

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, June 27, 2008
Saturday, June 28, 2008
Arizona Game and Fish Department
5000 W. Carefree Hwy
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

Chairman William H. McLean
Vice Chairman Robert D. Hernbrode
Commissioner Jennifer L. Martin
Commissioner Robert R. Woodhouse
Commissioner Michael M. Golightly

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

Chairman McLean called the meeting to order at 8:14 a.m. Director Larry Voyles was out of the country on personal business and not present. This meeting followed an agenda revision dated June 25, 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)(3) and (4) for the purpose of discussion and consultation with legal counsel.

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

Vote: Unanimous

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The Public Meeting reconvened at 10:02 a.m.

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Chairman McLean called the meeting back to order and lead those present through the Pledge of Allegiance. The Commission introduced themselves and Chairman McLean introduced Deputy Director Ferrell and the Director's staff.

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2. Litigation Report

There were no comments or questions on this item.

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3. Request to Approve the Expenditure of Unspent Balances in the Heritage Fund, Wildlife Conservation Fund, and Off Highway Vehicle Fund for Fiscal Year 2009.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the expenditure of unspent fund balances from Public Access; Identification, Inventory, Acquisition, Protection, and Management; Habitat Evaluation and Protection; Urban; Environmental Education; and Administration and Support Services (Interest monies) for Fiscal Year 2009. The Commission was also asked to approve the expenditure of unspent fund balances from the Wildlife Conservation Fund and the Off Highway Vehicle Fund for Fiscal Year 2009. These requests will ensure that remaining unspent balances in the Heritage, Off Highway Vehicle, and Wildlife Conservation Fund programs are available for expenditure in Fiscal Year 2009 for additional qualifying projects and related inter-fund cost transfers, and the Department's ability to respond to revenue shortfalls and unforeseen needs. All property acquisition proposals utilizing unspent Heritage Acquisition monies will be brought before the Commission for individual review and approval for actual funding authority.

Motion: Woodhouse moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE EXPENDITURE OF UNSPENT FUND BALANCES FROM THE PUBLIC ACCESS; IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION, AND MANAGEMENT; HABITAT EVALUATION AND PROTECTION; URBAN; ENVIRONMENTAL EDUCATION; ADMINISTRATION AND SUPPORT SERVICES (INTEREST MONIES) PROGRAMS; THE WILDLIFE CONSERVATION FUND, AND THE OFF HIGHWAY VEHICLE FUND, FOR FISCAL YEAR 2009.

Vote: Unanimous

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4. Request to Approve Amendments to the Commission-Approved Budgets for Fiscal Year 2009 in the Game and Fish Fund, the Federal Funds, the Heritage Fund, the Wildlife Conservation Fund, and Off Highway Vehicle Fund.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve additional amendments to the Fiscal Year 2009 Budget as approved by the Commission in June 2006 and amended in September 2007 and March 2008. The additional amendments involve the Game and Fish Fund, the Federal Funds, the Heritage Fund, the Wildlife Conservation Fund and the Off Highway Vehicle Fund. These requests are necessary to implement the Department's proposed budgets for Fiscal Years 2010 and 2011 where past fund sweeps, unforeseen expenditures, and projected revenue shortages necessitate moving expenses to different funds in Fiscal Year 2009. None of these amendments would require supplemental appropriations from the Arizona State Legislature. The Commission was provided with a complete informational budget packet prior to this meeting for review and consideration. Included in the packet was a backup plan to address the issue of wildlife manager attrition that the Department is experiencing. If approved by the Commission, the Department will utilize the backup plan if necessary; however, the Department is confident that vacancy savings will cover the cost.

Public Comment

Hays Gilstrap, Scholastic Shooting Sports Foundation (and former Game and Fish Commissioner), addressed the Commission and requested that this item be re-opened during tomorrow's meeting. There are several members of the public who wanted to speak on this item but could not be here until tomorrow.

Chairman McLean announced for the benefit of the audience that it was highly likely that this item would be revisited at tomorrow's meeting.

The Commission discussed with Mr. Gilstrap the cuts to the Scholastic Clay Target Program (SCTP), which would affect the portion granted to participants. Also discussed was fundraising efforts and contributions by the Scholastic Shooting Sports Foundation.

Ty Gray, Assistant Director, discussed with the Commission five SCTP Program Budget Options for FY09 offered by the Department for consideration (attached to these minutes).

Chairman McLean advised Mr. Gilstrap that he would like to see the Scholastic Shooting Sports Foundation come back to the Commission with a matching fund proposal.

Commissioner Woodhouse stated that he would not be in favor of any reductions to the funding for the SCTP program and that he would like to see the Department have some flexibility on how they used those funds.

Public Comment

Roger Clark, representing himself and the SCTP program, requested that the Commission not cut the SCTP program. As a parent of a shooter, he advised the Commission of the expense to parents and believes that without the funding a lot of participants would drop out.

Commissioner Golightly mentioned adding an Option 6, which would be 100% funding. He would like to see it funded at 100% with commitments from the Scholastic Shooting Sports Foundation and others.

Commissioners Martin and Hernbrode expressed support for the SCTP, but needed to know what other programs would be cut or where the funds would come from in order to make a decision.

The Commission was in consensus to table this item until tomorrow's meeting.

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5. Request to approve the Game and Fish Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Game and Fish Fund for Operating and Capital Outlay programs for Fiscal Years 2010 and 2011. The Game and Fish

Fund consists primarily of revenue generated from the sale of licenses and tags. The Fiscal Year 2010 and Fiscal Year 2011 Budget Requests are a continuation of the Fiscal Years 2008 and 2009 appropriated budgets adjusted for the following:

Personal Services and Employee Related Expenditures: The Department's Personal Services and Employee Related Expenditures request included funding for the wildlife series classification maintenance review.

Professional and Outside Services: The Department requested an increase in Fiscal Years 2010 and 2011 in the amount of \$1,059,700 for Fiscal Year 2010 and \$1,019,700 for Fiscal Year 2011 to fund the following:

- \$444,700 in each fiscal year for grassland restoration to benefit pronghorn populations
- \$200,000 in each fiscal year for riparian and aquatic habitat enhancements
- \$100,000 in Fiscal Year 2010 and \$60,000 in Fiscal Year 2011 for a Canyon Creek Riparian Restoration Project
- \$200,000 in each fiscal year to purchase a new point-of-sale for license dealers
- \$75,000 in each fiscal year to fund the Department's Leadership Practices Inventory Program
- \$40,000 in each fiscal year to fund contracting fees for public health services for the agency (Rabies pre and post exposure vaccinations).

In-state Travel: The Department requested an increase of \$1,000 in each Fiscal Year 2010 and 2011 for in-state travel costs associated with training and outreach.

Other Operating Expenditures: The Department requested an increase in Fiscal Years 2010 and 2011 in the amount of \$2,206,608 for Fiscal Year 2010 and \$2,196,250 for Fiscal Year 2011 to fund the following:

- \$580,000 in each fiscal year for the Ben Avery Shooting Facility Master Plan
- \$200,000 in each fiscal year to continue the browse restoration on the North Kaibab
- \$250,000 in each fiscal year for Landowners Incentive Access Projects and Perpetual Easement Acquisitions
- \$374,258 in FY 2010 and \$363,900 in Fiscal Year 2011 to cover increased operating expenditures for the regions and headquarters. This request includes funding for computer software and increased motor pool fuel costs
- \$135,850 in each fiscal year for the urban fish program
- \$150,000 in Fiscal Year 2010 and \$100,000 in Fiscal Year 2011 for the Commission Shooting Range Safety Projects
- \$100,000 in each fiscal year to continue the Shooting Range external grant program
- \$90,000 in Fiscal Year 2010 and \$140,000 in FY 2011 for Angler Outreach and Marketing programs
- \$75,000 in each fiscal year to continue the external grants program in support of the Arizona Sportsmen's Clubs
- \$78,000 in each fiscal year to fund a KOFA Bighorn Sheep Restoration program
- \$75,000 in each fiscal year to continue the Lower Gila River Wildlife Area Operation and Maintenance activities to increase farm production
- \$49,500 in each fiscal year to fund a Black Mountains Predation Management program
- \$24,000 in each fiscal year to fund an urban predator control program
- \$25,000 in each fiscal year for the Department's Hunting Awareness and Appreciation

Program.

Non-Capital Equipment: The Department requested \$261,000 in Fiscal Year 2010 and \$231,000 in Fiscal Year 2011 for the purchase of law packages for the truck replacements and funding for agency wide replacement of Game and Fish Fund purchased computers to continue the implementation of the Department's Information Technology/Communication plan.

Capital Equipment: The Department requested \$1,263,780 in Fiscal Year 2010 and \$519,023 in Fiscal Year 2011 for replacement of the Department's purchasing software and to fund the continuation of the Department's fleet replacement program.

Matching Funds Increase: The Department requested an increase of \$1,000,000 in each Fiscal Year 2010 and 2011 for Dingell Johnson and Pittman Robertson federal assistance matching funds. This will have the effect of increasing the annual allocation for Federal Assistance matching funds from \$2,808,000 to \$3,808,000.

Capital Outlay: The Department requested \$759,000 in Fiscal Year 2010 and \$764,000 in Fiscal Year 2011 to fund annual preventive maintenance and building renewal costs, and regional paving projects. The request also included funding for shooting range access improvement projects and covered equipment storage.

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$36,096,388 FOR FISCAL YEAR 2010 AND \$35,276,273 FOR FISCAL YEAR 2011 FROM THE GAME AND FISH FUND.

Vote: Unanimous

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6. Request to approve the Watercraft Licensing Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Watercraft Licensing Fund for Operating and Capital Outlay programs for Fiscal Years 2010 and 2011. Watercraft Licensing monies are generated from watercraft registration fees and licensing taxes. The Fiscal Years 2010 and 2011 budget requests for the Watercraft Licensing Fund are a continuation of the Fiscal Years 2008 and 2009 appropriated budgets adjusted for the following:

Personal Services and Employee Related Expenditures: The Department's Personal Services and Employee Related Expenditures request included funding for the wildlife series classification maintenance review. Additionally, funding was requested for the following:

- Establish funding to reclassify the Boating Safety Education Staff positions, which consist of two FTEs. The Department requested \$20,000 in Fiscal Year 2010 and

\$20,000 in Fiscal Year 2011 to reclassify the positions from the current Boating Education Coordinator, grade 18, to Program Manager, grade 20.

Professional and Outside Services: The Department requested an increase in Fiscal Years 2010 and 2011 in the amount of \$65,000 for Fiscal Year 2010 and \$60,000 for Fiscal Year 2011 to fund the following:

- \$50,000 in each fiscal year to continue the Boating Safety Education program
- \$10,000 in each fiscal year to continue the Launch Ramp Signage project
- \$5,000 in Fiscal Year 2010 to continue the Boating Facilities Guide project.

In-state Travel: The Department requested an increase in Fiscal Years 2010 and 2011 in the amount of \$5,400 for Fiscal Year 2010 and \$5,400 for Fiscal Year 2011 for in-state travel costs associated with training and outreach.

Other Operating Expenditures: The Department requested an increase in Fiscal Years 2010 and 2011 in the amount of \$2,140,000 for Fiscal Year 2010 and \$2,240,000 for Fiscal Year 2011 for the following:

- \$1,100,000 in Fiscal Year 2010 and \$1,200,000 in Fiscal Year 2011 to continue the watercraft OUI reduction program
- \$375,000 in each fiscal year for continuation of the on-line application process
- \$325,000 in each fiscal year to continue the Pass-through boating safety grant program for Public Safety agencies
- \$250,000 in each fiscal year to continue the watercraft OUI Law Enforcement Grant Program
- \$50,000 in each fiscal year to continue the Life Jacket Loaner Program
- \$30,000 in each fiscal year to continue with the Clean Marina program
- \$10,000 in each fiscal year to fund a new program to promote boating safety in the schools.

