

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, October 19, 2007
Saturday, October 20, 2007
Sheraton Crescent Hotel
2620 W. Dunlap
Phoenix, Arizona 85021

PRESENT: (Commission)

(Director's Staff)

In person:
Chairman Michael M. Golightly
Commissioner Robert D. Hernbrode
Commissioner Jennifer L. Martin
Commissioner Robert R. Woodhouse

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Shelley Cutts

Via telephone:
Commissioner William H. McLean

Chairman Golightly called the meeting to order at 9:00 a.m. The Commission introduced themselves and Chairman Golightly introduced the Director and the Director's staff. Commissioner McLean was not present for this meeting except for Saturday agenda items 5-8 in which he participated via telephone. This meeting followed an agenda revision #1 dated October 17, 2007.

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1. State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission on both Federal and State legislation that may affect the Department. Handouts were provided, which included the Department's monthly Legislative Update and draft language on several of the Department's proposed State legislation (Department Merchandise, Guide License, Hunter Recruitment/Retention & Marriage/Cleanup, and OUI/Cleanup/Penalty Structure). Also provided were the favorable results of a survey for extending watercraft renewal from one year to three years. The Department will be scheduling meetings within the next couple of weeks with legislators to see if sponsors can be found. The pre-filing of bills begins November 15, 2007, so by the December Commission meeting the Department hopes to have bill numbers and sponsors for all the proposed legislation.

The Commission discussed the language in the proposed legislation regarding guide licenses and whether it would fulfill its intended purpose. Mr. Guiles stated that it would and that there will be parity between the guide license revocations and the hunting and fishing license revocations, particularly with regards to being able to revoke licenses for 5 years, 10 years, or for life.

On Federal legislation, Mr. Guiles reported on HR 2262 (To modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of

mining claims, and for other purposes), stating that it is in committee and is estimated to have a 50/50 chance of getting through both Houses of Congress.

The Commission discussed Federal legislation SB 86 (A bill to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers) and SB 1341 (A bill to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes) and decided to wait until December to see the language of the bills before making a decision to support or oppose this legislation.

Chairman Golightly asked about the definition of “wild and scenic” and if there were other rivers in the State of Arizona that were designated as “wild and scenic”. Mr. Guiles stated that there was and will provide the Commission with a briefing and the history in that regard.

On SB 408 (A bill to recognize the heritage of hunting and provide opportunities for continued hunting on Federal public land). Commissioner Hernbrode recommended that the Commission vote to support the bill.

Motion: Hernbrode moved THAT THE COMMISSION VOTE TO SUPPORT SB 408.

Commissioner Martin suggested that the Commission wait to see the language and see if the bill will go anywhere before taking a position.

Motion died for lack of second.

The Commission was in consensus to wait. Mr. Guiles will bring this back at the December Commission meeting.

Mr. Guiles also brought to the Commission’s attention a proposed bill regarding an amendment to the Endangered Species Act that would provide for suspended provisions during periods of drought. Mr. Guiles will provide the language of this bill to the Commission next week and will add this item to the Legislative Update.

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2. Statewide Shooting Range Briefing

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

The Commission was provided with a Statewide Shooting Range Update prior to this meeting of Department activities related to shooting range support and development statewide. The update (also available to the public), covered activities that occurred since the September 2007 Commission meeting. The statewide shooting range briefing is part of the Department’s ongoing commitment to provide the Commission with updates on statewide shooting range development and shooting sports in general.

Mr. Gray provided a Power Point presentation to the Commission with pictures and maps of several shooting range developments; recapping the Shooting Range Update and providing some additional information.

Public Comment

David Gaffney, representing himself, stated that the Master Plan for the 3-Points Shooting Range must be expedited and have a timeline so that next years activities at the range can be scheduled, or else events will end up being scheduled elsewhere. Also, Mr. Gaffney requested that the Commission look into the requirement that an individual must have a competitive event classification in order to use the long ranges.

Chairman Golightly stated that expediting the Master Plan was subject to other things like survey results and not under the Department's control; however the Commission has given the Department direction to make shooting ranges a top priority and they will be doing everything possible to complete it. Further, Chairman Golightly agreed that there should be at least 300-400 yard ranges and asked if the Department could somehow divide the range and have a portion open more often for uncertified long range shooters.

Mr. Gray stated that it will require some staff but it could be worked out, and that the Department has been working toward opening longer distance ranges.

Public Comment

Bill Moore, representing the owners of Munds Park RV Resort, addressed the Commission with concerns about the location and potential noise from the Northern Arizona Shooting Range. Munds Park RV Resort and the extended attached property is the closet private property to the range. Mr. Moore and the property owners believe that there is only one mile between the range and the private property, and that the range will negatively affect the RV Resort and future plans for development of the private property.

The Commission discussed with Mr. Moore that the distance from the range firing line to the private property was actually over two miles and that the berms will provide a barrier for noise.

Staff from the Department's Development Branch will meet with Mr. Moore and the property owner to discuss maps, surveys, and other information in an effort to mitigate the issues.

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10. Arizona State Land Department Petition to Close a Block of State Trust Land in Pinal County to Hunting and Trapping

Presenter: Mark Weise, Development Branch Chief

Mr. Weise briefed the Commission and provided a map for consideration on this item. The Arizona State Land Department (ASLD) submitted a petition to close a block of State Trust land in unincorporated Queen Creek to hunting and trapping. In July 2007, the ASLD issued a closure order for general and recreational access of the subject land in accordance with A.C.C. R12-5-534. Although the ASLD has closed the subject land, they requested a closure to hunting and trapping to prevent hunters and other individuals from gaining access under Arizona Game and Fish Department regulations.

This property is an abandoned citrus orchard that has not been watered in over 19 months and has resulted in the majority of citrus trees being dead. The proposed closure is approximately 1090 acres of which approximately 750 acres is currently available to hunting with firearms. ASLD recommended the closure due to public safety concerns; specifically fire danger (dead citrus trees within close proximity to a subdivision), unlawful dumping, theft of abandoned equipment, and arson of abandoned buildings on the subject property.

On June 20, 2007 Region VI personnel met with ASLD personnel on site to discuss potential mitigating actions. Options discussed and implemented by ASLD included the removal of dead trees around the perimeter to create a firebreak, fencing of abandoned equipment and buildings, and posting of signs to limit general recreation use. Although reasonable measures have been taken, the State of Arizona may face some increased liability by continuing to allow access for hunters.

Based on the September 1-15, 2007 dove hunt patrol, approximately 5-10 dove hunters per day use the area during the early dove hunting season. It is unknown how many hunters may use the area for other small game (quail, rabbit) hunting opportunities throughout the rest of the year.

Note: It was determined that, under R12-4-610 and R12-4-110 E, the Game and Fish Commission can consider the petition for a closure to hunting and trapping. The title on the petition also refers to a closure to "off highway vehicle operations, and all access except as authorized under lease or right of way". The ASLD was advised that the petition does not demonstrate damage to wildlife reproduction, wildlife management or wildlife habitat which would be required for the Commission to have authority to order an area closed to motor vehicles. ASLD was also advised that the Commission does not have authority to deny all access.

The Commission discussed with Mr. Weise and the Regional Supervisor Rod Lucas the impact this may have on hunters, the limited number of opportunities for people to hunt around the urban interface, and how these limited number of urban areas where people can hunt tend to become very congested with hunters. The Commission further discussed whether the issues were caused by hunters and if the issues would be resolved by closing the land to hunting.

Public Comment

Jody Latimer, Manager of Environmental Resources and Trespass Section, and Cynthia Stefanovic, Manager of Water Rights and Agriculture Section, both from the State Land Department, addressed the Commission and discussed their concerns regarding liability issues and the lack of funds to clean up the area and alleviate the issues. Some cleanup has been done by the State Land Department but it's not enough. The State Land Department has received many calls from concerned citizens and government entities, and the land has been closed to vehicular access.

Motion: Martin moved THAT THE COMMISSION VOTE TO APPROVE THE PETITION TO CLOSE A BLOCK OF STATE TRUST LAND IN PINAL COUNTY TO HUNTING AND TRAPPING.

Motion died for lack of second.

In lieu of addressing the petition to close the parcel of land to hunting and trapping, Chairman Golightly requested that the Department work with the State Land Department and try to coordinate helping them mitigate the issues. The Commission is trying to preserve as much urban hunting as possible. Chairman Golightly also suggested that the Department try to get some organizations like OHV groups to help clean up.

The Commission was in consensus with this direction to the Department.

(This item was re-addressed later in this meeting)

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11. Petition to Close a Road on State Trust Land Approximately Seven Miles Northeast of Benson, Arizona

Presenter: Mark Weise, Development Branch Chief

Mr. Weise briefed the Commission and provided a map for consideration. Ed Monzingo submitted a petition to close an unauthorized road on State Trust lands in Cochise County to vehicular access. The wildcat two-track road is ½ mile in length and forms half of a loop road to a well, drinker and corral facility.

The purpose of this proposed closure is to prevent further resource damage to soils and vegetation on the ranch. The wildcat road takes a route that is prone to erosion. Deep ruts are forming where the petitioned road approaches Sheep Wash and this causes people to drive around the ruts, thereby creating more resource damage. If this petition is approved, the closed portion of the loop road will be seeded and mechanical treatment used to prevent additional erosion from occurring. Motorized access will still be available to the well via the original road.

The closure will also benefit the habitat by aiding rotational grazing practices on the ZR Hereford Ranch. A new pasture is being added which includes two fence lines ending at the well. If the road is left as is at this site, two gates would have to be installed on the new fence lines less than 50 yards apart. There are concerns that with the gates being in such close proximity to each other, people traversing this road by vehicle may not keep the gates closed and hence interrupt grazing management practices. The Department is working cooperatively with Mr. Monzingo on various projects including an access stewardship agreement which will improve water storage and distribution on the ranch.

Region V personnel and the Arizona State Land Department supports this closure to prevent erosion and habitat damage.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE PETITION TO CLOSE A ROAD ON STATE TRUST LAND APPROXIMATELY SEVEN MILES NORTHEAST OF BENSON.

