

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, January 18, 2008
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086
Saturday, January 19, 2008
Crowne Plaza Hotel
2532 W. Peoria Avenue
Phoenix, Arizona 85029

PRESENT: (Commission)

(Director's Staff)

Chairman Michael M. Golightly
Commissioner William H. McLean
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

Chairman Golightly called the meeting to order at 8:00 a.m. The Commission introduced themselves and Chairman Golightly introduced the Director and the Director's staff. Deputy Director Ferrell attended another meeting and was not present until 10:30 a.m. This meeting followed an agenda revision #2 dated January 15, 2008.

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1. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(1) to select from the list of eligible applicants those persons to interview for the position of Game and Fish Department Director during the first round of interviews..

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

Vote: Unanimous

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Public meeting recessed at 8:03 a.m.
Public meeting reconvened at 8:55 a.m.

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1A. First Round of Interviews for the Position of Arizona Game and Fish Department Director.

Presenter: Diana Shaffer, Human Resources Branch Chief

Chairman Golightly announced that the Commission has selected seven eligible candidates from 32 applicants for the first round of interviews for the position of Game and Fish Department Director.

Commissioner McLean added that Ms. Shaffer is contacting the selected candidates today and that by tomorrow the Commission will be able to confirm the number of candidates that will be interviewed. The law provides for confidentiality for the candidates of the first round of interviews so those names will not be released. The first round of interviews will be held on January 25 and 26, 2008. The names of those selected for a second interview will be made public, and the second interviews will take place on January 28, 2008. The Commission will then make an offer to one of the candidates to fill the Director position and will discuss contract negotiations in Executive Session. The time period of the contract will be for the duration of the current Director's contract and will expire on January 21, 2009.

Chairman Golightly noted that the Commission is not bound or obligated to select a Director from the current candidates. The selection will require three Commission votes, and if a new Director is not selected from the current candidates then the process will continue. Additionally, the Commission intends to be as public as possible in the hiring process.

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Awards and Commissioning of Officers

Chairman Golightly presented the Commission's Award of Excellence to Department Wildlife Specialist Matt Walton from Region V in appreciation for his tireless efforts in researching court records to determine public access rights in the Arivaipa Canyon vicinity.

Jon Fugate, on behalf of the Yuma Valley Rod and Gun Club, presented three of the Club's 2008 Outstanding Achievement Awards to the following:

- Department Region IV Supervisor Larry Voyles, in honor of his dedication and service to the Arizona Game and Fish Department
- Director Duane Shroufe, honoring his dedication and service to the Arizona Game and Fish Department, and
- Chairman Golightly, honoring his dedication and fifteen years of service to the Arizona Game and Fish Commission and to the people of Arizona.

There was no commissioning of officers.

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1B. State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles reported to the Commission on the current status of selected state and federal legislation and current elective issues. The Legislature is currently working on budget shortfall's for Fiscal Years 2008 and 2009. There have been no discussions regarding any fund transfers dealing with the Game and Fish Department, but the Department will keep the Commission up to date of any changes that may occur. The Legislature will be focusing on the 2009 budget next week. The Department is scheduled to be on the January 23 agenda.

The Legislature convened on Monday this week and about 783 bills have already been introduced. Mr. Guiles provided the Commission with a document titled "Department Legislative Tracking" dated January 17, 2008. Mr. Guiles noted several bills that the Department is tracking as follows:

Department Sponsored Bills

- House Bill (HB) 2067: Game and Fish; Guide Licenses – Passed out of Committee with an 8 to 1 recommendation
- HB 2068: Game and Fish; Private Enterprise; Fund – Passed out of Committee with an 8 to 1 recommendation (the Department plans to amend this bill for clarification of where the funds will be deposited)
- HB 2251: Game and Fish Omnibus – Has not had a hearing yet; should go to Committee in the next couple of weeks
- HB 1080: Operating Under the Influence; Watercraft – Has not had a hearing; expected to go to Committee soon

Other Proposed Bills of Interest

- HB 2024: Megan Evan's Law (regarding carbon monoxide exposure on watercraft)

Motion: McLean moved and Martin seconded THAT THE COMMISSION VOTE TO SUPPORT HB 2024 MEGAN EVAN'S LAW.

Vote: Unanimous

The Commission directed the Department to monitor the following bills:

- HB 2026: Veterans; Game and Fish Licenses
- HB 2069: Game and Fish Commission; Bison
- HB 2070: Staggered Watercraft Registration; 24 Months
- HB 2105: Tax Refund Check-off Boxes

HB 2256: Game and Fish; Senior Hunters – The Department and the Commission will work with Representative Weiers so that this bill does not have a financial burden on the Department.

Chairman Golightly requested that Commissioners McLean and Martin work with the Department and perhaps get some public input on this bill to help the Commission decide if they want to support or oppose it.

Other Proposed Bills of Interest (continued):

- HB 2296: Environmental Policy Act – The Department will be looking at this bill in more detail to see if there are any impacts to the Department

Commissioner McLean requested a copy of this bill. Mr. Guiles will provide the Commission with copies of all the proposed bills of interest.

- HB 2332: Falconry; Captive Bred Exotic Raptors

Chairman Golightly requested that Mr. Guiles schedule a meeting with the Sponsor of this bill as soon as possible. Mr. Guiles will try to schedule a meeting for Tuesday or Wednesday of next week.

- House Concurrent Resolution (HCR) 2004: Appropriation of Federal Monies

Motion: McLean moved and Woodhouse seconded THAT THE COMMISSION VOTE TO OPPOSE HCR 2004 APPROPRIATION OF FEDERAL MONIES AS CURRENTLY PRESENTED AND FURTHER DIRECT COMMISSIONERS MCLEAN AND MARTIN TO WORK WITH THE DEPARTMENT'S LEGISLATIVE LIAISON ON THIS BILL.

Vote: Unanimous

- Senate Bill (SB) 1014: Gubernatorial Nominations; Senate Confirmation Process – The Department will continue to monitor this bill
- SB 1077: Missing Persons; Law Enforcement Duties – The Department will work with the Sponsor of this bill for clarification
- Senate Concurrent Resolution (SCR) 1009: Public Agency Lobbyists

Motion: McLean moved and Martin seconded THAT THE COMMISSION VOTE TO OPPOSE SCR 1009 PUBLIC AGENCY LOBBYISTS.

Vote: Unanimous

- HB 2573: Off-highway Vehicles; User Fee – Introduced this morning; Mr. Guiles provided the Commission with a copy of this proposed legislation and noted some of the changes to the language since last session.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO SUPPORT HB 2573 OFF-HIGHWAY VEHICLES USER FEE.

Vote: Unanimous

- HCR 2037: Constitutional Rights; Game and Fish – Introduced late yesterday; The Department will look into this bill and report back to the Commission

Commissioner McLean requested that Mr. Guiles schedule a meeting with the Sponsor of HCR 2037 to work on some of the language.

Mr. Guiles further provided a Congressional Update. The Department and two members of the Commission met last week with staff from Congressman Grijalva's Office regarding proposed legislation for the Tumacacori Wilderness Area. They have agreed to provide the Department with some language changes addressing the Commission's concerns.

Public Comment

Jon Fugate, representing himself, addressed the Commission and commended them on their efforts regarding the proposed legislation for the Tumacacori Wilderness Area.

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2. 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 December 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.

The Commission had no questions or comments on this item.

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3. Statewide Shooting Range Briefing

Presenter: Jay Cook, Education Branch Chief

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 December 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. Cook 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.

Anthony Chavez, with the Department's Information and Education Division, addressed the Commission to brief them and answer questions regarding meetings that he attended with Adair Range, Inc. regarding the transfer of the Adair Shooting Range property from Yuma County to the Commission. The County currently holds the patent on that property. If the patent was to be transferred to the Department, there would be a need to enter into a Memorandum of Understanding (MOU) with Adair Ranges, Inc. to operate the range.

Motion: Woodhouse moved and Martin seconded THAT THE DEPARTMENT PROCEED WITH NEGOTIATIONS WITH YUMA COUNTY AND ADAIR, INC. ON THE POTENTIAL TRANSFER OF RANGE PROPERTY FROM THE COUNTY TO THE DEPARTMENT.

Vote: Unanimous

Director Shroufe added to the report on the Northern Shooting Range. The Department met with the acting staff of the Coconino Forest and discussed the schedule to do the land exchange

assessment and the schedule for the NEPA and EIS. The Coconino Forest staff completely support this project and are committed to moving it along. The first phase (Land Exchange Assessment) is currently estimated to be completed by September of this year. The final schedule will be reported to the Commission prior to the February meeting. Director Shroufe reported that the Department would begin using the money that the Commission budgeted for the NEPA and EIS to complete the land exchange assessment. Director Shroufe also asked the Commission to send a letter to the Governor's Office and the National Rifle Association to ask for their assistance in encouraging the Forest Service, at the national, regional and local levels, to put this project on the fast track.

Public Comment

Landis Aden, Arizona State Rifle and Pistol Association (ASRPA), addressed the Commission and provided an update on his organizations activities with several shooting ranges.

Larry McCoy, retired Forest Service fire and fuel expert and Munds Park resident, stated his concerns for wildlife and for the potential for wildfire in the Willard Springs area. Due to these concerns and to noise and congestion issues, Mr. McCoy opposed the Willard Springs location for the Northern Arizona Shooting Range.

