

Minutes of the Meeting of the  
Arizona Game and Fish Commission  
Friday, March 7, 2014  
Saturday, March 8, 2014  
Oro Valley Council Chambers  
11000 N. La Canada Drive  
Oro Valley, Arizona 85737

PRESENT: (Commission)

(Director and Staff)

Chairman John W. Harris  
Vice Chairman Robert E. Mansell  
Commissioner Kurt R. Davis  
Commissioner Edward "Pat" Madden  
Commissioner James R. Ammons

Director Larry D. Voyles  
Deputy Director Ty E. Gray  
Assistant Attorney General Jim Odenkirk  
Assistant Attorney General Linda Pollock

Chairman Harris called the meeting to order at 8:00 a.m. and led those present through the Pledge of Allegiance, followed by Commission, Director, and Director's staff introductions. This meeting followed an agenda revision #1 dated March 5, 2014.

Chairman Harris requested a moment of silence in honor of Phoenix Police Detective John Hobbs who was killed in a shooting late Monday afternoon, March 3rd, in Phoenix.

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### 1. Consent Agenda

The following items were grouped together and noticed as consent agenda items to expedite action on routine matters, and/or they were previously presented to the Commission as a "first read" item. 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 items a, e and g were removed for discussion. Consent agenda items b, c, d and f were presented for approval:

#### b. Information, Education and Wildlife Recreation Activities Briefing

**Presenter:** Anthony A. Guiles, Assistant Director, Information and Education 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:** Joyce Francis, Habitat Branch Chief

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.

f. Request to Repeal Unnecessary Commission Policies That Are Outdated or Have Been Incorporated into Other Policies

**Presenter:** Jennifer Stewart, Rules and Risk Branch Chief

The Department has asked the Commission to approve recommendations to repeal the following Commission policies that are no longer necessary: A2.1. Appeals, Reports, and Public Hearings Relative to Relocation Assistance on Federal Aid Land Acquisition Programs; A2.10. Urban Wildlife; A2.14. Flood Control Program for the Middle Gila River 91st Avenue to Gillespie Dam; A2.17. Commission Position Statement on the Verde River; A2.23. Policy Statement on Heritage Fund Acquisitions of Sensitive Habitat for Endangered, Threatened and Candidate Species, as Authorized Under the Provisions of A.R.S. § 17-298; A2.24. Department Five-Year Goals and Objectives; and A2.33. Arizona Wildlife Conservation Fund Expenditures.

The Department presented recommendations to repeal the seven Commission Policies identified above at the February 7, 2014 Commission Meeting as a first read item. The Department believes the seven Commission Policies could be repealed because the policies are outdated and no longer applicable or are incorporated into other Commission policies or Department processes. If approved by the Commission, the Department will remove the seven Commission Policies from the Department Operating Manual. The Department recommends that the Commission vote to repeal the identified policies.

**Motion:** Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS B, C, D, AND F.

**Vote:** Unanimous

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.

Mr. Cook provided additional updates using a PowerPoint presentation on the construction of the new Clay Target Activity Center and Pavilion. Funding has been partially provided by the Phoenix Trap and Skeet Club, Wildlife for Tomorrow Foundation and the Arizona State Sporting Clays Association. A sponsorship agreement with the Arizona State Credit Union has been finalized and will include a \$200,000 naming right on the Pavilion for a 10 year term. The name on the building will be the Arizona State Credit Union Pavilion. The first phase of construction will be completed by April 12, just in time for a fundraising event by Tread Lightly! The Department has partnered with Tread Lightly! to plan and prepare for the fundraising event, "Save Recreational Shooting in Arizona."

e. Reprioritization of the U.S. Fish and Wildlife Service's National Fish Hatchery System and the Cessation of Trout Production at Willow Beach National Fish Hatchery

**Presenter:** Chris Cantrell, Fisheries Branch Chief

Mr. Cantrell provided an update on the U.S. Fish and Wildlife Service's decision to redirect priorities at the national level to production of native species and the cessation of trout production at Willow Beach National Fish Hatchery. The update covered activities and events that have occurred since the last regular Commission meeting, including the following:

At the February meeting in Lake Havasu City, the Commission was briefed on the planned termination of trout production at Willow Beach National Fish Hatchery and the cessation of trout stocking in the lower Colorado River below Hoover Dam. This decision was based on the failure of the water delivery system that supports the trout production portion of the facility and a priority shift away from sportfish production in the National Fish Hatchery System of the U.S. Fish and Wildlife Service (the Service).

Subsequent to the February Commission Meeting, the Service has now stated they are planning to repair the delivery system and resume trout production and stocking. Arizona Game and Fish Department staff recently attended a Mohave County Board of Supervisor's Special Session held to disseminate information regarding impacts associated with cessation of the Willow Beach trout stocking program. The Service has not yet identified the needed funds to repair the system; furthermore, trout stocking would not resume until at least 18 months following completion of the repairs.

The Department anticipates a negative economic impact to local communities and businesses from the loss or postponement of the Service's trout stocking program. For the Department to step in and supply trout during this period, an Environmental Assessment Checklist and possibly

Formal Consultation with the Service would have to be completed. This process has already been started internally but will take a minimum of six months to complete. In addition, \$256,000 would need to be identified for purchase of trout in order to maintain stocking efforts commensurate with those conducted by the Service over the past several years.

Additional activities the Department has been involved in to resolve the issues include:

- Attended the Mohave County Board of Supervisors meeting on February 13
- Worked with Senator McCain and the Congressional Delegation to identify the concerns from the states participated in a conference call coordinated by Senator McCain
- Assisted in developing a letter from Senator McCain and Congressional Delegates to DOI (requested a response back)
- Assisted in developing a letter from Senator Flake and Congressional Delegates to USFWS (requested a response back)
- Met with the Western Governors Working Group and provided information
- Senator McCain interviewed the DOI nominee
- Met with the Sportfish and Boating Partnership Council – A Working Group will be developed to solicit state concerns and provide their position to the USFWS
- The Department offered excess Rainbow Trout to the USFWS
- USFWS testified to their assessment and priorities to the Natural Resources Committee – The Mohave County Madama Chair Angius attended the hearing to identify local impacts; Dave Hoskins will meet with the Department and Mohave County at the North American Conference to work on a plan to begin to repair the hatchery at Willow Beach
- The Department sent a letter offering excess trout, cost shared stockings, and engineering assistance for hatchery repairs at Willow Beach.