Non-Capital Equipment: The Department requested an increase in Fiscal Years 2010 and 2011 in the amount of \$15,000 for Fiscal Year 2010 and \$16,000 for Fiscal Year 2011 to purchase promotional boating safety items and instructor kits, and a PC replacement in Fiscal Year 2011.

Capital Equipment: The Department requested \$310,000 in Fiscal Year 2010 and \$250,000 in Fiscal Year 2011 for the replacement and upgrade of radio towers, two portable trade show display units, and the purchase of a replacement truck for the Boating Safety Education Program.

Capital Outlay: The Department requested \$80,000 in Fiscal Year 2010 and \$80,000 in Fiscal Year 2011 to continue paying for the Watercraft Fund portion of the new headquarters facilities. The Department received the same amount of funding in Fiscal Years 2008 and 2009.

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Commissioner Golightly asked, for the record, if the budget appropriations for the Watercraft Licensing Fund could be used somewhere else.

Mr. Ferrell stated that the eligibility requirement for Watercraft dollars are expressly for watercraft only; that is registration, public safety and law enforcement.

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$5,707,793 FOR FISCAL YEAR 2010 AND \$5,743,793 FOR FISCAL YEAR 2011 FROM THE WATERCRAFT LICENSING FUND.

Vote: Unanimous

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7. Request to approve the Game, Nongame, Fish and Endangered Species Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed operating expenditures from the Game, Nongame, Fish and Endangered Species Fund for Fiscal Years 2010 and 2011. The Game, Nongame, Fish and Endangered Species Fund consists of revenue generated from the Arizona Income Tax Check-Off. The Fiscal Years 2010 and 2011 budget requests for Game, Nongame, Fish and Endangered Species Fund are a continuation of the Fiscal Years 2008 and 2009 base budgets as appropriated by the legislature. The Department requested \$333,100 in Fiscal Year 2010 and \$333,100 in Fiscal Year 2011 for the Game, Nongame, Fish and Endangered Species Fund Operating Budget.

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$333,100 FOR FISCAL YEAR 2010 AND \$333,100 FOR FISCAL YEAR 2011 FROM THE GAME, NONGAME, FISH AND ENDANGERED SPECIES FUND.

Vote: Unanimous

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8. Request to approve the Capital Improvement Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Capital Improvement Fund for Fiscal Years 2010 and 2011. Revenues for the Capital Improvement Fund are generated from fund transfers from the Conservation Development Fund, which receives revenues from surcharges on the sale of fishing, hunting, and combination hunting/fishing

licenses. The Department requested a Capital Outlay Budget of \$3,750,000 in Fiscal Year 2010 for the following projects:

- Silver Creek Hatchery Remodel/Expansion \$1,900,000
- Ben Avery Shooting Facility \$ 950,000
- Kingman Regional Office Remodel/Expansion \$ 900,000

The Department requested a Capital Outlay Budget of \$1,800,000 in Fiscal Year 2011 for the following projects:

- Silver Creek Hatchery Remodel/Expansion \$1,000,000
- Ben Avery Shooting Facility \$ 800,000

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Motion: Woodhouse moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$3,750,000 FOR FISCAL YEAR 2010 AND \$1,800,000 FOR FISCAL YEAR 2011 FROM THE CAPITAL IMPROVEMENT FUND.

Vote: Unanimous

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9. Request to approve the Waterfowl Conservation Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Waterfowl Conservation Fund for Fiscal Years 2010 and 2011. The Waterfowl Conservation Fund consists of revenues from the sale of Waterfowl Duck Stamps, royalties from the sale of prints, and interest on funds invested. The Fiscal Years 2010 and 2011 Budget Requests are a continuation of the Fiscal Years 2008 and 2009 budgets, as appropriated by the Legislature for developing migratory waterfowl habitat and associated research and management to increase the number of migratory waterfowl in Arizona.

Other Operating Expenditures: The Department requested \$43,400 in Fiscal Year 2010 and \$43,400 in Fiscal Year 2011 in Other Operating Expenditures for habitat conservation, stewardship, and waterfowl management and research projects.

Capital Outlay: The Department requested \$100,000 in Fiscal Year 2011 for the development of migratory waterfowl habitat to increase the number of migratory waterfowl in the State of Arizona.

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Motion: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$43,400 FOR FISCAL YEAR 2010

AND \$143,400 FOR FISCAL YEAR 2011 FROM THE WATERFOWL CONSERVATION FUND.

Vote: Unanimous

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10. Request to approve the Wildlife Endowment Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Wildlife Endowment Fund for Fiscal Years 2010 and 2011. The Wildlife Endowment Fund receives revenues from the sale of lifetime hunting and fishing licenses. The Fiscal Years 2010 and 2011 Budget Requests are a continuation of the Fiscal Years 2008 and 2009 budgets, as appropriated by the Legislature. This appropriation facilitates an annual interest transfer to the Game and Fish Fund per ARS §17-271.

The Department requested \$16,000 in Other Operating Expenditures in Fiscal Year 2010 and \$16,000 in Fiscal Year 2011 to facilitate an annual transfer of accumulated interest to the Game and Fish Fund.

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$16,000 FOR FISCAL YEAR 2010 AND \$16,000 FOR FISCAL YEAR 2011 FROM THE WILDLIFE ENDOWMENT FUND.

Vote: Unanimous

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11. Request to approve the Federal Assistance Funds Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Pittman-Robertson, Dingell-Johnson/Wallop-Breaux; Coast Guard Boating Safety; Section Six Endangered Species Act; State Wildlife Grants; Landowner Incentive Program; and Special Contracts Federal Assistance Funds for Fiscal Years 2010 and 2011. The Federal Assistance request for the Department was summarized and provided to the Commission in their budget packets. The requests represented a continuation of previously approved activities from Fiscal Year 2009. Major highlights for Fiscal Years 2010 and 2011 Budget Request amounts were:

Personal Services and ERE: An increase for the wildlife series classification maintenance review and anticipated Employee Related Expenditures. In addition, an increase for the Clay Target Center to cover expenditures until revenue builds to a sustainable level.

Other Operating Expenditures: Purchase of sport fish to enhance sport fishing at waters that cannot produce internally or that are wet cycle seasonal waters. An increase to contract costs for fish stocking in urban lakes and for expansion of the number of waters in the Urban Fishing Program. Continue to construct, maintain and redevelop wildlife water developments throughout the state. Continue restoration of Mule and White-tail deer habitat. Continue Big Game Survey Protocol for helicopter surveys of bighorn sheep, and continuation of Dam maintenance on Arizona lakes.

Capital Equipment: Replacement of the following items: In Fiscal Year 2010 - five critical watercrafts, trade-in of the Department's Cessna 182 aircraft, 12 vehicles, one Fish Harvester, one crew truck and one dump truck. In Fiscal Year 2011 - an engine for the Department's Cessna 185 aircraft, 11 vehicles, one crew truck, one dump truck, one road grader and one backhoe. The vehicle replacement is a continuation of the Department's fleet replacement program.

Capital Outlay: Renovation of the Silver Creek Fish Hatchery in Fiscal year 2010.

Pittman-Robertson (Federal Assistance in Wildlife Restoration): The federal apportionment for Fiscal Year 2009 is \$7.7 million, which is an increase of \$1.1 million from Fiscal year 2008. The apportionments for Fiscal Years 2010 and 2011 are anticipated to be \$7.9 million and \$7.6 million respectively. With the addition of carry forward funds from unspent grant balances, the projected total for federal contribution from "Federal Assistance in Wildlife Restoration" is \$8.3 million in Fiscal Year 2010 and \$7.8 and Fiscal Year 2011. The increased apportionment in Fiscal Year 2009 and the anticipated stable level of apportionments in Fiscal Years 2010 and 2011 will allow for considerable enhancements in those years.

Dingell-Johnson/Wallop-Breaux (Federal Assistance in Sportfish Restoration): The federal apportionment for Fiscal Year 2009 is \$8.2 million, which is an increase of \$1.2 million from Fiscal Year 2008. The apportionments for Fiscal Years 2010 and 2011 are anticipated to be \$7.8 million and \$7.9 million respectively. With the addition of carry forward funds from unspent grant balances, the projected total of federal contribution from "The Federal Assistance in Sport Fish Restoration" is \$8.4 million in both Fiscal Years 2010 and 2011. The increased apportionment in Fiscal Year 2009 and the anticipated stable level of apportionments in Fiscal Years 2010 and 2011 will allow for considerable enhancements in those years.

Coast Guard Boating Safety: The projected federal allocation is anticipated to be \$1.9 million for Fiscal Year 2010 and \$2.0 million for Fiscal Year 2011. The budget requests for Fiscal Years 2010 and 2011 represent a continuation of the Fiscal Year 2009 budget. New requests include boats for regional watercraft safety enforcement, and replacement of one vehicle in Fiscal Year 2010. In addition, requests include funds for a Boating Safety Marketing and Outreach campaign, a Boater Use Survey, and expansion of the OUI Marketing and Boating Safety Outreach program.

Section 6, Endangered Species Act: The budget requests for Fiscal Years 2010 and 2011 represent a continuation of the Fiscal Year 2009 budget. The projected allocations for Fiscal Years 2010 and 2011 are anticipated to be \$726,000 each year, including Habitat Conservation Planning grants. Endangered species projects will continue to be funded from this program.

State Wildlife Grants: The State Wildlife Grant program allocates funds for wildlife conservation. The federal allocation for Fiscal Year 2009 is \$1.4 million, and the projected federal allocations for Fiscal Years 2010 and 2011 are estimated to be the same. The funds are utilized for multi-year projects, and revenues will be received over the course of the project periods. The estimated funding in Fiscal Years 2010 and 2011 will allow for continuation of projects to conserve wildlife.

Landowner Incentive Program: The Landowner Incentive Program assists private landowners with conserving and restoring habitat of endangered species and other at-risk plants and animals. The funds are utilized for multi-year projects. Although additional federal funding for this program has been discontinued, current funding will be utilized through Fiscal Year 2010.

Special Contract Monies: The estimated budgets for Fiscal Years 2010 and 2011 represent a continuation of the Fiscal Year 2009 budget. Projected revenues for Fiscal Years 2010 and 2011 are anticipated to remain stable at approximately \$4.0 million each year. These are generally contracts for wildlife inventory and research. Examples of Fiscal Year 2008 contracts include studies of the Mexican Wolf, Pygmy Owl surveys, and the Northern Arizona Wildlife-Highway Research project.

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE PITTMAN-ROBERTSON; DINGELL-JOHNSON/WALLOP-BREAUX; COAST GUARD BOATING SAFETY; SECTION 6 ENDANGERED SPECIES ACT; STATE WILDLIFE GRANTS; LANDOWNER INCENTIVE PROGRAM; AND SPECIAL CONTRACTS FEDERAL ASSISTANCE FUNDS FOR FISCAL YEARS 2010 AND 2011.