Vote: Unanimous

McLean absent

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12 Petition to Close a Road on State Trust Land Approximately Twelve Miles Northeast of Benson, Arizona

Presenter: Mark Weise, Development Branch Chief

Mr. Weise briefed the Commission and provided them with a map and pictures for consideration. The Department submitted a petition to close a road on State Trust lands in Cochise County to vehicular access. The two-track, non-maintained road is 5/8 mile in length and dead-ends at the abandoned Tungsten Mine Adit, which is located on Bureau of Land Management property.

The primary purpose of this proposed road closure is to prevent disturbance and potential loss of bats that roost in the mine adit. This site is significant because it is one of only a few known roost sites for the endangered lesser long-nosed bat. Changing the opening to restrict human access to the adit by installing grating or reducing the size of the opening is not a good option at this site. Therefore, this road closure is proposed as a means to reduce the number of people accessing the mine and reduce disturbances from motorized vehicles and campers outside the opening. Additional desired outcomes will be a decrease in soil and vegetation damage by vehicles turning around on the narrow dead-end road and a decrease in unlawful activities, which include camping too close to wildlife waters, vandalism of water improvements, and the adit itself. The Department is working cooperatively with the ZR Hereford Ranch on various projects including an access stewardship agreement which will improve the water storage and distribution system on the grazing allotment surrounding the mine adit.

The site where the locked gate is proposed will allow space for parking and camping. Non-motorized access will be allowed on the petitioned road. The Arizona State Land Department and Bureau of Land Management supports this closure for resource protection.

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE PETITION TO CLOSE A ROAD ON STATE TRUST LAND APPROXIMATELY TWELVE MILES NORTHEAST OF BENSON.

Vote: Unanimous
McLean absent

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Meeting recessed for a break at 10:27 a.m.

Meeting reconvened at 10:51 a.m.

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8. Call to the Public

John Koleszar, representing Arizona Deer Association and Arizona Wildlife Foundation addressed the Commission regarding the salary structure for Wildlife Managers (WM). The current salary structure is inadequate to compete with other agencies. Four WMs have been lost

to the Department of Public Safety (DPS) in the past two years. There is currently a difference of approximately 40% (\$19,000-\$20,000). There must be a way to make WM salaries more commensurate with that of DPS, and wildlife organizations will support the Commission and Department's efforts in finding a way to do that.

Commissioner Woodhouse requested to have this issue on a future agenda item.

Director Shroufe stated that the Department is aware of the issue and just lost another WM two weeks ago. Under Title 17, the Commission has the ability to control the Department's personnel issues; however, the Department had not had cooperation from the Department of Administration to do that. That has changed now and the Department would like to bring this issue back to the Commission for discussion. If implemented, the Commission could set the pay structure for all Department employees.

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10. (Continued) Arizona State Land Department Petition to Close a Block of State Trust Land in Pinal County to Hunting and Trapping

Presenter: Mark Weise, Development Branch Chief

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO BRING AGENDA ITEM 10 BACK FOR DISCUSSION AND THAT THE COMMISSION DISCUSS THIS MATTER IN EXECUTIVE SESSION TO SEEK LEGAL ADVISE.

Vote: Unanimous
McLean absent

The Commission agreed to discuss this item in the regular Executive Session and thereafter reopen the item for discussion in the Public Session.

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3. Information and Education Activities Briefing

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

The Commission was provided with an Information and Education Program Report prior to this meeting (also provided to the public), which presented new information as well as progress toward ongoing issues and concerns related to Information and Education programs. The update covered activities and events that occurred since the September 2007 Commission meeting and was provided in fulfillment of the Department's commitment to brief the Commission on a regular basis regarding the Department's Information and Education programs.

Commissioner Hernbrode asked if there was an implementation plan for education that shows objectives and goals.

Mr. Gray stated that there is an operation plan, but not an implementation plan; however, they have been charged with preparing one this year and it will have goals and objectives for each program listed in the Program Report.

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

Presenter: Josh Avey, Habitat Branch Chief

A copy of the Lands Update report was provided to the Commission prior to this meeting and is included as part of these minutes. The update addressed decisions or activities since the September 2007 Commission meeting. This update is in fulfillment of the Department's commitment to brief the Commission on a regular basis regarding decisions and actions on all State and Federal lands in Arizona.

Chairman Golightly asked for an update of the Long Tom Allotment in terms of retiring the domestic sheep portion of the permittee's ability to graze sheep.

Mr. Avey reported that the Department has been working with the National Forest to do a disease study and an impact study. This effort may influence the Forest's decisions effecting areas with current or future wild sheep populations. The Department is opposed to the sheep option in the Preferred Alternative and has recommended that the Forest select the cattle option.

Chairman Golightly asked in regards to the KOFA, if there has been any further attempts to collar mountain lions.

Mr. Avey reported that there are currently no collared lions on the KOFA and that efforts will be reinitiated after the weather cools down.

Commissioner Woodhouse mentioned that there is a tour planned with Sandy Bahr and Representative Aldner that will take place in the KOFA on Monday, and that he will be attending along with Department staff.

Commissioner Hernbrode mentioned the Pinal County Outdoor Summit on November 8, 2007. Both he and Commissioner McLean will be attending.

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5. Consent Agenda

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

a. Request for Commission Approval of a Grant of Perpetual Right-of-Way with the Bureau of Land Management for Permanent Vehicular Access into the Whetstone Mountains in Pima County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

The Department has been working on acquiring permanent vehicular access into the Whetstone Mountains for fifteen years or more. After several alternatives proposed to the Bureau of Land Management, they have offered a perpetual Right-of-Way along an existing, but currently closed, level 3 Back-County/Semi-Primitive road. The agreement would provide a perpetual right-of-way along this existing road for public vehicular access into the Whetstone Mountains.

The Department recommended that the Commission VOTE TO APPROVE A GRANT OF PERPETUAL RIGHT-OF-WAY WITH THE BUREAU OF LAND MANAGEMENT FOR PERMANENT ACCESS INTO THE WHETSTONE MOUNTAINS IN PIMA COUNTY, ARIZONA, AND EXECUTE THE AGREEMENT AS RECOMMENDED AND APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Cost Share Agreement with ADOT for Signalization at the New Headquarters Entry

Presenter: Mark Weise, Development Branch Chief

The Department has been working with ADOT on a cost share opportunity relating to the traffic signalization at the intersection of Archery Drive and Interstate 74 (the entry to the new headquarters complex). Under the agreement the Department assumes responsibility for engineering/design and must comply with all required permitting procedures. Upon Project completion, ADOT will reimburse the Department for two-thirds the cost of the signalization, estimated to be approximately \$165,000.

The Department recommended that the Commission VOTE TO APPROVE THE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH ADOT PERTAINING TO THE COST OF SIGNALIZATION AT THE NEW HEADQUARTER'S ENTRY OFF OF CAREFREE HIGHWAY.

c. Intergovernmental Agreement (IGA) Between the Arizona Department of Transportation (ADOT) and the Arizona Game and Fish Department (Department).

Presenter: Mark Weise, Development Branch Chief

An Inter-Governmental Agreement (IGA) was written to facilitate participation between ADOT and the Department in the construction of two (2) wildlife water catchments on the upstream side of State Route (SR) 92 at approximate milepost 328.0. The water catchments are mitigation for animal mortality as a result of the pending road widening of SR 92. ADOT will contribute an amount not to exceed \$100,000 to the Department for construction of the catchments.

The Department recommended that the Commission VOTE TO APPROVE THE INTER-GOVERNMENTAL AGREEMENT (IGA) BETWEEN THE DEPARTMENT AND the

ARIZONA DEPARTMENT OF TRANSPORTATION PENDING FINAL REVIEW BY THE DEPARTMENT'S ASSISTANT ATTORNEY GENERAL.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO HEAR ALL THREE CONSENT AGENDA ITEMS.

Vote: Unanimous
McLean absent

Amended Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE ITEMS 5A, 5B, AND 5C.

Vote: Unanimous
McLean absent

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6. Request for Commission Approval for the Department to Acquire the Wells Property from The Nature Conservancy in Yavapai County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

Mr. Avey briefed the Commission and provided a Power Point presentation which included a map and pictures of the area. The Department is working with The Nature Conservancy (TNC) on the acquisition of the Wells Property. The acquisition will include 312 acres and include approximately one mile of the Verde River, from the confluence of Granite Creek and the Upper Verde River to the Tract 39 parcel on the Commission's Upper Verde River (Croll) property two miles downstream. TNC will retain 20 acres of the property. Acquisition of this property as an addition to the Upper Verde River property would provide for Commission control of 3 miles of the Upper Verde River. The proposed acquisition would also include approximately 0.2 miles of Granite Creek which is bounded on either side by the Granite Creek parcel of the Upper Verde River property. The portion of the Verde River included in the subject property is noted for the diversity of native fishes found there including Razorback sucker, Roundtail chub and Spikedace and it is designated critical habitat for the threatened spikedace. The potential for river otter, bald eagle, communal roosting bats, Mexican garter snake, leopard frog and Arizona toad to occur on the subject property is also high. In addition, a variety of game and nongame species are common on the property.

Commissioner Hernbrode asked about the 20 acres retained by TNC, to which Mr. Avey stated that the Department will later acquire that 20 acres, but for now TNC has an obligation through their funding mechanisms to retain some land value initially.