Chairman Golightly offered that the Department will put Mr. McCoy on the mailing list to receive updates in regards to the process and progress of the Northern Arizona Shooting Range.

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Meeting recessed for a break at 10:14 a.m.

Meeting reconvened at 10:32 a.m.

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3. (continued) Statewide Shooting Range Briefing

Presenter: Jay Cook, Education Branch Chief

Public Comment

Robert Ganelin, Citizen's to Preserve Munds Park Community Values, addressed the Commission in opposition to the location of the Northern Arizona Shooting Range.

Director Shroufe noted that Commissioner Hernbrode had another item to bring up to the Commission in regards this item.

Motion: Hernbrode moved THAT THE COMMISSION VOTE TO REMOVE THE MANHATTAN CLAIMS PROPERTY FROM THE EXCHANGE PROPOSAL AND ADD ADDITIONAL PROPERTIES TO IT AS APPROPRIATE.

Commissioner Hernbrode further stated that the property is almost 600 acres with a relatively low value per acre compared to the other properties relatively high value from a wildlife standpoint because of where it is in Arizona, and would leave it to the Department to add the additional properties as deemed appropriate.

Motion failed for lack of second.

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10. Presentation and discussion regarding issues associated with lead from spent ammunition, current Department programs and ideas regarding any future program**Presenter:** Ron Sieg, Flagstaff Regional Supervisor

Mr. Sieg provided the Commission with a Power Point presentation on wildlife and human issues regarding spent lead ammunition from sport harvest programs. The presentation included the following:

Lead Toxicity in Wildlife

- Lead has long been recognized as toxic
- Lead toxicity in wildlife is associated with the ingestion of spent lead ammunition, prey contaminated with lead ammunition, and lead fishing sinkers
- Lead toxicity is well documented in waterfowl – lead shot was banned for waterfowl hunting in 1991 in the United States and 1999 in Canada
- Lead toxicity was also documented in 59 terrestrial bird species, including upland game, raptors, and songbirds
- Lead exposure can make wildlife more susceptible to predation, starvation, or disease

Doves (Based on national statistics):

- Shooting and hunting activities are responsible for a considerable amount of spent lead shot being deposited on the landscape annually
 - Dove fields – up to 6,342 pellets/ha
- 66% of 157 captive doves administered 2-24 lead pellets died 19-21 days post-treatment
- 5% of captive doves ingested lead shot when it was present in their feed
- 5% of hunter harvested mourning doves had ingested lead shot present in their gizzards
- Recent Association of Fish and Wildlife Agency's final report and recommendations

Raptors (Based on national studies):

- Lead exposure or toxicity documented in eagles, hawks, falcons, owls, vultures, and condors
- Raptors can ingest spent lead shot and bullet fragments from dead or injured prey
- Chronic low level effects of lead exposure are not known but could affect breeding and survival rates of raptors
- Long-lived, slow reproducing species such as eagles and condors are especially vulnerable
- Since 1999, there are 20 documented cases of lead mortality and 2 cases of lead exposure in eagles in Arizona

Condors

- Lead toxicity is the leading cause of death with 12 confirmed mortalities since 2000
- Over 300 cases of lead exposure documented since 1999
- 48-95% (mean 69%) of condor population exposed to lead each year since 2000

- 4-70% (mean 33%) of population required chelation treatment each year since 2000
- Spent lead ammunition has been identified as the major source of this lead

Other Avian Scavengers (Based on national studies):

- Higher lead toxicity rates occur during hunting seasons and are linked to ingestion of spent lead ammunition from game carcasses and gut piles
- Current studies are underway looking at lead exposure in ravens also

Mammals (Based on national and international studies):

- Lead exposure has been documented in deer, squirrels, opossum, and raccoons
- Likely that some feline and canine predators and scavengers are ingesting lead from contaminated prey and carcasses
- Other mammals possibly ingesting lead shot from the landscape

Humans

- Lead has been known to be toxic to humans for years
- Even low levels of lead exposure can limit children's IQ levels
- Recent lead paint found in toys has initiated product recalls and a public health concern
- Studies have found significantly elevated blood-lead levels among subsistence hunting Inuit populations in Canada
- Consumption of lead ammunition from game was determined to be a major source of this lead
- This lead exposure was determined to negatively affect developmental behavior and motor skills in Inuit children
- Lead shot remains in game carcasses and can inadvertently be consumed
- Recent studies indicate that significant amounts of lead bullet fragments can remain in processed game meat and unknowingly be consumed

Voluntary Lead Reduction Efforts Underway in Arizona

- Voluntary lead reduction efforts within condor range initiated in 2003
- Outreach efforts increased each year and focused on hunters' proud tradition of wildlife conservation
- Full page in hunting regulations and letters to all big game hunters

The Department gauged hunter awareness and attitudes through 2003 surveys and focus groups. The major findings included that only 23% of Arizona hunters were aware that lead poisoning was a problem for condors, but 83% to 97% were somewhat to very willing to take action to help condors, if they were provided with scientific data linking spent lead ammunition to condor lead poisoning and a "credible" source asked them to help.

Initial Lead Reduction Actions

- Remove ALL carcasses from field
- Hide or cover gut piles
- Remove bullet and affected flesh
- Use lead-free ammunition

Later efforts focused solely on the use of non-lead ammunition or removal of all game carcasses and gut piles.

Scientific Studies

- Condor lead exposure data - 48-95% of population exposed to lead each year since 2000
- Lead bullet fragmentation study - 100% of game carcasses and 90% of gut piles contained lead fragments – up to 700 fragments in carcasses and 500 fragments in gut piles
- GPS transmitter location/seasonality study - Highest lead exposure rates occur each November when condors forage on the Kaibab Plateau most frequently
- University of Arizona Lead Isotope Study - Lead from condor blood and digestive tracts matches lead from ammunition, not the local environment

The Arizona Condor Coalition Members include local sportsmen's groups that support voluntary lead reduction efforts in condor range and are assisting with outreach efforts in their publications. Those include the Arizona Deer Association, Arizona Elk Society, Arizona Antelope Foundation, Arizona Desert Bighorn Sheep Society and the Arizona Chapter of the National Wild Turkey Federation.

Voluntary Free Non-Lead Ammunition Program

- The Department implemented free non-lead ammo program in 2005 and 2006
- 2,390 fall big game rifle hunters from Units 12A/B were eligible in 2005
- 1,390 fall big game rifle and muzzleloader hunters from Units 12A/B and 13A were eligible in 2006
- Post-hunt surveys were mailed in 2005
- Check station interviews were conducted in 2006
- This is funded by Heritage (AZ Lottery) and Wildlife Conservation Fund dollars (Indian Gaming)

Free Ammunition Program Results

- 2005 - 50% of successful Kaibab hunters took lead reduction efforts (used non-lead ammo or packed out gut pile)
- 2006 – Increased to 60% voluntary compliance - field outreach during hunt was added this year
- Even with these efforts 50-95% of condors were exposed to lead
- Further lead reduction efforts are needed to achieve self-sustaining condor population

2007 Lead Reduction Efforts

- Continued free non-lead ammunition program
- Improved outreach efforts
 - Condor-lead articles in sportsman's publications
 - Increased media coverage
 - Simplified outreach message
 - Condor-lead DVD
 - Coupon and DVD in with tag mailing
 - Follow-up letter to eligible hunters
 - Increased field outreach
 - Gut pile raffle

83% of successful Kaibab deer hunters took lead reduction actions in 2007 (62% non-lead, 21% gut piles)

Gut Pile Raffle

- Needed to provide hunters using lead ammo incentive to pack out gut pile
- Hunters who brought gut pile to check station entered in raffle for Cabela's gift certificates
- Gut piles turned in at check station increased from a handful the prior year to 170 in 2007
- Over 50% of successful hunters using lead ammo packed out gut piles
- The Department and The Peregrine Fund disposed of the gut piles

The Department employed all six of Robert Cialdini's Six Principles of Influence in lead reduction efforts

- Reciprocity – Free ammo program and gut pile raffle
- Commitment and consistency – Dedication to lead reduction efforts and “one voice” message
- Social Proof – Condor Coalition (use of role models)
- Liking – factors include similarity, familiarity, praise – hunters asking other hunters to help and thanking hunters
- Authority – factors include expertise and truthfulness – The Department is considered a “credible” source by hunters
- Scarcity – Respond to loss of freedom by wanting it more – fear of losing right to hunt or use ammo of choice in future

Outreach Efforts - Funding

- Free non-lead ammo program cost \$80,000 - \$100,000 annually (1,400 – 2,400 tag holders with approximately 65% participation)
- Mailings to approximately 7,000 hunters costs \$6,000 annually
- Funding for gut pile raffle and gut pile disposal was approximately \$1,000
- One full-time employee overseeing condor lead reduction efforts
- Field staffing for outreach during hunt – contacted 60% - 70% of tag holders in a weekend with one employee per 200 tag holders
- Additional contact from Wildlife Managers

Non-lead Ammo Cost and Availability

- Non-lead ammunition (shot, centerfire and rimfire) is not as widely available as lead ammunition and can cost slightly more than premium ammunition - Some calibers not available
- Ammunition manufacturers have had trouble keeping up with the demand for non-lead rifle ammo all three years of the free ammo program
- The 2008 lead ban in condor range in California may prompt manufacturers to increase production of non-lead rifle ammo