Commissioner Davis stated that we need to be clear with the USFWS and let them know that we see and understand what they are doing, and that we know they do not want to partner any longer in sportfishing. We need to be looking at legislation that removes the fisheries from the USFWS. We either find a different destination for them or we remove those assets and/or turn those assets over to the states. The Department needs to put that option on the table.

Commissioner Davis discussed with Mr. Cantrell the compliance issues related to why we can't stock the fish that we have. Commissioner Davis suggested that we draft our own letter stating that we are in compliance and this is what we are going to do. This is a critical issue and we need to do something about it.

Director Voyles stated that before the Commission takes any action, he would like to see some analytics from Department staff on the potential legal liability and potential criminal liability, if any, and if there are any violations of the Endangered Species Act.

Chairman Harris requested that this item be on the April Commission meeting agenda for further discussion. The Commission was in consensus.

g. Ben Avery Shooting Facility Campground Fee Schedule

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

The Department provided the Commission with a recommendation for new/increased fees for the campgrounds at the Ben Avery Shooting Facility at the February Commission meeting. The following fee schedule includes Commission input from discussion at the February meeting:

**Current Fees:**

- Daily-\$25.00; Weekly-\$100.00; Monthly-\$370.00 at Main Range; \$410.00 at CTC (includes shooting card fees) \$12.00 Dry Camp.

**Proposed Fees:**

- Winter Rate (Oct. 1 – May 31) Daily-\$30.00; Weekly-\$120.00; Monthly-\$340.00 (Note: No sewer at Shooter's Campground at Main Range and future campground at CTC)
- All other BASF campgrounds Daily-\$35.00; Weekly-\$140.00; Monthly-\$400.00. (includes sewer) (no shooting card is included in this fee).

**Proposed Fees:**

- Summer Rate (June 1 – Sept. 30) Daily-\$25.00; Weekly-\$100.00; Monthly-\$370.00: \$12.00 Dry Camp Main Range and \$410.00 CTC (includes shooting card fees) \$12.00 Dry Camp.

Effective date for proposed fees is July 1, 2014.

Chairman Harris stated that he does not have any issue with this item, but that he asked for it to be pulled from the consent agenda because it is in regards to fee increases.

**Motion:** Madden moved and Mansell seconded THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT'S PROPOSAL TO INCREASE CAMPING FEES AT THE BEN AVERY SHOOTING FACILITY AS PROPOSED WITH AN EFFECTIVE DATE OF JULY 1ST 2014.

**Vote:** Unanimous

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## 2. Legislative Engagement and State and Federal Legislation

**Presenter:** Jorge Canaca, Legislative Liaison

Mr. Canaca 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 included the following updates and Commission actions:

### Commission Supported Bills

SB1118: hunting on private land; trespassing (Landowner Compact); authorizes law enforcement officer acting at the request of an owner to request that a trespasser leave private property.

- Passed Senate 30-0; Referred to House Public Safety, Military and Regulatory Affairs.

HB2303: permits or tags; transfer; veterans; authorizes the Commission to prescribe the manner and conditions of transferring a license or permit to a veteran who has a service-connected disability.

- Passed House 57-3; Hearing in Senate NRRA March 12

HB2443: hunting and fishing licenses; military

- Passed House 59-0; Referred to Senate NRRA

SB1212: appropriation; wolf recovery; litigation costs

- Passed Senate 16-14; Hearing in House EENR March 10

### Bills of Interest

SB1211: Mexican wolf; taking; reporting

- Passed Senate 18-12; Hearing in House EENR March 10

SCR1006: Mexican wolf; population rule

- Passed Senate 18-11; Hearing in House EENR March 10

### Proposed Legislation

HB2003: watercraft; civil & criminal penalties; makes changes to watercraft statutes relating to operating a motorized watercraft while under the influence of intoxicating liquor or drugs and prescribes civil and criminal penalties; prescribes a Class 3 misdemeanor for a hit and run collision; requires distributions to the LEBSF (Counties) rather than the Public Safety Equipment Fund (DPS); prescribes a civil penalty for a violator who refuses to submit to a blood alcohol or drug test; specifies that after an arrest, the case shall proceed pursuant to the procedures for civil traffic violations; parity with Title 28, motor vehicle laws.

**Motion:** Harris moved and Mansell seconded THAT THE COMMISSION VOTE TO SUPPORT HB2003.

**Vote:** Unanimous

**Motion:** Davis moved and Madden seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO IDENTIFY POTENTIAL VEHICLES (POSTCARDS TO ATTACH RESOLUTION TO) AND TO DRAFT A RESOLUTION TO WASHINGTON, THE USFWS, AND TO THE ARIZONA CONGRESSIONAL DELEGATION, STIPULATING ARIZONA'S CONCERNS REGARDING REPRIORITIZATION, AND STIPULATE CONCERNS RELATED TO THE USFWS NOT ACCEPTING ARIZONA'S OFFER TO PROVIDE FISH, AND OTHER LANGUAGE DEEMED NECESSARY.

**Vote:** Unanimous

HB2699: ESA programs; rescission; reimbursement; an emergency measure that requires AZGFD to cease participation in any ESA program that was not cooperatively implemented under the Endangered Species Act of 1973, before January 1, 2015.

- Department staff reviewing draft Amendment language
- Floor Amendment expected March 10

Chairman Harris requested the Department to stay on top of this one specifically and let the Commission know if a telephonic Commission meeting is needed. The Commission was in consensus.

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### 3. Request to Approve the Final Notice of Exempt Rulemaking to Amend R12-4-802 and 803 addressing Wildlife Areas and Department Property

**Presenter:** Jennifer Stewart, Rules and Risk Branch Chief

The Final Notice of Exempt Rulemaking for Article 8 was provided to the Commission prior to this meeting for consideration and was available to the public. The Commission approved a Draft Notice of Exempt Rulemaking for Article 8 at the December Commission Meeting. A public comment period occurred for 30 days following the meeting and no comments were received regarding the proposed changes. No substantive changes have been made to the original recommendations. If approved by the Commission and in accordance with the exemption authorized under item #4 of Executive Order 2012-03 State Regulatory Review, Moratorium and Streamlining to Promote Job Creation and Retention, the Department will file the final Notice of Exempt Rulemaking with the Secretary of State's office for publication in the Arizona Administrative Register.

