

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, February 6, 2015
Saturday, February 7, 2015
Wickenburg Town Hall Council Chambers
155 N. Tegner St.
Wickenburg, Arizona 85390

PRESENT: (Commission)

(Director and Staff)

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

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

Chairman Mansell called the meeting to order at 8:00 a.m. and led those present through the Pledge of Allegiance. The Commission and Director Voyles introduced themselves and Director Voyles introduced his staff. This meeting followed an agenda revision #1 dated February 4, 2015.

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1. Call to the Public

John H. Cook, Mayor of Wickenburg, welcomed the Commission to the Town of Wickenburg and expressed appreciation for what the Commission does for wildlife in the State of Arizona.

Dinah Bear, from Region V, Tucson, via video teleconference, expressed her support for National Monuments and her concerns in regards to predator hunts such as those promoted by the organization Predator Masters.

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2. 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 these items to the Commission and no items were pulled for discussion. The Commission took action on the following:

a. Shooting Sports Activities Briefing

Presenter: Marty Fabritz, Shooting Sports Branch Chief

The Commission was provided with a written Shooting Sports Activities Briefing prior to this meeting (also available to the public) related to shooting sports including shooting programs and shooting range development statewide. The briefing covered activities and events that have occurred since the last regular 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: 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 regular 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 regular 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: Dr. 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 regular 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 the Commission to authorize the Department to conduct a supplemental translocation of bison to Raymond Wildlife Area from a National Park Service Unit.

Presenter: Amber Munig, Big Game Management Supervisor

For most of the last decade, the bison herd at Raymond Wildlife Area (RWA) spent too much time off the wildlife area. While off the wildlife area they caused conflicts with other uses of neighboring lands, including permitted livestock operations. The Department deployed several

strategies to keep the bison from leaving the wildlife area. Since these strategies have been deployed, the bison herd at RWA is staying on the wildlife area.

The RWA bison herd, after spring 2015 hunts, will number about 50 animals. RWA is permitted for up to 180 bison. The Department believes that infrastructure and bison behavior have advanced enough to warrant increasing the herd to between 100 and 150 bison. In addition, there is a national effort to understand and improve the genetic integrity of bison across the country. Arizona's bison are native wildlife and considered big game animals, qualifying for entry into trophy record books. While Arizona's bison are phenotypically and behaviorally indistinguishable from genetically pure bison, Arizona's bison herd has been shown to contain a relatively high compliment of cattle gene introgression. The introgression in and of itself does not lessen the intrinsic value of bison to Arizonans, nor their value to sportsmen as a source of hunting recreation, lean meat, or as trophies. In essence, Arizona's bison are considered by the Department to be ecologically restored.

Several National Park Service (NPS) Units manage bison that have significantly less cattle gene introgression. On an annual basis, the NPS offers live bison to various entities for the purposes of increasing the number. The Department has an opportunity to request bison from the National Park Service for the purposes of supplementing the bison herd at RWA. The supplemental translocation could accomplish three things at RWA.

- Increase the bison herd size immediately to a number closer to the RWA capacity, allowing for greater wildlife viewing and hunting recreation for Arizonans
- Increase genetic diversity of the RWA herd
- Decrease the over-all level of cattle gene introgression in the herd. This action would help contribute to the national effort to conserve the native genome of bison.

Prior to completing a bison translocation the Department will comply with all of the elements of Department policy II.2 Game Animal Translocation Procedures.

The Department believes the NPS bison would be available to the Department at no cost or for the cost of shipping only. Shipping cost has not been defined because the actual source location is one of several NPS units. The Department is requesting permission from the Commission to pursue this supplemental translocation provided that it is logistically feasible and financially affordable.

The Department recommends THAT THE COMMISSION AUTHORIZE THE DEPARTMENT TO PROCEED WITH PLANNING AND EXECUTION OF A BISON TRANSLOCATION TO RAYMOND WIDLIFE AREA FROM A NATIONAL PARK SERVICE UNIT.

f. Approval of Revised Commission Policy A2.34, Reintroduction of Federally Listed Wildlife.

Presenter: Mike Rabe, Nongame Wildlife Branch Chief

The Department will ask the Commission to approve revised Commission policy A2.34 (attached), regarding Reintroduction of Federally Listed Wildlife, which establishes the Director's authority to reintroduce federally listed endangered species when appropriate outside of the twelve step process. This policy provides guidance for Department restoration activities for listed endangered species already present in the state (e.g., topminnow, pupfish, black-footed

ferret). The policy was revised to change references to National Environmental Policy Act (NEPA) documentation to environmental compliance documentation, and to increase clarity.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE THE NEW COMMISSION POLICY A2.34 REGARDING REINTRODUCTION OF FEDERALLY LISTED WILDLIFE.

g. Approval of Memorandum of Understanding among the Arizona Game and Fish Commission, the New Mexico Department of Transportation and the New Mexico Department of Game and Fish.

Presenter: Tim Wade, Chief, Wildlife Contracts Branch

The Department's Wildlife Contracts Branch has developed a considerable number of unique techniques and skill sets that are useful to the New Mexico Departments of Transportation and the New Mexico Game and Fish Department. They have requested that the Department's Wildlife Contracts Branch lend their expertise and knowledge of projects related to fish and wildlife populations, habitat connectivity and the inclusion of wildlife highway crossing structures into highway construction within the State of New Mexico, to their agencies through a Memorandum of Understanding with the Department. All costs for the Department's work within the State of New Mexico will be covered by their Departments under appropriate Collection Agreements as projects come on line.

The Department recommends THAT THE COMMISSION VOTE TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AND THE NEW MEXICO DEPARTMENT OF GAME AND FISH THAT ALLOWS THEM TO RETAIN THE SERVICES OF THE DEPARTMENT'S WILDLIFE CONTRACTS BRANCH UNDER CONTRACT TO ASSIST THEM WITH PROJECTS RELATED TO FISH AND WILDLIFE POPULATIONS, HABITAT CONNECTIVITY AND THE INCLUSION OF WILDLIFE HIGHWAY CROSSING STRUCTURES INTO HIGHWAY CONSTRUCTION WITHIN THE STATE OF NEW MEXICO.

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A, B, C, D, E, F, AND G.

Vote: Unanimous

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3. Utah Public Lands Initiative

Presenter: Jorge Canaca, Legislative Liaison

Mr. Canaca introduced Fred Ferguson (Chief of Staff to Congressman Chaffetz-UT) who provided a PowerPoint presentation and discussion regarding the Utah Public Lands Initiative. In contrast to Presidential Action, a National Monument established by Congress goes through "regular order" which means a bill receives public hearings, mark-ups, and transparent debate, as well as an open and deliberative process that includes input and participation from the public.

The State of Utah has coalesced an impressive array of representatives from the development, conservation, outdoor recreation, and sportsmen's community, to unveil the draft Daggett County lands proposal agreement as part of the broader Utah Public Lands Initiative. A local state-based model for land designation that can communicate and highlight the value of specific landscapes based upon its value for wildlife conservation, economic development, providing recreation, and potentially for meeting other natural resource objectives based on priorities of various state interests, missions and jurisdictions. This designation would be used as a geographic framework along with existing county plans or objectives to establish and communicate the state's management intentions and desired future outcomes.

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Meeting recessed for a break at 8:59 a.m.

Meeting reconvened at 9:13 a.m.