Mandatory Requirements

- Any mandatory requirement for use of non-lead ammunition or removal of gut piles from the field would require a new Article 3 rule
- If there were a requirement to use non-lead ammunition, use of lead ammunition could be considered an illegal method of take and could result in revocation
- Likely, no similar action could be taken over not retrieving gut piles

Lessons from Waterfowl Non-Lead

- More thought, study and action should have been invested in obtaining input from hunters in advance of decisions
- Failed to review or analyze the supply issue enough
- Biggest mistake: moving too fast – for a smooth transition a number of groups must be informed, educated, convinced and agree to move ahead – including agencies, NGOs, manufacturers, dealers, media and hunters
- Education is the key to a smooth transition
- Media can be an obstacle more than a help – one article in a national magazine can nullify all the factual information

Steps to Move Forward

- Establish sources for reliable, accurate information that everyone can use to educate all potentially affected interests – a common understanding and goal
- Advance ideas through key change leaders in hunting/sportsmen/outdoor store communities
- Develop a consistent message and/or unified voice regarding non-lead efforts - Focus on benefits to humans and wildlife from using non-lead
- Hunter education instructors can make or break efforts
- Use focus groups to get input from hunters
- Don't rely on technical articles to do the convincing – employ effective promotion and marketing professionals
- Be aware of, and don't underestimate, the needed transition time for manufacturers and the full spectrum of hunters
- People respond better to requests for voluntary actions capitalizing on their traditions of doing the right thing more than they do to mandates
- Cost and performance will be issues – many hunters use big box store ammunition
- Have groups/agencies that are deemed credible ask them to help

Mr. Sieg further discussed the lead issues in regards to Condors with the Commission and answered questions. Also discussed were outreach efforts to predator hunters and not just big game hunters, and the cost of potentially expanding the Department's Free Non-lead Ammunition Program.

Commissioner Martin requested that the Department put some emphasis on outreach in the Fredonia area and surrounding communities.

Commissioner McLean suggested that the Department look at developing a database using information collected from big game applications and possibly in conjunction with a zip code analysis of those in the Fredonia and upper Kanab area.

Commissioner Woodhouse suggested that the Department heavily lobby Utah to get them on board with a program similar to Arizona's Voluntary Non-lead Program.

Commissioner Martin announced that she received an email from Mr. Patrick Losey who asked that his statement of opposition be voiced at this meeting.

Mr. Sieg noted that many comments were received from the public on this agenda item and that those comments were provided to the Commission.

Public Comment

Chris Parish, The Peregrine Fund, addressed the Commission in support of Department efforts regarding this issue.

Don Saba, representing himself and speaking as a scientist, did not agree with a scientific study report on this issue published in the Journal of Environmental Science and Technology, and does not believe that the lead found in Condors is from ammunition, but rather from other sources in the environment. Mr. Saba plans to write a rebuttal to that study report and will provide his rebuttal to the Commission once it is complete.

Jeff Williamson, Arizona Zoological Society, complimented the efforts of the Department on this issue and recommended additional consideration of all options to completely eliminate lead from the food chain of Condors.

Chris Tisch addressed the Commission in opposition of any kind of ban on lead ammunition.

Ken Senft, President of S.E.S. Inc. (Guns Plus), representing firearms retailers, opposed any kind of ban on lead ammunition. Did not believe the lead issue was caused from shooting sports.

Todd Rathner, National Rifle Association (NRA), opposed any kind of California style ban, but supported the current voluntary program and offered to work with his organization in that effort.

Commissioner McLean clarified that no member of the Commission has talked about a lead-based ammunition ban in Arizona; and further, they are not talking about anything other than education of the hunting and shooting public, so that those who use firearms in the areas of concern might take some voluntary efforts to alleviate the issues.

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Meeting recessed for lunch at 12:02 p.m.

Meeting reconvened at 1:22 p.m.

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10. (continued) Presentation and discussion regarding issues associated with lead from spent ammunition, current Department programs and ideas regarding any future program

Presenter: Ron Sieg, Flagstaff Regional Supervisor

Public Comment

The following members of the public addressed the Commission in opposition to any kind of ban on lead ammunition:

John Ahlgren, representing himself

Kelly Conner, representing himself

Steven P Parmenter, representing himself

Thomas Gross

Landis Aden, ASRPA

The following members of the public did not address the Commission, but completed Speaker Cards in opposition of any kind of ban on lead ammunition:

Adam P. Rocha, NRA
Roger West
Glenn W. Colburn Jr.
Jeffery Dover
Stan Johnston
William Weingard
Jim Ransom
Otis Smith
Jim Garden
Rick Kimsey
Bob Rhudy
John Fultz
William C. Levenson
Whitney Olsen, MD
James Braatelian
Frank Moure
Michael Garfias
Bill Butler
Michael R. Haley
Tom Jenney

Mr. Sieg clarified that the Department has not used the scientific study referred to by Mr. Saba. The Department is using the blood data taken directly from the birds that is tested for lead and are using some information from the University of Arizona's Lead Isotope Study.

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15. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431 as noticed in the agenda for the purpose of discussion and consultation with legal counsel.

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

Vote: Unanimous

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19. 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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11. Petition to have the Department return an elk skull seized under the authority of Law Enforcement Directive 1011, Pick Up and Possession of Wildlife Parts

Presenter: Ron Sieg, Flagstaff Regional Supervisor

Mr. Richard Henry of Payson, Arizona, submitted a petition requesting the Commission direct the Department to return a 6x6 elk skull seized from him on September 23, 2007. Mr. Henry had found a dead bull the same day, removed the head and then called the Department to see if he could keep it. The Department conducted an investigation into the cause of death of this elk and based on evidence at the scene and in a video of the animal, determined that it had been wounded and not recovered. This most likely happened during the archery elk season which started on September 14, 2007.

Possession of wildlife without evidence of legality is unlawful. Law Enforcement Directive 1011 further clarifies this issue and directs Department officers that possession of wildlife that died from unnatural causes, such as hunter related wounding loss, is property of the State and cannot be possessed by the public.

Mr. Henry was present and discussed with the Commission that he believed the elk was killed by a lion.

The Commission discussed the evidence and was convinced that the elk was mortally wounded or killed by an archery hunter's arrow.

Motion: Hernbrode moved THAT THE COMMISSION VOTE THAT THE CARCASS OR PARTS THEREOF BE RETURNED TO MR. RICHARD HENRY WITH THE APPROPRIATE PERMIT AUTHORIZING ITS POSSESSION BY HIM.

Motion failed for lack of second.

Motion: McLean moved and Martin seconded THAT THE COMMISSIN VOTE TO DENY THE PETITION.

Vote: Aye - Golightly, McLean, Martin, Woodhouse
Nay - Hernbrode
Passed 4 to1

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Meeting recessed for a break at 3:12 p.m.
Meeting reconvened at 3:27 p.m.

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5. 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 December 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.

Mr. Avey provided two additional updates: 1) The Department finalized the transfer of funds to complete the expenditure of Senate Bill 1441 appropriation. Although funding has been dedicated to the projects, the Department continues to pursue the capture of matching dollars to expand the scope of the approved projects; and 2) On December 20, 2007, the Kaibab National Forest and Tusayan Ranger District released the Decision memo for uranium mineral exploration for seven new drill sites. This was completed through a categorical exclusion. Region II has worked with the District to include additional mitigation measures to prevent the impacts to wildlife. Any further mining activities expanding these operations would require a plan of operation that would include a full public input process and higher level NEPA analysis.

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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 to Renew a Ten-Year Utility Permit Across the Commission-owned Robbins Butte Wildlife Area in Maricopa County, Arizona to Qwest Communications Corporation for the Purpose of Maintaining and Operating Underground Telecommunications Fiber Optic Cables.

Presenter: Josh Avey, Chief, Habitat Branch

In 1998, the Commission authorized the Department to grant Qwest Communications Corporation a ten-year utility easement across a portion of Robbins Butte Wildlife Area for the purpose of constructing, maintaining, and operating an underground telecommunications fiber optic cable and appurtenant facilities. This agreement expires March 5, 2008. Qwest Communications Corporation would like to renew the permit for an additional ten-year period in order to continue to provide communication service to their customers.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE RENEWAL OF A TEN-YEAR UTILITY PERMIT ACROSS THE COMMISSION-OWNED ROBBINS

BUTTE WILDLIFE AREA IN MARICOPA COUNTY, ARIZONA TO QWEST COMMUNICATIONS CORPORATION FOR THE PURPOSE OF MAINTAINING AND OPERATING UNDERGROUND TELECOMMUNICATIONS FIBER OPTIC CABLES, AND TO EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Renewal of a Road Closure on State Trust Land South of Winslow Arizona.

Presenter: Mark Weise, Development Branch Chief

Jim O'Haco owner of the O'Haco Cattle Company requested a seasonal closure to vehicular access on State Trust land located approximately twenty-five miles south of Winslow, Arizona. In 2003, the Arizona Game and Fish Commission granted this closure with concurrence from the Arizona State Land Department. Mr. O'Haco has requested renewal of the seasonal closure.

