis process as it moves forward.

Sonoran Valley Parkway (SVPP)

The Bureau of Land Management (BLM) invited the Department to become a formal Cooperating Agency for the project's Environmental Impact Statement (EIS). This parkway will be aligned north/south through Rainbow Valley, between the Sierra Estrella Mountains and the Sonoran Desert National Monument in southwest Maricopa County. BLM, AGFD, City of Goodyear and project consultants met on November 15, 2012 to follow-up on Department comments to Chapter 1 & 2 of the project EIS. Since then, all cooperating agency comments on Chapter 1 & 2 have been addressed. Comments and resolutions will be circulated in January to Cooperating Agencies and consultants are developing Chapters 3 & 4 of the ADEIS. Consultants plan to submit ADEIS to BLM late January. Complete ADEIS will be submitted to cooperators in mid-February.

I-11 Phoenix to Las Vegas Project

U.S. Congress in the 2012 Surface Transportation Act designated Interstate 11. The first phase of the project is from Phoenix to Las Vegas. ADOT and Nevada Department of Transportation are partnering to conduct a two year of study of potential corridors for the proposed Interstate. The Department participated in a stakeholder's meeting and expressed that the study should include impacts to wildlife, hunting opportunities and stressed the economic importance of hunting and wildlife-dependent recreation for the region. It should be noted that one of the ideas "being kicked around" is using Carefree Highway as part of the corridor. This proposal would impact Department headquarters and Ben Avery Shooting Range.

The Department met with ADOT and consultants to discuss impacts to wildlife for a proposed multi-modal corridor along Interstate 10 from Phoenix to the California border and raised

concerns about wildlife movement and impacts to wildlife from associated development. The Department continues to participate on the subteam for natural resources.

SR 303

The ADOT Loop 303 Feasibility Study Team is continuing to develop and evaluate the alternative corridors for Loop 303 expansion to create a north/south link between I-10 and the future proposed Hassayampa Freeway. SR 303 is proposed to run through Rainbow Valley just west of the Sierra Estrella Mountains in western Maricopa County. Based upon coordination with the Bureau of Land Management and the Federal Highway Administration, additional research, coordination, and analysis needs to be conducted regarding cultural resources in the study area including the proposed Rainbow Valley Road and Cotton Lane corridors. This additional evaluation will begin in early 2013 and, upon its conclusion; a final report will be prepared. The final decision regarding the preferred alternative will be deferred for approximately one year, the results will be documented in a Planning and Environmental Linkages document. This document will be approved by the agencies involved and will be used in the future as input into an Environmental Clearance for the preferred alternative.

US 60 Superior to Globe

This project is to provide more efficient travel to meet the demand on US 60 from Superior to Globe. We remain on the environmental and core teams and have reviewed and provided verbal comment on the purpose and need. The few previous meetings were cancelled. Currently, ADOT is revising the work plan as FHwy has instructed they do a Tier 1 EIS. The work plan will be out for review in the fall. The biological overview, Queen Creek assessment will be out this month, however, has not been seen yet. The meeting for September has been cancelled.

This presents opportunity for further research, wildlife designs, incorporation of linkages and mitigation for loss of habitat. Currently, ADOT is revising the work plan as FHwy has instructed they do a Tier 1 EIS. The work plan will be out for review in the fall. The biological overview, Queen Creek assessment is scheduled to be available this month. The meeting for August and September has been cancelled. We did not provide any additional comments on the revised purpose and need. The October and December meetings were also canceled. The core team met this month for a progress update. The engineering work is still on hold due to Tier 1 environmental impact statement decision and development. The work plan associated with this Tier 1 EIS has been developed but not approved and will be coming out for review by the cooperating/participating agencies. Once the work plan is approved, development of the Tier 1 EIS commences and Notice of Intent to prepare an EIS will be issued through the federal register. The Department is a participating agency and continues to be involved throughout the process including review of the work plan and development of the analysis for the EIS. It is anticipated that the approval of the work plan would not be until March or later this year. The environmental overview for the Queen Creek section that includes the hedge hog cactus model and evaluation has been completed. The again revised purpose and need is still under review. The Department shared preliminary Pinal County wildlife linkages data with the project lead and TNF to ensure consideration through the process.