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3A. Legislative Engagement and State and Federal Legislation

Presenter: Jorge Canaca, Legislative Liaison

Mr. Canaca provided a PowerPoint presentation and briefing on the current status of selected state and federal legislative matters. The presentation included the following information and Commission action:

Budget:

The Department is currently working to ensure that Watercraft Special Line Item and Capitol Improvement Funding Recommendations by JLBC mirror those of the Executive recommendation.

State Legislation

Status of Commission Supported Legislation:

- HB2396: Wildlife; guides; firearms: MAPS Committee Passed 9-0
- HB2399: G&F; Hunter Harassment: MAPS Committee Passed 9-0
- HB2365: OHV; enforcement: Referred to House MAPS Committee, awaiting hearing

Commission Legislative Agenda

- SB1466: livestock loss board; compensation fund: Under Title 17 establishes a 9-member Livestock Loss Board to address the depredation of wolves on livestock operations; requires Board to establish and implement procedures to compensate landowners, lessees or livestock operators for livestock depredation caused by wolves; the Livestock Compensation Fund is established for this purpose; the Board MAY implement a pay-for-presence program that provides compensation for the landowners, lessees and livestock operators who allow wolves to be present on their property and accept potential livestock depredation caused by wolves; the Board is required to submit a report to the Governor and the Legislature by December 31 of each year that includes

specified information on the compensation and any recommendations; the Board terminates on July 1, 2023

- The Department is currently working on an amendment to clarify eligible compensation funds as funds appropriated from the state general fund and not AZGFD
- SB1386: wildlife transportation and release prohibition: Makes it unlawful for a person to knowingly and without lawful authority import and transport into Arizona and release within Arizona a species of wildlife that is listed as a threatened and endangered candidate species under the federal Endangered Species Act. "person" (defined as an individual, partnership, corporation, group, company, society, the federal government, state or local government or any political subdivision); Violations are a class 4 (mid-level) felony, except that violations with the intent to disrupt or interfere with the development or use of public natural resources to establish the presence of the species in an area not currently known to be occupied by that species is a class 2 (second-highest) felony. It is unlawful for a person to release wildlife except as expressly permitted by state statute. Violations are a class 2 (mid-level) misdemeanor.
- SB1387: recreational user immunity; access: Clarifies that payment by a state agency to a landowner or lessee for public recreational access is not considered payment of an admission fee.

The Department recommends that the Commission vote to support SB1386, SB1387 and SB1466.

Motion: Madden moved and Harris seconded THAT THE COMMISSION VOTE TO SUPPORT SB1386, SB1387 AND SB1466; WITH THE AMENDMENT AS PRESENTED REGARDING SB1466.

Vote: Unanimous

Other Legislation of Interest

- HB2236: ATV and motorcycle passengers: Change would make it legal to carry a passenger on an ATV or motorcycle not originally designed or manufactured as a two-up machine if it is equipped or retro-fitted to comply with the standards in ARS 28-964.

The Department has coordinated with the County Sheriffs on this issue and recommends the Commission vote to support HB2236.

Motion: Harris moved and Davis seconded THAT THE COMMISSION VOTE TO SUPPORT HB2236 WITH THE EXCEPTION THAT CARRYING A PASSENGER NOT BE MADE LEGAL BUT RATHER BE MADE NOT ENFORCABLE.

Vote: Unanimous

- SB1185: appropriation; wolf recovery; litigation costs: Appropriates \$250,000 from the general fund in FY2015-16 to the Department of law for litigation expenses relating to a challenge against any expansion of the Mexican wolf recovery program in Arizona.

- Appropriates \$250,000 to the AG for a challenge "against ANY expansion of the Mexican wolf recovery program in this state." This language conflicts with the Department's objective to preserve the revised 10(j) rule. The Department is working to eliminate the word "ANY".

Motion: Davis moved and Mansell seconded THAT THE COMMISSION VOTE TO SUPPORT SB1185 WITH THE APPROPRIATE LANGUAGE CHANGE AS PRESENTED.

Vote: Unanimous

Congressional Update

- Sportsmen's Act of 2015: This bill includes 14 provisions, several similar to those within the Bipartisan Sportsmen's Act of 2014 from the 113th Congress. Among other provisions, the bill makes the existing exemption from EPA regulation for lead shot permanent, and adds lead tackle to the exempted products, leaving regulatory authority to the U.S. Fish and Wildlife Service and state fish and wildlife agencies; Requires federal land managers to consider how management plans affect opportunities to engage in hunting, fishing and recreational shooting; enables states to allocate a greater proportion of federal funding to create and maintain shooting ranges on federal and non-federal lands; and directs 1.5 percent of the Land and Water Conservation Fund to enhancing public recreational access for hunting, angling, and recreational shooting, otherwise known as Making Public Lands Public (MPLP).
 - The Department is coordinating with Senator McCain's office on a potential bison amendment.

Land-use Designations:

- XL Keystone Pipeline Monument Designation Restrictions: Daines Amendment-All future national monument designations should be subject to consultation with local governance and the approval of the Governor and legislature of states in which designation would occur.
- Montana & Nevada: Prohibit the establishment of new national monuments without express consent of Congress
- Utah Public Lands Initiative: A local state-based model for land designation that can highlight the value of specific landscapes based upon their multiple-use value for wildlife conservation, economic development, providing recreational opportunities, and potentially for meeting other natural resource objectives based on priorities of various state interests.
 - Congressional delegates Kirkpatrick, Gallego and Grijalva sent a letter pressing President Obama to use his authority under the Antiquities Act to name the Grand Canyon watershed a national monument
 - The Department has connected with Kirkpatrick's District Director and are in the process of setting up a meeting with the Congresswoman's Legislative Director. The Department has supplied them with initial briefing papers detailing the Commission's opposition from 2012

Congressional Engagement

The President released his FY16 budget. AFWA will be assembling its budget recommendations in the coming weeks. The budget proposes \$70M for State and Tribal Wildlife Grants for FY16, a nearly 20% increase. If enacted, it would raise funding for the program to the highest level since FY10. Most of the increased funding is put into competitive grants for states and tribes. At the end of February, the Department will participate in the Teaming with Wildlife trip to D.C. to visit with the Congressional delegation to inform them of the importance of SWG funds to the states. NISAW-National Invasive Species Awareness Week will also coincide with this trip and provide an opportunity to discuss the impacts of invasive species (Quagga mussels). The Department is scheduling meetings with the Congressional Delegation and D.C. Staff to discuss Commission legislative priorities, including the Sikes Act, Mexican wolf, GCNP bison, and monument designations.

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5. Customer Portal Project

Presenter: Doug Cummings, Branch Chief, Information Systems

Mr. Cummings presented an update using a PowerPoint presentation on the development of the Customer Portal (website with Customer Login capabilities with improved customer access to information, products and services) along with the next steps. The briefing included updates on the development of bundled/subscription services, planning for future releases of the Portal, and discussion of potential paperless sales. The update included the following information:

Portal Development Progress:

- Customer Portal Development Complete
 - Amazon Environment (Production)
 - Login/Reset/Create an Account/Notification/Messaging
 - Access to Account Information (Hunt/Fish Licenses, Tags, Bonus Points, Customer Information)
 - eCommerce (Purchase Transactions, Bundled Services)
 - Initial Content Load
- Customer Portal Development In Process
 - Advertising (Sponsors, Marketing, etc.)
 - Final Testing

Driving to the Future:

- Portal 1.0
 - Launch Between Elk/Antelope Draw Closing and Draw Results Announcement
- Portal X.X
 - Assembling Team to Define Functionality of Upcoming Releases
 - Preliminary Direction Includes New Functionality for: Wildlife Viewing, Wildlife Sponsor (Bundled Service), Notifications, Advertising
- Paperless
 - Assembling Team to Define Requirements and Approach
 - Likely to be an Extension of the Portal
- Related/Supporting Projects
 - Game Data Management and FINS RX.X

The Commission expressed their appreciation to the Department for all their hard work and discussed getting the word out to the public, as well as sending out draw application deadline reminders.