Chairman Golightly clarified with Mr. Avey that this was subject to a second appraisal.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE ACQUISITION OF THE WELLS PROPERTY IN YAVAPAI COUNTY AND TO PREPARE AND EXECUTE A PURCHASE AGREEMENT WITH THE NATURE CONSERVANCY AND AUTHORIZE THE DIRECTOR TO EXECUTE ALL DOCUMENTS

NECESSARY TO ACQUIRE THIS PARCEL AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous
McLean absent

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7. Request by Mr. Dan Depugh, Mr. Don Roberts, Mr. John Collins, Mr. Mike McCracken and Mr. Steve Albgra for a Hearing to Extend Hunt 7020 or Reinstate Their Bonus Points for Buffalo from the Spring 2007 Draw

Presenter: Ron Sieg, Region II Supervisor

Mr. Sieg briefed the Commission on the request for a hearing. The Department received a letter dated April 30, 2007 from Mr. Depugh which outlined issues with hunt 7020 for buffalo (March 9 – April 8, 2007) and stated that there were no buffalo available to harvest. The Department then received a Petition for a Hearing before the Commission from the five hunters from hunt 7020: Mr. Dan Depugh, Mr. Don Roberts, Mr. John Collins, Mr. Mike McCracken and Mr. Steve Albgra. According to the Statement of Facts provided by the five hunters:

- The hunt should have been offered as a limited opportunity hunt
- All of the buffalo were in the Grand Canyon National Park at the time of this hunt
- Hunt 7020 should never have been scheduled so early in the year due to the data AGFD had
- AGFD flew a helicopter for 2 days during the hunt to collar buffalo; the buffalo were driven further into the park
- Buffalo hunters on hunt 7020 had no opportunity to take a buffalo: 5 hunters out of 5 were unsuccessful
- Buffalo hunters on hunt 7021 had opportunity to take a buffalo: 5 hunters out of 5 were successful.

The petition requests that that the Commission rectify this unjust situation for the five hunters by extending the hunting period for at least another 30 days to allow harvesting a buffalo when the majority of the buffalo were outside the Grand Canyon National Park or the reinstatement of their bonus points.

Motion: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO HEAR THIS PETITION.

Vote: Unanimous
McLean absent

Public Comment

The following were present and addressed the Commission in support of this request:

Dan Depugh
Shawna Depugh

Mike McCracken
John Collins

Additionally, Ms. Depugh provided the Commission with a written statement from Don Roberts, who could not be present. Documentation was attached to the statement outlining a history of difficulties with the House Rock buffalo herd. Ms. Depugh read Mr. Roberts' statement which strongly urged the Commission to take corrective action and give this group some relief for their unsuccessful hunt.

The Commission discussed the current and historical issues with the House Rock buffalo herd moving onto the Grand Canyon National Park making them difficult to hunt. Also discussed were the hunt schedules for 2008 and the current number of buffalo, which is approximately 221 with an objective of 100.

Commissioner Martin believed that the regulations stated an adequate warning that a significant number of the herd may move onto the Park. Further, Commissioner Martin would like to see further discussion in regards to having the population management hunt permits go to hunters that have the most bonus points rather than using the current structure.

Commissioner Hernbrode stated that he did not want to set a precedence for reinstating bonus points due to an unsuccessful hunt, but asked if there was a way to provide the hunters in this situation with a population management hunt tag.

Mr. Odenkirk didn't believe that was possible because those tags are issued by regulation to a hunter pool.

The Commission further discussed that they have not provided relief in the past for the same situation with other hunters regarding buffalo; however, this situation differed with the issue of the Department conducting helicopter surveys. Mr. Sieg stated that the surveys did not drive the buffalo onto the Park, but rather, an effort was made to haze them off the Park.

Chairman Golightly asked if there was any way to be creative within the law to allow for any additional buffalo hunting.

Mr. Sieg stated that the Department is trying to do that in 2008 by adapting to what is understood about the season and broaden the season to make sure that hunters have more opportunity. Every time there has been an issue with this hunt, the Department has tried to figure out what hunts and seasons and how many hunters are best for a successful hunt at House Rock.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO DENY THE REQUEST TO EXTEND THE HUNT OR THE REINSTATEMENT OF THE BONUS POINTS ACCRUED PRIOR TO THE 2007 SPRING HUNT DRAW.

Vote: Aye - Hernbrode, Martin
Nay - Golightly, Woodhouse
Failed 2 to 2
McLean absent

Commissioner Woodhouse explained his vote stating that he was sympathetic to the hunters in this petition, but was concerned about setting a precedence.

Commissioner Hernbrode suggested that the Commission vote to deny the request, but direct the Department to look at ways to provide specific relief to the 2007 hunt 7020 for buffalo to give them another opportunity sometime in the future (possibly 2009) to hunt buffalo and help the Department reduce the over population of the House Rock buffalo herd.

Motion: Woodhouse moved and Golightly seconded that the Commission table this item until the December Commission meeting, and direct the Department to bring back a recommendation as to what the Commission can do to deal with this situation.

Vote: Aye - Golightly, Woodhouse
Nay - Hernbrode, Martin
Failed 2 to 2
McLean absent

The Commission discussed with Mr. Odenkirk what it meant to have a split vote in this situation. Mr. Odenkirk stated that it would be the same as a denial of the petition and the Commission could not hear it again unless there was additional information to be submitted.

Motion: Woodhouse moved and Golightly seconded that the COMMISSION VOTE TO TABLE THIS ITEM DUE TO THE LACK OF A FIVE PERSON COMMISSION AND THAT THIS ITEM BE TABLED UNTIL THE DECEMBER MEETING.

Vote: Aye - Golightly, Hernbrode, Woodhouse
Nay - Martin
Passed 3 to 1
McLean absent

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Meeting recessed for lunch at 12:22 p.m.

Meeting reconvened at 1:30 p.m.

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13. 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: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous
McLean absent

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

Presenter: Pat Barber, Law Enforcement Branch Chief

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

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13. (Continued) 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: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous
McLean absent

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10. (Continued) Arizona State Land Department Petition to Close a Block of State Trust Land in Pinal County to Hunting and Trapping

Presenter: Mark Weise, Development Branch Chief

Motion: Martin moved Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE PETITION TO CLOSE A BLOCK OF STATE TRUST LAND IN PINAL COUNTY TO HUNTING AND TRAPPING.

Vote: Unanimous

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9. Commission Briefing on Status of New Headquarters Facility

Presenter: Mark Weise, Development Branch Chief

Using a Power Point presentation, Mr. Weise provided the Commission with an update on the development of the Department's new headquarters. The update included pictures of construction progress and other current issues related to the project. The move date is scheduled for November 9, 2007, so this will be the last update. By the next Commission meeting the Department will be operating out of the new facility.

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15. Identification of Commission-Owned Properties for Land Exchange with the U.S. Forest Service to Acquire the Willard Springs Site for the Northern Arizona Shooting Range.

Presenter: Josh Avey, Habitat Branch Chief

Mr. Avey briefed the Commission. At the May 2007 meeting, the Commission authorized the Department to consider all Commission-owned properties that were previously approved for liquidation in the Belmont land exchange, for the Willard Springs land exchange with the U.S. Forest Service for development of a public shooting range facility in Northern Arizona. The Commission authorized the Department to negotiate a land exchange with the Forest to obtain property for the Northern Arizona Shooting Range Facility, subject to Commission approval. The Director was further authorized to execute all necessary documents.

The Department reviewed and identified a subset of viable properties from the list approved during the May 2007 meeting and recommended the following properties for potential exchange:

Parcels for Exchange	Location	Region	Funding	Acres
Cunningham Tract 2	Tonto NF	6	W-66-L	62.5
Cunningham Tract 3	Tonto NF	6	W-66-L	42.5
Lamar Haines	Coconino NF	2	W-37-L	160
Manhattan Claims	Coronado NF	5	W-45-L	531.48
Sunflower Flat	Kaibab NF	2	State	160
Verde River Tract 39	Prescott NF	3	Her/Waterfowl	83.17

Motion: Golightly moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT’S RECOMMENDATION FOR PROPOSED PROPERTIES AND THAT THEY BE PROVIDED TO THE SECRETARY OF STATE FOR POSSIBLE LANDS TO BE EXCHANGED FOR THE NORTHERN ARIZONA SHOOTING RANGE FACILITY SITE.

Vote: Unanimous
McLean absent

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Meeting recessed for a break at 4:24 p.m.

Meeting reconvened at 4:26 p.m.

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13. (Continued) Executive Session

The Commission met 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.

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Meeting recessed for the day at 5:15 p.m.

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Saturday, October 20, 2007 – 9:00 a.m.

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Chairman Golightly called the meeting to order at 9:00 a.m. The Commission introduced themselves and Chairman Golightly introduced the Director and the Director's staff. Commissioner McLean was present via telephone for agenda items 5-8. This meeting followed an agenda revision #1 dated October 17, 2007.

Awards and Commissioning of Officers

Director Shroufe presented the following Service Pin awards to Department employees:

30 Year Service Pins: Gerry Perry

25 Year Service Pins: Tim Baumgarten, Bob Lemons, Kevin Bright,

20 Year Service Pins: Sharen Adams, Sherry Crouch, Mike Godwin, Chris Bagnoli, Madelynn Fenske, Eric Swanson

Director Shroufe introduced three new Department Wildlife Managers: Evan Lautzenheiser, Eric Podoll and Erin Turnpaugh. The officers were sworn in by Chairman Golightly.

Ron Scoffield, on behalf of the United Arizona Anglers Foundation, presented the Commission with a check for \$10,000 to help the Game and Fish Department in their recovery effects on the Salt River chain of lakes. Mr. Scoffield thanked all of those who assisted in the fundraising effort.

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Meeting recessed for a break at 9:37 a.m.

Meeting reconvened at 9:49 a.m.

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1. Add Veteran's Oasis Lake in Chandler to the Urban Fishing Program as a Designated Urban Water and Establish Special Commission Order 40 Fishing Regulations.