The purpose of this closure is to prevent habitat damage and erosion during wet periods (winter, spring and summer) from illegal cross-country vehicular travel. The requested dates of the limited access closure are from December 1 to August 15 annually, when access will be by verbal permission only. During the remainder of the year, between August 16 and November 30 annually, the gates remain unlocked.

The seasonal closure limits access to one section of State Trust land and surrounding privately owned sections. It is associated with the O'Haco Cattle Company's commitment to allow access through their private lands as part of the Hi-Point Well Water Distribution Cooperative Agreement, which was executed by the Department in 1996. There are six access roads to the O'Haco Cattle Company lands in this area: Five of these are on private lands, the other, the subject of this petition, is on State Trust land. All six access roads are managed in the same manner with respect to seasonal public access or permission only access.

Since it was first granted 10 years ago, this seasonal closure has been effective in protecting the natural resources and has had minimal effect on sportsmen or other legitimate users. Regional personnel and the Arizona State Land Department support renewal of this closure for natural resource protection.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE REQUEST TO RENEW A SEASONAL, LIMITED ACCESS ROAD CLOSURE ON STATE TRUST LAND LOCATED APPROXIMATELY TWENTY-FIVE MILES SOUTH OF WINSLOW.

c. Renewal of a Road Closure on State Trust Land West of Chino Valley Arizona

Presenter: Mark Weise, Development Branch Chief

Stephen Pierce, owner of the Las Vegas Ranch, requested a closure to vehicular access on a quarter section of State Trust land, approximately ten miles west of Chino Valley. In 2003, the Arizona Game and Fish Commission granted this closure with concurrence from the Arizona State Land Department. Mr. Pierce has requested renewal of the closure.

The unnamed two-track road, approximately one-quarter mile in length, traverses a parcel of State Trust land that is surrounded by private land. Mr. Pierce, a recipient of the Commission's Habitat Steward of the Year Award, cooperates with the Department in providing hunter access on and through his private lands for hunts in Units 17A and 17B.

The primary purpose of this road closure is to prevent resource damage to soils and vegetation, specifically riparian habitat along Hitt Wash, which runs through State Trust land, adjacent private lands, and Prescott National Forest land to the west. Although this road dead-ends approximately one-quarter mile from the Camp Wood Road, it provides unobstructed access to a large road-less area along Hitt Wash. No fences or other barriers are present to prevent off-road travel in these grassland and riparian areas. The Commission closure facilitates access control initiated by the U.S. Forest Service to preserve the riparian habitat along this wash, which has been heavily impacted by OHV use. This closure has been effective in protecting the natural resources and has had minimal effect on sportsmen or other legitimate users.

Between the current closure and a previous Commission approved closure, this road has been closed for 30 years. The public has accepted this closure without complaint. Region III personnel and the Arizona State Land Department support renewal of this closure for natural resource protection.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE REQUEST TO RENEW A ROAD CLOSURE ON STATE TRUST LAND LOCATED APPROXIMATELY TEN MILES WEST OF CHINO VALLEY.

d. Consideration of the 12A Habitat Stamp Fund Budget for Calendar Year 2008

Presenter: Ron Sieg, Flagstaff Regional Supervisor

Each year the Commission is asked to approve the budget for the 12A Habitat Stamp Fund for the next calendar year. The Kaibab National Forest and the Department jointly develop this budget proposal. A synopsis of expenditures during calendar year 2007 was provided to the Commission. The 2008 proposed budget and planned activities were presented as follows:

Calendar Year 2008 Proposed Budget

Estimated Beginning Balance:	\$51,687
Estimated 2007 12A Habitat Stamp Sales \$52,000	
10% AGFD Administrative Fee (\$5,200)	\$46,800
Total available during calendar year 2008	\$98,487

In conjunction with funds from the Game and Fish Budget, the following activities are planned for calendar year 2008:

Cultural Resources

- Kaibab National Forest Staff will provide oversight and avoidance marking for a proposed 250 acre seeding and herbicide project as part of the ongoing Westside Habitat Project

Seeding

- These funds will be used to supplement Game and Fish and possibly other funds for ongoing seed collection, herbicide purchase and seeding and herbicide implementation on the Westside Habitat Project
- These funds will possibly be used, depending on the Kaibab National Forest completing needed NEPA and Cultural Clearances, for a proposed 380 acre seeding project on the Eastside of the Kaibab Plateau in the pinyon-juniper burned portion of the Warm Fire
- Should the Eastside project not come through a portion of these funds could be used to start construction on 8 new waters proposed for the Westside for both sheep and deer. NEPA should be done for these waters in Spring 2008.

Category	Estimated expenditure	Stamp Funds	KNF Funds
Archeological oversight	\$11,000	\$11,000	
Seed and herbicide purchase, seeding and herbicide application, water development	\$87,487	\$87,487	
Total	\$98,487	\$98,487	

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE 12A HABITAT STAMP FUND BUDGET FOR CALENDAR YEAR 2008.

Motion: McLean moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE CONSENT AGENDA ITEMS A, B, C, AND D AS PRESENTED.

Vote: Unanimous

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6. Call to the Public

There were no requests from the public to speak.

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7. Request for Commission Approval for the Department to Acquire Phase III of Coal Mine Canyon in Santa Cruz County, Arizona, and Approve a Grazing Agreement for the Property.

Presenter: Josh Avey, Habitat Branch Chief

Mr. Avey briefed the Commission and provided a map for their review and consideration of this item. In 2007, the Department was awarded a U.S. Fish and Wildlife Service Section 6 Recovery Land Acquisition Grant for the acquisition of Phase II of the Salero Ranch in Santa Cruz County. The acquisition will include 795 acres to be managed consistent with lands acquired during Phase I and II and will assist in securing the long-term management of the second largest natural population of the endangered Gila topminnow in existence. The

Commission provided \$1,500,000 as match to the \$750,000 from the Section 6 Grant for a total of \$2,250,000. The total purchase price is \$2,273,500 with a \$23,500 donation by the landowners. The Trust for Public Land is partnering with the Commission on the acquisition and will contribute in-kind contribution for the due diligence portion of the acquisition (appraisal, boundary survey, title, Phase I). Acquisition of this property would further provide an opportunity for the Department to give direct support for the Gila topminnow draft Recovery Plan and contribute to the overall recovery of the Gila topminnow. Additionally, the current landowners have requested an agreement to graze Phase I, II and III.

Motion: McLean moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE ACQUISITION OF PHASE III OF COAL MINE CANYON IN SANTA CRUZ COUNTY FOR RECOVERY OF THE ENDANGERED GILA TOPMINNOW AND TO PREPARE AND EXECUTE A PURCHASE AGREEMENT WITH THE TRUST FOR PUBLIC LAND AND APPROVE A GRAZING AGREEMENT 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

* * * * *

7A. Selection of New Members of the Heritage Public Advisory Committee

Presenter: Melba Davidson, Funds/Planning Manager

The terms of seven members of the Heritage Public Advisory Committee (HPAC) are due to expire in March 2008. The positions involve one representative from each Region and one statewide representative. The terms are for three years. In accordance with the HPAC Charter, two nominees for each Region and two statewide nominees were forwarded to the Commission for their consideration as appointments to the HPAC. Biographical information for each nominee was also provided.

Commissioner Hernbrode chairs this committee and made the following recommendations: Dr. Lorna Thurman for Region I, Elaine Morrall for Region II, keep the current representative, Randy Lamb, in Region III, John King for Region IV, Sharon Foltz for Region V, Thom Hulen for Region VI, and Mary Jo Miller for State.

The Commission discussed and selected by majority vote the following seven new members:

<u>Region I</u> Dr. Lorna Thurman	<u>Region II</u> Tom Mackin	<u>Region III</u> Randy Lamb	<u>Region IV</u> Albert "John" King
<u>Region V</u> Sharon Foltz	<u>Region VI</u> Thom Hulen	<u>State</u> Mary Jo Miller	

* * * * *

7B. Proposed Heritage Grants Changes

Presenter: Steve Ferrell, Deputy Director

Deputy Director Ferrell presented proposed changes to the Heritage grant application scoring process beginning with the new cycle scheduled to begin in May or June of 2008. The scoring process would ask the Commission to rate Department activities and wildlife resource issues by allocating 100 points among those issues. Wildlife resource issues would be based on biological needs, political environment, economic impact, and general public opinion. The activities reflect only Heritage eligible activities. These proposed changes were made in an effort to meet the Commission's request to improve the grant application scoring process.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE CHANGES AS PRESENTED.

Commissioner Martin clarified that she requested these changes to the scoring in an effort to rank the Commission's priorities for the use in evaluating Heritage Fund Grant applications. The list was to reflect Heritage eligible activities and the rating would be weighted, one against the other, as in budgeting. These changes will not be made in time to effect this year's application scoring, but will be for the next cycle.

Vote: Aye - Golightly, Hernbrode, Martin, Woodhouse
McLean abstained
Passed 4 to 0

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7C. Process to Gather Commission Input on Fiscal Year 2010/2011 Department Budgets

Presenter: Steve Ferrell, Deputy Director

Mr. Ferrell presented to the Commission a proposed format to gather earlier Commission input regarding future biennial budgets, beginning with the fiscal year 2010/2011 budget cycle. If the Commission chooses to have this level of involvement with this level of budget planning, the format presented would allow the Commission to prioritize by allocating a total of 150 points to a list of non-administrative Department activities. The Department would want to get this list from the Commission by the first week in February in order to use as input in the building of the 2010-2011 biennial budget.