Vote: Unanimous

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12. Request to approve the Heritage Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Public Access; Identification, Inventory, Acquisition, Protection, and Management; Habitat Evaluation and Protection; Urban; Environmental Education; and Administration/Support Services (Interest monies) for Fiscal Years 2010 and 2011. The Heritage Fund request for the Department was summarized and provided to the Commission in their budget packets. The budget requests were

higher than revenue projections for Fiscal Years 2010 and 2011 due to the use of Heritage carry forward balances. Major fund highlights were:

Environmental Education: The projected revenue was anticipated to be \$500,000 for each Fiscal Year 2010 and 2011. The requested budget for Fiscal Year 2010 was \$711,475, and for Fiscal Year 2011 was \$539,856. These requests require the use of \$211,475 of carry forward for Fiscal Year 2010 and \$39,856 of carry forward for Fiscal Year 2011.

Personal Services and ERE: The Fiscal Year 2010 Budget Request amounts and the Fiscal Year 2011 Budget Request amounts include an increase for the wildlife series classification maintenance review adjustment and anticipated Employee Related Expenses.

Capital Outlay: The Department requested an increase in Fiscal Year 2010 of \$175,000 for the construction of an Outreach and Education facility at a Wildlife Area.

Cost Transfer: The Department requested \$28,750 for each Fiscal Year 2010 and 2011 to transfer funds to Heritage Administration and Support Services.

Habitat Evaluation and Protection: The projected revenue was anticipated to be \$1,500,000 for each Fiscal Year 2010 and 2011. The requested budget for Fiscal Year 2010 was \$1,518,250, and for Fiscal Year 2011 was \$1,518,250. These requests require the use of \$18,250 of carry forward for each Fiscal Year 2010 and 2011.

Personal Services and ERE: One FTE assigned to this fund in previous fiscal years has been moved to the Wildlife Conservation Fund, and one and one-half FTEs assigned to this fund in previous fiscal years have been moved to the Heritage IIAPM subprogram.

Cost Transfer: The Department proposes to match the Federal FW-11-TG Project (Habitat Evaluation and Protection) with \$1,432,000 of Heritage funds in each Fiscal Year 2010 and 2011.

The Department requested \$86,250 in each Fiscal Year 2010 and 2011 to transfer funds to Heritage Administration and Support Services.

Heritage Fund Administration and Support Services (Interest Monies): The projected revenue was anticipated to be \$310,000 for each Fiscal Year 2010 and 2011. The requested budget for Fiscal Year 2010 was \$986,215 and for Fiscal Year 2011 was \$997,572. Because the amount of interest currently being earned is insufficient to cover the expenditures for this program the Department recommended proportionate transfers from the other Heritage subprograms to make up the difference. These requests require fund transfers from the subprograms in the amount of \$575,000 for each Fiscal Year 2010 and 2011.

Personal Services and ERE: The Fiscal Year 2010 Budget Request amounts and the Fiscal Year 2011 Budget Request amounts included an increase for anticipated Employee Related Expenses.

Non-Capital Equipment: The Department requested increases in Fiscal Year 2010 of \$1,100 and in Fiscal Year 2011 of \$2,700. This request will fund the replacement of computers to continue

the implementation of the Department's Information Technology/Communication plan. Obsolete equipment is being replaced in order to meet Department standards.

Public Access: The projected revenue was anticipated to be \$500,000 for each Fiscal Year 2010 and 2011. The requested budget for Fiscal Year 2010 is \$566,875, and for Fiscal Year 2011 was \$590,103. These requests require the use of \$66,875 of carry forward for Fiscal Year 2010 and \$90,103 of carry forward for Fiscal Year 2011.

Personal Services and ERE: The Fiscal Year 2010 Budget Request amounts and the Fiscal Year 2011 Budget Request amounts included an increase for the wildlife series classification maintenance review adjustment and anticipated Employee Related Expenses.

Other Operating Expenditures: The Department requested \$30,000 for Fiscal Year 2010 and \$22,500 for Fiscal Year 2011 for additional road maintenance throughout the state.

Capital Equipment: The Department requested \$27,250 for Fiscal Year 2011 to fund the continuation of the Department's fleet replacement program.

Cost Transfer: The Department requested \$28,750 in each Fiscal Year 2010 and 2011 to transfer funds to Heritage Administration and Support Services.

Identification, Inventory, Acquisition, Protection, and Management: The projected revenue was anticipated to be \$3,600,000 for each Fiscal Year 2010 and 2011 for IIAPM. The requested budget for Fiscal Year 2010 was \$3,961,282 and for Fiscal Year 2011 was \$3,735,405. These requests require the use of \$361,282 of carry forward for Fiscal Year 2010 and \$135,405 of carry forward for Fiscal Year 2011.

Personal Services and ERE: The Fiscal Year 2010 Budget Request amounts and the Fiscal Year 2011 Budget Request amounts included an increase for the wildlife series classification maintenance review adjustment and anticipated Employee Related Expenses.

- Seven FTEs have been moved to the Wildlife Conservation Fund
- One FTE has been moved to the Indirect Cost Fund
- One and one-half FTEs have been moved to this subprogram from Habitat Evaluation.

Other Operating Expenditures: The Department requested \$96,600 for each Fiscal Year 2010 and 2011. The annual projects included:

- \$1,000 for increased travel for the Endangered Species coordinator
- \$10,600 for the 1.5 FTEs that have been moved from Habitat Evaluation
- \$85,000 for operating costs that have been moved from the State Wildlife Grants fund.

Non-Capital Equipment: The Department requested \$61,600 in each Fiscal Year 2010 and 2011. This request will fund the replacement of computers to continue the implementation of the Department's Information Technology/Communication plan.

Capital Equipment: The Department requested increases in Fiscal Year 2010 of \$353,007 and in Fiscal Year 2011 of \$90,156. This request will fund the continuation of the Department's fleet replacement program.

Cost Transfer: The Department requested \$207,000 in each Fiscal Year 2010 and 2011 to transfer funds to Heritage Administration and Support Services.

The projected revenue for Acquisition was anticipated to be \$2,400,000 for each Fiscal Year 2010 and 2011. All property acquisition proposals utilizing the Acquisition account will be brought before the Commission for individual review and approval for actual funding authority.

Cost Transfer: The Department requested \$138,000 in each Fiscal Year 2010 and 2011 to transfer funds to Heritage Administration and Support Services.

Urban Wildlife and Urban Wildlife Habitat: The projected revenue was anticipated to be \$1,500,000 for each Fiscal Year 2010 and 2011. The requested budget for Fiscal Year 2010 was \$1,886,213 and for Fiscal Year 2011 was \$1,824,828. These requests require the use of \$386,213 of carry forward for Fiscal Year 2010 and \$324,828 of carry forward for Fiscal Year 2011.

Personal Services and ERE: The Fiscal Year 2010 Budget Request amounts and the Fiscal Year 2011 Budget Request amounts included an increase for the wildlife series classification maintenance review adjustment and anticipated Employee Related Expenses. Two FTEs assigned to this fund in previous fiscal years have been moved to the Wildlife Conservation Fund.

Other Operating Expenditures: The Department requested \$45,000 in each Fiscal Year 2010 and 2011 to split-fund (with \$55,000 from WCF) a statewide Watchable Wildlife communication plan.

Non-Capital Equipment: The Department requested \$7,000 in each Fiscal Year 2010 and 2011. This request will fund the replacement of computers to continue the implementation of the Department's Information Technology/Communication plan.

Capital Equipment: The Department requested increases in Fiscal Year 2010 of \$128,875 and in Fiscal Year 2011 of \$52,240. This request will fund the continuation of the Department's fleet replacement program.

Cost Transfer: The Department requested \$86,250 in each Fiscal Year 2010 and 2011 to transfer funds to Heritage Administration and Support Services.

Mr. Ferrell advised the Commission that there were no changes to this item from the Commission's April 2008 Budget Workshop.

Motion: Woodhouse moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE ENVIRONMENTAL EDUCATION; HABITAT EVALUATION AND PROTECTION; ADMINISTRATION AND SUPPORT SERVICES (INTEREST MONIES); PUBLIC ACCESS; IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION AND MANAGEMENT; AND URBAN WILDLIFE AND URBAN WILDLIFE HABITAT FOR FISCAL YEARS 2010 AND 2011.

Vote: Unanimous

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13. Request to approve the Off-Highway Vehicle Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Off-Highway Vehicle Fund for Fiscal Years 2010 and 2011. The Off-Highway Vehicle Fund consists of revenues generated from motor vehicle fuel taxes. The Fiscal Year 2010 and Fiscal Year 2011 Budget Requests for the Off-Highway Vehicle Fund are a continuation of the Fiscal Years 2008 and 2009 base budgets as approved by the Commission. The Department requested \$887,978 in Fiscal Year 2010 and \$890,442 in Fiscal Year 2011 for the Off-Highway Vehicle Fund.

Mr. Ferrell advised the Commission that this fund was swept by the Legislature for 2008 and will likely be swept for 2009. The only remaining revenue was the current year revenue projected for 2010 and 2011.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$887,978 FOR FISCAL YEAR 2010 AND \$890,442 FOR FISCAL YEAR 2011 FROM THE OFF-HIGHWAY VEHICLE FUND.

Vote: Unanimous

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14. Request to approve the Arizona Wildlife Conservation Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

The Commission was asked to approve the proposed expenditures from the Arizona Wildlife Conservation Fund for Fiscal Years 2010 and 2011. The Wildlife Conservation Fund monies are generated from shared gaming revenues, through the Arizona Benefits Fund, with the State of Arizona and local governments, to support specified state and local programs. Annual revenue projections are estimated to be \$7,885,232 for Fiscal Year 2010 and \$8,279,494 for Fiscal Year 2011. The requested budget is \$10,130,596 for Fiscal Year 2010 and \$10,336,626 for Fiscal Year 2011. The budget requests are higher than revenue projections due to the utilization of WCF carry forward balances. The budget request requires the use of \$2,245,364 of carry forward monies for Fiscal Year 2010 and \$2,057,132 of carry forward monies for Fiscal Year 2011.

Personal Services and ERE: The Fiscal Year 2010 Budget Request amounts and the Fiscal Year 2011 Budget Request amounts include an increase for the wildlife series classification maintenance review adjustment and anticipated Employee Related Expenses.

- One FTE has been moved from Heritage Habitat Evaluation
- Seven FTEs have been moved from Heritage IIAPM (one of these was moved in FY2009)

- Two FTEs have been moved from Heritage Urban (one of these was moved in FY2009)

Other Operating Expenses: The Department requested an increase of \$3,227,428 for Fiscal Year 2010 and \$3,171,028 for Fiscal Year 2011. Some of the annual projects include:

- \$350,000 Wildlife water developments construction and maintenance
- \$252,000 Geospatial planning tools
- \$125,000 California Condor non-lead ammunition program
- \$80,000 Expand funding for the Department's annual Outdoor Expo

Travel-in-State: The Department requested an increase of \$15,145 for both Fiscal Year 2010 and 2011 for the ten FTEs moved from the Heritage fund.

Capital Equipment: The Department requested an increase of \$254,000 for Fiscal Year 2010 and \$489,500 for Fiscal Year 2011. Some of the projects include:

- \$56,000 Purchase two vehicles each year to fund the continuation of the Department's fleet replacement program
- \$64,500 Overhaul and refurbishment of two Cessna aircraft in Fiscal Year 2010
- \$300,000 Purchase used Cessna 206 in Fiscal Year 2011

Vehicle Mileage: The Department requested an increase of \$4,400 for both Fiscal Year 2010 and 2011 for the ten FTEs moved from the Heritage fund.