US 60, Silver King and Superior

The project is to widen the existing US60 to a four lane rural and urban fringe cross section. The Department is currently working with the team to incorporate wildlife friendly specifications into

the culvert and bridge designs, along with updating the environmental documentation. This project includes several drainage, bridge structures and lighting that will provide opportunity for wildlife friendly retrofitting. In addition, several wildlife linkages will need to be considered and Wildlife Contracts is also involved in the current discussions and reviews of the 30% designs for the bridges. The recently submitted comments reflect the specifications denoted in the AGFD Guidelines for Wildlife Friendly Fencing, the USFWS's 2005 Recommended Specifications for Desert Tortoise Exclusion Fencing, and the 2010 ATRC report (SPR-650) that reported on the effectiveness of desert tortoise mitigation measures relative to highways. The Department continues to coordinate and provide information for the biological evaluation and NEPA process. The recent meeting resulted in positive responses to our comments in addition to ensuring our participation within the design group. This project includes several drainage, bridge structures and lighting that will provide opportunity for wildlife friendly retrofitting. In addition, several wildlife linkages/corridor will need to be considered. The project looks good overall, and with the right structure specifications (they appear to be there for the most part) and the inclusion of some funnel fencing this could be a very wildlife friendly road that would promote both driver safety and wildlife connectivity. Because of the structures already included and the prime location relative to species distributions and habitat, this could be a shining example of permeability with relatively little added effort. The recently submitted comments reflect the specifications denoted in the AGFD Guidelines for Wildlife Friendly Fencing, the USFWS's 2005 Recommended Specifications for Desert Tortoise Exclusion Fencing, and the 2010 ATRC report (SPR-650) that reported on the effectiveness of desert tortoise mitigation measures relative to highways. The Department continues to coordinate and provide information for the biological evaluation and NEPA process. The recent meeting resulted in positive responses to our comments in addition to ensuring our participation within the design group. The detailed submittals for this project are nearing the 60% stage (by April). The Department remains a participating agency and is pending review of the draft biological evaluation and scheduling meetings with the engineers of the bridges for incorporation of funnel fencing where needed, etc. The Department shared preliminary Pinal County wildlife linkages data with the project lead and TNF to ensure consideration through the process.

Town of Buckeye

The Department is working with Town of Buckeye Planning Department (Town) to develop a workshop presentation to the Town Council in January 2013 on Wildlife Habitat Linkages: Planning and Conservation. The goal is to increase Town awareness and develop collaboration to incorporate wildlife habitat management goals for linkages and wildlife in general, into the Town's land use planning. The Town is interested in information on linkage planning and design, wildlife movement research associated with the White Tank Mountains, and ideas on what development guidelines or ordinances other communities in Arizona are using to achieve conservation of linkages. The Department has submitted a presentation to the Town for review and is currently being scheduled to present to the council.

Central Arizona Association of Governments

The Department has been invited to speak to the Executive Director early next year, along with the Pinal Partnership Open Space and Trails Committee for discussion on opportunity for presentation of the Pinal County Linkages Assessment (in draft) and the Open Space and Trail's Committee annual report.

Maricopa Association of Governments (MAG)

The Department presented the Maricopa linkage assessment to the Population Technical committee and the Planners Stakeholder Group workshop this past December. Purpose of the workshop was to provide a forum to learn about the Department's linkage planning and to share efforts at the local level to implement the program through public planning. The Department provided some outreach materials for planners to learn about linkages planning and design. This is assisting the Department, not only outreach, but also insight into the various processes and scales our tools should be incorporated, in addition to prioritization and identifying needs for future refinement efforts. The Department has been scheduled to present to the Transportation and Engineering Committees scheduled in February.

Maricopa County Parkway Corridor Feasibility Studies

The Department continues to participate on several Technical Advisory Committees for Corridor Feasibility Studies on future development of several west valley parkways. The Maricopa County Dept. of Transportation (MCDOT) is conducting the studies to identify the location and final alignments for the 6-8 lane parkways. All of the parkways are located west of Surprise, south of SR 74 and north of the Gila River. They include the Deer Valley, Dove, Camelback, Greenway, Northern, Yuma and Wild Rose parkways. Several parkway studies have been completed and final alignments chosen for Turner, Hidden Waters North, and Hidden Waters parkways. In all cases the Department's primary concerns have involved minimizing impacts to Special Status Species and SGCN, preserving access routes to public lands for outdoor recreation, minimizing impacts to important riparian and wash habitats, and preserving critical wildlife linkages identified in western Maricopa county that benefit game species and other wildlife. Once the Corridor Feasibility studies are completed next steps include adoption of parkway alignment by municipalities, ROW preservation, preparation of the Design Concept Report for project programming, appropriation of funding for design, ROW acquisition and construction, and coordination with stakeholders. It will be critical for the Department to participate in the design concept phases of planning to ensure identified wildlife mitigations are incorporated into final designs. Design concept planning may be some time out in the future and dependent on urban growth and development rates in the valley.