Commissioner McLean stated that there would need to be discussion of the list of items between the Commission and the Department in order for the Commission to make informed decisions in allocating the points; possibly in a public Commission work session, and that needs to be done early in the process.

Commissioner Martin agreed that a work session is a good idea and further that she has requested that the budget be on the Commission meeting agenda every other month, after a draft is developed.

* * * * *

8. Request to Approve the Draft Notice of Exempt Rulemaking to Amend Rules in Article 8, Wildlife Areas and Department Property.

Presenter: Jennifer N. Stewart, Rules and Risk Manager

The Department proposed to amend R12-4-802, amending terms and restrictions for the Three Bar Wildlife Area, R12-4-802(27) with the following justifications:

- Amend the rule to more clearly describe the area within the fenced enclosure as being a single contiguous area.
- Amend the rule to additionally identify the fenced enclosure by its common name, “Walnut Canyon Enclosure.”
- Amend the rule to allow hunting, by Commission Order, in the enclosure. The fenced enclosure referenced in R12-4-802(27) faces unique and challenging wildlife management issues, including deer overpopulation. The enclosure is currently closed to hunting. The Department would like to utilize hunting as a management tool in the enclosure when deemed appropriate by Commission Order.

If approved by the Commission, the Draft Notice of Exempt Rulemaking will be submitted to agency personnel and the public for comment. The Department will review and consider comments collected before requesting the Commission to Close the Rule Record and Adopt the Notice of Exempt Rulemaking for Article 8, Wildlife Areas and Department Property.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE DRAFT NOTICE OF EXEMPT RULEMAKING TO AMEND RULES IN ARTICLE 8, WILDLIFE AREAS AND DEPARTMENT PROPERTY.

Commissioner McLean asked for clarification on how this was not a pen shoot.

Leonard Ordway, Game Branch Chief, addressed the Commission and informed them that the fence is breached as needed so that the deer are free to move to and from the area. This area, when open, becomes part of Unit 22 as a whole and there is no greater hunt success within the area when it is breached.

Vote: Unanimous

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9. Update on history and options from coordinated attempts at seeking resolution of issue of buffalo on Grand Canyon National Park

Presenter: Ron Sieg, Flagstaff Regional Supervisor

Mr. Sieg provided the Commission with a Power Point presentation on the history of buffalo on the Grand Canyon National Park. Since the mid-1990s, the Department has been engaged in discussions and coordination efforts with the Grand Canyon National Park and the Kaibab National Forest regarding Park Service concerns over buffalo moving onto and remaining within

the Grand Canyon National Park for ever increasing portions of each year. Mr. Sieg provided a brief summary of those discussions and coordination efforts which included some of the options considered and attempted by the Department. The Department has received no requests from the Park Service to remove buffalo since the unsuccessful October 2005 trapping effort.

The Commission discussed and agreed that the current issue was not with the Park but with hunter dissatisfaction.

Commissioner Martin suggested that since there was nothing the Department could do about hunter dissatisfaction, that the disclaimer language in the regulations be strengthened so that hunters know the buffalo might move onto the Park and they may not see any.

Commissioner Hernbrode would like to see the Department continue to work with the Park Service on solutions to the buffalo population including hunting buffalo on the Park.

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Meeting recessed for a break at 4:19 p.m.

Meeting reconvened at 4:42 p.m.

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17. Request by Mr. Willis Arnold for a hearing to have the Department modify the computer program for big game permit drawings.

Presenter: Harry Seck, Assistant Director, Special Services Division

Mr. Arnold submitted an application for the 2008 spring javelina season with hunt 5080 as his first choice and hunt 5091 as his second choice. Mr. Arnold was successfully drawn, in the bonus round, for his second choice, hunt 5091 because the bonus point allocation for hunt 5080 had been exhausted. After the completion of the javelina draw there were left over permits in Mr. Arnold's first choice. R12-4-114(C)(2)(a) states "The Department shall reserve a maximum of 20% of the hunt permit-tags for antelope, bear, deer, elk, javelina, and turkey to issue to individuals and groups that have bonus points." R12-4-114(C)(2)(b) states "The Department shall issue the reserved hunt permit-tags for the hunt numbers designated by the eligible applicant as their first or second choices". The request by Mr. Arnold would require a rule change and possible extensive re-programming.

The Commission discussed changing the program for javalina only in the bonus point so that it does first choice only. Also discussed was that it may be confusing to change the process for only one species.

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

Motion: McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO DENY MR. ARNOLD'S REQUEST THAT THE DEPARTMENT MODIFY THE COMPUTER PROGRAM FOR BIG GAME PERMIT DRAWINGS.

Vote: Unanimous

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15. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431 as noticed in the agenda for the purpose of discussion and consultation with legal counsel.

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

Vote: Unanimous

* * * * *

Chairman Golightly announced that the Commission selected six candidates to interview for the Director position for the Arizona Game and Fish Department. Interviews will be next week and an announcement should be made the week after on who the next Director will be.

Director Shroufe announced that the following agenda items will be postponed: 12, 16, 20, 24, and 25.

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13. Nongame Subprogram Activities Briefing; April 1 through December 10, 2007

Presenter: Eric Gardner, Nongame Branch Chief

Mr. Gardner briefed the Commission using a Power Point presentation on the Department's Nongame Subprogram activities from April 1 – December 10, 2007. The briefing included historical information, current highlights and significant updates on the following:

- Mexican Wolf
- Sonoran Pronghorn
- Black-footed Ferret
- Mt. Graham Red Squirrel
- Jaguar
- Black-tailed Prairie Dog
- California Condor
- Bald Eagle
- Burrowing Owl
- Chiricahua Leopard Frog
- Relict and Ramsey Canyon Leopard Frogs
- Northern Leopard Frogs
- Tarahumara Frog
- Mexican Gartersnake
- Narrow-headed Gartersnake
- Tucson Shovel-nosed Snake
- Desert Tortoise, Mojave and Sonoran populations

- Apache Trout
- Gila Topminnow
- Desert Pupfish and Quitobaquito Pupfish
- Other Native Fish Repatriations
- Springsnail Projects
- Kanab Ambersnail
- International and Borderlands Projects

Mr. Gardner also reported that the Department received the 2007 Arizona Showcase in Excellence Award for the Endangered Species Recovery Program from the Arizona Quality Alliance.

The Commission expressed their appreciation for this update and commented that by continuing these public updates, the public will become more aware of the Department's participation in nongame activities.

Commissioner Hernbrode requested that the Department look into becoming a formal member on the Recovery Team for the Mt. Graham Red Squirrel.

* * * * *

18. Change to Commission Policy A2.5, Law Enforcement Commissions and Participation in the Public Safety Personnel Retirement System.

Presenter: Duane L. Shroufe, Director

The Commission was provided with a recommended policy change that would remove the requirement for Department Management Team members to be regularly assigned to hazardous duty (quarterly patrol assignments) in order to participate in the Public Safety Personnel Retirement System. This change would be consistent with the governing statutes and would be consistent with normal practices of most other law enforcement agencies. Management Team members will still be allowed to conduct patrol activities as permitted by Department work schedules.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE RECOMMENDED CHANGE TO COMMISSION POLICY A2.5, LAW ENFORCEMENT COMMISSIONS AND PARTICIPATION IN THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM.

Vote: Unanimous

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21. Litigation Report

The Commission had no comments or questions on this item.

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23. Elections of Positions and Appointments to Standing Committees

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO ELECT COMMISSIONER BILL MCLEAN AS CHAIRMAN FOR 2008 AND THAT THIS BECOME EFFECTIVE ON JANUARY 21, 2008.

Vote: Unanimous

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO ELECT COMMISSIONER BOB HERNBRODE AS VICE-CHAIRMAN FOR 2008 AND THAT THIS BECOME EFFECTIVE ON JANUARY 21, 2008.

Vote: Unanimous

Commissioner McLean post-poned appointing individual Commissioners to chair the standing committees through January 2009 until the February Commission meeting.

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26. Approval of Minutes and Signing of Minutes

Motion: Martin moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM DECEMBER 7-8, 2007 AND JANUARY 9, 2008.

Vote: Unanimous

Following approval, the Commission signed the minutes for December 7-8, 2007 and January 9, 2008.