Capital Outlay: The Department requested an increase of \$400,000 for both Fiscal Years 2010 and 2011 to pay operations and maintenance at AGFD headquarters.

Mr. Ferrell noted several changes since the April 2008 Commission Budget Workshop.

Commissioner Martin discussed concerns with the Commission regarding the reduction in the Bird and Bat grants program. This program was cut from \$163,088 to \$83,088 and could be a significant setback to the program, especially in impacts to cooperating organizations.

Eric Gardner, Nongame Branch Chief, briefed the Commission on the Bird and Bat grants program and how the budget cut would impact the program. Every year the grant applications exceed the amount available, so the Department has an extensive review process to determine which proposals are of the most value to the Department's mission and objectives.

Mr. Ferrell stated that there could be an extra capacity in the budget to take care of Commissioner Martin's concern as well as the Commission's desire to maintain private roads for access; however, the budget is built on liberal revenue estimates and these items may need to be adjusted according to revenue. But it's better to plan the budget hoping that revenue comes in rather than plan for a conservative budget and then come back to the Commission late in the fiscal year and try to get authority to spend more than what is proposed today. The Department could keep the Commission comprised of the budget situation through the Director's Goals and Objectives regular budget reports and this item could be revisited in a year as it gets closer to 2010 and 2011.

Public Comment

Hays Gilstrap, representing himself, commented that when the Wildlife Conservation Fund (WCF) was originally put into place, it was stipulated that the funds would be used on those types of projects and would not be used for FTEs, so apparently that philosophy has changed and he had not heard or read where that changed.

Commissioner Golightly discussed with Mr. Ferrell the direction given to the Department regarding the WCF.

Mr. Ferrell stated that when the WCF was created in 2005, the Commission had a different approach to where WCF would be spent. That evolved with changing Commissions and the focus was broadened to include more program areas than the original Commission direction. These changes have taken place over a period of time though the budget process in public meetings.

The Commission further discussed adding \$150,000 to contract for road grading on public lands related to access, and that this agenda item has shooting sports items included in it and needed to be tabled until tomorrow's meeting along with agenda item #4.

The Commission was in consensus to table this item until tomorrow's meeting following agenda items #1-3.

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Meeting recessed for lunch at 12:30 p.m.

Meeting reconvened at 1:59 p.m.

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20. 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

This agenda item was moved up to accommodate members of the public that were present to speak on this item.

Public Comment

Mark Herrington, President, Eastern Counties Organization and member of Graham County Board of Supervisors, addressed the Commission with objections to the Forest Service Travel Plan, specifically the portion regarding off-road big game retrieval and the imposed time and season limitations. Mr. Herrington requested that the Department opt out of the agreement they made with the Forest Service and that the Commission direct the Department to look at this again to make it hunter friendly. This is mainly regarding the Apache-Sitgraves because this will set a precedent for the other forests.

Richard Lunt, Greenlee County Supervisor, District #3, representing Greenlee County and Eastern Counties Organizations also addressed the Commission with objections to the Forest Service Travel Plan regarding the same issues.

Mike Senn, Assistant Director, briefed the Commission on the Department's involvement regarding the Forest Service Travel Management Plans. The Department did not enter into an agreement. Decisions were made by the Forest Service through the NEPA process. The Department provided comments to the Forest Service and through those comments they issued guidelines to their offices. The Department made every effort to be as liberal as possible for big game retrieval in a manner that would not create damage to the resources.

Agenda item #20 was tabled until later in the day.

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

Presenter: Gene Elms, Law Enforcement Branch Chief

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

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

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Jeffrey T. Fore was convicted on December 3, 2007 in the Flagstaff Justice Court for: Take 6x6 bull elk without a valid hunt license or big game tag; and sentenced to pay a fine of \$350.00. On April 18, 2008, the Commission revoked Mr. Fore's hunting, fishing, and trapping licenses for a period of two (2) years, invoked an \$8,000.00 civil assessment and further required him to complete Hunter Education before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Fore requested a rehearing of this matter and decision and was notified of the rehearing by certified mail. The Commission was provided with the case summary and other pertinent information relating to this case for review and consideration prior to this meeting.

Mr. Fore was not present.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO DENY THIS REQUEST FOR A REHEARING.

Vote: Unanimous

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Meeting recessed for a break at 4:16 p.m.

Meeting reconvened at 4:44 p.m.

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15. Call to the Public

John Sampanes, representing himself, addressed the Commission regarding two items. First, Mr. Sampanes suggested that the Commission provide a reward to those who report game thief violations either by cash or with a permit tag specific to the genus that was involved in that violation. And second; that the Commission authorize the editor of Arizona Wildlife Views to purchase or exchange professional courtesy subscriptions with similar publications from other states (share informational articles).

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16. 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 Commission was provided with informational materials on proposed legislation (also available to the public). Mr. Guiles further briefed the Commission on the following:

State Legislation:

- The Legislature is still in session; no Sine Die yet today
- The OHV bill passed the Senate this past Monday 16 to 9; is currently on the Governor's desk for signature
- The State budget passed yesterday out of the House; sweeps from Department funds included 2 million from the Watercraft Fund, \$200,000 from the OHV Fund, and \$100,000 from the Publications Revolving Fund

Federal Legislation:

- SB 1862, Resolution Copper. Draft language was received this past Wednesday; the Department is still reviewing the language; a hearing is tentatively scheduled for July 9, 2008 in the Senate Commerce and Energy Committee; comments from that hearing will be provided to the Commission
- The House panel cleared the Grand Canyon withdrawal on uranium mining

Public Comment

Suzanne Gilstrap, AZ Sportsmen for Wildlife, read the following petition into the record: "Whereas the Arizona Game and Fish Commission is funded primarily through sportsmen dollars in the form of hunting and fishing licenses, game permits, and federal excise taxes imposed on hunting and fishing equipment; Whereas the sportsmen of this state have supported the Arizona Game and Fish Department and Commission's needs for additional revenues by advocating for passing legislation to self imposed fee increases; Whereas the Arizona Game and Fish Department with the exception of Heritage Fund dollars from the Arizona Lottery and Wildlife Conservation Fund dollars from the Indian Gaming Initiative are the only major sources of Arizona Game and Fish Department revenues not provided by sportsmen; Whereas the sportsmen's dollars account for approximately 80% of the Arizona Game and Fish Department annual source of revenues; Whereas the Arizona Game and Fish Department is the largest agency in the state that relies solely on non-general fund revenues; Whereas current revenues are insufficient to meet the needs of the Department to maintain and enhance and restore critical

wildlife habitat; and Whereas the legislature swept \$4,732,700 from the Watercraft License Fund, \$395,000 from the Off-highway Vehicle Recreation Fund and \$2,827,600 from the La Osa sheep settlement to balance the 2007-2008 budget deficit; Therefore be it resolved that the conservation organizations listed below urge the Arizona Game and Fish Commission to pass a motion opposing all sweeps of Arizona Game and Fish Department revenues for the 2008-2009 budget and all future budgets. It is further urged that a letter be sent immediately to all members of the Arizona House and Senate and the Governor's Office urging them not to sweep Arizona Game and Fish Department revenues". Ms. Gilstrap continued with stating that the following organizations signed onto the petition: Arizona Sportsmen for Wildlife, National Rifle Association, ILE, Arizona Elk Society, Arizona Deer Association, Yuma Valley Rod and Gun Club, Mohave Sportsmen Club, Southern Arizona Sportsmen's Alliance, Anglers United, Desert Christian Archers, Extreme Predator Callers, Arizona Predator Callers, Wildlife Conservation Council, Arizona Wildlife Federation, Arizona Desert Bighorn Sheep Society, Arizona Antelope Foundation, Southeastern Arizona Sportsmen's Club, Navajo County Sportsmen's Club, Arizona Chapter Safari Club International, Arizona Flycaster's Club, Arizona Bowhunter's Association, and Arizona Trappers Association.

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17. Proposed State Trust Land Ballot Initiative "Conserving Arizona's Water and Land"

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles provided an informational Power Point presentation on the proposed State Trust Land Conservation Initiative. This Initiative is intended to amend the Constitution of Arizona by designating permanent conservation lands. The Initiative would amend Article X, Sections 3, 4, and 7 and add Section 12. The Initiative would allow for the following:

- Designates approximately 570,000 acres of State Trust Land, which is delineated in Section 12 of the Initiative
- Allows cities and municipalities to purchase additional land for conservation purposes without public auction
- Permits continued existing land leases and respective renewals of those leases
- Would grant the state power to admonish existing rights-of-way without public auction
- Provides enhanced tools for planning and disposition of state trust land and gives the State Land Department greater potentiality for effective land management in a manner consistent with their mission
- Enhances funding for Arizona's schools
- Allows legislature to fund the State Land Department through land sales.

Chairman McLean commented that he asked for this briefing (as well as the following item on the TIME Initiative) for the Commission's consideration, but did not intend for the Commission to take a position until it became known if it would even be on the ballot. If it does make it on the ballot, the Commission would want to invite the proponents and opponents to make a presentation to the Commission in August or September.

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18. T.I.M.E. Coalition's Transportation Initiative

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles provided the Commission with an informational Power Point presentation on the proposed Transportation Infrastructure Moving Arizona's Economy (TIME) Initiative. The TIME Initiative is an effort to reduce traffic congestion and pollution produced from Arizona's statewide transportation system. The Initiative would provide for a one cent excise sales tax increase over the course of 30 years. Current projections suggest that within that time period \$42 billion dollars would be collected for transportation improvements. The transportation improvement excise tax would be allocated as follows:

- 50% to the Highway TIME Fund (distributions based on population variables)
- 18% to the Rail TIME Fund (distributions based on population variables)
- 20% to projects affiliated with Indian Tribes (distribution based on population variables)
- 4% for transportation enhancements as prescribed by Section 28-9352 (distribution based on population variables)
- 3% allocated to the Open Space Conservation and Wildlife Habitat Fund (distributed by a state grant program administered by the Department of Transportation with consultation with the Game and Fish Department).

The proposed Initiative will require 153,365 signatures for ballot inclusion with a filing deadline of July 3, 2008.

The Commission discussed and speculated on the potential impacts or benefits of this bill. If it makes it on the ballot, the proponents and opponents will be invited to make a presentation to the Commission at the August Commission meeting.

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19. 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 May 2008 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.

There were no additional updates on this report.

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20. (Continued) 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 May 2008 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.

There were no additional updates for this report.

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21. Request for Commission Approval for the Department to Terminate the Existing Access Easement to George Wise Spring in Santa Cruz County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

The Department completed the acquisitions of Coal Mine Springs and with the Phase III purchase, the Department no longer needs to provide an easement to First United Realty for access to George Wise Spring. It is in the State's interest to terminate this easement as the Commission now has ownership. Termination of the easement removes a burden on the title to the property. The Commission was provided with a map of the property and the easement for consideration.