The Department proposes to amend Article 8 rules, addressing wildlife areas and Department property, to implement recommendations resulting from data and research gathered during the previous year. The Department also proposes to amend R12-4-802 to ensure consistency in regards to wildlife area closures and hunting restrictions, where applicable; and R12-4-803 to revise boundary descriptions. Amendments are also made to ensure consistency within Article 8 rules. The Department proposes the following substantive rule amendments:

R12-4-802 Wildlife Area and other Department Managed Property Restrictions:

- Cibola Valley Conservation and Wildlife Area: The rule is amended to align the rule with existing wildlife area practices regarding closures. Currently, the rule states posted portions are closed to public entry, but does not specify a time-frame for these posted closures. The amendment benefits the public as providing a specific time-frame allows the public to easily determine when the area is open for use
- Lamar Haines Wildlife Area: The rule is amended to remove the restriction against gathering wood. The proposed amendment allows the public to collect dead and downed aspen for home heating purposes and facilitates the removal of dead wood from the wildlife area at no cost to the Department
- Lower San Pedro River Wildlife Area: The rule is amended to establish a new Wildlife Area and its associated restrictions
- Quigley Wildlife Area: The rule is amended to rename the area to "Quigley - Achee Wildlife Area," in honor and memory of the former Region IV Wildlife Area Manager Bob Achee.

**R12-4-803 Wildlife Area and Other Department Managed Property Boundary Descriptions:**

- Boundary descriptions are amended as a result of regional feedback and Lands Council review, to include establishing the new Lower San Pedro River Wildlife Area and renaming the Quigley Wildlife Area to "Quigley - Achee Wildlife Area."

**Motion:** Madden moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE THE FINAL NOTICE OF EXEMPT RULEMAKING TO AMEND ARTICLE 8 RULES ADDRESSING WILDLIFE AREAS AND DEPARTMENT PROPERTY.

**Vote:** Unanimous

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

Meeting reconvened at 9:55 a.m.

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### 3A. Customer Portal Strategy

**Presenter:** Doug Cummings, Information Systems Branch Chief

Mr. Cummings provided an update using a PowerPoint presentation on the development of the Customer Portal. The update covered activities and progress since the February Commission meeting and a review of the project schedule. The update included the following:

- Post Online License Sales and Draw (OLSD) Release 2 Go-Live work that will support the Customer Portal
- Progress and approach to complete requirements and design
- Updated project schedule
- The new payment processing service must be completed by March 26, 2014. This will support the development of an integrated shopping cart in the Portal
- Team development and structure (Portal Development Team, Products and Services Team, Web Team, Wildlife Management Team).

Chairman Harris reminded everyone that all of this comes with a cost and we need to keep that in mind and support it.

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### 4. Update on Status of Out of Cycle Rulemaking Related to Bundled Service Concepts that may include Tag Surrender with Bonus Point Reinstatement and Other Potential Services that Require Rulemaking

**Presenter:** Jennifer Stewart, Rules and Risk Branch Chief

Ms. Stewart provided an update using a PowerPoint presentation on progress toward the out-of-cycle rulemaking package addressing tag surrender with bonus point reinstatement concepts and other potential services. At the February Commission meeting, the Commission directed the Department to pursue out-of-cycle rulemaking related to bundled service concepts, including tag

surrender with bonus point reinstatement. This update covered activities that have occurred since the last regular Commission meeting and included the following:

Current Status:

- Workgroup formed (Game Branch, IT, Rules, Law Enforcement, Legal, Funds Planning, and Wildlife Recreation)
- Timeline of deliverables identified
- Team meetings to review concepts and develop recommendations
- Integration with current portal team and products and services sub team
- Team objectives: Drive additional revenue; increase customer satisfaction; increase choices/flexibility for customers
- Team considerations: Existing legal authority; implementation related to Rules and IT requirements; identify associated costs; political/social impacts

Potential Services:

- Requires Exempt Rulemaking:
  - License, tag, stamp, permit changes or associated fees
- Requires Regular Rulemaking:
  - Tag Surrender with Bonus Point re-instatement (Foundational Requirement)
  - Print tags at home
  - Entry into a Supplemental Draw
  - Entry into a Special Draw
  - Application procedure changes
- Rules Process Not Required
  - One year Wildlife Views subscription
  - Free day at the range
  - Draw results by email
  - Fish stocking reports by email
  - Other products and services with little or no regulatory impact

Legislation and Rules - Building the Department process/logistics/systems cannot begin until the Legislation and/or Rules are established.

Challenges and Hidden Complexity of Concept:

- Tag surrender touches the following:
  - Existing draw and programming requirements
  - Bonus Points process
  - Reinstatement process
  - Ability for system to recognize feature as part of individual profile
  - Application process – impacts to individuals and/or groups
- Scope and Scope Creep:
  - Ensuring alignment with IT capabilities
  - Avoid increasing scope of overarching portal project; Version 1.0 v. future versions

The Department will provide an update at the April Commission Meeting that will include Team member recommendations that will lead to the request for approval of the rulemaking package at the May Commission meeting.

The Commission discussed with Ms. Stewart that they were looking for flexibility and the authority to make changes as needed. If it looks like the rulemaking system will not allow for creating flexibility, then the Commission wants to know, so they can look at a legislative approach to create that authority and flexibility.