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6. BLM Travel Management Rules; the Box Canyon Opportunity

Presenter: Pat Barber, Yuma Regional Supervisor

Mr. Barber introduced Rem Hawes, BLM Hassayampa Field Manager, and Robert Carmona, Wickenburg Parks Director. Mr. Hawes and Mr. Carmona provided the Commission with a PowerPoint presentation and briefing on public access and Travel Management Planning (TMP) and Rules for the Box Canyon area of the Hassayampa River north of Wickenburg. Initial Travel Management Rules would have imposed a seasonal closure in the area which was very unpopular with local outdoor recreationists and the Wickenburg Community. Since the initial controversy the Hassayampa Field Office and the Community of Wickenburg have committed to a collaborative approach that will potentially minimize conflict by protecting public access, simultaneously protect sensitive riparian habitats in the area, and also provide a potential template for collaborative efforts in other parts of the state.

Public Comment

Ernest McCollum, Morristown resident, expressed appreciation that the issue is being worked out, but also pointed out concerns about environmental laws being used to take away the freedom of citizens.

John "Scott" Powelson, Wickenburg resident, expressed concerns about the designation of critical habitat for the yellow-billed cuckoo; people could just be advised to leave them alone if they should happen to see one rather than closing off the area.

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Meeting recessed for a break at 10:42 a.m.

Meeting reconvened at 10:57 a.m.

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7. Approval of a License Agreement with Navopache Electric Cooperative for Providing Electrical Service at White Mountain Grasslands Wildlife Area.

Presenter: Joyce Francis, Habitat Branch Chief

Ms. Francis briefed the Commission on the renewal of a License Agreement with Navopache Electric Cooperative for providing electrical service at White Mountain Grasslands Wildlife Area. The Commission currently has an agreement with Navopache Electric Cooperative authorizing them to provide electrical service to the White Mountain Grasslands Wildlife Area. The agreement expires April 10, 2015. The Department has determined that the service is needed to power a circulation pump in the fish refugia pond on the property. Therefore, the

Department is requesting authorization to renew the agreement. The terms and conditions would remain the same.

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

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8. Approval of New Commission Policy A2.3, Law Enforcement Access

Presenter: Jim Hinkle, Field Operations Division Assistant Director

Mr. Hinkle briefed the Commission using a PowerPoint presentation on a new Commission policy, A2.3, Law Enforcement Access. This policy would establish and communicate the Commission position that Department law enforcement personnel have access for routine patrol to all areas of the state where wildlife is taken. The policy also instructs the Department to proactively seek that access and consider options if access is not provided.

Chairman Mansell read a statement into the record as follows: "First of all, I believe this policy is long overdue and I am proud to be the Chair of the Commission that may approve this at some point. The members of this Commission take our statutory and public trust obligation very seriously. To advocate a responsibility to ensure that wildlife is taken lawfully and under sound scientific management to private interests is simply not acceptable. Permitting the take of the public's wildlife in areas where Department Game Rangers are denied access is tantamount to advocating that responsibility. It is because of my solemn belief in the Commission's public trust responsibility I strongly support the adoption of this policy. Lastly, I would like to affirm that I and my fellow Commissioners are all strong supporters of private property rights and absolutely support the right of the landowner to control who enters their property and what activities occur on their property. That being said, I believe that if the private property owner chooses to take or allow his guests or clients to take the state's wildlife on property under their control, they have an obligation to provide access to Wildlife Officers to ensure that wildlife is taken lawfully. I hope that landowners will enjoy hunting and fishing on their property and allow their guests to do so as well. Along with that enjoyment of a public resource is a good neighbor responsibility to allow our Game Rangers access to conduct law enforcement patrols and field checks."

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

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9. Request to Repeal Commission Policy A2.15, Procedures for Implementation of the Water Conservation and Recreation Development Fund and All Water-Oriented Developments

Presenter: Al Eiden, Landowner Relations Program Manager

Mr. Eiden briefed the Department's request to repeal Commission policy A2.15. The Department recommends Commission policy A2.15, Procedures for Implementation of the

Water Conservation and Recreation Development Fund and All Water-Oriented Developments be repealed because it is obsolete; A.R.S. § 17-267 prescribes how monies deposited to this account may be used. In addition, repealing the policy does not diminish the Commission's authority over how the Land and Water Conservation and Recreation Development fund may be spent.

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

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10. Approval of Revised Commission Policy A2.28, Protocol for Closing Wildcat Roads on State Trust Grazing Land

Presenter: Al Eiden, Landowner Relations Program Manager

Mr. Eiden briefed the Commission on a draft revised Commission policy A2.28, Protocol for Closing Wildcat Roads on State Trust Grazing Land. The policy establishes the process by which wildcat roads can be closed, if agreed upon by the Wildlife Manager, Arizona State Land Department Range Resource Area Manager, and lessee. The policy was revised to increase clarity and understanding.

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

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11. Cooperative Stewardship Agreement for Recreational Access between Big Bo LLC (Boquillas Ranch), the Commission and the Department.

Presenter: Tom Finley, Regional Supervisor, Kingman Region

Mr. Finley provided an informational update using a PowerPoint presentation on a Cooperative Stewardship Agreement for Recreational Access between the Big Bo LLC, the Commission and the Department. The Cooperative Stewardship Agreement for Recreational Access between Big Bo LLC, the Commission and the Department is the third and final agreement enabling a formal recreational access plan for the Big Boquillas Ranch in Game Management Unit 10. This agreement was preceded by agreements between the Department and the Navajo Nation and between the Navajo Nation and Big Bo LLC. The Department and Big Bo LLC have honored most or all the elements of the proposed agreement during the 2013 and 2014 hunting seasons.

Central to the agreement are the provisions that participating hunters pay a Recreational Impact Fee, obtain a Ranch Access Permit and adhere to established Ranch Rules as a condition of access to the Big Boquillas Ranch. The Ranch Rules are intended to apply to the entire ranch – both private and State Trust Lands. Recreational Users must agree that they will abide by all Ranch Rules, even while on State Trust Land within the Ranch. Failure to do so is considered a violation of that agreement and grounds for termination of access privileges.

The Big Boquillas Ranch is the largest working cattle ranch in Arizona and one of the top 25 largest in the country. The Boquillas Ranch encompasses approximately 750,000 acres, of which 500,000 is private property owned by the Navajo Nation and the other 250,000 is Arizona State Trust Land. The Big Boquillas Ranch accounts for over 50% of Game Management Unit 10.

Mr. Finley's presentation included background information, modifications following the 2013 season, data related to antlerless elk hunters, and permit sales comparisons from 2013 to 2014. Also presented were options being considered for 2015 that may increase hunter participation, meet biological objectives, and increase ranch revenue. Those options are as follows:

- Develop incentives to increase antlerless elk hunter participation/harvest, while maintaining revenue to Ranch. This may include reducing the RIF for antlerless elk hunters and/or raffle item(s) for all hunters who purchase an antlerless elk Hunter Permit
- Implement Access Permit "caps" for deer and antlerless elk seasons. This would be done in a manner that does not limit access, but would create a sense of urgency and increase sales
- Market the quality aspect of the hunting experience on the Boquillas Ranch
- Open the Ranch to prairie dog hunters at the end of March and increase the available areas
- Offer late winter predator hunting opportunity
- Offer spring antler hunting opportunity.