Presenter: Eric Swanson, Urban Fishing Program Manager

In 2006, the Commission adopted Commission Order 40 for a two year period encompassing 2007 and 2008. It has now become necessary to request minor modifications to Commission Order 40 for calendar year 2008 to add Veteran's Oasis Lake to the Urban Fishing Program. Veteran's Oasis Lake is a newly constructed five acre lake located on the northeast corner of Chandler Heights Boulevard and Lindsay Road in Chandler, approximately nine miles from the nearest existing Urban Fishing Program water. The lake is scheduled to be filled in October and will officially open as a designated Urban Fishing Program Water on or soon after January 1, 2008. Veteran's Oasis Lake represents the 21st specially designated water in the highly popular, and nationally recognized, Arizona Urban Fishing Program. Veteran's Oasis Lake will have special regulations consistent with other Designated Urban Fishing Program Waters:

<u>Species</u>	<u>Daily and Possession Bag Limits</u>
Trout	4
Catfish	4
Bass, minimum size 13 inches	2
Sunfishes	10
White amur, minimum size 30 inches	1

Special park signage, brochures, website information, and press releases will be developed to notify anglers of the special license and bag limit regulations at the new Veteran's Oasis Lake.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO ADD VETERAN'S OASIS LAKE TO THE LIST OF DESIGNATED URBAN FISHING PROGRAM WATERS AND AMEND COMMISSION ORDER 40 TO ESTABLISH URBAN LAKE SPECIAL REGULATIONS.

Vote: Unanimous
McLean absent

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2. Renewal of an Interagency Agreement for the Urban Fishing Program between the Arizona Game and Fish Commission and the City of Mesa

Presenter: Eric Swanson, Urban Fishing Program Manager

Commission action is required under A.R.S. § 17-231 B.7 to enter into agreements with other entities for the operation of wildlife facilities and to conduct related wildlife management. The Urban Fishing Program now consists of 20 lakes and participation has increased to a record high in 2006 of 620,000 angling days of use. Sales of the \$16 Urban Fishing License reached a record high in 2006 with over 36,700 sold. Another 14,500 unlicensed youth under the age of 14 participate in the Program. Urban anglers expend over \$6 million in direct expenditures to the Arizona economy annually. The Program continues to operate under a self-sustaining concept whereby license sale and municipal partnership fee revenues meet program expenses. The agreement with Mesa was made possible through generous sponsorship from Bass Pro Shops, and will assure urban fishing opportunity at Red Mountain and Riverview lakes for the next three years.

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO AUTHORIZE THE DIRECTOR TO FINALIZE NEGOTIATIONS, EXECUTE, AND AMEND AS NECESSARY AN INTERAGENCY AGREEMENT AND ANY SUB-AGREEMENTS BETWEEN THE DEPARTMENT AND THE CITY OF MESA TO CONDUCT AN URBAN FISHING PROGRAM FOR A PERIOD OF THREE YEARS, COMMENCING JULY 1, 2007 THROUGH JUNE 30, 2010 ON TWO DESIGNATED URBAN FISHING PROGRAM WATERS.

Vote: Unanimous
McLean absent

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3. Salt River Reservoirs Golden Alga Action Plan Update

Presenter: Kirk Young, Acting Fisheries Branch Chief
Chasa O'Brien, Research Branch Chief

Using a Power Point presentation, Mr. Young briefed the Commission on the implementation of the Golden Alga Action Plan for the Salt River reservoirs – Saguaro, Canyon, and Apache. The Action Plan was approved by the Commission at the April 2007 Commission meeting. It is comprised of 16 actions at a cost of \$1.8 million over a two year period. Implementation began in June 2007.

Status of Action Plan Implementation:

1. Fish Stocking

- Purchase Contracts finalized
- SMB (smallmouth bass)
 - Stocking of 3,750 6-8" scheduled for Apache Oct 30
 - UAAF (United Arizona Anglers Foundation) donated \$\$ to expand SMB stocking to Canyon (up to 1,280 SMB if available).
- LMB (largemouth bass)
 - Fish scheduled to arrive at Bubbling Ponds on Nov. 7 for tagging
 - Stocking of 20,000 6-8" LMB scheduled for Nov. 11, 12, 13 at all 3 reservoirs
 - >200,000 fingerlings will be stocked in the Spring.

2. Continue Walleye Stocking

- 3.4 million stocked into Apache in April; plan to repeat 2008.

3. Stock Unobligated Rainbows

- 85,000 fingerling to Apache in March
- 11,000 catchables to Apache in Nov., Dec. and Jan.

4. Mark Fish to be Stocked

- SMB marked with tetracycline as a bone marker
- LMB will be tagged with a coded wire tag, detectable with metal detector-wand
 - Tagging experiment successfully completed - avoid use of chemicals and 21 day withhold time
 - Spring Fingerlings will be Tetracycline marked.

5. Lake Surveys

- E-fishing and gill netting surveys - twice a year (October and April)
- Monitor Fish Populations and Assess Stocking
- Fall 2007

- Canyon Lake Oct. 1-3
- Apache Lake Oct. 15-18
- Saguaro Lake Oct. 22-25.

6. Creel Surveys

- An intensive creel survey at Saguaro, Canyon, and Apache Lakes began on June 1, 2007 (surveys now on hold at Canyon Lake until water levels return).
- Survey result highlights June-September (330 interviews)
 - Catch and harvest highest for catfish
 - LMB harvest low at all three reservoirs
 - Species targeted were anything (49-57%), LMB (22-33%), and catfish (12-22%)
 - Internet creel survey planned for November/December

7. Water Quality/Algae Monitoring

- Arizona Department of Environmental Quality (ADEQ) committed to share portion of collection and analysis work for 1st year; AGFD will pickup balance of samples
- Working with ADEQ for commitment for year two.

8. Implement an Enhanced Response System

- Assessing Texas protocols, developing response framework, and planning a work trip to Texas.

9. Implement use of HPLC

- Use of HPLC (high pressure liquid chromatography) has been evaluated
- Limited value for detection of Golden Alga toxin until a “standard” is developed
- High value for detecting blue green toxins (i.e. anatoxin A, microcystin)
- Purchase planned for this year.

10. Consider Regulation Changes if Necessary

- The controlling factor is believed to be Golden Alga and its toxin
- Creel and fish surveys will determine if angler harvest is a factor that needs to be addressed through regulation
- Data collected under this plan will provide information for any regulatory recommendations
- Future responsive management surveys to determine public views.

11. Collaborate with University of Arizona on research

- Meeting with Dr. Walker end of the month to refine his research proposal (isolate golden alga toxin and identify stressors that produce toxins).

12. Create and Implement Public Outreach

- The Information and Education Division has drafted an outreach communications plan; the next step is to integrate messages (quagga, etc.), finalize, and implement prior to golden alga ‘season’.

13. Increase Informational Signs

- Integrating messages with Aquatic Nuisance Species and new signs to be implemented as part of communications plan (#12)
- Stop Aquatic Hitchhiker signs delivered to Tonto Forest Staff.

14. Add golden alga protocols to Stop Aquatic Hitchhiker programs

- Included in signs (task 13) and communications plan (task 12).

15. Implement Fish Habitat Development Projects

- Apache Lake habitat project completed in 2006 (\$32,000 value in volunteers and donations)
- Canyon Lake planned for November/December 2007

16. Salt River Lakes Golden Alga Workgroup

- Letters of invitation sent (Tonto National Forest, DEQ, Salt River Project, Non-Government Organizations/angler groups) for meeting scheduled October 23. Coordination and interagency problem solving.

Chairman Golightly offered the anglers at this meeting to participate in the e-fishing and gill netting surveys scheduled for this fall, and requested that Mr. Young accommodate them as much as possible.

The Commission discussed with Mr. Young whether using a slot limit or other regulatory measures were needed to protect the stocking investment.

Mr. Young stated that it is not known yet if harvest will be a negative factor in the effort to turn these three lakes back into fisheries. That will be determined by surveys and other data.

Chairman Golightly asked if the golden alga problem has been arrested, since the Department is ready to move forward with the stocking program.

Mr. Young stated that the alga is not under arrest, but the last few years have been very light in terms of golden alga effects in the reservoirs. It's still present and there have been some minor fish kills, but nothing significant.

Public Comment

Dennis Anderson, United Arizona Anglers Foundation, thanked the Commission for their attention to the Salt River chain of lakes, but also requested that the Commission keep Bartlett, Alamo and Lake Pleasant in mind when they do the 2009-2010 budget. Further, the United Arizona Anglers Foundation are interested in adding and supplementing the plan for Florida large mouth bass, and would also like to see a temporary emergency catch and release regulation on the Salt River lakes for large mouth and small mouth bass, implemented before the upcoming spawn in February.

Jim Patterson, United Arizona Anglers Foundation, urged the Commission to protect the fish in the Salt River lakes with a slot limit or a total catch and release until they can recover. Also, Mr.

Patterson requested that if there are any surplus monies from the recovery plan budget this year, that the money be set aside for next years matching funds when the United Arizona Anglers Foundation presents another check.

The Commission further discussed slotting and whether to make an emergency change in the regulations or to wait until the next two-year cycle in October 2008. Major concerns were in getting the word out to the public about a regulation change in the middle of a cycle and that the Commission did not want to take any action on an item without giving the public adequate time to provide input.

The Commission were in consensus to wait until October 2008 and requested that the Department include information in their presentation and recommendation at that time on a possible slot limit on these lakes.

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4. Call to the Public

There were no requests from the public to speak.

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Meeting recessed for a break at 10:45 a.m.

Meeting reconvened at 11:06 a.m.

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5. Tumacacori Highlands Wilderness Act of 2007

Commissioner McLean was present for this agenda item via telephone

Presenter: Anthony Guiles, Legislative Liaison

Representative Raúl M. Grijalva, introduced legislation to designate two adjacent wilderness areas on public lands that are part of the Coronado National Forest. The legislation would provide for two segments of wilderness expanding the existing Pajarita Wilderness and lands surrounding Atascosa Peak. While the legislation generally addresses the state's authorities to regulate hunting and wildlife management, the Department believes that additional language could be included to further the intent of the Policies and Guidelines (Policies) for Wildlife Management in Wilderness, an agreement signed by the Forest Service, Bureau of Land Management, and the Association of Fish and Wildlife Agencies. Additional clarification from the Policies would ensure protection of the Department's mandate to proactively manage wildlife. (For additional information, see Commission Meeting minutes for September 7, 2007).