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#### 5. Consideration of the remaining revenue from the 12A Habitat Stamp

**Presenter:** Craig McMullen, Flagstaff Regional Supervisor

Mr. McMullen briefed the Commission and provided a PowerPoint presentation on the Department's request for the Commission to approve the expenditure of the remaining funds generated by the Unit 12A (Kaibab) Habitat Stamp. 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 budget proposals from this fund. The Kaibab Habitat Stamp was eliminated, effective January 1, 2014, as part of the Department's license simplification process. While the fund no longer exists and will not generate additional revenue in the future, there is an unspent balance from stamp sales. The following proposed budget is recommended for the remaining revenue from the sale of Unit 12A Habitat Stamps:

<u>Category</u>	<u>Planned Expenditure</u>
Possible work includes: control of invasive weeds; reseeded; browse regeneration and other habitat improvements on deer winter range; Kaibab deer telemetry project/surveys; water catchment construction/repair; check station staffing \$7500/year	\$111,000 (est.)
Total	\$111,000

The Department recommends that the Commission approve the expenditure of remaining funds in the 12A Habitat Stamp Fund on the projects as proposed.

Commissioner Davis noted for the record that while this fund will no longer exist, there is now a larger pool of habitat dollars from the new application process, and he is sure that some of those dollars will be spent on the North Kaibab.

**Motion:** Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE EXPENDITURE OF REMAINING FUNDS IN THE 12A HABITAT STAMP FUND ON THE PROJECTS AS PROPOSED.

Director Voyles suggested that this item be placed on the consent agenda for April, which would allow the Department time to analyze it for any unintentional consequences.

**Motion and second withdrawn.**

The Commission was in consensus to place this item on the April agenda.

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**6. Petition to Close a Portion of Three Roads on State Trust Land Approximately Thirty Miles Southwest of Tucson, Arizona.**

**Presenter:** Mark Weise, Development Branch Chief

Mr. Weise briefed the Commission on a request by Walter Lane (Santa Margarita Ranch) to close a portion of three roads on State Trust Land located approximately thirty miles southwest of Tucson, Arizona. A map of the area was provided in a PowerPoint presentation. The reasoning behind this closure is due to the roads contributing to erosion in the area, and the fact that they are not maintained or designed to prevent future erosion. If granted, the closed roads will be obliterated in conjunction with soil stabilization efforts and should assist with preventing future erosion. Through cooperative agreements, the Altar Valley Conservation Alliance has done extensive work in the Altar valley to fight and prevent the erosion of topsoil, which typically leads to poor forage conditions. The Alliance has implemented the planning, installation and monitoring of watershed restoration practices in arroyos and associated uplands within the valley, which has had an invaluable benefit to wildlife and forage conditions. This closure request is an opportunity for the Alliance to complete this habitat restoration with rainwater harvesting strategies in mind that minimize erosion.

The petitioned roads are basically redundant ones; alternate access remains with other roads that have had soil stabilization work done to them. Therefore, this closure will not impact the current hunter access situation in this area. Regional personnel support this closure for natural resource protection.

**Motion:** Madden moved and Ammons seconded THAT THE COMMISSION VOTE TO APPROVE THE REQUEST TO CLOSE A PORTION OF THREE ROADS ON STATE TRUST LAND LOCATED APPROXIMATELY THIRTY MILES SOUTHWEST OF TUCSON.

**Vote:** Unanimous

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**7. Selection of New Members to the Heritage Public Advisory Committee (HPAC)**

**Presenter:** Marty Herrera, Heritage Fund Administrator

Mr. Herrera provided the Commission with a list of nominee for the Heritage Public Advisory Committee (HPAC) and asked that they vote to approve the selection of nine new members. The

terms of the nine members of the Heritage Public Advisory Committee (HPAC) are due to expire in March, 2014. The positions involve one representative from Region's I, III, IV, V and VI; two representatives from Region-II; one statewide and one national representative. The terms for newly appointed members will be three years. In accordance with the HPAC Charter, nominees were provided to the Commission for consideration as appointees to the HPAC. Biographical information for each nominee was also provided for reference.

**Motion:** Davis moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE THE FOLLOWING: GLENWOOD BRADLEY FOR REGION I, LES BUTTERS AND NOAH STALVEY FOR REGION II, STEVE SAMS FOR REGION III, JARED YOUNG FOR REGION IV, DEBRA COLODNER FOR REGION V, ALLEN TAYLOR FOR REGION VI, JONATHAN LINES FOR STATEWIDE, AND NICK LUND FOR NATIONAL.

**Motion to Amend:** Ammons moved and Harris seconded THAT THE MOTION BE AMENDED TO STATE JULIE ENGEL FOR REGION IV.

(Vote on Motion to Amend)

**Vote:** Aye - Harris, Davis, Madden, Ammons  
 Nay - Mansell  
 Passed 4 to 1

Commissioner Mansell stated that he would like to use the ballot system for selecting members. It seems to him that the ballot system offers more opportunity for all applicants to be considered.

**Motion and second withdrawn.** (Original motion and second)

Mr. Herrera facilitated the balloting system and the Commission selected the new members as follows:

<u>Region I</u> Glenwood Bradley	<u>Region II</u> Les Butters Noah Stalvey	<u>Region III</u> Steve Sams	<u>Region IV</u> Julie Engel
<u>Region V</u> Debra Colodner	<u>Region VI</u> Allen D. Taylor	<u>Statewide</u> Jonathan Lines	<u>National</u> Nick Lund

**Motion:** Davis moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE NEW MEMBERS BASED ON THE BALLOT SELECTIONS BY INDIVIDUAL COMMISSIONERS.

**Vote:** Unanimous

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8. Proposed Amendment to the Heritage Public Advisory Committee (HPAC) Charter Document

**Presenter:** Marty Herrera, Heritage Fund Administrator

Mr. Herrera briefed the Commission on proposed changes to the Heritage Public Advisory Committee (HPAC) Charter. Changes to the current HPAC Charter document (last Revised and Approved in June 09) are based on several housekeeping and format changes to clarify the current charter. The revised charter was provided to the Commission prior to this meeting for review. Primary proposed changes included the following:

- A change to the start and end date of term membership to coincide with the calendar year, January 1<sup>st</sup> thru December 31<sup>st</sup>, to replace current term membership dates of April 1<sup>st</sup> thru March 31<sup>st</sup>.
- Added language that allows the Department to backfill a vacancy due to an HPAC member's early resignation, at the end of each calendar year as needed.
- Added language that further defines membership terms for Regional, Statewide and National representatives.
- Added language that allows a current HPAC member whose term is due to expire, the first opportunity for consideration to serve an additional term not to exceed term membership requirements listed within the proposed charter.
- Added language that reduces the number of HPAC nominees solicited and considered for appointment to HPAC.