The Commission expressed their appreciation to the Department and Big Boquillas Ranch for their efforts in working together to make this happen.

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12. A Briefing on Public Comment Received on Hunt Guidelines.

Presenter: Amber Munig, Big Game Management Supervisor

Ms. Munig briefed the Commission using a PowerPoint presentation on comment received thus far on the existing hunt guidelines and on the timeline that will be followed in review and approval for the remainder of this guideline cycle. The Department began taking comment on the existing hunt guidelines formally on January 5, 2015, although any comment received by the Department since September 2013 (last guideline adoption by Commission) regarding hunt guidelines has been retained on file for evaluation during this evaluation cycle (all comments were provided to the Commission and were available to the public). As part of the hunt guidelines review process, the Commission requested an opportunity to formally identify to the Department any areas of inquiry in which they might have interest. This briefing was the first formal opportunity for the Commission to provide the Department with direction regarding this process, although they will have additional opportunities throughout the process until the next guidelines are submitted for their final approval in September. The presentation included the proposed remaining timeline as well as a briefing on the hunt guidelines process and the tools used by the Department in developing its recommendations. The presentation included the following information:

Hunt Guidelines Development Timeline:

- January 7: E-News sent soliciting internal and external comment on the current hunt guidelines
- January-February: Solicit Commission input/direction. Begin soliciting input from the Wildlife Conservation Organizations
- March-May: Team evaluates data and comments for development of the draft proposed hunt guidelines
- March: Public comments shared with the Commission; solicit Commission input/direction
- Early May: News release noticing Hunt Guidelines public meetings
- Mid May: Second news release
- Late May: Hunt Guidelines Team finalizes the draft proposal and provides to Commission
- May 25: Draft Proposed Hunt Guidelines posted on the website
- June 1-15: Host public meetings around the state
- June 30: Public comment period ends
- July: Team evaluates and drafts responses to all comments to the draft proposed hunt guidelines
- Early August: Proposed hunt guidelines to e-staff and Commission for review
- Late August: Proposed hunt guidelines posted on website
- September: Proposed hunt guidelines presented to the Commission for approval.

Chairman Mansell confirmed with Ms. Munig that all comments received by the Department are shared with the Commission.

Hunt Recommendations Development Tools:

- Hunt Guidelines
- Management Summary Forms
 - Population survey data and hunter harvest data, 6 year period
- Hunt Recommendation Templates
 - Displays data in relation to Guideline parameters
 - Lists hunts being recommended
 - Population estimation
 - Longer data displayed in graph form
 - Discussion/ justification section
 - Acknowledgement – sign off page by each level of review (new addition)

Chairman Mansell requested a copy of the Hunt Recommendation Templates to be sent to all the Commissioners.

Public Comment

Wanda B. King, Wickenburg citizen, submitted a speaker card, but was not present to speak.

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The Commission had a working lunch during Executive Session.

17. Executive Session

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

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

Vote: Unanimous

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Meeting recessed for lunch at 11:55 a.m.

Meeting reconvened at 1:50 p.m.

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

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms presented a rehearing request by Brian L. Bleyenbergs regarding the revocation of his license privileges. On December 17, 2012, Mr. Bleyenbergs was convicted in the Wellton Justice Court for failure to tag immediately and possessing wildlife with no valid tag attached. On June 14, 2013, the Commission revoked Mr. Bleyenbergs' hunting, fishing and trapping licenses for a period of five years and further required him to complete a Hunter Education Course before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Bleyenbergs has requested a rehearing of this matter and decision because he feels he is unable to participate in his teenage children's hunting activities and because of his failing health concerns. Mr. Bleyenbergs was notified of the rehearing by certified mail.

Mr. Bleyenbergs was present and addressed the Commission on behalf of his request.

Commissioner Harris stated that he would make a motion to deny the request because the three year revocation period was already very lenient.

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO DENY MR. BLEYENBERG'S REQUEST FOR A REHEARING.

Vote: Unanimous

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13. 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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14A. Request to Commission to permit Department to contract with Arizona Office of Administration Hearings (OAH) to conduct a hearing for the Commission

Presenter: Linda Pollock, Assistant Attorney General

Ms. Pollock presented the Commission with the option to elect to have the Arizona OAH conduct the administrative hearing involving denials of applications for wildlife holding licenses, summary suspension of current wildlife rehabilitation license, and possible future revocation proceeding of wildlife rehabilitation license of Darlene Braastad, dba Forever Wild Animal Rehabilitation Center.

The Commission voted at its regular public meeting on January 16, 2015 to have the Arizona Office of Administrative Appeals conduct a hearing on the Department's denial of Ms. Braastad's application for a Wildlife Holding License for a red-tailed hawk and an American kestrel. In a letter dated January 20, 2015 the Department denied the application of Darlene Braastad for a Wildlife Holding License for a Harris' hawk, bobcat, and a rock squirrel. In an Amended Notice of Summary Suspension dated January 21, 2015, the Department summarily suspended the applicant's Wildlife Rehabilitation license for failure to meet minimum captivity standards and for refusal to allow Department personnel to conduct a reasonable inspection of her licensed facility. Braastad has timely appealed these actions.

In addition, the Department may elect to commence further administrative action against the applicant's Wildlife Rehabilitation license, including a notice of hearing for license revocation. These cases are expected to be consolidated into one hearing, which will take more than a full day and will involve several testifying witnesses and exhibits. The Commission, as a self-supporting regulatory board, 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 Madden seconded THAT THE COMMISSION VOTE TO TRANSFER THE HEARING TO ARIZONA OAH TO CONDUCT THE ADMINISTRATIVE HEARING INVOLVING DENIALS OF APPLICATIONS FOR WILDLIFE HOLDING LICENSES, SUMMARY SUSPENSION OF CURRENT WILDLIFE REHABILITATION LICENSE, AND POSSIBLE FUTURE REVOCATION PROCEEDING OF WILDLIFE REHABILITATION LICENSE OF DARLENE BRAASTAD, DBA FOREVER WILD ANIMAL REHABILITATION CENTER.

Vote: Unanimous

* * * * *

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

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms presented a rehearing request by Victor A. Medina regarding the suspension of his license privileges. On June 18, 2014, Mr. Medina was convicted in the Douglas Justice Court for allowing another to possess his permit tag in hunt area GMU 30B. On December 5, 2014, the Commission revoked Mr. Medina's hunting, fishing, and trapping licenses for a period of five years and further required him to complete a Hunter Education Course before obtaining any license(s) to take wildlife in the state of Arizona. Mr. Medina has requested a rehearing of this matter and decision because he did not have enough time between receiving his notice and the Commission hearing to prepare his case. Mr. Medina's certified Notice of Hearing packet was returned to the Department "unclaimed" on November 7, 2014. Upon his request an electronic copy of his Notice of Hearing was emailed to him on November 28, 2014. Mr. Medina has been notified of the rehearing by certified mail.

Mr. Medina was not present.

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO DENY MR. MEDIANA'S REQUEST FOR A REHEARING.

Vote: Unanimous

Following agenda item #19, Mr. Elms advised the Commission that the Department received a communication from Mr. Medina stating that he was not able to get off work and was therefore not able to attend the hearing.