Mr. Guiles provided the Commission with an update on activities since the September Commission meeting. The Commission gave the Department four areas of concern to address with Congressman Grijalva: 1) Public access to the wilderness area, 2) the actual boundaries of the wilderness area, 3) clarification of language for the management of wildlife in the proposed Tumacacori Wilderness Area, and 4) to apply the improved language regarding wildlife

management for the proposed Tumacacori Wilderness Areas as a template for all existing wilderness areas in Arizona.

Since the last Commission meeting the Department sent a letter to Congressman Grijalva's Office and received an updated map of the proposed wilderness area. The Department will review the map and provide an update at the next Commission meeting. Also, a conference call was set up with Congressman Grijalva's Office in which Commissioners Golightly and Hernbrode participated.

Commissioners Golightly and Hernbrode briefed the Commission and Department on their conference call conversation with Congressman Grijalva's Office. They agreed that public access to wilderness boundaries was an issue and it was agreed to ask Sky Island and the sportsman's groups to take another look at the boundaries as they are proposed in order to come with a resolution. In regards to the language for managing wildlife in wilderness areas and the role of the Department, they agreed to consider language prepared by the Department; however, they were not responsive to this being a template for all wilderness areas.

The Commission further discussed the language they would like to see in the bill that would allow the Department to manage wildlife as the Department deems necessary. The consensus was that the Department should be exempt from wilderness restrictions. The Commission directed the Department to draft proposed language to that effect.

Mr. Guiles will draft the language and present that to the Commission next week.

Public Comment

Jon Fugate, Yuma Valley Rod and Gun Club, addressed the Commission and stated that any area that was designated wilderness in the Arizona Wilderness Act of 1984 could very easily be subject to the language that the Commission decides on without reopening the Act. The proposed legislation as an amendment already opens it up. Mr. Fugate offered some proposed language for the bill and discussed that language with the Commission. Further, Mr. Fugate requested that the Commission oppose Congressman Grijalva's proposed legislation until wildlife management concerns and public access are adequately addressed within the language of the bill.

The Commission asked the Department to look into Mr. Fugate's assertion regarding the Arizona Wilderness Act of 1984 being subject to language in another bill.

Brian Dolan, representing himself, addressed the Commission in support of language that exempts the Department from wilderness restrictions and further discussed the issues with the Commission.

Mike Quigley, Sky Island Alliance, addressed the Commission stating that his organization is very interested in a broad based coalition and encouraged the Commission to continue the dialogue that has been opened up with his organization and with Congressman Grijalva's Office. If this is done well and in an open spirit of cooperation, it will set things up for future efforts in working collaboratively to achieve goals. Sky Island Alliance is very interested in facilitating dialogue and being actively engaged in that effort with the Department and Commission and

with sportsman's groups. Mr. Quigley further discussed the issues with the Commission and is interested in seeing the Department's proposed language. His organization's interest is to preserve intact wilderness habitat and the recreational opportunities that it affords to all Arizonans, hunters and non-hunters alike. It's not about keeping people out, it's about keeping that land intact and they are flexible on how that happens.

Commissioner Hernbrode read a statement that he prepared on this issue as follows: "Conceptually, I support wilderness in Arizona and I do not oppose wilderness status for the Tumacacori Highlands. Wildlife in and out of this and other wilderness areas must be preserved and conserved, and to do so will require proactive management on the part of the Arizona Game and Fish Department and cooperation from the land management agencies. The language articulating the lead authority of the State of Arizona to manage wildlife in other Wilderness Acts in our State has lead to numerous and well documented conflicts due in part to the ambiguity of the language; language that is currently repeated in the Tumacacori Wilderness Act HR3287. I want to continue to work with Representative Grijalva, all of the Delegation, and whoever else is willing, to work with the Commission and Department staff on the several issues we have articulated and forwarded to Representative Grijalva last month. Everyone needs to know that this Commission is serious about getting it right this time".

Motion: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO OPPOSE HR 3287 THE TUMACACORI WILDERNESS ACT OF 2007 AS IT WAS INTRODUCED IN AUGUST 2007; AND FURTHER THAT THE ARIZONA GAME AND FISH DEPARTMENT STAFF BE INSTRUCTED TO DRAFT LANGUAGE THAT ENSURES THAT THE STATE HAS ADEQUATE AUTHORITY TO MANAGE WILDLIFE AND WILDERNESS THROUGH OUT THE REST OF THE STATE AND FURTHER TO WORK WITH REPRESENTATIVE GRIJALVA AND THE REST OF THE ARIZONA DELEGATION TO ENSURE THAT CLEAR AND CONCISE LANGUAGE THAT ARTICULATES ARIZONA'S ROLE AND AUTHORITY TO MANAGE WILDLIFE IN WILDERNESS IS ENSURED.

The Commission discussed using the words "not support" instead of the word "oppose".

Motion: Martin moved and McLean seconded THAT THE COMMISSION VOTE TO AMEND THE MOTION TO SUBSTITUTE THE WORD "OPPOSE" WITH THE TWO WORDS "NOT SUPPORT".

Vote: Aye - Golightly, McLean, Martin, Hernbrode
Nay - Woodhouse
Passed 4 to 1

Amended Motion: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO NOT SUPPORT HR 3287 THE TUMACACORI WILDERNESS ACT OF 2007 AS IT WAS INTRODUCED IN AUGUST 2007; AND FURTHER THAT THE ARIZONA GAME AND FISH DEPARTMENT STAFF BE INSTRUCTED TO DRAFT LANGUAGE THAT ENSURES THAT THE STATE HAS ADEQUATE AUTHORITY TO MANAGE WILDLIFE AND WILDERNESS THROUGH OUT THE REST OF THE STATE AND FURTHER TO WORK WITH REPRESENTATIVE GRIJALVA AND THE REST OF THE ARIZONA DELEGATION TO ENSURE THAT CLEAR AND CONCISE LANGUAGE THAT

ARTICULATES ARIZONA'S ROLE AND AUTHORITY TO MANAGE WILDLIFE IN WILDERNESS IS ENSURED.

Vote: Unanimous

Motion: McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO DRAFT AND PRESENT TO THE COMMISSION SPECIFIC LANGUAGE THAT WOULD BE SUBMITTED TO CONGRESSMAN GRIJALVA TO AMEND THE CURRENT BILL WITH REGARD TO CLARIFICATION OF LANGUAGE FOR THE MANBAGEMENT OF WILDLIFE IN THE PROPOSED TUMACACORI WILDERNESS AREA AND THAT THE LANGUAGE BE BROAD ENOUGH THAT WE CAN EITHER ASK THAT IT BE INCLUSIVE OF THE 1984 WILDERNESS ACT OR BE PRESENTED FOR SEPARATE LEGISLATION TO AMEND THAT ACT.

Vote: Unanimous

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Meeting recessed for a break at 12:28 p.m.

Meeting reconvened at 12:38 p.m.

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6. Hiring a New Director for the Arizona Game and Fish Department

Commissioner McLean was present for this item via telephone.

Presenter: Shelley Cutts, Assistant Attorney General

Ms. Cutts did not have any further updates for the Commission at this time. The Commission decided to go into Executive Session for discussion on this item.

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8. Executive Session

Commissioner McLean was present for this item via telephone.

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: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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6. (Continued) Hiring a New Director for the Arizona Game and Fish Department

Commissioner McLean was present for this item via telephone.

Presenter: Shelley Cutts, Assistant Attorney General

The Commission discussed their intentions to move forward in preparing for the selection process for hiring a new Director and that the next step is to draft questions for the interview process. Also discussed were changes in the job announcement and changing the initial draft timeline to include a second round of interviews without changing the general overall timeline.

The Commission directed Ms. Shaffer to adjust the timeline for second interviews and for possible third interviews and to provide that to the Commission for discussion in an Executive Session.

The Commission discussed the job announcement and gave direction to Ms. Shaffer to make several changes. Also discussed were what would be the required knowledge, skills and abilities.

Commissioner McLean asked about the contract for the new Director. Ms. Cutts will work with Ms. Shaffer and make any necessary changes based on the changes made in the job announcement and then provide the draft contract to the Commission for review at the December Commission meeting.

The Commission directed Ms. Shaffer to contact other state agencies that are currently recruiting for a new Director and gather additional input and information.

The Commission discussed and were in consensus to have this on the December agenda to provide the public an opportunity to submit suggestions on what they would like the Commission to look for in a new Director.

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8. (Continued) Executive Session

Commissioner McLean was present for this item via telephone.

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: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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Meeting recessed for a break at 1:54 p.m.

Meeting reconvened at 2:13 p.m.

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9. Litigation Report

The Commission had no questions or comments on this item.

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10. Director's and Chairman's Report

Chairman Golightly reported that he has been working on shooting range issues and has been hunting and fishing.

Director Shroufe reported on the recipients of the 2007 Local Sportsmen's Grant Program Awards and the Wildlife Conservation Fund Grant Program Awards. The Commission was provided written reports (also available to the public).

Director Shroufe also reported that the Governor's Office and six Legislators have been working on State Land reform. An agenda will be coming out for comment next week and the Department will be working on recommendations for that and will bring those to the Commission.

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11. Commissioner's Reports

Commissioner Hernbrode had two meetings with a group that is working on the Resolution Mine proposals and spent considerable time on the Tumacacori issues.

Commissioner Martin had a couple of different meetings with the Governor's Natural Resources Advisor regarding constraints on the Department working in wilderness areas and some mining in Arizona; spent time with Department staff and with the public going over the Ben Avery Shooting Facility Master Plan and attended the open house on that subject; attended Audubon Arizona's Awards Banquet; attended the AFWA Conference and the Commissioner's Committee; sat in on the non-toxic ammo committee; attended the first of the two Resolution Copper meetings; attended the anglers round table meeting; spent considerable time talking to the public and Department staff about the Tumacacori Wilderness proposal.

Commissioner Woodhouse went on a couple of hunting trips; had quite a few talks with people on the Adair Range; sat in on the Resolution Copper meeting; spent a lot of time discussing the Tumacacori situation; and have discussed and helped plan an upcoming sportsman's roundtable meeting.