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27. Future Agenda Items

Deputy Director Ferrell noted the following future agenda and action items:

- Provide copies of the legislative bills the Department is monitoring or supporting to the Commission
- Schedule a meeting with Representative Mason regarding HB 2332 (Falconry, Captive Bred Exotic Raptors) to address Department concerns
- Work with the sponsor of SB 1077 (Missing Persons; Law Enforcement Duties) to address Department concerns
- Work with Representative Weiers to resolve Department concerns with HCR 2037
- Proceed with negotiations with Yuma County and Adair Inc. on the potential transfer of range property from the County to the Department
- Send letters to the Governor and the NRA requesting support in soliciting the U.S. Forest Service to expedite the land exchange Assessment for the Northern Arizona Shooting Range, and to provide financial assistance and technical support if possible

- Extend the lead-free outreach efforts to the unsuccessful applicants for deer in Units 12A, 12B and Unit 13A
- Continue to encourage Utah to adopt a lead-free reduction program within condor range
- Expand lead-free ammunition outreach efforts to communities local to condor range (e.g. Fredonia) to reach hunters other than those who hunt big game in the area
- Schedule with the Commission a budget workshop between the March and April 2008 Commission meetings to discuss the FY 2010-11 biennial budgets

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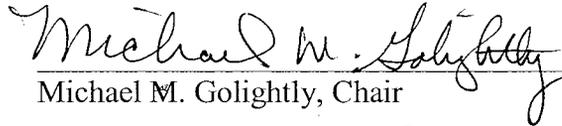
Motion: Martin moved and McLean seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

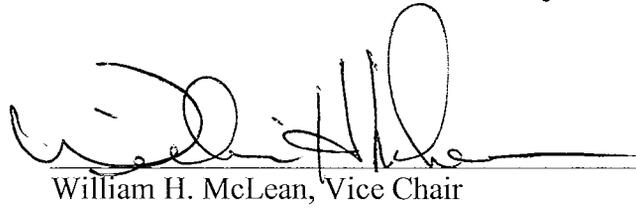
Vote: Unanimous

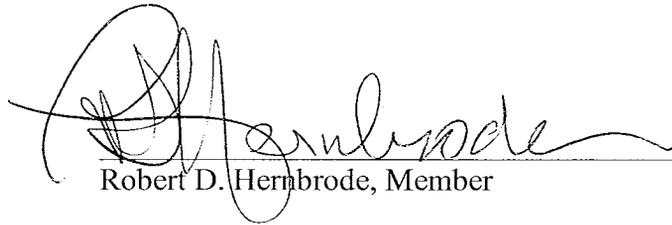
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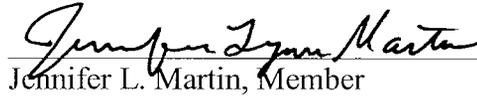
Meeting adjourned at 6:08 p.m.

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Michael M. Golightly, Chair

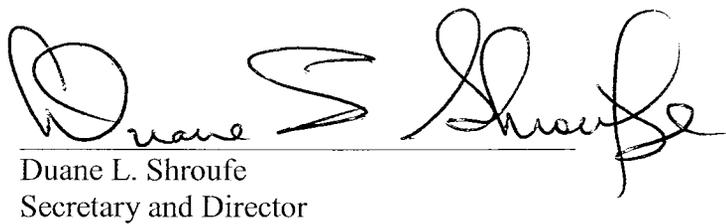

William H. McLean, Vice Chair


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
January 14, 2008**

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

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

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

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

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

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

The court has issued a scheduling order for the parties to file motions for summary judgment. The plaintiffs' motion is due December 14, 2007; the defendants' cross-motion and response is due February 1, 2008; plaintiffs' response/reply is due February 29, 2008 and defendants' reply is due March 14, 2008.

Plaintiffs have withdrawn their motion for a temporary restraining order so the status quo will remain until the court rules on the motions for summary judgment.

As for the motions to intervene filed by the State of Arizona and various conservation organizations, the court has indicated it will not likely rule on these motions prior to the time the

parties file their motions for summary judgment. The court, however, granted permission to the applicants for intervention to file motions for summary judgment. Also, the plaintiffs stated on the record that they have no objection to the State of Arizona intervening in the case.

Plaintiffs filed a motion for summary judgment on December 14, 2007. The Defendant Fish & Wildlife Service and the intervening defendants must file cross motions for summary judgment and a response to Plaintiffs' motion by January 31, 2008.

(1/14/08) (JFO/SDC)

Lands Update
For the Arizona Game and Fish Commission
January 11, 2008
Phoenix, Arizona

FEDERAL LAND MANAGEMENT PLANNING

Apache-Sitgreaves National Forest

On December 12, 2007 Department personnel provided comments to the Forest on the initial Travel Management Plan (TMP) proposed action. Department comments included site specific recommendations for additional road access primarily to facilitate hunter access or for administrative purposes associated with water development and dam maintenance, closing roads associated with critical wildlife waters, and relocating an area proposed to be designated as open to cross country travel due to the presence of important wildlife waters and browse. These comments will be considered by the Forest for inclusion in the revised proposed action. The revised proposed action, which will also address concerns raised by the public including O.H.V. interests, should be available for comment in early February 2008. Department personnel will again review and provide necessary comment at that time.

Coconino and Kaibab National Forests

Land Management Plan (LMP) Revision coordination with the public and AZGFD is resuming. A public meeting for the Kaibab and Coconino National Forests is scheduled for January 12th 2008. The Department will be represented.

The Kaibab and Coconino National Forests have scheduled a meeting on January 10th to continue work on Travel Management Rule Revision. This meeting is intended to start outlining the impacts of the potential decision on resources.

Coronado National Forest

The Department continues to meet with individual Ranger Districts to discuss the Travel Management Plan.

Tonto National Forest

The Forest has released several reports in preparation for the Forest Plan Revision: "Values, Attitudes and Beliefs Towards National Forest System Lands: The Tonto National Forest", "Socioeconomic Assessment of the Tonto National Forest", and others available on their website. Two rounds of community meetings have been held to identify values, attitudes, and beliefs (VAB) about forest resources and their management. Participants discussed potential "Need for Change" and priorities for the Forest. A second round of meetings will be held during Spring 2008 to continue the dialogue and present new information. Results of this work are intended to assist forest managers and planners to identify strategic issues for revision of the existing Forest Plan and to assess other social or cultural factors that may influence forest planning and management.

Prescott National Forest

Formal public meetings are expected to begin in February or March of this year and will begin the process for LMP involvement. In the meantime, the Forest has been gathering information to address potential “Need for Change” in the existing Forest Plan, through a series of informal community meetings to develop and share landscape vision statements for their communities over the next 20 to 50 years. The vision should include social, economic, and ecological factors and what part the Forest plays in that vision.

Forest planners are using a process similar to that of the Kaibab and Coconino National Forests to develop species lists of Concern and Interest for the ecological sustainability analysis process. They expect to share the list of species to be analyzed as soon as it is finalized. The Forest hired an ecologist for the Core Planning Team last fall and she will be the contact for the ecological sustainability process in the future. At this time, the list of species will be used only to estimate the Forest's contribution to sustainability of those species based on trends in the health of ecosystems on the Forest. If the risk of problems seems probable using current management, and if there is an opportunity for adjusted Forest management activities to mitigate problems, doing so will be considered a potential need for change in management direction and for the Forest Plan.

SB 1441 HABITAT RESTORATION AND ENHANCEMENT FUND

Anderson Mesa Grassland Restoration

The \$649,552 of SB 1441 funds allocated to the Anderson Mesa Grassland Restoration project has been fully expended. Funds were used to remove young pinyon and juniper trees encroaching on historic grasslands, burn some treated acres, reseed some areas, fence wetlands to enhance plant diversity and conduct archaeological surveys to allow for these treatments. Funding accomplished the following:

- Completed 5433 acres of archaeological surveys. The Coconino National Forest has a programmatic agreement with the State Historic Preservation Office authorizing a 25% survey for mechanical treatment in these grassland areas. Therefore, the 5433 acres of survey allow for treatment on + 21,000 acres.
- Removed pinyon-juniper from +8600 acres of grassland.
- Burned 820 acres to remove trees cut with other funds.
- Reseeded 530 acres of the burned area.
- Fenced 5 wetlands.

SB 1441 funds were also used as a “match” for a grant from the Natural Resources Conservation Service (NRCS) to the Diablo Trust to continue the grassland restoration effort. Diablo Trust received this \$450,000 grant that will fund treatment of +7000 acres next year.

Westside Habitat Improvement

The work on the Westside Project has been completed for 2007. Between July and October, 2,000 acres of pinyon-juniper push were treated for a second time. Small diameter trees were chipped to avoid reinvasion of the treated area. During October and November 500 acres of

previously burned lands were seeded with shrub species including cliffrose, big sagebrush, four-wing saltbush and winterfat to improve winter deer forage conditions. Of this, 250 acres were treated with Plateau[®] herbicide to reduce the amount of cheatgrass in the seeded areas. Within one portion of these seeded areas, Northern Arizona University and the Forest Service Rocky Mountain Research Station has established monitoring plots and conducted pre-treatment vegetation sampling under a grant from the Natural Resource Conservation Service Grazing Land Conservation Initiative to evaluate the impacts and success of this project. In addition, the Grand Canyon Trust has established long term monitoring plots within treatment areas and adjacent non-treatment areas.

Funding: Expenditures to date (12/15/07): \$367,862.52 Dedicated funds: \$367,832.80

Remaining: 0%

One of the next steps with the Westside project is to begin planning for securing native seed for Fall 2008. The Department contractor that has worked with us in the past will not be able to provide services for our Fall 2008 planting season, therefore, the Department is in the beginning stages of developing a program in which local groups may help collect native shrub seed from the North Kaibab Ranger District. The newly developed Northern Arizona Native Seed Alliance (NANSA) may help facilitate this process.

Sheep Wash Ecosystem Restoration

The Decision for the NO Bar Restoration Project, which is a part of the larger Sheep Wash Ecosystem Restoration Project, was signed on November 27, 2007. The District will begin work, both thinning and burning as weather conditions allow.

Sunset Habitat Restoration Project

The Clifton Ranger District set up an Interdisciplinary Team and a field trip to the project area by the Team has been scheduled for January 24-25.