* * * * *

18. Litigation Report

Mr. Odenkirk requested that the Commission vote on two items based upon discussion and direction in Executive Session and provided brief descriptions and recommendations to the Commission as follows:

A lawsuit was filed on January 16, 2015 by the Center for Biological Diversity against the Secretary of the Interior as a challenge to the changes made to the final 10(j) rule for the Mexican wolf. The Commission has been on record in full support of those changes which reflect the obligation under federal law to cooperate with Arizona Game and Fish in revising the rule. The changes made in the final rule balance the needs and interests of the Mexican wolf reintroduction project, local stakeholders, and all other wildlife species held in trust by the state. It is important for the Commission to demonstrate its support for the USFWS and the final 10(j) rule. Accordingly, it is the recommendation that the Commission request authorization from the Governor and the Attorney General to intervene as defendant intervener in the lawsuit filed January 16, 2015 titled Center for Biological Diversity vs. Jewell.

Motion: Harris moved and Mansell seconded THAT THE COMMISSION VOTE TO REQUEST AUTHORIZATION FROM THE GOVERNOR AND THE ATTORNEY

GENERAL TO INTERVENE AS DEFENDANT INTERVENER IN THE LAWSUIT FILED JANUARY 16, 2015 TITLED CENTER FOR BIOLOGICAL DIVERSITY VS. JEWELL.

Vote: Unanimous

Commissioner Davis commented that this direction is exactly where the Commission and Department should be going. It's important to be consistent in taking a very strong position on an issue that has significant impact on our state and our state's ability to manage wildlife. It's unfortunate, but exactly the kind of action that is necessary.

The Commission's decision to intervene on behalf of the USFWS is consistent with the Department's prior Notice of Intent to sue the USFWS for its failure to develop a lawful recovery plan for the Mexican wolf. The 10(j) rule for the Mexican wolf is intended to further conservation of the Mexican wolf, but the reintroduction project by itself will not achieve recovery. The USFWS has failed to develop a recovery plan that will lead to the delisting of the Mexican wolf. The USFWS must proceed with developing a recovery plan that goes beyond the reintroduction project, ensures Mexican wolf recovery is not made in a piecemeal fashion, and is based on the best available science. Accordingly, the recommendation is that the Commission request authorization from the Governor and the Attorney General and bring suit against the Secretary of the Interior for failing to develop a lawful recovery plan as required by the Endangered Species Act.

Motion: Davis moved and Harris seconded THAT THE COMMISSION REQUEST AUTHORIZATION FROM THE GOVERNOR AND THE ATTORNEY GENERAL AND BRING SUIT AGAINST THE SECRETARY OF THE INTERIOR FOR FAILING TO DEVELOP A LAWFUL RECOVERY PLAN AS REQUIRED BY THE ENDANGERED SPECIES ACT.

Vote: Unanimous

Commissioner Davis reiterated his comments and Chairman Mansell and Commissioner Harris agreed.

Commissioner Harris added that true recovery does not just occur in Arizona, but occurs in the 10(j) area previously approved by the Commission and in Mexico.

* * * * *

19. Approval of Minutes and Signing of Minutes (From Friday's agenda)

Motion: Harris moved and Madden seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM JANUARY 16-17, 2015.

Vote: Unanimous

The Commission signed the minutes following approval.

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Meeting recessed for a break at 3:01 p.m.

Meeting reconvened at 3:14 p.m.

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14. Public Safety Personnel Retirement System (PSPRS) Briefing

Presenter: Kevin Hodgkins, Acting CFO, Business and Finance

Mr. Hodgkins introduced guest speaker Jared Smout, Deputy Administrator of the Public Safety Personnel Retirement System. Mr. Smout provided an in-depth informational briefing and PowerPoint presentation on the status and future projections of the Public Safety Personnel Retirement System and future impacts to the Department. Information included:

- Characteristics of defined benefit plans and how they work
- History and status of PSPRS (challenges and steps taken to overcome those challenges; unfunded accrued liability is \$76.8M; retiree numbers greater than active working members; pending lawsuits)
- How those challenges affect Game and Fish directly (Game and Fish team to look at all options going forward) (The estimated cost of phasing in the full effects of the 2011 Fields v. Elected Officials' Retirement Plan ruling will cost Game and Fish \$2.3 million over the next 22 years)

The Commission asked questions and engaged in discussion with Mr. Smout. Mr. Smout agreed to send the Commission, through the Department, information on how much Game and Fish declined in dollars and percentage in allocated assets due to fund performance and how much is due to pay out. Mr. Smout will also send the Commission a report on the plans administrative costs and how those compare with other government systems.

Commissioner Davis commented on the social contract that the Department and Commission has with its employees and that it needs to be honored and respected, which is how all the Commissioners look at it, and hopes that PSPRS will also acknowledge the importance of that social contract, and when any changes are made or done, that social contract needs to be honored.

* * * * *

20. Director and Commissioner Comments

Commissioner Harris commented on the following:

- He has chaired his last Habitat Partnership Committee and wanted to acknowledge that the Committee is an outstanding group of people to work with and is a perfect example of where partnerships and government come together to improve wildlife and wildlife management. The tag fund alone has raised a significant amount of money and this year it funded projects at the level of 1.6 plus million dollars for habitat improvement and other projects that supports wildlife.

Director Voyles commented on the following:

- He attended the Shot Show with Chairman Mansell and had several meetings during the event, including meetings with the Board of the Council to Advance Hunting and Shooting Sports and the leadership members of the NRA. Legislative challenges were discussed related to the Pittman-Robertson Act. The State of the Industry dinner reflected that sales are somewhat down in the firearms industry
- Met with Maria Baier and Brad Jennenga who is a very successful entrepreneur and avid hunter. He is very interested to know how he can contribute to the work of the Department, including becoming active with the Wildlife for Tomorrow Foundation
- Met with leadership of the Arizona Wilderness Coalition in regards to wildlife management and wildlife conservation. They are very much supporters of Department efforts and are engaged with the Department on multiple fronts. They have opened a veterinary school and the Department is developing and MOU to train and work with interns from their school
- Attended the World Wetlands Day in Mexico; was a speaker along with the Governor of Quintana Roo and the Director of Mexico's protected areas program. Had an opportunity to discuss Mexican wolf conservation in Mexico.

Chairman Mansell commented on the building dedication coming up on February 14 at the BASF. This is a great example of some of the partnerships we have. Chairman Mansell publicly thanked Berger Bullets and Night Force Optics for contributing close to a half million dollars to the Game and Fish Department.

* * * * *

21. Future Agenda Items and Action Items

Deputy Director Ty Gray captured the following action items:

- Regarding legislation language, the Department will talk with Senator McCain's staff about a clause to not allow land designations until appropriations are at required levels for federal land agencies
- Regarding the hunt guidelines, the Department will look into pulling a random pool of very active hunt applicants to request input on the general hunt guideline concepts.

* * * * *

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

Vote: Unanimous

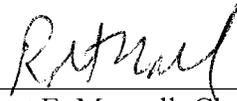
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Meeting adjourned at 4:36 p.m.

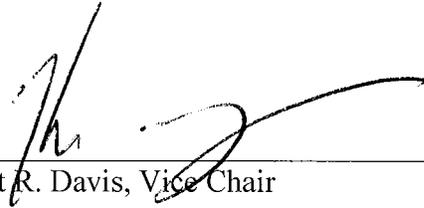
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On Saturday, February 7, 2015, from 8:00 a.m. to 12:00 p.m., the Commission participated in a tour of the Nature Conservancy's Hassayampa Preserve on the Hassayampa River on the east side of Wickenburg. The Commission was provided a tour and discussion led by R.J. Cardin (Director of the Maricopa County Parks and Recreation Department) and Josh Avey (Deputy

Director of Conservation for the Nature Conservancy in Arizona). No official business was discussed and no legal action was taken by the Commission during the field trip.