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12. Approval of Minutes and Signing of Minutes

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES JULY 13, 2007, AUGUST 17, 2007, AND SEPTEMBER 7, 2007.

Vote: Unanimous

Following approval, the Commission signed the minutes for July 13, 2007, August 17, 2007, and September 7, 2007.

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Director Shroufe left the meeting for personal reasons. Deputy Director Ferrell acted as Director for the remainder of the meeting.

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13. Future Agenda Items

Deputy Director Ferrell captured the following action/future agenda items:

- Provide the Commission with a briefing on the wild and scenic designations in Arizona
- Provide further analysis of the proposed Federal legislation that is of interest to the Commission
- Revisit the Ben Avery Shooting Facility, draft Master Plan to look for shooting opportunities from the 200 to 500 yard range
- Research mechanisms to reduce disparity between Department salaries and those other agencies by reviewing Commission authority pursuant to Title 17, the laws of Commission to establish salary schedules for Department positions
- Keep the Commission informed up to the day on the KOFA lion issues
- Make arrangements for Commissioners McLean and Hernbrode to attend the November 8 Outdoor Summit in Pinal County
- Investigate creative solutions to address buffalo hunt success at House Rock by the 2008 season or the 2009 season, and find a means to accommodate the 5 petitioners with some relief during 2008 providing Department recommendations in December of 2007
- Investigate a Rule change (R12-4-115) that would allow operation management hunts for buffalo to go to those who hold the greatest number of bonus points and/or address a guaranteed population management hunt tag
- In regards to the Tumacacori Wilderness Bill, bring specific language for item 3 back to the Commission to include an amendment of the 1984 legislation, and do that via teleconference the week of October 29.

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7. 2007 Annual Commission Awards Selection

Commissioner McLean was present for this item via telephone

Presenter: Josh Avey, Habitat Branch Chief

The Commission was provided with an overview of the 2007 Commission Award nominees prior to this meeting for review and consideration. Mr. Avey facilitated ballot voting by the

Commission in which the nominee with the majority of votes won the award. The selected award recipients were as follows:

Award of Excellence: Clifton Ranger District, Don Farmer, Old Pueblo Trout Unlimited, Jimmy Unmacht, Jordan Azlin, Brian Dolan, Andrea Nesbitt, Kenny Wilkins, Thomas Slaughter.

Youth Environmentalist of the Year: Travis Bickford

Media of the Year: Outdoor Wire (Jim Shepherd)

Conservation Organization of the Year: Arizona Hunters Who Care (Lance Altherr)

Conservationist of the Year: Lorri Gray

Outdoor Woman of the Year: Linda Dightmon

Environmentalist of Year: Timothy Talbott

Volunteer of the Year: Rene Dube

Educator of the Year: Mike Trimble

License Dealer of the Year: Del Rey Western Outdoor

Wildlife Habitat Stewardship Award: Bob Fletcher

Outdoor Writer of the Year: None Submitted

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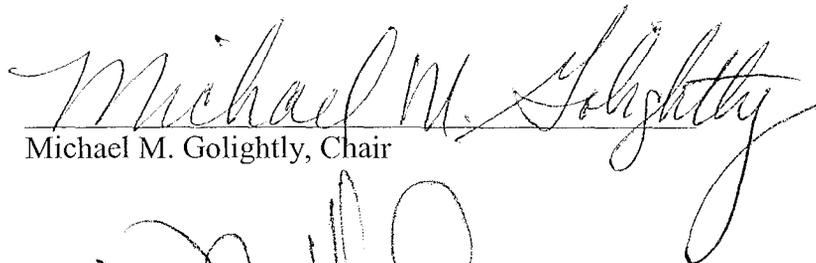
Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous
McLean absent

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Meeting adjourned at 2:47 p.m.

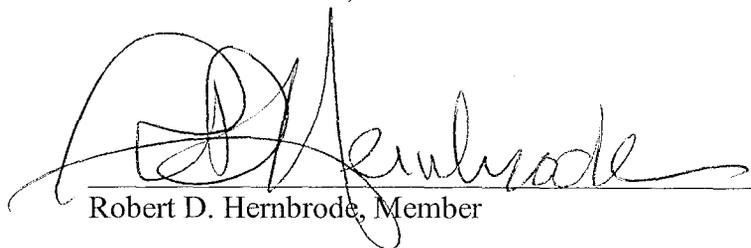
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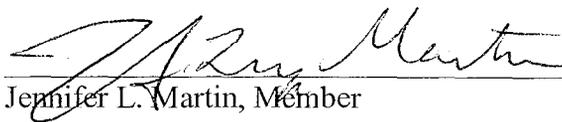
Michael M. Golightly, Chair



William H. McLean, Vice Chair



Robert D. Hembrode, Member

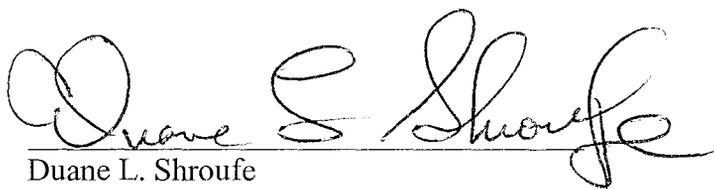


Jennifer L. Martin, Member



Robert R. Woodhouse, Member

ATTEST:



Duane L. Shroufe
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
October 19, 2007**

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

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

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

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

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

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

The Court set a scheduling conference for October 18, 2007. In preparation for this conference, the parties have conferred and developed a proposed joint case management plan for the Court's review.

A ruling on the motions to intervene and the motion for TRO remain pending with the Court.

(10/15/07) (JFO/SDC)

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The Court set a scheduling conference for October 18, 2007. In preparation for this conference, the parties have conferred and developed a proposed joint case management plan for the Court's review.

A ruling on the motions to intervene and the motion for TRO remain pending with the Court.

(10/15/07) (JFO/SDC)

Lands Update
For the Arizona Game and Fish Commission
October 19, 2007
Phoenix, Arizona

FEDERAL LAND MANAGEMENT PLANNING

Forest Service

Coconino National Forest

The Department submitted comments on the Proposed Action for the Travel Management Plan in September. The Forest will analyze the comments and develop a preferred alternative that will be published in the Environmental Impact Statement. The Department will continue to be actively involved with the Forest in this process.

Coronado National Forest

The Department attended the Coronado Forest's Travel Management Plan public meeting in all Ranger Districts, and the Department is meeting with the individual Districts to go over roads and campsites that our customers use. The Forest announced six southeastern Arizona public meetings in October and November on their Forest Plan revision. Department personnel will continue to attend all of the meetings.

SB 1441 HABITAT RESTORATION AND ENHANCEMENT FUND

Anderson Mesa Grassland Restoration

The grassland restoration goal for 2007 is to treat pinyon-juniper on approximately 7,000 acres using a mix of SB 1441 and Natural Resource Conservation Society (NRCS) funds. As of this October, we have completed approximately 4500 acres of treatment. One contractor is working full time on this project and a second contractor is scheduled to start in October.

The wetland-fencing goal for 2007 is to fence 6-7 wetlands using a mix of SB 1441 and National Forest Foundation funds. One lake has been fenced, three others are currently being fenced, and bids to fence three others have been awarded. A grant application to the Intermountain West Joint Venture has been submitted to continue fencing additional wetlands.

Region I Deer Habitat Restoration

The Clifton Ranger District is currently awaiting completion of the emergency consultation with the U.S. Fish and Wildlife Service (USFWS) prior to initiating prescribed burning activities within the southern half of the Chitty Creek Project area that were not impacted by the recent Chitty wildfire. Completion of prescribed burning is expected to occur this fall or next spring, depending on when the emergency consultation

is completed and the existence of appropriate weather conditions to conduct burning activities.

SB 1441 restoration activities on the Pigeon Creek project area are complete. Clifton Ranger District personnel continue to work on the final report, which should be completed within the next few weeks.

Clifton Ranger District personnel completed thinning on an additional 190 acres for a total of 800 acres on the Four Bar Pasture in Sheep Wash.

U.S. FOREST SERVICE

Apache-Sitgreaves National Forests

Department personnel attended a series of internal Forest Plan Revision meetings conducted during the first week of October. The main objective of these meetings is to begin to develop Desired Conditions, which are descriptions of the ecological, economic, and social attributes that characterize or exemplify the desired outcome of land management.

Department personnel conducted two chemical treatments on the South Fork of Little Colorado River, Apache County, on September 19-20 and September 24, 2007. The goal of the project was to remove non-native brown and hybrid trout prior to reintroducing Apache trout into this historic habitat. The first treatment on September 19-20 was a full treatment to the lower barrier, including all tributaries, covering approximately 15 miles of stream. The second treatment was scaled back to a partial treatment because a heavy rainstorm on September 22, which increased flows significantly. This treatment was focused in areas where trout were most likely to have survived the first treatment. Both treatments went well, however, a third treatment will be scheduled for June 2008 to ensure all non-native trout are removed before pure Apache trout are repatriated to the stream. Counts were made on the number of fish in several representative reaches during the treatment, indicating the stream can support around 5000 trout above the fish barrier, making this one of the better Apache trout recovery streams on the Forest. The treatments were conducted cooperatively with help from the Forest Service, Fish and Wildlife Service, American Conservation Experience, and other volunteers.

The Department collected 35 juvenile roundtail chub from middle Chevelon Creek, Coconino County, on the Forest on September 6, 2007. These fish were transported to a pond at the Silver Creek Hatchery where they will be raised into brood stock. The goal is to propagate roundtail chub to supplement the only two existing populations within the Little Colorado River basin (Chevelon Creek and Clear Creek), and to establish additional populations within their historic range. These actions are consistent with the Statewide Conservation Agreement and Strategy for roundtail chub. This project was conducted cooperatively with the US Fish and Wildlife Service.