Commissioner Davis requested that the language be changed to allow the Commission to fill a vacancy in the case of a member's early resignation. Additionally, Commissioner Davis expressed concern about discouraging new potential members because of the language that allows a current HPAC member whose term is due to expire, the first opportunity for consideration to serve an additional term.

Director Voyles stated that Commissioner Davis' concerns will be addressed before final language is brought back to the Commission for approval at the next Commission meeting.

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Meeting recessed for a break at 10:40 a.m.

Meeting reconvened at 10:55 a.m.

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9A. Request to Commission to permit Department to contract with the Arizona Office of Administrative Appeals to conduct a hearing for the Commission

**Presenter:** Linda Pollock, Assistant Attorney General

Ms. Pollock presented the Commission with the option to have the Arizona Office of Administrative Appeals conduct the administrative hearing of the appeal of Betsy Lagos, dba Pinal Wildlife Rescue, of the Department's decision to deny renewal of the Lagos Wildlife Holding License.

On January 22, 2014 the Department confiscated all wildlife in the possession of Lagos at two locations in Arizona City, Arizona for thirteen counts of non-compliance with wildlife holding license regulations. The Department also served Lagos with a notice that her 2014 application

for renewal of a Wildlife Holding License was denied. Lagos has timely filed an appeal of this decision.

The hearing may take a full day and will involve several testifying witnesses. While applicants who are denied a special license may appeal the denial to the Commission, A.A.C.R. 12-4-409(D), the Commission, as a self-supporting regulatory body, may elect to either conduct the hearing or contract with the Arizona Office of Administrative Appeals to conduct the hearing for the Commission. A.R.S. § 41-1092.01(E). Following the conclusion of the hearing, the administrative law judge will send a copy of the decision to the Department and Commission, along with the record of the hearing upon request. The Commission retains its authority to make the final administrative decision on the appeal by accepting, modifying or rejecting the administrative law judge's decision. A.R.S. § 41-1092.08.

**Motion:** Davis moved and Harris seconded THAT THE COMMISSION VOTE TO APPROVE CONTRACTING WITH THE ARIZONA OFFICE OF ADMINISTRATIVE APPEALS TO CONDUCT THE HEARING OF BETSY LAGOS, DBA PINAL WIDLIFE RESCUE, AND THAT THE COMMISSION RETAIN ITS AUTHORITY TO MAKE THE FINAL ADMINISTRATIVE DECISION ON THE APPEAL.

**Vote:** Unanimous

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

Meeting reconvened at 12:30 p.m.

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#### 10. Call to the Public

Kurt Bahti, Co-Chair, Arizona Chapter, Backcountry Hunters and Anglers (BHA), addressed the Commission to introduce them to the new Arizona Chapter of BHA. BHA recognizes that hunting, fishing, and non-consumptive users are intricately linked to a healthy environment. They are not a single species group, nor just a game species group. BHA supports common sense, scientifically based wildlife and habitat wildlife management.

Beth Woodin, President, Arizona Heritage Alliance Board, thanked the Commission for their service and complemented the Arizona Wildlife Views, particularly the edition on the Mexican wolf. She doesn't know if the Catalina bighorn sheep reintroduction will be successful, but she appreciates the diverse working group that participated in the project.

Ricardo Small addressed the Commission stating that the bighorn sheep reintroduction effort is doomed to failure due to human activity in and around the Catalina Mountains. He urged the Commission to refrain from putting more bighorn sheep in the Catalina Mountains and wasting the lives of the sheep and the mountain lions.

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#### 11. Executive Session

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

**Motion:** Madden moved and Davis seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

**Vote:** Unanimous

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9. 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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10. Call to the Public

Ben Pachano, member of Friends of Wild Animals, but representing himself, stated opposition to the bighorn reintroduction program and certain other Game and Fish policies, however, he does appreciate the degree to which the Department has worked with environmental organizations on the reintroduction program. The reintroduction program is doomed to failure for several reasons and will waste the lives of the sheep and the mountain lions that prey on them. He urged the Department to discontinue the program and instead take the lead in partnering with environmental groups against habitat loss and degradation caused by urban sprawl and big infrastructure projects like mines and highways.

Larry Audsley, representing himself, expressed appreciation and support for the Catalina bighorn sheep reintroduction project. He understands the difficulty to have science-based wildlife management competing successfully against politics and misinformation, but he hopes the Commission continues with the project.

Brian Dolan, representing the Arizona Desert Bighorn Sheep Society, expressed his support and thanked the Commission and the Department for working to make this project happen. The Catalina Mountains deserve to have bighorn sheep back in them. Although the business of wildlife relocations can be unpleasant, it is not unlike other reintroduction programs. The Oro Valley symbol has a bighorn sheep on it and is a testament to what we are trying to do here, restore the ecological balance of the Catalina Mountains.

\* \* \* \* \*

12. Litigation Report

There were no comments or questions on the Litigation Report (attached).

\* \* \* \* \*

11. Executive Session (continued)

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:** Mansell moved and Davis seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

**Vote:** Unanimous

\* \* \* \* \*

13. Approval of Minutes and Signing of Minutes

**Motion:** Madden moved and Davis seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM FEBRUARY 7-8, 2014, EXCEPT FOR THE EXECUTIVE SESSION PORTION OF THE MINUTES, WHICH WILL BE ADJUSTED FOR APPROVAL AT THE NEXT COMMISSION MEETING.

**Vote:** Unanimous

The Commission signed the minutes following approval.

\* \* \* \* \*

14. Director's and Chairman's Reports

The Commission was in consensus to suspend the Director's and Chairman's reports.

\* \* \* \* \*

15. Commissioners' Reports

The Commission was in consensus to suspend the Commissioner's reports.

\* \* \* \* \*

Meeting recessed for the day at 4:00 p.m.

\* \* \* \* \*

\* \* \* \* \*

Meeting reconvened Saturday at 8:00 a.m.

\* \* \* \* \*

Chairman Harris called the meeting back to order and led those present through the Pledge of Allegiance, followed by introductions.