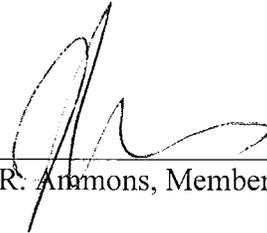
Robert E. Mansell, Chairman



Kurt R. Davis, Vice Chair



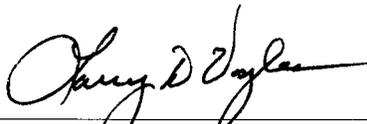
Edward "Pat" Madden, Member



James R. Ammons, Member

John W. Harris, Member

ATTEST:



Larry D. Woyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
February 6, 2015**

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 filed their reply brief on March 21, 2014.

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.

On March 7, 2014, the Tenth Circuit granted New Mexico's motion for clarification, in which New Mexico requested that the Court's decision would not affect the District Court's decision dismissing as to Director Lane. The District Court's decision as to Director Lane stands. On March 18, 2014, the District Court dismissed without the prejudice the case against the Chairman.

On April 17, 2014, New Mexico filed a motion for attorney fees and costs. New Mexico is seeking reimbursement for \$580,000.00 in costs and fees. This represents 1231 hours for six different lawyers who worked on the case.

3. *Holden and Guynn v. Arizona Game and Fish Commission*, Maricopa County Superior Court CV 2014-013211 (filed October 14, 2014). The Plaintiffs, whose Title 17 criminal charges were dismissed by the justice court (Guynn) or resulted in an acquittal following a justice court bench trial (Holden) were civilly assessed by the Commission for the loss of wildlife to Arizona. Their 28-page complaint, with dozens of attached exhibits, alleges that A.R.S. §17-314 does not authorize the Commission to impose civil assessments and claims several due process violations in the manner in which the hearing was noticed and conducted. They seek an order from the court declaring the Commission's actions unlawful, enjoining the Department and Commission

from levying the civil assessments, and requiring the Department to issue resident/nonresident hunting licenses to Plaintiffs and permitting them to apply for big game tags.

On November 13, 2014 the Department filed a motion to dismiss the complaint in its entirety for lack of subject matter jurisdiction. The Motion notes that plaintiffs, through their attorney, each declined to appear for the Commission hearing, failed to exhaust administrative remedies by filing a request for rehearing under the Commission rule, and failed to file a timely action to review the Commission's decisions under the Judicial Review of Administrative Decisions Act, which divests the superior court of jurisdiction if the action is not commenced within 35 days from the date the Commission's decision is served on the party..

Plaintiffs filed a motion to disqualify the Attorney General's Office from representing the Department and Commission, and a motion to strike the Department's motion to dismiss on the grounds that the Maricopa County Attorney's Office is the only agency authorized by law to represent the Department and Commission in the superior court.

At oral argument on January 7, the superior court focused on a 1929 statute (A.R.S. §17-103) cited by Gynn's attorney, which states that the county attorneys "shall prosecute and defend in all courts of the county, all actions, civil and criminal, arising under [Title 17] in which the state, commission member, or department employee is a party", and decided that only the county attorneys can represent the Commission in civil and criminal cases. The court stayed its decision until February 9 to allow the Commission and Department to either (1) appeal the decision by special action to the Court of Appeals, or (2) assign the file to the Maricopa County Attorney's Office, or (3) ask the County Attorney to enter an appearance in the case. The Commission voted at its January 16 public meeting to authorize a special action appeal to the Court of Appeals.

Lands Update

For the Arizona Game and Fish Commission

January 30, 2015

Phoenix, Arizona

U.S. FOREST SERVICE

General Planning Status – Please see attached table.

Four Forest Restoration Initiatives (4FRI)

- The Final EIS and draft Record of Decision were published on December 5, 2014. The 45-day objection period closed January 20, 2014.

Arizona Public Service (APS) and Salt River Project (SRP) Agricultural Improvement and Power District

- The Preliminary EA/scoping is out for public review and comment on the proposed APS/SRP management of vegetation within the utility corridors on forests in Arizona. The use of herbicides would be considered within the right of ways in addition to mechanical and manual removal. The scoping period ends at the end of January.

Apache-Sitgreaves National Forest (A-S)

- No change

Coconino National Forest

- The Department continues to serve on the ID team for the Flagstaff Watershed Protection Project. Department personnel met with Forest planning staff to provide input on the blended alternative and draft Record of Decision. A final decision is expected in September, 2015. The team will begin drafting the Implementation Plan in January.

Coronado National Forest

- The Department is waiting for the release of the Douglas, Sierra Vista, and Nogales districts Travel Management Plans.

Kaibab National Forest

The Department continues to serve on the ID team for the South Zone Grassland Restoration Project. The team is drafting a Proposed Action to employ techniques to improve grassland, savannah, and meadow habitat and wildlife movement corridors within a >500,000 acre project area.

Prescott National Forest

- The Department is awaiting the Record of Decision to be released in the Federal Register for PNF's Land and Resource Management Plan.

Tonto National Forest

- The Department continues to participate in District meetings to assist the forest in finalization of the route maps for the Travel Management Plan. These meetings will conclude the first week in February. The dispersed camping data collected by the Department will be provided to the forest in January to inform the decision. The Department, as an ID Team member, is participating in providing responses to comments on the DEIS.
- The objection period for the EA and Draft FONSI for the authorization of helicopter landings in wilderness for bighorn sheep management over 10 years has closed. The Southwestern Regional Office is in the process of reviewing any objections and has extended the objection review period. Once the decision is final, the Wildlife Sportfish Restoration Program will adopt the NEPA through the federal register. The Department was able to capture sheep outside of wilderness for the initial deadline in November.
- The Department continues to participate on the ID Team for the Plan Assessment Phase of the Forest Plan Revision to assist in developing the Aquatic portion of the Assessment.

BUREAU OF LAND MANAGEMENT (BLM)

- BLM's Renewable Energy Program is developing a regional mitigation plan for impacts from the development of the Solar Energy Zones. BLM held a workshop to discuss sites for the regional mitigation efforts. The Department nominated six sites and did a presentation on the sites at the workshop. The Department will continue to be involved in the development process.

Kinder Morgan Los Lobos Pipeline and St. Johns CO₂ Gas Unit Environmental Impact Statement

- The Department received the Administrative draft Environmental Impact Statement for the Lobos CO₂ Pipeline Project, which has been provided to the Cooperating Agencies involved in the NEPA process. The Department submitted initial comments in January.

Hassayampa Field Office

- The EA to analyze the potential impacts of the Hassayampa Wildland Urban Interface Fire Defense System is out for public review and comment until February 9th. A combination of mechanical, chemical, prescribed fire and biological treatments are being proposed.
- The Hassayampa Field Office has published a notice of intent and request for scoping comments for the development of a Harquahala Wilderness Management Plan. The Department has expressed a desire to have a member on the ID team.

Phoenix District Office/Lower Sonoran Field Office

- The Department will be participating in the annual coordination meeting in February.

DEPARTMENT OF DEFENSE

Yuma Proving Ground

- Yuma Proving Ground is developing a Wildland Fire Management Plan. Department staff attended the kick-off agency meeting. Department staff will continue to be involved and represent the Department's interests at Mittry Lake Wildlife Area.