Motion: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE TERMINATION OF AN EXISTING ACCESS EASEMENT ACROSS THE COAL MINE SPRING PROPERTY TO GEORGE WISE SPRING IN SANTA CRUZ COUNTY, ARIZONA 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

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22. 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 for consideration 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. Deputy Director Ferrell presented all of these items to the Commission and none were deemed necessary for removal for further discussion.

a. Request for the Commission to Approve a Utility Permit Agreement with UNS Gas, Inc. for a 15' Wide Easement for Operation and Maintenance of Underground Gas Lines at the Pinetop Regional Office, Navajo County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

In July of 1998, the Commission approved a ten-year lease agreement with Citizens Utilities Company, Arizona Gas Division for a 15' wide easement for underground gas and telephone lines across a portion of the Pinetop Regional Office Facility. That agreement expires on August 26, 2008. Since that time, the gas and telephone lines have become the property of separate companies. UNS Gas, Inc. requests that the ten-year agreement for gas lines only be renewed in their name.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A UTILITY PERMIT AGREEMENT WITH UNS GAS, INC. FOR A 15' WIDE EASEMENT FOR OPERATION AND MAINTENANCE OF UNDERGROUND GAS LINES AT THE PINETOP REGIONAL OFFICE, NAVAJO COUNTY, ARIZONA AND AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO APPROVE THE AGREEMENT AS APPROVED OR RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Request for the Commission to Approve a Utility Permit Agreement with Citizens Telecommunications Company of the White Mountains, Inc. for a 15= Wide Easement for Operation and Maintenance of Underground Telephone Lines at the Pinetop Regional Office, Navajo County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

In July of 1998, the Commission approved a ten-year lease agreement with Citizens Utilities Company, Arizona Gas Division for underground gas and telephone lines across a portion of the Pinetop Regional Office Facility. That agreement expires on August 26, 2008. Since that time, the gas and telephone lines have become the property of separate companies. Citizen's Telecommunications Company of the White Mountains, Inc. requests that the ten-year agreement for telephone lines only be renewed in their name.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A UTILITY PERMIT AGREEMENT WITH CITIZENS TELECOMMUNICATIONS COMPANY OF THE WHITE MOUNTAINS, INC. A 15' WIDE EASEMENT FOR OPERATION AND MAINTENANCE OF UNDERGROUND TELEPHONE LINES AT THE PINETOP REGIONAL OFFICE, NAVAJO COUNTY, ARIZONA AND AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO APPROVE THE AGREEMENT AS APPROVED OR RECOMMENDED BY THE OFFICE OF THE ATTORNEY GENERAL.

c. Request for Commission Approval to Renew a Ten-Year Permit with the Rio Salado Sportsman's Club, Inc. for Management and Operation of the Commission Owned Portion of the Rio Salado Shooting Range in Maricopa County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

Since 1978 the Arizona Game and Fish Commission has had a lease with the Rio Salado Sportsman's Club, Inc. to manage and operate the Commission's portion of a public shooting range complex located at the Rio Salado Shooting Range, Usery Pass, Arizona. The public shooting range also encompasses additional acres that the Club manages under a lease agreement from the Maricopa County Parks and Recreation Department.

The current lease expires September 11, 2008 and contains an option to renew for an additional ten years. Subject to approval by the Commission, the Club and Department agree to enter into a new agreement. The new agreement is a permit and includes changes such as the inclusion of standard clauses now used in all agreements, and increased insurance requirements.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE RENEWAL OF A TEN-YEAR PERMIT WITH THE RIO SALADO SPORTSMAN'S CLUB INC. FOR MANAGEMENT AND OPERATION OF THE COMMISSION OWNED PORTION OF THE RIO SALADO SHOOTING RANGE IN MARICOPA COUNTY, ARIZONA, AND TO EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

d. Request for Commission Approval for the Department to Develop a New Lease Agreement with the Army Corps of Engineers and a Sharecropping Agricultural Lease at the Painted Rock Wildlife Area in Maricopa County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

The Department received a 50-year License from the Department of the Army for approximately 5,164 acres for conservation and management of migratory birds and other wildlife and the development of public access areas in the Painted Rock Reservoir Area. From 1964 to 1978, the area was farmed as part of a sharecropping agreement, although after severe flooding in the 1970's, the farming leases were mutually terminated due to damage to the wells.

In coordination with the Army Corps of Engineers, the Department is working toward developing a new Lease that would extend the use and occupancy at Painted Rock Wildlife Area by the Department beyond 2012. Additionally, with the recent interest of local farmers, the Department would like to develop a new sharecropping agricultural lease.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT DEVELOPING A NEW LEASE AGREEMENT WITH THE ARMY CORPS OF ENGINEERS AND A SHARECROPPING AGRICULTURAL LEASE AT THE PAINTED ROCK WILDLIFE AREA IN MARICOPA COUNTY, ARIZONA, AND AUTHORIZE THE DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

e. Memorandum of Understanding with Sul Ross State University

Presenter: Chantal O'Brien, Research Branch Chief

The Department works with various universities whose staff and faculty provide specialized expertise and technical services that support the Department's mission and benefit Arizona's fish and wildlife resources and citizens. These interactions also create mutually beneficial education, research, and outreach opportunities. Cooperative efforts with universities are generally accomplished under Agreements or Memoranda of Understanding (MOU), which establish formal lines of communication and provide a legal and procedural framework for subsequent collaboration at the project level. Currently, the Department has agreements in place with all

three Arizona universities and a number of other institutions across the United States. Discussions during this past year between the Department and the Director of the Borderlands Research Institute for Natural Resources Management at Sul Ross State University have identified an opportunity for collaboration on an initial study of Montezuma Quail. This MOU would establish a working partnership with Sul Ross State University for mutually beneficial educational and research opportunities.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A NEW MEMORANDUM OF UNDERSTANDING WITH SUL ROSS STATE UNIVERSITY, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

f. Request for the Commission to Approve a Collection Agreement with Sonoran Valley Management, LLC for Wildlife Movements and Habitat Connectivity Research in the Sonoran (formerly Rainbow) Valley.

Presenter: Chantal O'Brien, Research Branch Chief

The City of Goodyear, in coordination with Sonoran Valley Management, LLC, has recently initiated planning efforts for the construction of a new highway in the Sonoran (formerly Rainbow) Valley to service future development in and around Mobile, Arizona. Due to its location between the Sierra Estrella Mountains and the Sonoran Desert National Monument, this valley functions as a critical habitat link for multiple wildlife species including the desert bighorn sheep, mule deer, desert tortoise, western shovel-nosed snake and others.

Under this Agreement, Sonoran Valley Management, LLC will provide funds for the Department to study and describe the wildlife species, their movement patterns and the areas frequently utilized by these species along the proposed highway route. Based on this study, the Department will provide recommendations for the placement and design of road crossing structures and funnel fencing along the route to best maintain landscape-scale wildlife habitat connectivity and to increase motorist safety.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE COLLECTION AGREEMENT WITH SONORAN VALLEY MANAGEMENT, LLC, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

g. Request for the Commission to approve a Collection Agreement with PCR Services Corporation for a research study to determine Southwestern Willow Flycatcher (WIFL) occupancy and habitat utilization along property owned by BHP Copper.

Presenter: Chantal O'Brien, Research Branch Chief

BHP Copper, in coordination with PCR Services Corporation, has recently initiated planning efforts for the construction of a housing development and assorted infrastructure along the San Pedro River in the San Manuel area. Due to its location along sensitive riparian habitat, this river corridor functions as a critical habitat link for many species including the federally-listed Southwestern Willow Flycatcher (WIFL), mule deer, desert tortoise, and migrating passerines.

Under this Agreement, PCR Services Corporation will provide funds for the Department to study and describe WIFL habitat and determine the occupancy status of this wildlife species along the proposed urban development route. Based on this study, the Department will provide recommendations for the placement and design of the potential urban development in the San Manuel area to best maintain landscape-scale wildlife habitat connectivity and habitat for this sensitive wildlife species.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE COLLECTION AGREEMENT WITH PCR SERVICES CORPORTAION, AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

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

Vote: Unanimous

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25. Call to the Public

There were no requests from the public to speak.

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Meeting recessed for the day at 5:51 p.m.
Meeting reconvened Saturday at 8:00 a.m.

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Chairman McLean called the meeting to order at 8:18 a.m. and lead those present through the Pledge of Allegiance. The Commission introduced themselves to the audience. Commissioner Norm Freeman from Chino Valley, Arizona, Yavapai County, replaced Commissioner Michael Golightly on the Commission bench as the new fifth member of the Arizona Game and Fish Commission.

Chairman McLean explained that the Legislature adjourned, Sine Die, which initiated a recess appointment for those appointed by the Governor. That means that during the recess of the Legislature, if a Commissioner is appointed by the Governor, that Commissioner sits as a full member of the Commission until the Legislature reconvenes in regular session next January and confirms the appointment.

Chairman McLean introduced Deputy Director Ferrell and the Director's staff. Director Larry Voyles was out of the country on personal business and not present. This meeting followed an agenda revision dated June 25, 2008.

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Awards and Commissioning of Officers

Deputy Director Ferrell presented awards to two bass fishermen, Mike Perry and Mark Potts, for their quick actions of heroism in rescuing three hunters from drowning when their boat overturned in Saguaro Lake.

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1. Consideration of Applications for Special Big Game Hunt License Tags for Antelope, Bighorn Sheep, Black Bear, Buffalo, Elk, Javelina, Mountain Lion, Mule Deer, White-tailed Deer, and Turkey for 2009-2010

Presenter: Brian Wakeling, Big Game Management Supervisor

Mr. Wakeling briefed the Commission using a Power Point presentation on the Commission's authority on the Special Tag Program, the history of the program, and the Special License-Tag applications. The Commission was asked to consider and take action on applications from organizations for the 2009-2010 Special Big Game License Tags as per R12-4-120. A detailed description of all proposals were provided to the Commission for review and consideration prior to this meeting and was made available for public review at all Department offices.

This is the first year the Department received applications for mountain lion Special License-Tags. Mountain lion is a big game animal and is consistent with Rule and Statute and so it has been included.

The Department received applications for Special Big Game License Tags from the following nonprofit organizations in accordance with A.R.S. 17-346 and Commission Rule R12-4-120:

Arizona Antelope Foundation (AAF): Requested three (3) Special Antelope License Tags. One tag will be auctioned at the Arizona Antelope Foundation banquet, the second tag will be auctioned at the Arizona Desert Bighorn Sheep Society banquet and the third tag will be included in the Arizona Big Game Super Raffle.

Arizona Big Game Super Raffle (ABGSR): Requested one (1) Special Antelope License Tag; one (1) Special Bighorn Sheep License Tag; one (1) Special Black Bear License Tag; one (1) Special Buffalo License Tag; one (1) Special Whitetail Deer License Tag; one (1) Special Elk License Tag; one (1) Special Javelina License Tag; one (1) Special Mountain Lion License Tag; one (1) Special Mule Deer License Tag; and one (1) Special Turkey License Tag. All tags will be sold in the Arizona Big Game Super Raffle utilizing direct mail, publication advertising, as well as Internet marketing and sales.

Arizona Bowhunter's Association (ABA): Requested one (1) Special Javelina License Tag; one (1) Special Black Bear License Tag; and one (1) Special Buffalo License Tag. The tags will be auctioned at the ABA's annual fundraising banquet in March 2009.

Arizona Deer Association (ADA): Requested one (1) Special Mule Deer License tags; two (2) Special Whitetail Deer License Tags; and one (1) Special Mountain Lion License Tag; all tags to be auctioned at the ADA's Annual Fundraiser in 2009, with the exception of one Special Whitetail Deer License-Tag and the Special Mountain Lion License Tag to be either auctioned or raffled. If awarded two of the Whitetail Deer tags, the ADA will sell one of them through a

special ADA-sponsored Whitetail Deer tag raffle. If the Arizona Big Game Super Raffle is not approved, the ADA requests one additional Special Mule Deer License Tag and one additional Special Whitetail Deer License Tag for auction.