U.S. FOREST SERVICE

Apache-Sitgreaves National Forests

On December 14, 2007 the Department sent a letter to Elaine Zieroth, Forest Supervisor for the Forest requesting that the Forest accommodate the domestic sheep authorized on the Long Tom Allotment on another allotment on Forest lands where the presence of domestic sheep would not impact existing or potential bighorn sheep range. The letter was generated as a result of the November 27, 2007 Decision Notice & Finding of No Significant Impact for the Long Tom Allotment Management Plan, which authorizes continued domestic sheep grazing on the Long Tom Allotment. Due to disease transmission concerns reauthorization of domestic sheep grazing on the Long Tom Allotment directly impairs the Department's ability to reintroduce bighorn sheep into the Chevelon Canyon area, which is considered the best site to establish a bighorn sheep population within the Region.

Department personnel conducted electrofishing surveys on the West Fork of the Little Colorado River (LCR), Apache County, on November 19, 2007 to monitor the effectiveness of man-made fish barriers in preventing non-native trout from reinvading Apache trout recovery habitat. Non-

native brown trout were found to be numerous between the 2 fish barriers and present upstream of the upper fish barrier, having successfully invaded the isolated portion of the recovery stream. All the brown trout were small individuals that likely passed through interstitial spaces in the gabion structures. Work on the two barriers was conducted on December 5 to plug holes that had been created during high flows. High flows and low temperatures limited the maintenance that could be done at that time. Additional work will be required to properly seal these barriers. Electrofishing crews will return to the West Fork as soon as conditions allow to investigate the distribution of non-native trout and attempt mechanical removal, however, retreating with piscicides is not being ruled out. The professional services of Natural Channel Design will be used to evaluate these and other fish barriers on Apache trout streams with recommendations for maintenance/improvements. National Environmental Protection Act (NEPA) compliance will be necessary on some barriers, including Snake Creek, Stinky Creek and Conklin Creek. The Apache Trout Habitat Enhancement Environmental Assessment of 2004 currently covers barrier work on the West Fork LCR, Hayground Creek and Fish Creek. The Department is currently pursuing a comprehensive NEPA evaluation to cover routine fish barrier maintenance/repair on the Forest

Department personnel conducted limnological surveys on Lee Valley Lake, Crescent Lake and Carnero Lake in Apache County, on December 20. The objective was to gather baseline information on the lakes immediately after initial ice cover. Subsequent monitoring under the ice will occur throughout the winter to determine causes for winter fish kills and identify possible remedies to prevent or minimize winter fish kills in these important sportfish reservoirs. An aerator will be installed on Lee Valley Lake during the summer of 2008 and the baseline information there will help evaluate the success of the aerator in following winters.

Coconino National Forest

The Department attended several meetings of the Greater Flagstaff Forest Partnership as the Partnership tries to resolve how to proceed in the future. Department personnel attended a field trip with the Peaks Ranger District looking at grazing allotments, prescribed burns, and other projects coming up in the near future.

Coronado National Forest

The Department continues to work 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 and Rucker Canyon. Both locations are in the Chiricahua Mountains.

The Department continues to work on the environmental compliance documents for the re-establishment of Gila topminnows into Sabino Canyon. Planned implementation is still scheduled for the spring of 2008.

On December 8th, USFS personnel from the Sierra Vista Ranger District, Game and Fish, and local volunteers from the Huachuca Gould's Chapter, Huachuca Whitetail Club, and Friends of Brown Canyon braved rain showers to install and plumb 2 guzzlers in Brown Canyon. To date, the springhead needs cleaning prior to charging the water line, but the project should be completed by the end of February.

Kaibab National Forest

Department personnel attended a field trip with the Williams Ranger District looking at grazing allotments and other projects coming up in the near future.

Prescott National Forest

The Department attended a meeting hosted by the Forest regarding the 163,000 acre Black Hills Vegetation Management Project, located within the Verde and Chino Valley Ranger Districts. Department input is requested and will be provided before the end of the month.

The Department is currently working with the Forest to complete NEPA documentation to implement juniper thinning to improve pronghorn habitat in GMU 21. The project area will expand habitat improvement projects on Sycamore Mesa (adjacent BLM land) to thin encroaching juniper within a pronghorn movement corridor. Currently site visits are being conducted with the contractors to determine project costs and plan priorities. Mechanical and hand cutting methods are being evaluated, however access and topographical constraints may render mechanical methods too expensive. The Department has treated approximately 584 acres and has identified another 3447 acres to be treated pending funding.

Tonto National Forest

The Forest has released a Recreation Facility Analysis: 5-year Proposed Program of Work, and is requesting public comments and review by January 18, 2008. The Department is currently reviewing the plan and will provide comment as needed. The plan proposes management options for recreation sites across the Forest including: decommission, closure, seasons of use, fee changes, site conversions, site developments, improvements and more.

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.

The Department commented on the Pakoon Spring rehabilitation project that will be undertaken in Unit 13B. This area is a rare oasis in the Mojave Desert and has been diverted and dammed in several places. In addition, several structures were built on the property. Currently the BLM would like to restore this area to a more natural spring and seep network in which native species can thrive.

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. 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.

Kingman Field Office

The Department received a list of grazing allotments within Kingman BLM Field Office where renewal of the grazing permit or lease are being considered. The Department will work with the BLM on these permits.

Big Ranch A: The Mohave Livestock Association (MLA) has withdrawn their protest regarding permit renewal for Big Ranch A. MLA protested the grazing permit renewal after years of effort by the Department to resolve habitat issues concerning desert bighorn sheep within the Big Ranch A allotment. The MLA was not in favor of the resolution that was agreed to by the permittee, BLM and the Department, and so they protested the BLM's decision. The BLM, Kingman Field Office has worked diligently with the MLA to help them understand that the permittee's interest is being appropriately addressed.

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.

The Department met with the BLM Safford Field Office regarding the road system on the Field Office area. Also present were representatives from the Graham County Board of Supervisors, Sky Island Alliance, and a local off-highway vehicle group. The Department and the County stated that we were not in favor of closing any roads because of our concerns about public access to public lands. The Department will be represented on a committee to look at any road closures in the field office area.

Tucson Field Office

The Tucson Field Office is currently developing a preferred alternative for the Middle Gila Canyons Transportation Plan. The Department and the public have provided extensive input on this plan. The draft plan was due out in October, but has been delayed. The BLM expects the plan to be out this spring.

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 early 2008. The Department will be working closely with BLM to address submitted comments pertaining to wildlife and wildlife management.

Sonoran Desert National Monument (SDNM)

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

BLM has publicly announced (news articles) that they plan on closing approximately the northern third of the SDNM to all vehicle entry early this year. In recent articles they stated that the closure is required due to extensive environmental damage caused by reckless OHV use and that the closure will last 2-3 years. The area that will be affected by the closure is north of State Route 238. The Department met with BLM on October 29, 2007 to discuss access concerns associated with a proposed closure. Regional personnel acknowledged the increased ATV use, associated damage the monument is experiencing, and the difficulty of managing a monument in close proximity to a major metropolitan area. Regional personnel expressed concerns with the impacts that a total vehicle closure would have on wildlife-related recreation, including hunting. The Department presented BLM with several alternatives to a total vehicular closure that we believed would address the problems they were experiencing with ATVs and still allow vehicular access for wildlife-related recreation. Alternatives to a total vehicular closure discussed at that meeting included restrictions on certain vehicle types, rotating closures of smaller areas, allowing hunter access, and opening smaller areas as they are rehabbed. BLM

stated that they had already made the decision to close the area to all vehicular access and were unwilling to alter that decision. The Department will continue to work with BLM to regain vehicular access for wildlife-related recreation, including hunting, as expeditiously as possible. BLM stated that the closure would last until they had the funding and time to rehab the roads and prepare a management plan for the area. Due to fiscal and time constraints within BLM, the Department's concern is that it could last substantially longer than their estimated 2-3 years. BLM said they would consider reopening sub-areas once they rehabbed them. However they have not responded as to whether they have made a decision to do that or not. The Department is currently trying to set up a meeting with the BLM Lower Sonoran Field Office to discuss a variety of coordination issues and the application of joint agency commitments as embodied in the Memorandum of Understanding between AGFD and BLM.

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.

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 and we are awaiting a Record of Decision.

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 NWR. The Department finalized a predation management plan for the Kofa Mountains complex in May, 2007 and along with the USFWS, completed a report in June, 2007 entitled "*Investigative Report and Recommendations for the Kofa Bighorn Sheep Herd.*"

The 2007 survey resulted in a population estimate of 460 bighorn sheep on the Kofa NWR, 390 were estimated in 2006. Thirty bighorn sheep have been collared on the Kofa NWR to collect information on nutrition, condition, movement, mortality, and predation.

An adult male lion was captured and collared on October 21, 2006. Since collaring, three mule deer have been documented as being killed by this lion. Data transmission from the GPS collar on this lion has been intermittent, hampering our ability to track this lion's movement and confirm kills. Efforts to collar additional lions are ongoing. The USFWS is in the early stages of developing a lion management plan, with associated NEPA compliance, for the refuge.

Department and Kofa personnel continue to monitor wildlife waters on the Kofa NWR. The USFWS and Department are currently maintaining existing waters, including hauling supplemental water, with appropriate documentation of those activities.