The Department assisted the Apache County Rough Riders ATV Club, based in Springerville, with their 4th Annual Outlaw Trail ATV Jamboree on September 5-8. The club conducts ATV trail rides on over 1,200 miles of trails and road network on the Springerville and Alpine Ranger Districts of the Forest. As in prior years, the club also crossed the Department's Sipe White Mountain Wildlife Area on a newly established OHV route (2006) as part of their trail ride system. This year's event had over 400 registrants. The Department provided daily tours of the wildlife area's visitor center and conducted two programs on wildlife viewing at the wildlife area. They also provided support and assistance to the organization and event by setting up and manning an OHV information booth at the event's staging area in Eagar, speaking with participants on ATV and OHV rules, regulations, safety and ethics and handing out printed materials on preferred-use ATV areas located in eastern Arizona.

The Department secured a grant for \$60,000 from the Apache County Resource Advisory Committee and the Forest Service to thin approximately 300 acres of pinyon-juniper woodland habitat on State Trust land adjacent to the Town of Eagar. A mixture of mechanical and hand thinning methods will be utilized to thin unnaturally dense stands of woodland to create wildland fuel fire breaks and provide habitat diversity for wildlife. This project is designed to meet multiple resource improvement objectives including, improving the fire resiliency of these acres immediately adjacent to the Town, creating wildland fuel breaks that will link to planned thinning activities associated with the Eagar South Wildland Urban Interface project on Forest Service lands, improving wintering big game habitat, and setting the stage for future prescribed fire activities in this area. The project will occur on State Trust lands that the Department currently holds the associated livestock grazing lease. This type of grant is made possible through the Federal Legislation known as the Secure Rural Schools and Communities Self Determination Act of 2000. The funds will be available starting in March of 2008 and project activities will began as early as April 2008.

Coconino National Forest

The Department is currently reviewing the draft Environmental Assessment (EA) for the Greater Flagstaff Forest Partnership-collaborative Jack Smith/Schultz Fuels Reduction and Forest Health project. The project proposes fuels reduction and prescribed burning treatments on approximately 8500 acres on the southeast and east areas of the San Francisco Peaks in northwest Flagstaff. The Department has productively worked with the Forest to incorporate forest thinning treatments that promote better structural heterogeneity for wildlife habitat in parts of the project area particularly important for large game, threatened species, and other important forest wildlife. We are encouraged by the Forest's efforts to provide denser forested conditions on at least some portion of the project area. The Department remains actively engaged in discussions with the Forest to ensure proposed changes to forest canopy cover meet wildlife habitat needs

The Department accompanied Forest Service personnel on a field trip to review elk use of the Hackberry Pivot Rock Allotment located along the Mogollon Rim. The Forest is concerned that heavy elk use is precluding recovery of riparian habitat. Although heavy

use by elk was apparent, it is difficult to determine how elk use had affected the riparian area because cattle were in most pastures and in the enclosure.

The Department has requested an alternative with lower livestock utilization rates (20%) on the Fossil Creek Allotment in order to enhance recovery of watershed and range condition. The Forest is currently preparing the EA.

Coronado National Forest

The Department is working with the Douglas Ranger District to expand native fish populations in Cave Creek in the Chiricahua Mountains. Efforts to stock both Sonoran suckers and desert suckers are currently being planned. The planned implementation date for this project is the spring of 2008.

The Department is working with the Douglas Ranger District to expand Yaqui chub populations currently found in West Turkey Creek to Rucker Canyon. Both locations are in the Chiricahua Mountains.

The Department continues to work with the Catalina Ranger District to establish Gila topminnows in Sabino Canyon. Currently, environmental compliance documents are being drafted with a planned implementation date of spring 2008.

The Department is coordinating with the Nogales Ranger District to repair the boat ramp at Pena Blanca Lake. The ramp was damaged by flood waters during the monsoon season. We have also been meeting with the Forest to discuss their plans to dredge Pena Blanca Lake to remove mercury contaminated sediments from the lake bottom.

Kaibab National Forest

Westside Habitat Improvement

During the period of January 26, 2007 (signing of the Decision Notice) and September 30, 2007, the Department accomplished the following activities associated with the Westside Habitat Improvement Project: 4,300 acres of archeological survey completed by PaleoWest Consultants covering the area proposed for push renovation work (\$76,970); 1,290 acres of push renovation work by Earl's Logging consisting of grinding pinyon and juniper trees that had re-invaded historic pushes (\$155,730); and collection of 1,321.28 Pure Live Seed (PLS) pounds of cliffrose seed by Maple Leaf Seed Company from the Westside of the Kaibab plateau, and purchase of another 178.72 PLS pounds of cliffrose from a southern Utah Source for fall 2007 seeding (\$56,100); Purchase of 50 gallons of Plateau[®] herbicide, 100 gallons of Methylated Seed Oil and 35 gallons of Roundup[®] herbicide from United Agricultural Products for fall 2007 application (\$16,495); Payment of \$5,082.44 to the Kaibab National Forest for archeological oversight on the push renovation project. The completion of catchment 1141/Cedar Ridge at a cost of \$47,800. Partial completion of catchment 1142/Willow Point at a cost of \$38,434. Partial completion of catchment 1143/Buckhorn at a cost of \$38,434. Partial completion of catchment 1144/Rock Canyon at a cost of \$38,324.

In summary for the year, \$473,479.44 was expended on the Westside Habitat Improvement Project using Department funds for the period of 1/26/07 to 9/30/07.

Additional push renovation and catchment work is continuing. Contracting is in progress for herbicide application and seeding.

Prescott National Forest

The Department participated in annual vegetation monitoring on the Yavapai Ranch. Representatives from the Kingman Bureau of Land Management Office accompanied Department personnel to look at grassland restoration projects, and to witness the extensive collaboration among stakeholders on the ranch.

Tonto National Forest

The ID Team for the Heber-Reno Driveway has reformed and a scoping letter is expected to go out in mid-October. At the Forest Service's request, the Department has agreed to lead a collaborative disease assessment for bighorn sheep as part of the planning process.

The Department met with Mesa Ranger District to discuss modification to the proposed Canyon Lake Closure Order to allow access to the waterline for anglers and hunters associated with the Lake Drawdown.

BUREAU OF LAND MANAGEMENT (BLM)

Arizona Strip Field Office

The Department continues to coordinate closely with the Field Office (FO) in development of subsequent implementation-level plans, including Travel Management Plans and associated route networks.

Havasu Field Office

The Lake Havasu Field Office Record of Decision and Approved Resource Management Plan were released on July 9, 2007. The Department continues to coordinate closely with the Field Office in the development of subsequent implementation-level plans, including Travel Management Plans and associated route designations.

The Department participated in BLM's Travel Management Planning process for the Lake Havasu Field Office. Through this process, information was collected for each route and included biological, archeological, and other concerns, as well as the various uses and users associated with each route. After two weeks of meetings, each route had three distinct options for management. These options ranged from open without any restrictions to closed. These options will then go to BLM managers for review and the ultimate route management decision will be determined.

Hassayampa Field Office

The Hassayampa Field Office is developing a comprehensive Travel Management Plan for Central Arizona public lands, and is seeking public input to help determine where to provide connectivity for increased recreational value while minimizing impacts to the land and other resources. The Department provided input during public meetings regarding road and trail designations in the Bumble Bee, Table Mesa, Lake Pleasant, and

San Domingo Wash areas and will continue to participate throughout the route designation process.

Tucson Field Office

The Department has been coordinating with the Tucson Field Office (TFO) to develop a final preferred alternative for the Middle Gila Canyons Transportation Plan for BLM lands in 37B north of the Florence-Kelvin Highway. The TFO is still working on a preferred alternative for this plan which they expect to get out for public comment in mid-October. The Department has concerns about extreme rock-crawling routes utilizing steep and narrow canyons in the area, the effect of road density on wildlife, and other OHV impacts. The Department is working with the Field Office staff to address these concerns.

The TFO provided us information showing road densities for the entire state based on the Arizona State Land Department's road data, as well as road densities based on the more accurate inventory data for the area from 2002. Road densities exceeded 5 miles per square mile in a few areas but exceeded 2 miles per square mile in many areas. The Department has recommended 1 mile per square mile as an ideal target, which is consistent with Coronado National Forest, to achieve optimal access and wildlife habitat conservation objectives.

The Department gave a presentation to BLM on the importance of desert wash habitat to wildlife and how off-highway vehicle use in washes impacts wildlife and habitat. Many of the steep, narrow canyons within bighorn sheep habitat are being used as extreme rock-crawling routes. The Department has stated that we will not support unlimited access to these canyons by rock-crawlers, but will support limited use in some areas. It is unclear whether the preferred alternative will allow unlimited use of existing routes by rock-crawlers. Rock crawling machines can climb over obstacles 7 feet high, and traverse canyons where other motorized vehicle cannot go.

The Department is also identifying routes on "islands" of State Trust Land within BLM land which may require Commission approval for closure, or which are necessary for public access or Department use. State Trust lands outside of BLM lands are still lacking designation although three alternatives have been proposed in previous work sessions.

Yuma Field Office

The public comment period for the Yuma draft Resource Management Plan/ Environmental Impact Statement (RMP/EIS) ended on March 14, 2007. The Department provided a formal comment letter regarding the draft RMP and remains engaged at both the Field Office and State Office levels to ensure consistency in regards to wildlife and wildlife management. The Department continues to meet with the BLM Yuma FO to review and discuss comments on the draft's preferred alternatives for biological resources, recreation, transportation, and public access.

Safford Field Office

The Draft Aravaipa Ecosystem Management plan is available for internal departmental review. The Department will be working with the Safford Field Office to ensure Department needs are met and concerns are addressed.

BLM NATIONAL MONUMENTS

Grand Canyon-Parashant National Monument / Vermillion Cliffs National Monument

The proposed final RMP/EIS was released on March 2, 2007 for the Arizona Strip planning area including the Grand Canyon-Parashant and Vermillion Cliffs National Monuments. The proposed final plan includes a series of unique route networks and designations.

Agua Fria National Monument

The draft RMP/EIS public review period ended on April 5, 2006 and the proposed final plan is expected to be released in the fall of 2007. The Department will be working closely with BLM to address submitted comments pertaining to wildlife and wildlife management.