Arizona Desert Bighorn Sheep Society (ADBSS): Requested two (2) Special Bighorn Sheep License Tags. One (1) tag to be auctioned for a *Mexicana* desert bighorn sheep in the southern GMU's with the auction occurring at the Wild Sheep Foundation convention in Salt Lake City, UT during February 4–7, 2009, and one (1) tag to be auctioned by the ADBSS for a Rocky Mountain bighorn sheep in the eastern GMU's with the auction occurring at the ADBSS fundraiser banquet on March 7, 2009. The ADBSS supports the issuance of the third Special Bighorn Sheep License for a *Nelsoni* Desert Bighorn Sheep hunt in the northern GMUs to the Arizona Big Game Super Raffle.

Arizona Elk Society (AES): Requested one (1) Special Elk License Tag and one (1) Special Buffalo License Tag. Both tags will be auctioned at the AES annual fundraising banquet in March 2009. The AES supports the awarding of one of the Special Elk Tags to the Arizona Big Game Super Raffle.

Arizona Wildlife Federation (AWF): Requested one (1) Special Javelina License Tag and one (1) Special Black Bear License Tag. The tags will be auctioned at the AWF's annual Trophy Banquet in 2009.

Mule Deer Foundation (MDF): Requested one (1) Special Mule Deer License Tag, one (1) Special Buffalo License Tag, one (1) Special Whitetail Deer License Tag, one (1) Special Black Bear License Tag, and one (1) Special Javelina License Tag. The Special Mule Deer License Tag, the Special Buffalo License Tag and the Special Whitetail Deer License Tag will be auctioned at the MDF 2009 National Convention in Salt Lake City, Utah, February 5 – 8; 2009, in conjunction with the Wild Sheep Foundation (WSF) National Convention and Sportsman for Fish and Wildlife (SFW). The MDF would auction or raffle the Special Black Bear License Tag and the Special Javelina License Tag through a MDF Arizona chapter fundraiser and banquet.

National Wild Turkey Federation (NWTF): Requested three (3) Special Turkey License Tags. One of the tags will be sold by auction at the NWTF's 2009 Annual Convention; one tag will be raffled or auctioned by the Arizona Chapter of the NWTF; the third tag will be sold in conjunction with the Arizona Big Game Super Raffle.

Rocky Mountain Elk Foundation (RMEF): Requested one (1) Special Elk License Tag to be auctioned at the RMEF's 25th Anniversary Elk Camp convention in Fort Worth, Texas, March 5–8, 2009.

Safari Club International – Arizona Chapter (SCI-AZ): Requested one (1) Special Whitetail Deer License Tag; one (1) Special Buffalo License Tag; one (1) Special Black Bear License Tag and one (1) Special Javelina Tag. All tags will be auctioned at the SCI-AZ's annual fundraising banquet on July 12, 2008.

Safari Club International – Phoenix Chapter (PCSCI): Requested one (1) Special Whitetail Deer License Tag, one (1) Special Buffalo License Tag, one (1) Special Elk License Tag, and one (1)

Special Antelope License-Tag. All four tags will be auctioned at the PCSCI's banquet and fundraiser on February 28, 2009.

Public Comment

The following addressed the Commission in support of the Arizona Big Game Super Raffle requests:

Pete Cimellaro, Chairman, Arizona Big Game Super Raffle
Charlie Kelley, new President, Arizona Big Game Super Raffle

Motion: McLean moved and Woodhouse seconded THAT THE COMMISSION VOTE TO AWARD THE ARIZONA BIG GAME SUPER RAFFLE ONE TAG OF EACH BIG GAME SPECIES TO BE RAFFLED IN THE ARIZONA BIG GAME SUPER RAFFLE FORMAT (ONE EACH OF ANTELOPE, BLACK BEAR, BIGHORN SHEEP, BUFFALO, ELK, JAVELINA, MULE DEER, TURKEY, WHITE-TAIL DEER, AND MOUNTAIN LION).

Vote: Unanimous

Public Comment

The following addressed the Commission in support of their respective organization's requests for Special Big Game License-Tags:

Pete Cimellaro, President, ADA
Bob Meulengracht, Director of Field Operations, MDF
Tice Supplee, AAF
John Koleszar, AES
David McCasland, President, ADBSS (Also requested the left over mountain lion tag)
Dick King, Chairman, ABA
Steve Sams, NWTF
Tod Molesworth, Board Member, SCI – AZ
Steve Hopkins, State Volunteer Chair, RMEF
Brad Powell, AWF
Ty Nuessle, Vice President, PCSCI

The Department recommended that the Commission award the 2009 sponsorship of Special License-Tags prioritized upon (1) the organization being specific to the big game species; (2) past participation and performance by the organization; and (3) if the tag will be raffled or auctioned, providing equitable public opportunity for acquisition.

Mr. Wakeling facilitated a worksheet system for the Commission to select their preferences on which organizations they wanted to receive the specific Special Big Game License-Tags.

The Commission first voted on each of the following tags without using the worksheet.

Bighorn Sheep

Motion: Hernbrode moved and Woodhouse seconded THAT THE TWO TAGS FOR BIGHORN SHEEP BOTH BE AWARDED TO THE ARIZONA DESERT BIGHORN SHEEP SOCIETY.

Vote: Unanimous

Mule Deer

Motion: Woodhouse moved and Freeman seconded THAT THE TWO TAGS FOR MULE DEER BE AWARDED AS FOLLOWS: ONE TAG TO THE ARIZONA DEER ASSOCIATION AND ONE TAG TO THE MULE DEER FOUNDATION.

Vote: Unanimous

Turkey

Motion: Hernbrode moved and Martin seconded THAT THE TWO TAGS FOR TURKEY BOTH BE AWARDED TWO THE NATIONAL WILD TURKEY FOUNDATION, ONE FOR RAFFLE AND ONE FOR AUCTION.

Vote: Unanimous

Mountain Lion

Motion: Hernbrode moved and Woodhouse seconded THAT THE TWO TAGS FOR MOUNTAIN LION BE AWARDED AS FOLLOWS: ONE TO THE ARIZONA DEER ASSOCIATION AS SPECIFICALLY REQUESTED AND ONE TO THE ARIZONA DESERT BIGHORN SHEEP SOCIETY AS REQUESTED FOR THE LEFT OVER TAG.

Vote: Unanimous

The worksheets were used for the following tag/organization selections as follows:

Antelope

Tag 1: AAF; All Commissioners

Tag 2: AAF; All Commissioners

Motion: Freeman moved and Hernbrode seconded THAT THE TWO TAGS FOR ANTELOPE BOTH BE AWARDED TO THE ARIZONA ANTELOPE FOUNDATION.

Vote: Unanimous

Black Bear

Tag 1: ABA; McLean, Hernbrode, Woodhouse, Freeman
AWF; Martin

Tag 2: AWF; Freeman

SCI-AZ; Martin
AWF; McLean, Hernbrode, Woodhouse

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

Meeting reconvened at 10:51 a.m.

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Chairman McLean announced that a question was raised as to whether Michael Golightly or Norm Freeman should be sitting on the Commission today so he asked them both to recuse themselves for the rest of the meeting.

Motion: McLean moved and Martin seconded THAT THE COMMISSION VOTE TO RATIFY EACH AND EVERY VOTE PREVIOUSLY TAKEN THIS MORNING.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

Black Bear (continued)

Motion: Martin moved and Woodhouse seconded THAT THE TWO TAGS FOR BLACK BEAR BE AWARDED AS FOLLOWS: ONE TO ARIZONA BOWHUNTERS ASSOCIATION AND ONE TO THE ARIZONA WILDLIFE FEDERATION.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

Buffalo

Per Commissioner Martin's request, Mr. Wakeling changed the selection tabulation process so that each Commissioner selected two organizations and then voted on the two groups with the highest frequency.

McLean: ABA, SCI-AZ
Hernbrode: ABA, PCSCI
Martin: ABA, PCSCI
Woodhouse: ABA, AES

Motion: Hernbrode moved and Woodhouse seconded THAT THE TWO TAGS FOR BUFFALO BE AWARDED AS FOLLOWS: ONE TO ARIZONA BOWHUNTERS ASSOCIATION AND ONE TO THE SAFARI CLUB INTERNATIONAL – PHOENIX CHAPTER.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

Elk

McLean: AES, RMEF
Hernbrode: AES, RMEF
Martin: AES, RMEF
Woodhouse: AES, RMEF

Motion: Woodhouse moved and Martin seconded THAT THE TWO TAGS FOR ELK BE AWARDED AS FOLLOWS: ONE TO ARIZONA ELK SOCIETY AND ONE TO THE ROCKY MOUNTAIN ELK FOUNDATION.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

Javelina

McLean: ABA, SCI-AZ
Hernbrode: ABA, SCI-AZ
Martin: ABA, AWF
Woodhouse: ABA, AWF

The tie for the 2nd tag was resolved as follows:

Motion: Hernbrode moved and Woodhouse seconded THAT THE SECOND TAG FOR JAVELINA BE AWARDED TO THE ARIZONA WILDLIFE FEDERATION.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

Motion: Hernbrode moved and Woodhouse seconded THAT THE FIRST TAG FOR JAVELINA BE AWARDED TO THE ARIZONA BOWHUNTER'S ASSOCIATION.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

White-tail Deer

McLean: SCI-AZ, ADA
Hernbrode: ADA, ADA raffle
Martin: ADA, MDF
Woodhouse: ADA, PCSCI

2nd tag re-selected as follows:

McLean: SCI-AZ

Hernbrode: ADA raffle

Martin: MDF

Woodhouse: ADA raffle

Motion: Hernbrode moved and Martin seconded THAT THE TWO TAGS FOR WHITE-TAILED DEER BE AWARDED TO THE ARIZONA DEER ASSOCIATION; ONE FOR AUCTION AND ONE FOR RAFFLE.

Vote: Unanimous

4 to 0

Golightly and Freeman recused

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2. Consideration of Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Black Bear, and Mountain Lion for the 2009-2010 Special Tag Hunting Seasons

Presenter: Brian Wakeling, Big Game Management Supervisor

The Commission was asked to approve Commission Order 29: Special Hunts, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License Tags. A.R.S. 17-346 authorizes the Commission to set seasons for up to three special license tags for each species. The Department presented Commission Order 29 for the 2008-2009 special big game license tag hunting seasons for Mule Deer, White-tailed Deer, Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Bear, and Mountain Lion. The Department recommended that all special big game license tag hunt seasons be open year round, with the season for each species commencing on August 15, 2009 and ending on August 14, 2010. The original recommendation by the Department was for 3 license-tags for each species except mountain lion, which was recommended at 2 license-tags because the Department had only received 2 specific requests for that species. Recommended open areas for the special license-tag hunts are as follows:

Mule Deer: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

White-tailed Deer: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Antelope: Special license-tags will be valid for Units 1-10 (except Camp Navajo), 11M, 12A, 12B, 13A, 13B, 15A, 15B, 17A, 17B, 18A, 18B, portions of 19A, 19B, 21, 30A, 31, 32, 34B, 35A (except Fort Huachuca), and 35B.

Elk: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Javelina: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Turkey: Special license-tags will be valid for Units 1, 3B-10 (except Camp Navajo), 11M, 12A, 13A, 13BS, 17A, 17B, 20A, 22, 23, 27, 29, and 35A (except Fort Huachuca).

Although not included in the original Commission Order, the Department recommended the addition of Unit 31 to the list of open units where a hunter could pursue turkeys in 2009-2010. Gould's turkey occupy this area and the population is expanding.

Bighorn Sheep: One special license-tag will be valid for Units 9, 10, 12A, 12B, 13A, 13B, 15A, 15B, 15C, 15D, and 16A (except Mohave County Park Lands).