Chairman Harris requested a moment of silence in honor of Phoenix Police Detective John Hobbs who was killed in a shooting late Monday afternoon, March 3rd, in Phoenix.

### Awards and Recognition

Donna VanVlack, President of the Southern Arizona Chapter of the National Wild Turkey Federation (NWTf), presented Department Wildlife Manager Gabriel Paz with the 2013 NWTf Officer of the Year Award in recognition of his outstanding contributions to the reintroduction and protection of the Gould's wild turkey and continuing efforts to recruit and educate youth.

\* \* \* \* \*

### 1. Tucson Community Forum

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

Mr. Vega facilitated an informal community 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:

- Grassland restoration/Pronghorn Antelope project
- Borderlands Group presentation on habitat restoration projects in the region
- Lower San Pedro Watershed Alliance presentation
- Update on the Catalina Bighorn Sheep project

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

\* \* \* \* \*

### 2. Future Agenda Items and Action Items

Deputy Director Ty Gray captured the following action and agenda items:

- Identify potential vehicles to attach resolutions stipulating the state's concerns regarding reprioritization of the National Fish Hatchery system and the denial of the state's offer to stock trout at Willow Beach, to include developing language to address the issue through possible legislation
- Analyze potential liabilities of trout stocking at Willow Beach in response to the National Fish Hatchery's cessation of trout production
- Keep the Commission informed of the status of HB2699, which will happen monthly through the legislative update
- During the FY16 budget development, make sure to incorporate the needs of the Portal development and refinement
- Regarding exempt rulemaking related to bundled services, create the flexibility to adjust as needed over time; the Department will inform the Commission as soon as possible of any issues that may require legislation; maintain the January implementation deadline
- Analyze the implications of the Kaibab Fund and how we fund and budget these in the future as it relates to the Department's cooperative agreement with the Forest Service

- Regarding the HPAC Charter, reconsider the language regarding the first consideration of members moving to the state or national position while allowing someone else to apply if they wanted to, and consider language regarding the timing of filling vacant position that may come open before the regular timeframe.

\* \* \* \* \*

11. Executive Session (continued)

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:** Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

**Vote:** Unanimous

\* \* \* \* \*

Chairman Harris called the public session back to order to adjourn.

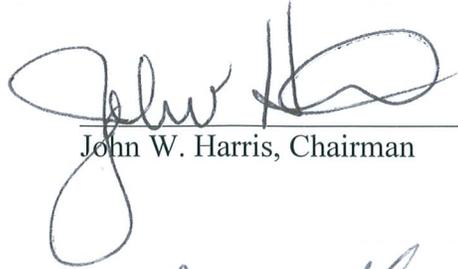
**Motion:** Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

**Vote:** Unanimous

\* \* \* \* \*

Meeting adjourned at 12:35 p.m.

\* \* \* \* \*



John W. Harris, Chairman



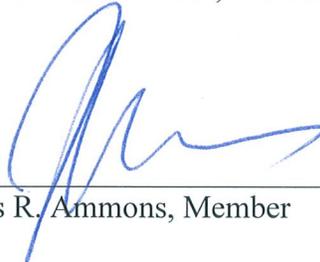
Robert E. Mansell, Vice Chair



Kurt R. Davis, Member

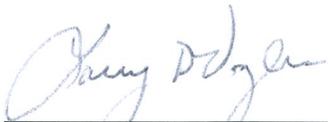


Edward "Pat" Madden, Member



James R. Ammons, Member

ATTEST:



Larry D. Voyles  
Secretary and Director

**Game and Fish Litigation Report  
Presented at the Commission Meeting  
March 7-8, 2014**

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 ("USFS") 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 USFS 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 USFS 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.

On February 5, 2013, the plaintiffs filed a response to the USFS' motion to dismiss. On February 22, 2013, the District Court issued an order granting the USFS until March 25, 2013 to file a reply in support of its motion to dismiss. On March 25, 2013, the Forest Service filed a reply in support of its motion to dismiss. The parties are awaiting an oral argument hearing on the motion to dismiss.

On July 2, 2013, the court granted the Forest Service's motion to dismiss. The court agreed with the Forest Service that CBD did not have standing to bring the RCRA challenge against the Forest Service. The court found that CBD could not satisfy the requirements for standing because redressability was speculative on two grounds. First, in order for the Forest Service to regulate the use of lead ammunition, it would need to undertake a rulemaking process, comply with NEPA and consult with the Arizona Game and Fish Commission. Due to uncertainty with this process, the court found the outcome of the process speculative. Second, the court found that condors range in an area well beyond the Kaibab National Forest and into areas that do not prohibit the use of lead ammunition. Therefore, even if the Forest Service banned lead ammunition, this would not necessarily reduce the level of lead ingestion in condors.

Plaintiffs filed a notice of appeal on August 21, 2013. On November 27, 2013, plaintiffs (now appellants) filed an opening brief with the Ninth Circuit Court of Appeals. **The Forest Service filed its opening brief on January 29, 2014 and the Commission filed its amicus brief on February 7, 2014. Plaintiffs have until March 14, 2014 to file a reply brief.**

2. *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.

On February 12, 2013, WildEarth Guardians filed an opening brief. On February 15, 2013, the Tenth Circuit issued an order extending the time to file an answering brief until April 17, 2013. The Commission's amicus brief is due seven days after the date the answering brief is filed. The Appellees filed the answering brief on April 17, 2013 and the State of Arizona filed an amicus curiae brief on April 23, 2013. Guardians filed its reply brief on May 20, 2013.

Oral argument occurred on January 24, 2014. The Court's questions focused primarily on the jurisdictional issues of sovereign immunity and standing. **The Court issued an opinion on February 19, 2014. The Court held that Plaintiffs had no standing due to a lack of redressability because the Chair of the New Mexico Commission had no authority alone to correct any alleged violations. The Court ordered the case remanded back to the District Court with instruction to dismiss the case without prejudice to allow Plaintiffs to refile the case.**

## **Lands Update**

For the Arizona Game and Fish Commission

February 28, 2014

Phoenix, Arizona

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

**General Planning Status** – Please see attached worksheet.

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

- No change.