Maricopa County Parks and Recreation Department (MCPRD)

The Department met with Park Planner for the White Tanks Regional Park (WTRP) to discuss linkage goals and designs for the White Tank Mountains and future plans for the update of the WTRP Master Plan update. The existing plan was written in 1964. The management themes for the WTRP are education and nature (2009 Parks and Recreation Strategic Master Plan). There is interest in working with the Department to incorporate a 20+ year vision of biological resources and their management needs into an updated Master Plan for WTRP. Planning process timelines are to kickoff a Stakeholder Advisory Group early 2013, followed by public meetings and a draft plan released summer 2013 and a final plan to the MCPRD Parks Commission by December 2013. The Department continues coordination with the MCPRD.

Pinal Partnership Open Space and Trails Committee

The Department remains in the discussions for implementation of the master plan and participates on the subcommittee for drainage protection. The subcommittee met recently with the County planner and Flood Control coordinator for further discussion on data needs and process to move forward with the County to identify important drainage features (for wildlife

and flood control interest) through development of criteria, compilation of data and modeling exercise to produce the results. The results could then be used as another layer with wildlife linkages and open spaces to help inform where protection/acquisition could be focused, along with potential for guiding future development and development of ordinances. The open space committee is working to provide presentation of the annual report to the county manager and board of supervisors for implementation of the recommendations put forth in the report. The committee is also working toward building partnership with the Central Arizona Association of Governments. The committee remains committed to producing outreach materials and getting the products to stakeholders. The drainage sub-committee continues to work with the county flood control and public works department to share information, form partnership and continue to research the important drainage features within the county. The county is interested in utilizing a green infrastructure layer over the regional transportation layer to further inform decisions. This green infrastructure layer would include the open space plan and county wildlife linkages. The county has made a commitment to adopt the wildlife linkages into their county comprehensive plan during the next major amendment cycle (spring).

Forest	Status	Next Step	Projected Next Step Completion
Apache Sitgreaves	The Proposed Plan and Draft Environmental Impact Statement are currently receiving final formatting edits. It is anticipated that these documents will be published and available for review in February 2013.	Public comments and review.	Final EIS (LRMP) End of 2013 TMP start after LRMP complete, draft out early 2014. (separate decisions)
Issues:	MBGR in preferred Alt B of previous TMP draft allows 1mile from road for elk, mule deer & bear. 658 miles of corridors for dispersed camping 300 ft off established roads.		
Coconino	TMP signed Sept 2011, MBGR appeal denied; Draft EIS(LRMP) ready. Motor Vehicle Use Maps (MVUM's) available	Draft EIS (LRMP) Out for review in early 2013	Decision anticipated 7/2013
Issues:	Dispersed camping 300 ft from designated roads, else 30 ft. MBGR for elk only, 1 mile from roads except GMUs 5A & 5B.		
Coronado	Internal review of LRMP ongoing	Public Comment	Late Fall 2013
	TMP in Process in all Districts.	TMP Working Draft	Final TMP end of 2013, early 2014 Decisions by district
Issues:	Motor Vehicle Use maps show access through roads that have locked gates. Maps not enforceable.		

Forest	Status	Next Step	Projected Next Step Completion
Kaibab	AGFD appeal on North Kaibab TMP declined.	Review comments \ revise EIS (LRMP)	LRMP Decision Early 2013
	Tusayan & Williams TMP in implementation. MVUM's available. North Kaibab TMP completed 9/17/12	Monitoring for Tusayan & Williams, Implementation for North Kaibab.	Ongoing Monitoring for Tusayan and Williams. North Kaibab implementation to begin 1/2013.
<i>Issues:</i>	Tusayan & Williams TMP: MBGR 1 mile from road for elk in designated areas. Dispersed camping in camping corridors, or 30 feet from road. North Kaibab MBGR 1 mile off designated roads for elk and bison, dispersed camping 300 feet off 99 miles of designated roads and 100 feet off 104 miles of		
Prescott	Draft EIS LRMP in Federal Register 8/24/2012. Public input ended Nov 28, 2012.	Review and Development of final EIS (LRMP).	Final EIS (LRMP) anticipated Summer 2013. Will not do new TMP. Rely on 2009 updated/amended TMP
<i>Issues:</i>	Current draft advocates MBGR: Elk within 1 mile of designated open road. Dispersed camping 300' from centerline of designated roads.		
Tonto	TMP EA Jan 2012: LRMP began 2006. Negotiating to reinitiate due to rule change.	LRMP public scoping in 2014.	4-6 years to completion of LRMP. TMP impenetation 6/20/13
<i>Issues:</i>	MBGR: currently Payson and PV districts allow bear, elk and mule deer. Other districts currently do not allow cross country. Alternative 2 allows elk and bear, 200 yrds from road in all districts..	TMP Proposed Action notice imminent	