A second special license-tag will be valid for Units 16B (north of Lake Havasu City), 22, 24B, 31, 32, 39, 40A, 40B, 41, 43A, 43B, 44A (west of the Swansea Road and south of Bill Williams River Rd.), 44B, 45A, 45B, 45C (including the Kofa NWR), 46A, and 46B (including the Cabeza Prieta NWR).

A third special license-tag will be valid for portions of Units 1, 23, 24A, portions of Unit 27, and portions of Unit 28.

Buffalo: Special license-tags will be valid for Units 12A, 12B, and 13A.

Black Bear: Special license-tags will be valid statewide (except Camp Navajo in Unit 6B, Mohave County Park Lands in Unit 16A, and Fort Huachuca in Unit 35A).

Mountain Lion: Special license-tags will be valid statewide (except National Wildlife Refuges, Mohave County Park Lands).

Public Comment

David McCasland asked if the bearded turkey included the Rio Grande turkeys.

Mr. Wakeling stated that the Commission could open that up to make it a huntable third species, but the Commission philosophy has been that they would authorize a general season hunt in an area where a lottery draw hunter could participate before it would be opened up to a special season. Rio Grande turkeys have been put in 13B North, but they haven't even been there for a year and it's not known how the population is doing. So currently it is not a huntable species.

Chairman McLean announced a comment submitted by Larry Heathington stating that special tag pronghorn hunters should be denied the privilege of hunting in Unit 19A before the first archery hunters were allowed in there, if the season did not open until August 15.

Mr. Wakeling stated that the August 15, 2008 to August 14, 2009 season is already approved. The Department's recommendation will be to approve a hunt from August 15, 2009 to August 14, 2010. The Commission could choose to amend that and establish a season date of August 15, 2009 to July 31, 2010, but it will take until 2010 to implement Mr. Heathington's recommendation.

Motion: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 29: SPECIAL HUNTS AS PRESENTED WITH THE ADDITION OF UNIT 31 IN THE TURKEY HUNTS AND CHANGING THE MOUNTAIN LION SPECIAL LICENSE TAG FROM TWO TO THREE.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

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3. Consideration of Proposed Commission Orders 19, 20 and 24 for the 2008-2009 Hunting Season.

Presenter: Mike Rabe, Small Game Program Supervisor

Mr. Rabe briefed the Commission using a Power Point presentation that included historical information, graph comparisons and maps regarding Commission Order 19 (dove), Commission Order 20 (band-tailed pigeons), and Commission Order 24 (sandhill cranes), establishing seasons and season dates, bag and possession limits, and open-closed areas. A detailed description of all proposals were provided to the Commission prior to this meeting for review and consideration and was also available for public review at all Department offices.

Commission Order 19 (Dove) Season Structure Recommendation:

The Department recommended that there be no change to the season structure for mourning doves and white-winged doves. The 2008 recommendation is for a September season of 15 days from September 1-15 as per Federal Frameworks; the North Zone will be open to all-day shooting. South Zone shooting hours will be ½-hour before sunrise to noon for adults, and all-day shooting hours for juniors. The late season recommendation is for the season to be open from November 21, 2008 to January 4, 2009 for mourning doves only and allow all-day shooting statewide. This recommendation is the maximum number of days allowed under Federal Frameworks.

For the early season there will be an aggregate bag of 10 mourning doves and white-winged doves, no more than 6 of which can be white-winged doves, as per Federal Frameworks. Possession limit shall be 20 mourning doves after opening day and 12 white-winged doves in the early season. For the late season, bag is 10 mourning doves per day and 20 in possession.

In 1991, the Commission initiated a Juniors-only dove hunt at the Powers Butte Wildlife Area. This year the hunt opportunity is recommended for the Robbins Butte Wildlife Area rather than the Powers Butte Wildlife Area. The dates are September 6-7, 2008. Within the area, shooting stations will be established to accommodate 2 junior hunters each. Should demand exceed supply, shooting stations will be assigned by a drawing at 4:45 a.m. at the Robbins Butte Wildlife Area headquarters. To facilitate hunt operation, hunters will be required to check in and out. Bag limits and shooting hours will be the same as for the general season. Personnel from the Hunter Education Program and Region VI will conduct the hunt.

The Department recommended continuation of the extended falconry-only dove season initiated in 1991. Recommended Falconry-Only season dates are September 17 through November 2. This season recommendation includes the maximum number of hunt days available for falconry (47). Falconry is also a legal method of take during both the regular early and late dove seasons.

The Department recommended that Eurasian collared dove season to be open yearlong beginning September 1 with an unlimited bag limit. Shooting hour restrictions for non-juniors hunters pursuing mourning and white-winged dove (half day in early season for adults) will not apply to the taking of Eurasian collared doves. Therefore, hunters could take Eurasian collared doves all day. Falconry will be a legal method of take and also open year round.

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO ADOPT, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 19: DOVE AS PRESENTED.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

Commission Order 20 (Band-tailed Pigeon) Season Structure Recommendation:

The Federal Frameworks for band-tailed pigeons within the four-corner states allow for seasons of not more than 30 consecutive days between September 1 and November 30 with a bag and possession limit of 5 and 10, respectively.

The Department recommended that the season in the North Zone be September 12-October 5. This allows for 4 weekends of hunting opportunity. In the South Zone, where band-tailed pigeons reproduce later, the Department recommended that the band-tailed pigeon season open on September 19 and run through October 5, 2008. This provides 3 weekends of hunting opportunity. Bag and possession limits of 5 and 10, respectively, are recommended statewide.

The advantage of this structure is that it protects breeding birds in both the northern and southern portions of Arizona and offers a relatively simple hunt structure using the existing dove zones many hunters are already familiar with.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION VOTE TO ADOPT, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 20: BAND-TAILED PIGEON AS PRESENTED.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

Commission Order 24 (Sandhill Crane) Season Structure Recommendation:

Mid-Continent and Rocky Mountain populations—The allowed Federal season dates and bag limits for the Mid-Continent and Rocky Mountain Populations (RMP) of cranes in Arizona are as

follows: The outside dates of the season must fall between September 1 and January 31 and not exceed 30 days. The bag limit may not exceed 3 per day or 9 per season.

This year, the Department recommended several changes to the hunt structure from last year. This year, a junior's hunt will be added and will follow the general hunts. The archery hunt has been moved to occur before the general hunts; the number of archery permits will remain at 25. The number of permits for each general hunt has been reduced from 85 to 75 and the junior hunt will have 50 permits. This will increase the total number of shotgun permits from 340 to 350.

The Department recommended four general 3-day hunts beginning on November 22, with 75 permits in each hunt. Each hunt will have a non-hunt day between hunts. All hunters that successfully draw for cranes receive 2 tags. With the recommended season structure, it is estimated that the total harvest will be between 300 to 400 cranes. The predicted removal of RMP birds is estimated at 60-90 birds.

The Department recommended a 3-day archery-only hunt November 14-16, 2008 with 25 permits. Since this hunt typically results in the harvest of 0-2 cranes, the likelihood of archery harvest impacting the RMP allocation is minimal.

Commissioner Hernbrode complimented the Department's management of cranes and stated that his vote is not questioning the biology, but reflects something altogether different.

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO ADOPT, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 24: SANDHILL CRANE AS PRESENTED.

Vote: Aye - McLean, Martin, Woodhouse
Nay - Hernbrode
Passed 3 to 1
Golightly and Freeman recused

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Meeting recessed for a break at 11:51 a.m.

Meeting reconvened at 12:01 p.m.

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4. (Continued from Friday's agenda) Request to Approve Amendments to the Commission-Approved Budgets for Fiscal Year 2009 in the Game and Fish Fund, the Federal Funds, the Heritage Fund, the Wildlife Conservation Fund, and Off Highway Vehicle Fund.

Presenter: Steve K. Ferrell, Deputy Director

Mr. Ferrell recapped this item from yesterday when this agenda item and agenda item 14 were tabled. They were tabled because of the discussion on the amount of funding for SCTP. The Department had recommended that \$38,800 be added back into the 2009 budget and stay there in 2010 and 2011 to bring the total cost of pass through money for participants to \$126,350, which makes the total program cost across the three years to be \$233,050. At the onset of this program, Commission direction was for the Department to pay for the entire program for three years after

which the cost of the program would be bourn by a non-government organization. This is year four so 2009 would be five years and 2010 and 2011 would be years six and seven. Knowing that was not yet possible in year four and five, the Department proposed to start to diminish the Department's investment through incremental decreases. At the April 2008 Commission budget workshop the Commission directed the Department to return the amount to the 2008 amount and that is why the \$38,800 was added back in for 2009-2011. At yesterday meeting, the Department provided the Commission with five options for increasing those cost beyond the Department's proposal.

Public Comment

The following addressed the Commission in opposition to any cut backs to the SCTP and further discussed the five options with the Commission:

Hays Gilstrap, Scholastic Shooting Sports Foundation

Jennifer Mennetti, General Manager, Lead Instructor, SCTP/ Red Mountain Target Terminators

Michael Bonner, Head Coach, SCTP, Ben Avery Shooting Facility (also provided several letters from shooters and parents to the Commission)

John Olson, SCTP Coach

Randy Karvanick, SCTP

Roger Clark, SCTP Coach

Kathleen Lawson, SCTP, Ben Avery Club

Tim Bissell (also asked the Commission to consider offering a discount or grant to SCTP shooters qualifying for the National competitions to cover target cost outside the regular SCTP season in preparation for National competitions)

Nine emails were received by Mr. Ferrell from shooters and parents and were distributed to the Commission.

Commissioner Martin requested Mr. Bissell's suggestion as a future agenda item.

Motion: Hernbrode moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED AMENDMENTS FOR THE GAME AND FISH FUND, THE FEDERAL FUNDS, THE HERITAGE FUND, THE WILDLIFE CONSERVATION FUND, AND THE OFF HIGHWAY VEHICLE FUND FOR FISCAL YEAR 2009 WITH THE FOLLOWING EXCEPTIONS: 1) THAT THE DEPARTMENT OFFER A FLAT RATE OF \$225.00 PER SHOOTER FOR A TOTAL OF 650 STUDENTS OR \$126,350 PLUS \$19,900.

Commissioner Martin asked where the funds would come from.

Mr. Ferrell stated that the funds could be taken from the increase for the Outdoor Expo taking that amount down to \$60,000.

Vote: Unanimous

4 to 0

Golightly and Freeman recused

Public Comment

Mike Golightly commented that he was pleased with what the Commission just did, but the Commission was guaranteed that there would be outside funding. The next time this issue is addressed, people need to be able to tell the Commission about their sincere efforts to raise funds to subsidize this program.

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14. (Continued) Request to approve the Arizona Wildlife Conservation Fund Budget Request for Fiscal Years 2010 and 2011.

Presenter: Steve K. Ferrell, Deputy Director

Mr. Ferrell presented options and discussed with the Commission adjustments to the 2010 and 2011 budgets, which resulted in cancelling the \$250,000 for newspaper inserts and adding the \$80,000 back into Birds and Bats, the \$150,000 for road maintenance, and the \$19,900 for SCTP. The newspaper inserts will stay on deck in case revenue projections materialize.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$10,130,596 FOR FISCAL YEAR 2010 AND \$10,336,626 FOR FISCAL YEAR 2011 WITH THE EXCEPTIONS AS DISCUSSED (CANCELLING THE \$250,000 FOR NEWSPAPER INSERTS AND ADDING THE \$80,000 BACK INTO BIRDS AND BATS, THE \$150,000 FOR ROAD MAINTENANCE, AND THE \$19,000 FOR SCTP. THE NEWSPAPER INSERTS WILL STAY ON DECK IN CASE REVENUE PROJECTIONS MATERIALIZE)

Vote: Unanimous
4 to 0
Golightly and Freeman recused

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Meeting recessed for lunch at 1:29 p.m.
Meeting reconvened at 2:52 p.m.