#### **Apache-Sitgreaves National Forest**

- On January 29, 2014, Region I personnel continued monitoring limnological conditions in several lakes prone to winter fishkills, including Carnero Lake, Crescent Lake, and Lee Valley Lake on the Apache-Sitgreaves National Forest, Apache County.

#### **Coconino National Forest**

- The Department is currently reviewing the draft Forest Plan and draft Environmental Impact Statement with comments due March 30<sup>th</sup>.

#### **Coronado National Forest**

- The Draft Travel Management Plans (TMP) are being developed for each District and will be released successively for public comment beginning with the Nogales District in March 2014.
- The Department submitted comments on the draft proposed land management plan (LMP) and programmatic draft environmental impact statement (DEIS) on February 20<sup>th</sup>.
- Rosemont Copper Project - The Department filed objections on the Final Environmental Impact Statement and the draft Record of Decision on February 14.

#### **Kaibab National Forest**

- No changes

#### **Prescott National Forest**

- March 17, 2014 has been established as the date for the Region3 (as well as R-6 and R-2) annual coordination meeting with Prescott National Forest. It will take place at the Henry Kim Aviation Center in Prescott Valley.

#### **Tonto National Forest**

- The Tonto National Forest (TNF) has initiated the design phase of the public participation process for the Forest Plan revision process. The Department was invited and attended the Mesa and Payson meetings. The Department has also been invited and plans to attend the upcoming workshop focused on public participation opportunities.
- The Department recently met with TNF leadership to discuss the recent turn over in the TNF and the resulting delays in the travel management EIS. The Department participates as part of the ID Team for implementation of the travel management plan.

- OHV Rehabilitation/Improvement Project - The Department provided comments on the project including recommendations to further stewardship and public information, monitoring activity in specific areas instead of installing a vehicle enclosure, as well as addressing the shooting area at the junction of FR143 and 11.

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

### **Kingman Field Office**

- On February 6<sup>th</sup>, Region 3 successfully hosted the annual coordination meeting with personnel from Region 4 and personnel and staff from BLM Kingman.

### **Lake Havasu Field Office**

- A contractor has recently completed a re-inventory of the Bouse Travel Management Area. BLM is planning on a week of route evaluations this summer. The Department is a cooperating agency and will be an active participant in the route evaluations.

### **Tucson Field Office**

- The Tucson Field Office has completed the scoping report for the San Pedro Riparian National Conservation Area (SPRNCA), documenting the scoping process, impacts, and potential alternatives to address in the RMP/EIS.

### **Phoenix District Office**

- The Department, Phoenix District Office and Hassayampa Field Office will be holding the annual coordination meeting in April.

### **Yuma Field Office**

- No change.

## **BUREAU OF RECLAMATION**

### **Cibola Valley Conservation and Wildlife Area**

- Phase 7 of Cibola Valley Conservation and Wildlife Area (CVCWA), a 72 acre parcel, will be planted in a cover crop of wheat this spring to create dove hunting opportunities and prepare the soil for tree planting. Department personnel are coordinating with the Bureau of Reclamation to provide input on planting designs.

## **NATIONAL PARK SERVICE**

### **Petrified Forest National Park**

- On February 5, 2014 Department personnel met with personnel from the Petrified Forest National Park for an annual coordination meeting.

## **FEDERAL WILDLIFE REFUGES**

### **Buenos Aires National Wildlife Refuge**

- Five wildlife water catchments were installed on the Buenos Aires National Wildlife Refuge (BANWR) during the week of 12/9/13. Four of the troughs were installed in GMU 36A while one was installed in GMU 36B.

## **WILDLIFE AREAS**

### **Horseshoe Coordinated Resource Management Plan (CRMP)**

- The interagency planning team met for discussion of next steps to continue drafting the CRMP document and refining the issues for the NEPA process. Tasks were re-assigned to tackle sections of the CRMP document, additional sub team meetings and work sessions deadlines were assigned and the need for a spring stakeholder meeting was

## **ENERGY DEVELOPMENT**

### **PIPELINES**

#### **Kinder Morgan CO<sub>2</sub> Pipeline Project**

- Departmental personnel provided comments to the Socorro, New Mexico BLM office following a public scoping meeting.
- The Department has received a letter from the BLM inviting the Department to be a Cooperating Agency during the NEPA process.
- The letter also stated that the St. Johns CO<sub>2</sub> field would be analyzed as a connected action to the construction of the Los Lobos CO<sub>2</sub> pipeline.

#### **Sierrita Natural Gas Pipeline Project**

- Cooperating agencies received the Draft Final EIS February 7<sup>th</sup>. Comments are due to the FERC by February 21<sup>st</sup>, with publication of the Final EIS projected for late April.

## **TRANSMISSION LINES**

### **Southline Transmission Line Project**

- The BLM had a cooperating agency conference call on February 11, 2014 to inform the agencies of the agency preferred route that includes Subroute P7 which extends from northeast of Willcox to the southwest, along the east side of the Willcox Playa and through the Willcox Playa Wildlife Area.
- The Department has requested that BLM eliminate Subroute P7 from further consideration on multiple occasions due to its proximity to sandhill crane and waterfowl roosting areas.

## **TRANSPORTATION**

### **I-11 Phoenix to Las Vegas Project**

- The Department commented on the Phase 2 analysis on January 30<sup>th</sup> prior to ADOT making it available for public comment. The commenting period will extend through the first week of March. The Department is currently gearing up for the Phase III analysis.

### **US 93**

- The Department has participated with ADOT in the design process for the proposed widening of US 93 from SR 71 to SR 89. The Department's review of the 60% design indicates no significant wildlife issues.

### **Southern Parkway**

- MCDOT has identified the Southern Parkway in the I-10/Hassayampa Valley Roadwork Framework study as a necessary high capacity roadway to serve the future developments west of the White Tank Mountains. The Southern Parkway Study Area is approximately 11-miles in length stretching one-half mile west of Salome Highway to one-half mile east of SR85. The study area is defined by a two-mile corridor centered on Southern Avenue. Department personnel have provided comments on recent technical memos and will continue to remain involved in the planning process.