More complete information on the management of bighorn sheep, lions, and water on the Kofa NWR can be found at the following web site www.azgfd.gov/w_c/bhsheep/index.shtml. This web site is updated monthly.

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

Aravaipa Access

A private party sued Norma Tapia over her locked gate denying historical access to Aravaipa Canyon and its associated wilderness trailhead. A hearing was held on December 17th regarding a restraining order prohibiting her from locking that access route until the suit is litigated. The presiding judge ordered the restraining order in place and found that there was substantial likelihood of the plaintiff prevailing in the suit. A trial on the lawsuit itself is set for Feb 8, 2008 to resolve the matter permanently. The public once again has access to the east end of Aravaipa Canyon that has been closed since 2005.

Arizona Department of Transportation (ADOT)

Department personnel attended a field trip with ADOT along Interstate 17 looking at problem areas for elk – vehicle collisions and potential placement for fences, underpasses and overpasses to reduce the problems. This project is along I-17 from Highway 179 (Sedona exit) to the interchange at I-17 and I-40. This area encompasses some of the highest collision rates with elk along I-17. The trip was very informative and a lot of good communication took place.

Tucson – Phoenix I-10 Bypass

On December 17, 2007 a letter was sent from the Arizona Game and Fish Commission to the Governor's office and Mr. Victor Mendez, ADOT Director, regarding the Commission's position of opposition to the I-10 Bypass Study.

On December 18, 2007 the Pima County Board of Supervisors voted unanimously to approve a resolution that opposes construction of the I-10 Bypass. Chairman Elias was the primary sponsor of the resolution. The resolution advises the Arizona Department of Transportation and Governor Janet Napolitano against further study of, or construction of, such a bypass highway. The Transportation Department is considering the bypass proposal, which Transportation Board member Si Schorr of Tucson suggested a year ago.

On December 21, 2007 ADOT made a presentation to the State Transportation Board (Board) in Oro Valley, AZ regarding the proposed I-10 bypass study. Routes under study would exit I-10 near Willcox or Benson and go through the San Pedro River Valley east and north of the Rincon and Santa Catalina Mountains, or exit I-10 just east of Tucson to cut south of the city and then up the Avra Valley behind the Tucson Mountains. Any such bypass route eventually would reconnect to I-10 west of the Phoenix urban area. Although the Commission's position letter was sent prior to the Board meeting, Department staff attended the December 21st meeting and addressed the Board directly during the call to the public to ensure that the Commission's position was known to all Board members prior to any discussion and/or decision being made on the I-10 Bypass Study. The Board did not make a decision on continuing the study, but intends to do so in January 2008.

Arizona State Land Department (ASLD)

The Department met with Tucson Real Estate Division of the Arizona State Land Department to discuss future coordination between ASLD and the Department regarding Comprehensive Land Use Plans for lands identified as Urban Lands under the 1998 Growing Smarter Act. ASLD is planning three areas in the Tucson area including the Marana, Rincon Valley, and Oro Valley/Catalina areas. Each of these areas includes important wildlife habitat and linkages, hunting opportunities, wildlife watching opportunities, and OHV trails. The Department discussed the Areas of Conservation Priority Geographic Information System currently under development in AGFD and offered to provide this tool, when it becomes available, to assist in planning for wildlife in these urban land use planning areas.

Canyon Lake Fish Habitat Installation

The Department has completed installation of fish habitat, otherwise known as "Pisces Pyramids", in Canyon Lake. Salt River Project (SRP) drew down water levels beginning in September to conduct dam maintenance activities. Department personnel coordinated with the Tonto National Forest to ensure access for volunteers during the project implementation. Project materials including wood pallets, concrete block and Christmas trees were acquired through donations. Habitat structures were installed along the lake bed in 3 main locations, adding structure to an otherwise flat lake bed. SRP is currently refilling the lake and the new habitat is expected to enhance fishing opportunity this spring.

Coconino County

Coconino County Parks and Recreation is developing a 10-year Strategic Plan that, in part, will identify and prioritize areas of importance for open space acquisition as well as conservation goals for their department. The Department has been aggressively engaged in this process,

providing the county with wildlife habitat connectivity data through the Missing Linkages Project, the Areas of Conservation Priority Project, as well as additional planning recommendations developed by the Department's Urban Wildlife Planner. The county has agreed to incorporate the Department's recommendations for wildlife habitat into their open space planning, and will continue to engage the Department as a cooperating agency in the development of this plan.

Department personnel attended a field trip and meeting with Coconino County Parks and Recreation Department, Arizona State Land Department, and the Natural Resources Conservation Service to discuss progress on the County's API petition for Roger's Lake. The meeting went well and ASLD promised progress within the next year.

Gould's Turkey

Gould's turkey captures will resume in Unit 35A in 2008 with a total of 40-50 turkeys to be captured and translocated into the Santa Rita and Catalina Mountains. Baiting on private property will begin in January with captures to begin around mid-February 2008. Depending on the number of turkeys coming onto private lands and capture success, the possibility of setting traps on forest service lands exists. If it appears that captures on forest lands is necessary, Game and Fish will coordinate with the local Sierra Vista District office.

Maricopa County

Region VI personnel have been closely involved with Maricopa Co. Parks (MCP) on their planning effort for the north end of Lake Pleasant Park (Park). The MCP closed public access to that portion of the Park (off Table Mesa Road) last year while trying to finalize their conservation plan and make a decision on how to manage the area in the future with "conservation emphasis" in mind. Major issues cited for the closure included failure to obtain an entry permit, vandalism, littering, damage to archeological sites, OHV (off-road) use, and target shooting. These activities are already unlawful on the Park, but the MCP indicated they didn't have the resources to patrol or enforce regulations in this area. A closure went into affect December 15, 2007 and ends June 15, 2008 for bald eagle habitat conservation. As such, boaters / anglers from the south end cannot access the upper portion of the lake. The eagle closure and the Park regulations prevent access to a portion of the lake that is extremely popular in the winter and spring when fish populations peak at the Agua Fria River arm of the lake. Region VI personnel have been attending a number of inter-agency planning meetings with the Park, which have included their Director, R.J. Cardin, to express the Department's goal to ensure adequate angler access. A few vocal anglers have participated in several public meetings, with angler access representing a large percentage of responses solicited by the Park. The Department has offered to assist with funding for designating, improving, and maintaining an access route for anglers. The Park has conditionally agreed to provide access (possibly including a parking area and boat ramp) if they can secure the funding resources necessary with costs projected to be as high as \$500,000. Presently, the Park has stated that an Environmental Assessment would also be required. In addition, the Department's Region VI Supervisor attended the Parks Commission meeting on January 8th and provided the Department's position favoring angler access. One option could require anglers to check into a Park office and get the required permit, provide vehicle information, driver's license, and obtain the combination to the lock for access. The

Parks Commission then asked Director Cardin to work on a solution with the Department regarding temporary angler access.

Lake Mead NRA

The Department in conjunction with Nevada Department of Wildlife and the National Park Service, Lake Mead National Recreation Area constructed and installed five units of habitat to benefit fish in Lake Mohave. A unit consists of six "Pisces Pyramids" or eight pvc/snowfence structures deployed at one time commonly known as "a dump". A dump could also encompass simple stacks of pallets. Five dumps were done on December 12-13 using the Nevada "habitat barge" boat. Shoreline cut salt cedar, also known as tamarisk, was attached to Pisces Pyramids and the pvc structures to enhance the attraction and use by fish. All five units were deployed in Carp Cove.

Tres Rios River Restoration Project

The Department continues to participate in the Tres Rios River Restoration Project Steering Committee. The project is currently being implemented along the Salt/Gila River Corridor between about 83rd Ave. and the mouth of the Agua Fria River in the west portion of the Phoenix metro area. Improvements to date include a new flood control levee between about 99th Ave. and 113th Ave., and enhancements to the east end of the existing Holly Acres levee. Refurbishment of the remainder of the Holly Acres levee will begin in Jan. 08. Construction of the regulating and overbank wetlands system of the project is slated to begin later in 2008. Additionally, a recreation subcommittee has been formed under the steering committee and is considering various aspects of visitor amenities and management (access, trails, restrooms, trash services, and law enforcement). The Department has significant land holdings (the B&M Wildlife Area) within the project area and is a participant in the project planning and a cooperator in management.

Wood Supply Working Group (WSWG)

The Department attended the 7th and final meeting for the Northern Arizona Wood Supply Analysis Working Group. A final report of this analysis has been submitted as a draft for review to the working group, and the Department will be submitting comments in January. The final report is expected for public release in late January, which will show that an estimated 3.3 billion cubic feet of ponderosa pine small-diameter wood is available on 1.8 million acres in northern Arizona. This estimate represents a conservative calculation that excludes sensitive habitats for wildlife, reasonably estimates available wood based on restoration objectives and desired future conditions, and conservatively delineates the wildland-urban interface (WUI). Consensus was reached among the multiple agencies and stakeholders that 40% of the study area should receive treatment. Many stakeholders further encouraged an additional treatment of 25% of the study area. Supply estimates, and the varying levels of agreement on % treatment will be provided to the Forest Service Region 3 office. The Forest Service will use this analysis in its planning and potential Requests for Proposals for large-scale stewardship contracts throughout northern Arizona.