Sonoran Desert National Monument

The BLM Phoenix Field Office is working to develop a preliminary preferred alternative, and the Department continues to participate in cooperative meetings and proactively develops comments throughout the planning process.

Ironwood Forest National Monument (IFNM)

BLM released the draft Resource Management Plan and Environmental Impact Statement (RMP/EIS) on March 2, 2007. The Department remains engaged at both the Field Office and State Office levels to ensure consistency in regards to wildlife, wildlife management, and recreational opportunity.

BLM is currently analyzing comments for incorporation into the Proposed RMP and Final Environmental Impact Statement, which is scheduled for release in late 2007.

U.S. FISH AND WILDLIFE SERVICE

Cabeza Prieta National Wildlife Refuge

The final Comprehensive Conservation Plan/Environmental Impact Statement for the Refuge has been released to the public. The Department is currently reviewing the final plan.

Kofa National Wildlife Refuge

The Department continues to work with the U.S. Fish and Wildlife Service (USFWS) to plan, fund, and implement actions to aid recovery of the bighorn sheep population on the Kofa. The Department finalized a predation management plan for the Kofa Mountains

complex in May and along with the USFWS, completed a report in June entitled “*Investigative Report and Recommendations for the Kofa Bighorn Sheep Herd.*”

The USFWS is currently allowing water hauling and maintenance of existing waters with appropriate documentation of those activities, and is planning on completing an EA for future management of waters on the Kofa. Both Yaqui Tank and McPherson Tank have been redeveloped and filled with water through a combination of water hauling and recent rain (up to 4 inches of rain has fallen on parts of the Kofa). Sheep use was documented at Yaqui Tank within a week of project completion. Department and Kofa personnel have hauled water to Hidden Valley Tank, High Tank 6, Charlie Died Tank, Old Moonshine Tank, and Black Tank. The effort required at Hidden Valley Tank included laying 4000 feet of hose to pump 11,200 gallons of water from the wilderness boundary to the tank. Department and Kofa personnel continue to monitor wildlife waters on the Kofa.

No lions are currently outfitted with GPS collars, however efforts to collar additional lions will resume this month. The USFWS is exploring options to complete an EA for the management of lions on the Kofa.

The Department met with representatives from the Kofa and Dr. Bender from New Mexico State University to discuss a proposed research project being funded by USFWS to look at the effect of nutrition on sheep population dynamics. This proposed project would include using approximately 40 collared bighorn sheep on the Kofa. The collaring of these sheep will also provide information on sheep mortality. The Department is planning on conducting bighorn sheep surveys in October and Dr. Bender will be collaring sheep in November.

DEPARTMENT OF DEFENSE

Barry M. Goldwater Range

Release of the final Integrated Natural Resources Management Plan/Environmental Impact Statement (INRMP/EIS) for the Range did not result in any formal comments and the Department of Defense (DOD) has signed a Record of Decision. The Department, DOD, and USFWS have signed the INRMP and implementation has begun. The Department continues to work with DOD to ensure public access, consistent with the INRMP.

Yuma Proving Ground

The U.S. Army Yuma Proving Ground (YPG) is considering expanding up to 500,000 acres into Game Management Unit 41 through a withdrawal of BLM land. YPG is currently evaluating the possible expansion internally and has not developed or presented a formal proposal or application to further define the purpose, need, location, and details of the proposed expansion. The Department will be actively involved in this process and will provide the Commission with more information as it becomes available.

GENERAL UPDATES

Altar Valley Conservation Alliance

The Department continues to meet with the Altar Valley Conservation Alliance to develop a plan and examine funding sources for implementing habitat restoration activities within the Altar Valley. The Alliance is partnering with the University of Arizona to investigate grant opportunities.

Areas of Conservation Priority Planning

The Department continues to work through several subcommittees on issues regarding further development of the Commission approved Areas of Conservation Priority GIS Tool. This tool will help prioritize conservation efforts on a statewide level and has the potential to be utilized by a large constituency in the realm of urban and infrastructure planning efforts.

Arizona Department of Transportation (ADOT)

The Department is coordinating with ADOT on an I-10 widening project between I-8 and Tangerine Road north of Tucson, as well as Highway 77 between Oracle and Catalina in Pinal and Pima Counties. The Department has concerns about connectivity between important large blocks of wildlife habitat which these motorways have fragmented.

Border Fencing

The Department attended a National Environmental Policy Act (NEPA) kickoff meeting for border fencing being installed as a result of the Secure Fence Act. This fencing is actual physical structure as opposed to the Secure Border Initiative Network (SBIInet) which includes a series of towers and technological “virtual fence” technology. The physical fencing will include both Pedestrian Fence (also called Primary Fence or PF) and Permanent Vehicle Barriers (PVB). The entire border (California to Texas) is planned to be fenced with a combination of Pedestrian Fence or Permanent Vehicle Barriers. Sections of fence are referred to by their function (PF or PVB) and the number of miles (e.g., “PF225” stands for 225 miles of Pedestrian Fence). Pedestrian Fence will be installed mainly around points of entry, with the remainder of the fence composed of permanent vehicle barriers.

The entire physical fence will be complemented by the virtual fence technology called SBIInet. A small segment of SBIInet is currently under evaluation and is not meeting specifications stipulated by the Department of Homeland Security.

The physical fence will be constructed in many phases, with many segments. PF70 is the phase that was completed September 30. This is 70 miles of disconnected segments of fence which are being considered together “for reporting purposes” to satisfy the President’s mandate for 70 miles completed by September 30. PF225 is currently going through NEPA in two phases.

Currently, there are six environmental assessments (EAs) open for comment on the first

phase (75 miles) of PF225. The second phase will include 150 to 200 miles of pedestrian fence which will be augmented by 300 miles of permanent vehicle barriers.

The contractor is developing a draft map that identifies all the fence segments to be used by the various agencies. This map should be available in October.

City of Show Low

Department personnel met with the City of Show Low on September 13 to provide input on the draft Show Low General Plan. The City is currently in the process of revising their General Plan and has asked the Department to participate as a member of the Technical Advisory Committee. The Department will continue to work with the City on planning issues as they relate to wildlife, wildlife habitat protection, stream or riparian conservation, wildlife movement corridors, and the planning of any off-highway vehicle trails within City limits.

Coconino County

The Department continues to maintain a strong working relationship with Coconino County Community Development and Parks and Recreation departments. The Department is working with Coconino County staff to obtain information critically important to the Department's Areas of Conservation Priority (ACP) and Missing Linkages planning efforts. The County has been very supportive of these efforts and we look forward to their products and outcomes.

The Department recently conducted an inventory of invasive species at the Coconino County Pumphouse Greenway Open Space Park in support of the upcoming Natural Resource Conservation Society Wetland Reserve Program (WRP) easement purchase. Data from this inventory will be incorporated into the wildlife habitat restoration and management plans developed as part of the WRP. The Department is also coordinating a fall bird inventory and assessment at Pumphouse Greenway in collaboration with Northern Arizona University (NAU). Data from this bird inventory will be particularly helpful in designing the management objectives for the WRP as well as future Watchable Wildlife site developments and tours. WRP easement purchase is expected to take place Fall/Winter 2007, and restoration activities could begin as early as Spring 2008. On a related note, Coconino County was recently awarded a large Arizona State Parks grant for Watchable Wildlife site development at Pumphouse. Developments will include additional nature trails, and elk viewing platform, and wildlife viewing blind, and several interpretive signs. The county and the Department designed these developments cooperatively, and the Department will continue to assist the county with implementation.

Flagstaff Fire Department

The Flagstaff Fire Department marked and cut 80 acres following a habitat description jointly developed by the Department and the USFWS. The description was developed to convey a management concept and the rationale behind the concept. In developing the description we were careful to stay within the documented historic variability.

The Department is very pleased and appreciative of the Flagstaff Fire Department's work in implementing the concept. Immediately adjacent to the Fire Department the State Land Department is applying a similar treatment using a smaller patch size on 60 acres. On another adjacent area the Forest Service is currently cutting a more standard Wildland Urban Interface treatment. This site has already become very useful in discussions with land managers about desires and effects.

A Large Opening Within The Flagstaff Fire Department Treatment



Lake Mead National Recreation Area

The Department met with the Technical Advisory Council for U.S. 93 expansion below Hoover Dam. The 50% design completion stage target was met and construction is scheduled to begin in October 2008.

Pinal County

Pinal County is holding an "Outdoors Summit" on November 8th at the Harrah's Ak Chin Casino. Governor Janet Napolitano will be the keynote speaker. The theme of the Summit will be identifying where and how to protect, preserve, and acquire areas for parks, trails and open space. This summit will create an opportunity for stakeholders to network and share information that can be used in shaping the outdoor vision for Pinal County. Over 200 elected officials, senior management, parks and recreation and planning staff representing over 20 agencies including local, tribal, county, regional, state and federal governments will participate.

Pinal Partnership

The Department participates in the Pinal Partnership and has been meeting specifically with the Pinal Partnership Open Space and Trails subcommittee. The subcommittee is working on a presentation of the county's open space values for the January Partnership Breakfast.

Wood Supply Working Group (WSWG)

The Department continues to participate in the Northern Arizona Regional Wood Supply Analysis Working Group (WSWG), which just recently held the 4th of 7 meetings. The WSWG is comprised of natural resource agencies and wood utilization private industries; an NAU Forest Ecosystem Restoration Analysis (ForestERA) grant funded by the Forest Service has facilitated the group. The group is tasked with estimating the amount of small-diameter ponderosa pine wood that would be available from forest restoration projects, for the purpose of establishing a small-diameter wood industry. The Department

has been actively involved in 3 sub-committees of the WSWG: wildlife, WUI (wildland-urban interface) delineation, and treatment scenario development. Forest ERA recently submitted a progress report to the WSWG, and a final product is expected in fall 2007. The Forest Service will use the results of this analysis to review future stewardship contracts for thinning across the Forests, but this study was not commissioned to evaluate any one particular contractor.