Army Corps of Engineers

- The Corps issued a Notice of Intent (NOI) to prepare a draft Environmental Impact Statement for the Lone Star Ore Body development at the Safford Mine. The mine is owned by Freeport-McMoran. The Department is reviewing the NOI and will send scoping comments to the Corps and request coordination under the Fish and Wildlife Coordination Act.

TRANSPORTATION

I-11 Phoenix to Las Vegas

- On December 12, 2014, the State Transportation Board approved \$15 million for the Tier 1 Environmental Impact Statement in the area between Nogales and Wickenburg, part of the proposed corridor for Interstate 11. The Tier 1 EIS is expected to take three years to complete and will begin in 2015.

South Mountain Freeway

- The Department continues coordination as a member of the design team.

GENERAL UPDATES

Mittry Lake Wildlife Area – Lower Colorado River Multi-Species Conservation Plan (LCR MSCP)

- The LCR MSCP has constructed a cottonwood willow habitat restoration project on lands within the Mittry Lake Wildlife Area. For public safety reasons, the area was closed to public access during construction. LCR MSCP has indicated a desire for the area to remain closed to motorized access. Concerns over damage to the growing habitat is cited as the reason for the closure. The Department is negotiating for retaining historical motorized access on a 4 mile long two track.

SunZia Transmission Line

- Interior Secretary Sally Jewel is scheduled to sign the SunZia Transmission Line Record of Decision on January 23rd. The Department expects the selected route will be as described in the Final EIS (the agency preferred route). The Department is developing a mitigation proposal in cooperation with the BLM, USFWS, SunZia, and their consultant.

Southline Transmission Line

- The Department is currently reviewing the Administrative Final EIS for the Southline project. The review period ends February 9. The Department recommended an additional route alternative to avoid direct impacts to the Wilcox Playa Wildlife Area.

Central Arizona Grasslands Conservation Strategy (CAGCS) Implementation Team Project Status Updates

- The Implementation Team is scheduled to meet in February with a stakeholders meeting in late February/early March.

GMU 21 Agua Fria Grassland and Habitat Enhancement Project

- The project was allotted funding for vegetation treatments. Winders was contracted and is currently on the ground. The Prescott NF was also allotted funding for prescribed burning.

Pinal County Peralta Regional Park Master Plan

- Pinal County is partnering with the National Park Service Rivers, Trails and Conservation Assistance Program to begin the development of a site specific Master Plan for a regional park off of Peralta Road in northern Pinal County. The Department conducted a field visit to provide further input to the working group. This master plan will set precedent for the future parks proposed by the County. The Department will

continue to participate as a stakeholder in the monthly meetings. In addition, the Department will be providing an informational presentation to county staff regarding jurisdictions and authorities.

Pinal County CAP Recreation Trail Master Plan

- Pinal County has invited the Department to participate on the Working Group for the CAP Recreation Trail Master Plan. The project has an aggressive timeline and is anticipated to be completed by spring 2015. The Department continues to participate as a stakeholder in the monthly meetings.

Horseshoe Ranch CRMP

- The Interagency Team is participating in 6 meetings during the month of January for the refinement of objectives, identification of strategies, and adaptive management to include triggers and thresholds. A stakeholders meeting will be held in early February for updates and input before beginning the NEPA scoping process.

Maricopa County Flood Control District

Powerline, Vineyard and Rittenhouse Flood Retarding Structures (FRS)

- The Department was invited and has accepted a role on the design team for the project. The FRS protect approximately 72 square miles of residential, commercial, and agricultural land in Maricopa and Pinal counties from being flooded, and protect structures such as the CAP canal, Phoenix-Mesa Gateway Airport, and the Loop 202 Santan Freeway. The Department met with Logan Simpson Design, Inc., NRCS and MCFCD in December for discussion of funding and timelines. Construction will need to be completed by 2018. It is anticipated that 30% of the design will be done by July 2015, phase I construction completed by November 2015, and Final design by July 2016. Habitat value maps to identify high, medium and low quality habitat is being developed.

Gila River Restoration

- The Department has initiated discussion with the MCFCD, BLM and NAU regarding opportunities for restoration efforts along the Gila River, potentially for development of a coordinated strategy for moving forward.

Pinal Open Space and Trails Committee

- The Department continues to participate each month on the committee and the Natural Watercourse Subcommittee.

Forest	Status	Next Step	Projected Next Step Completion
Apache Sitgreaves	<u>LRMP</u> - Draft released Jan 2013, Dept. commented. <u>TMP</u> - Dept. commented on 2010 draft (forest wide), process halted due to Wallow Fire.	A/S finalizing LRMP. TMP process will resume once LRMP is finalized.	Final LRMP ~Fall/Winter 2014. TMP draft anticipated ~late 2014.
Issues:	<u>LRMP</u> - 7100 new acres of Wilderness recommended (mostly expanding existing Wilderness) <u>TMP</u> - draft allows for Motorized Big Game Retrieval (MBGR) 1 mile from road for elk, mule deer & bear. Provides for 658 miles of corridors for dispersed camping 300 ft off established roads.	Region working with A/S to identify additional camping sites in areas deficient in 2010 draft. FWS has completed the draft Biological Opinion for the LRMP. The A-S will be in the process of reviewing the draft BO, and preparing comments for consideration by the FWS in preparation for the final BO.	
Coconino	<u>LRMP</u> - Draft released Dec 2013, Dept. commented. <u>TMP</u> - Final 2011 (forest wide), MVUM's available; AGFD appealed plan on MBGR and dispersed camping decisions, appeal denied.	Coconino finalizing LRMP. Department working with Coconino to review comments and resolve issues. Coconino to open scoping process to revise TMP.	Final LRMP ~Summer 2015. TMP revision process ~Early 2015.
Issues:	<u>LRMP</u> - draft reduces motorized access 6%, inconsistent with current TMP, recommends small additional Wilderness acreage, potential pre-emption of Dept. authorities. <u>TMP</u> - limited dispersed camping 300ft from specifically identified roads, 30ft from all other roads. MBGR for elk only, 1 mile from roads except GMUs 5A & 5B.	Region working with Coconino planning team to resolve LRMP issues. TMP evaluated on as-needed basis for revision.	

Forest	Status	Next Step	Projected Next Step Completion
Coronado	<u>LRMP</u> - draft released Dec 2013, Dept. commented.	Coronado finalizing LRMP.	Final LRMP Spring 2015
	<u>TMP</u> - drafts in process (district by district).	Coronado finalizing TMPs through 2015. Region addressing district-specific road closures and access issues in TMPs.	TMP decisions by district: Department has commented on Safford and Catalina. Forest will issue Douglas, Nogales, Sierra Vista in 2015.
Issues:	Reduces use of locatable mineral withdrawal. General inconsistencies and State Land access issues. NO MBGR. MVUM's show access through roads that have locked gates. District-specific road closures and access issues.		District Draft EATMP Timeline per SOPA 1/16/14: Douglas 2-2015 Nogales 3-2015 Sierra Vista 4-2015
Kaibab	<u>LRMP</u> - Final Feb 2014.	Dept. comments (excluding Wilderness recommendations) incorporated in Final LRMP.	Note: Wilderness recommendations subject to future process and not appealable.
	<u>TMP</u> - completed by district. MVUM's available. AGFD appeal on North Kaibab TMP declined.		
Issues:	LRMP recommends small areas of additional Wilderness to clarify boundaries. North Kaibab TMP: MBGR restricted to bison and elk only. Current designated dispersed camping opportunities at lower elevations insufficient to accommodate late season deer hunters and other campers. Tusayan & Williams TMP: MBGR 1 mile from road for elk in designated areas. Dispersed camping in camping corridors, or 30 feet from road.	Tusayan & Williams TMP revision in progress; Region working with FS to expand dispersed motorized camping opportunities.	