### **Greenway and Wintersburg Parkways**

- MCDOT has initiated two new parkway feasibility studies for east/west corridor between the White Tank Mountains and the Belmont Mountains, transecting the Hassayampa River corridor. At this time MCDOT is requesting scoping input from stakeholders and is finalizing the Technical Memorandum 5 (TM5) - Preferred Alignment for Greenway Parkway.

## **GENERAL UPDATES**

### **Central Arizona Grasslands Conservation Strategy (CAGCS) Implementation Team**

#### **Agua Fria – Sycamore Mesa Grassland Habitat Enhancement Project**

- Robert Winders is on site cutting in units BLM 10 and 11; estimated timeframe 6 weeks.
- The Department is finalizing a contract with Summitt Forests to cut 389 acres in units PNF 6, 14 and 15.
- The Department anticipates treating an additional estimate of 80 acres in PNF 13 and a retreatment in PNF 2.

### **Redhawk Copper Project in Northwest GMU 32**

- Arizona Redhawk is a Canadian-based mining company exploring copper deposits in southeast Arizona with primary focus on the Copper Creek copper-molybdenum project east of Mammoth on the north end of the Galiuro Mts in Unit 32.
- The Copper Creek property consists of approximately thirty-three square miles of contiguous patented and unpatented mining claims and state prospecting leases, located about 70 miles northeast of Tucson. Until recently, most of the patented claims were open to public use, but many have now been posted closed.

### **Sombrero Butte Copper Project**

- Copper Fox Metals, a Canadian Mining Company, holds, through Desert Fox Copper Inc. ('Desert Fox') and its wholly-owned subsidiaries, the Sombrero Butte copper project, a mining exploration and potential mining project in northwest Unit 32. .
- The Sombrero Butte property consists of 2,887 acres located in the Bunker Hill Mining District 44 miles northeast of Tucson, Arizona. The project is located 9 miles east of the San Manuel Mine (14 billion lbs Cu), and 2 miles south of Redhawk Resources' Copper Creek project (1.1 billion lbs Cu), and both Redhawk and Millrock Resources have recently conducted drilling within 1 mile of the northern property boundary.

### **Concentrate Wetlands Management**

- The City of Goodyear and the Bureau of Reclamation are conducting a siting study for a demonstration concentrate management wetland.

### **Ray Mine Tailings Facility in GMU 37B**

- The Department attended an interested agency status update meeting on February 6th. Results from that meeting are not yet available.
- ASARCO is moving forward with an application to purchase 12 sections of State Trust Land for the facility. The auction for the State Land is anticipated to occur in the next few months.

### **Pinal Partnership Open Space and Trails Committee**

- The Committee held an Economics Benefits of Open Space workshop. The Department had an exhibit booth and participated as a part of the presentation panel.

### **Town of Buckeye**

- The Department continues to work with Buckeye planning staff on linkage planning and most recently provide review/input on the "*Buckeye Wildlife Corridor Study Scope of Work*".

### **Turkey Capture – Region 1**

- On January 30 and February 6, 2014 Department personnel captured two flocks of turkeys in GMU 1 and equipped a total of 25 female turkeys with VHF radio transmitters as part of a project looking at mortality rates and survival in female turkeys. The transmitters have a lifespan of 2-3 years and the turkeys will be monitored approximately 6 times/year. This project should help the Department evaluate appropriate harvest levels on female turkeys, which are legal to hunt on fall turkey hunts. Both of these captures occurred on the Apache-Sitgreaves National Forest.

### **Rainbow Lake**

- On February 11, 2014, Department personnel conducted an exploratory survey of Rainbow Lake in Navajo County to check if Northern pike were beginning to stage for the spring spawn. The survey confirmed that the pike are staging earlier than normal. Mechanical removal using volunteers will begin on February 18 using volunteers.

<b>Forest</b>	<b>Status</b>	<b>Next Step</b>	<b>Projected Next Step Completion</b>
<b>Apache Sitgreaves</b>	The Proposed LRMP and Draft EIS public review period ended 5/16/2013.	Final LRMP EIS, TMP on hold.	Final EIS (LRMP) 6/2014 TMP start after LRMP complete, draft out late 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.		
<b>Coconino</b>	TMP signed Sept 2011, MBGR appeal denied; Draft EIS(LRMP) ready. Motor Vehicle Use Maps (MVUM's) available	Draft LRMP EIS comment period began Dec. 20	Decision anticipated 6//2015
Issues:	Dispersed camping 300 ft from designated roads, else 30 ft. MBGR for elk only, 1 mile from roads except GMUs 5A & 5B.		
<b>Coronado</b>	Proposed Plan & DEIS released 12/19/13	Under review by AGFD	Final EIS 7/2014
	TMP in Process in all Districts.	Final TMP	Final TMP end of 2013: Decisions by district: Douglas 7/2014; Nogales 3/2013; Safford 3/2014; Santa Catalina 3/2014; Sierra Vista 9/2014
Issues:	Motor Vehicle Use maps show access through roads that have locked gates. Maps not enforceable.		Meeting with Nogales District March 11.

<b>Forest</b>	<b>Status</b>	<b>Next Step</b>	<b>Projected Next Step Completion</b>
<b>Kaibab</b>	AGFD appeal on North Kaibab TMP declined. TMP completed by district. MVUM's available.	Final LRMP	LRMP Decision early 2014
Issues:	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		
<b>Prescott</b>	Final EIS in Federal Register imminent. AGFD personnel were invited to participate in Strategic planning	Expected FEIS in Federal Register 3/2014	Will not do new TMP. Rely on 2009 updated/amended TMP
Issues:	Current draft advocates MBGR: Elk within 1 mile of designated open road. May be changed by amendment. Dispersed camping 300' from centerline of designated roads. Wilderness under consideration		
<b>Tonto</b>	LRMP began 2006. Negotiating to reinstate due to rule change. TMP elevated to EIS from EA. Notice of intent to prepare TMP EIS has been released for review and comment. Department comments submitted 3/4/2013. Request to be Cooperating Agency has been accepted. IDT teams have met and individual Ranger District meetings have been held.	LRMP Assessment beginning; public scoping in 2014. TMP final EIS anticipated 11/13	Final LRMP & EIS Fall 2017
Issues:	Consistency across forests, enforceability, MBGR, road closures, and Dispersed Camping all addressed in response to NOI.		