Forest	Status	Next Step	Projected Next Step Completion
Prescott	<u>LRMP</u> - Draft released 2012. <u>TMP</u> - no new TMP, amending 2005 plan for travel management.	Prescott finalizing LRMP.	FEIS expected in Federal Register 01/2015, with ROD signed by Forest Supervisor in early 2015.
<i>Issues:</i>	MBGR: Elk only, within 1 mile of designated open road. May be changed by amendment. Dispersed camping 300' from centerline of designated roads. Recommended new Wilderness 23,000 acres. MVUM's available.		
Tonto	<u>LRMP</u> - Initiating Planning Process/public scoping 2014. <u>TMP</u> - elevated to EIS from EA. Draft released with comment period extended to September	AGFD participating as Cooperating Agency throughout LRMP and TMP	Final LRMP ~Fall 2017
<i>Issues:</i>	Consistency across forests, enforceability, MBGR 1 mile off road for elk and bear only. MVUM's are inaccurate.	TMP meetings held with AGFD and Districts for final route discussions done by first week of Feb. Region synthesizing data gathered via mobile pilot app for dispersed camping sites, anticipated data file to be shared with FS by end	

Field Office /District	Status	Next Step	Projected Next Step Completion
Arizona Strip			
AZ STRIP RMP (including Grand Canyon-Parashant and Vermillion Cliffs NMs)	ROD Feb 2008	n/a	
Colorado City TMP	We have faced very few issues with respect to maintaining appropriate motorized access. Where they have occurred, BLM has afforded opportunities to negotiate and successfully resolve.		ROD Expected 2014
Littlefield TMP	" "		ROD Expected 2014
St. George Basin TMP	" "		ROD Expected 2014
Remainder of AZ Strip Field Office TMP	EA initiated 2014, Department staff are fully engaged in the process.		ROD Expected 2015

Hassayampa			
RMP	ROD for Bradshaw-Harquahala RMP and Agua Fria National Monument signed February 2009. Plan does not allow MBGR. Dispersed camping allowed, routes to campsite open in TMP. Recreational shooting allowed, BLM may close areas to shooting if resource damaged documented.		
Black Canyon Recreation and Travel Management Plan	BLM has completed route evaluation meetings to identify travel alternatives for each route for the TMP. The Department participated in the analysis process with BLM staff and provided input on the development of a draft range of alternatives.	Next steps: BLM ID Team to review results; incorporate other recreation components (eg. Trail heads or other infrastructure development) to support route alternatives; combine travel and recreation actions into final set of alternatives; scope alternatives to public prior to developing EA. Project may get put on hold after the ID Team review of route evaluation alternatives	
Box Canyon Travel Mgmt Re-evaluation	Decision on Wickenburg Travel Management Plan was issued last Summer Town of Wickenburg appealed decision Box Canyon area. BLM has agreed to re-evaluate the Box Canyon area (judge remanded only that portion of the decision) and is working with Wickenburg to re-evaluate with a more focused approach.	BLM will be initiating re-evaluation as a NEPA process	
Harquahala Wilderness Plan	Scoping Comment Period ends February 9, 2015	Department requesting representative on ID team developing Plan	Unknown
Vulture Mountain Recreation Area	Partnership between Maricopa County Parks and BLM Hassayampa Field Office to manage recreation in 71,000 acres of BLM land in the Vulture Mountains	Department involved in developing plan. Plan completed. Management details in negotiation	Unknown

Kingman			
Resource Management Plan	ROD Signed 1993; route evaluations currently being conducted. Plan Life: 20 years, with amendments as needed. Plan does allow MBGR outside of wilderness. Dispersed Camping allowed on BLM lands. Off Highway Vehicle travel allowed on existing roads, trails and navigable washes. Antler collection and recreational shooting allowed. No wilderness expansion or special area designations	Continuing implementation, 2014 Burro Surveys. Review Route Evaluations.	
Bullhead Travel Management Plan	FONSI/ROD signed March, 2009	amended by management action.	
Lake Havasu			
<i>RMP</i>	RMP ROD signed July 2007. Plan does not allow MBGR. Dispersed camping allowed, routes to campsite open in TMP. Recreational shooting allowed, BLM may close areas to shooting if resource damaged documented.		
<i>TMP</i>	FONSI signed for Bullhead Unit March 2009, Havasu Unit September 2013. Route Evaluations begun for Bouse Unit	Complete Route Evaluations for Bouse Unit. Waiting for funding	Unknown
Lower Sonoran			
<i>RMP</i>	RMP for Lower Sonoran Field Office and Sonoran Desert National Monument ROD signed September 2012. Plan does not allow MBGR. Dispersed camping allowed, routes to campsite opened in TMP. Recreational shooting allowed, BLM may close areas to shooting if resource damaged documented. Temporary road closures in SDNM continue as BLM is attempting to obtain funding to complete rehabilitation of damaged routes.		
<i>TMP</i>	in this Field Office (efforts in Hassayampa Field Office)	Uncertain	

Phoenix District			
<i>Issues:</i>	No issues with District Office		
Safford			
<i>Issues:</i>			
Tucson			
<i>Issues:</i>			
Yuma			
<i>RMP</i>	RMP ROD signed January 2010. Plan does not allow MBGR. Dispersed camping allowed, routes to campsite open in TMP. Recreational shooting allowed, BLM may close areas to shooting if resource damaged documented.		
<i>TMP</i>	La Posa Plan Final EA out for review, comment period	Department will review and comment on	
<i>TMP</i>	Route Evaluations for Imperial Hills Unit have begun	On hold until La Posa completed.	



A2.34 Reintroduction of Federally Listed Wildlife

Effective: ##/##/20##

Policy Process Owner: Nongame Wildlife Branch Chief

Note: ~~This Policy operates outside of the Department's 12-Step process for reestablishment of Nongame wildlife and endangered~~ applies to reintroductions or translocations of species already established in Arizona. It does not apply to reestablishment of species into Arizona that are not already present in the state.

A. Definitions:

- ~~1. **Reestablishment:** stocking or transplanting an organism into Arizona which was formerly documented from the state but has since been extirpated and is no longer known from within the state.~~
- ~~2. **Reintroduction:** stocking or transplanting an organism into historic range within Arizona that is currently known from other areas within Arizona.~~

BA. The Director or their designee may approve reintroductions of federally-protected species under full protection of the Endangered Species Act, provided that:

1. The species or subspecies currently exists in Arizona and is being introduced into its historic range;
- ~~2. Appropriate NEPA environmental compliance documents have been prepared that identify following the Department's Environmental Assessment Checklist process identifying the proposed action and anticipated impacts and have been publicly reviewed completed and are available for public review; ~~or~~~~
3. The Department has coordinated with the appropriate State or and Federal land management agency and permittees, USFWS the United States Fish and Wildlife Service, and ~~or~~ private landowners. Coordination may occur through formal or informal meetings or written correspondence and shall include a complete project description and summary of known or anticipated impacts. All comments and significant issues identified during coordination shall be considered and addressed, where appropriate and feasible, with accompanying responses and conclusions documented in the project file prior to the reintroduction; and
24. There are no significant conflicts with other wildlife management activities.

CB. For reintroductions in which there are significant conflicts with other wildlife management activities or land managers/owners/permittees, the Director will present a recommendation to the Commission via an action memo for their decision on the proposed reintroduction.