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4. 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 May 2008 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 recapped several items in the Update using a Power Point presentation and provided some additional information.

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5. Statewide Shooting Range Grant Requests for FY 2009

Presenter: Anthony Chavez, Statewide Shooting Range Administrator

Mr. Chavez briefed the Commission using a Power Point presentation on the eleven grant applications received for fiscal year 2009 and Department recommendations as follows:

Ralph C. Herrera Shooting Range (Mammoth): The club requested \$34,100 for the construction of safety berms and facility improvements at the Ralph C. Herrera Shooting Range. Recommend partial funding of \$15,000 to construct safety berms.

Pima Pistol Club (Tucson): The Pima Pistol Club requested \$28,000 to purchase and construct an educational/training and meeting facility on the property of the Club. Recommended funding total amount requested.

Northeastern Arizona Sportsman's Association (St. Johns): The club requested \$4,500 for construction of a Skeet and Trap field at the Northeastern Arizona Shooting Range. Recommend funding total amount requested.

Ft. Huachuca Shooting Range- Huachuca Hot Shots (Sierra Vista): The club requested \$7,300 to expand and develop a 5-stand and sporting clays range. The Sporting Clays Course will increase shooter capacity and will be the only sporting clays/5-stand range in the Sierra Vista Area. Recommend funding total amount requested.

Wickenburg Sportsmen's Club (Wickenburg): The club requested \$17,500 for the development and purchase of equipment for a 5-stand sporting clays range on the existing trap field. Recommend partial funding of \$8,000 for the purchase of machines.

Town of Fredonia – Fredonia Public Shooting Facility: The Town of Fredonia requested \$24,750 to begin construction of a range including constructing earthen berms, covered shooting stations, security fences and an information kiosk. Recommend funding total amount requested.

Tucson Rod and Gun Club: The club requested \$104,000 to construct the first phase of a shooting range. The club has not secured a location or forest service permit and will be submitting an application in 2008-2009. Recommend not funding.

Tucson Trap and Skeet Club: The club requested \$42,462.50 for the upgrade and new development of a septic system for the RV campground. The club has been a recipient of range grants in the last two granting cycles. The Department is very supportive of the development and upgrades for this shooting range and is committed to working with the Club to develop a plan to seek additional sources of funding and encourage the Club to apply for a Shooting Range Development Grant next cycle. Recommend not funding.

White Mountain Trap and Skeet Club: The club requested \$40,000 for the purchase of adjacent property to expand the shooting range and requested \$10,000 for the improvement and accessibility of five miles of unimproved dirt road from the club to the nearest county maintained road. The Department is supportive of expanding the shooting range and improving accessibility to the range and is committed to working with the Club to seek additional sources of funding and encourage application for a Shooting Range Development Grant next cycle. Recommend not funding.

Rio Salado Sportsman's Club: The club requested \$19,350 for Main Range Modifications and \$49,500 for Main Range Expansion and Improvements. These two grant requests are projects that need to be conducted at the same time. The Department conducted a range review to determine that safety improvements should be the first priority. The Department is supportive of the need for expansion of the main range and is committed to working with club to fund needed safety improvements. Recommend not funding.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE SHOOTING RANGE GRANT APPLICATIONS FOR THE FY09 GRANT CYCLE AS PRESENTED AND RECOMMENDED BY THE DEPARTMENT FOR A TOTAL OF \$87,550.00.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

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6. Call to the Public

There were no requests from the public to speak.

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7. E-Commerce Request for Proposal (RFP)

Presenter: Barbara Jewett, Branch Chief, Support Services

Ms. Jewett provided the Commission with an informational Power Point presentation regarding the current status of the E-Commerce RFP and alternatives to procure these services for an on-line hunt permit-tag draw.

The Department has made three attempts to contract for these services. The most recent attempt was cancelled without a contract award on June 2, 2008. The issue seems to be the Performance Bond of \$1,000,000. The intent of a performance bond is to mitigate the risk to the Department in case of contract failure.

Currently the Department is conducting a manual draw process. The options are to continue with the manual draw, investigate using the state web portal, and/or re-solicit (possibly combine

licensing with upcoming watercraft registration solicitation); however, issues with bonding will still need to be addressed.

The Commission discussed with Ms. Jewett possible options to deal with the bonding issues and the timelines for re-solicitation.

Public Comment

Robert Glennon, Director of Training, Systems Consultants, addressed the Commission. His company was awarded the contract in the Department's third RFP, but were unable to obtain the Performance Bond for various reasons and so the contract was cancelled. Mr. Glennon would like to have the contract if something can be worked out regarding the bonding issues.

Norm Freeman addressed the Commission and suggested that he work with the Department during this next week to see what the options are in order to get something short term for this year that works within the Department's current resources, and then work on getting the long term issues resolved.

The Commission was in consensus to table this matter and if necessary to call for a Telephonic Commission meeting within the next week to further discuss the options for an on-line draw.

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8. Briefing on the status of new air quality regulations as proposed or enacted by State, County and Municipal Governments pursuant to passage of Senate Bill 1552 and their impacts on vehicular access for hunters and anglers in Maricopa and Pinal Counties.

Presenter: Mike Senn, Assistant Director of Field Operations
Shelley Cutts, Assistant Attorney General

The Commission was presented with a briefing on the status of new air quality regulations as proposed or enacted by State, County and Municipal Governments pursuant to passage of Senate Bill (SB) 1552 and their impacts on vehicular access for hunters and anglers in Maricopa and Pinal Counties. In response to air quality issues in the greater Phoenix metropolitan area, the Arizona Legislature passed SB 1552 in 2007. Among other things, SB 1552 amended Arizona Revised Statutes Titles 9, 11, and 49 to impose additional duties on counties and municipalities with respect to unpaved surfaces in an effort to limit or reduce airborne pollution from fugitive dust also known as PM10 emissions. Pursuant to passage of SB 1552, Maricopa and Pinal Counties have initiated or passed ordinances restricting or prohibiting the use of motorized vehicles on unpaved surfaces. Some of these ordinances can or will impact the use of motorized vehicles by persons attempting to engage in lawful hunting or fishing activities in Maricopa and Pinal Counties.

Mr. Senn further briefed the Commission on the Department's coordination efforts with various entities in an effort to minimize impacts to hunters and anglers while reducing PM10 emissions from these activities. An example of what has the potential to cause the most issues is Maricopa County Ordinance P28; a strict liability ordinance that prohibits use of vehicles on unpaved roads that are not designated as open, or evidenced by recorded document, such as an easement. This

is completely opposite of any other trespass law in the state where most roads are open unless posted closed. Ordinance P27, which makes it unlawful to park or use a vehicle on any unstaablized lot, may also impact the ability for sportsmen to lawfully engage in hunting activities. Based on early interpretations we have gotten from Maricopa County Air Quality Department staff this includes all unincorporated areas in Maricopa County, and may include parking at a stock tank and could potentially even include parking on the shoulder of a road. .

Ms. Cutts addressed the Commission on issues with Maricopa County's P28 ordinance and referred them to the detailed memo that she previously provided to the Commission on this ordinance.

Mr. Senn further briefed and discussed with the Commission some of the other city and county ordinances and the issues that the Department is working on to try to get some exemptions for lawful hunters, including the City of Scottsdale and Pinal County.

Commissioner Martin requested that the Department begin to brief the sportsmen's organizations at their regular meetings and suggested that the non-consumptive organizations may have some concerns about this also.

Commissioner Woodhouse requested that this item be a recurring agenda item for the next couple of months.

The Commission was in consensus to not take any action on this item. They are not against air quality issues, but have concerns for access issues. The Department will continue to work with the proper authorities to maintain access.

* * * * *

9. Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2009 and January 2010

Presenter: Marty Fabritz, Executive Staff Assistant

The Commission was asked to approve a schedule for Commission meeting dates and locations for 2009 and January 2010 as follows:

<u>Date</u>	<u>Location</u>
January 16	Phoenix - Commission Meeting**
January 17	Phoenix - Meet the Commission**
January/February	Phoenix-Legislator Day - TBD
February 6-7	Yuma
March 6-7	Tucson
April 17-18	Phoenix (hunt orders)
May 15-16	Prescott
June 26-27	Payson
August 7-8	Flagstaff
September 4-5	Pinetop

October 9-10	Phoenix
December 4-5	Casa Grande
January/February 2010	DATE OPEN/ Phoenix-Legislator Day
January 15, 2010	Phoenix - Commission Meeting
January 16, 2010	Phoenix - Meet the Commission

** Determined in June 2007

Chairman McLean asked about the Department obtaining on-site Internet web cams.

Mr. Fabritz stated that the Department is working on obtaining that capability, but it is not known when that will be put in place.

Chairman McLean requested some financial estimates of what it cost to take these meetings around the state.

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO ADOPT THE SCHEDULE AS PRESENTED OR WITH CHANGES MADE AT THIS MEETING; AND SUBJECT TO CHANGES IN THE FUTURE ON THE AUTHORITY OF THE COMMISSION CHAIR.

Vote: Unanimous
4 to 0
Golightly and Freeman recused

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16. Director and Chairman's Report

Chairman McLean reported that he spent a lot of time in discussion with Department staff on budget and legislative items, and attended the Conservation Workshop. He also met with the Greater Grand Canyon Wolf group.

Deputy Director Ferrell provided the Commission with the Director's report starting with the following report on the Watercraft Safety Grant Program for 2008 (copies were provided). At the next Commission meeting the Department will report on the Watercraft Safety Grant Program for 2009.

Watercraft Safety Grant Program: The Department received a great deal of external agency interest in the \$575,000 available for funding during the FY08 Pilot Year Watercraft Safety Grant Program. The Department received 14 Boating Safety Grant and 8 OUI Law Enforcement Grant applications for consideration of funding. The Department ultimately approved 10 Boating Safety projects and 7 OUI Law Enforcement projects totaling \$542,081 in grant funding.

Approved FY08 Boating Safety and OUI Law Enforcement Grants:

<u>Grant Type</u>	<u>Successful Applicant</u>	<u>Project</u>	<u>Amount</u>

Boating Safety	La Paz County S.O.	Boating Education Class Laptop	\$2,900
Boating Safety	La Paz County S.O.	Boating Safety Outreach Campaign Items	\$20,000
Boating Safety	Tonto National Forest - USFS	Navigation Aid Buoy Attrition Replacement	\$60,326
Boating Safety	Patagonia Lake State Park - Arizona State Park	Patagonia Lake Boating Safety Equipment	\$4,903
Boating Safety	Maricopa County S.O.	Inflatable PFDs, Carbon Monoxide Detection Equipment	\$31,902
Boating Safety	Maricopa County Parks and Recreation	300 PFDs and Storage Box	\$6,500
Boating Safety	Maricopa County Parks and Recreation	Carbon Monoxide Awareness Campaign Buoy Signs and Brochures	\$2,958
Boating Safety	Administrative Offices of the Arizona Supreme Court	Title 5 Lifesavers Videos (DVDs)	\$42,800
Boating Safety	LMNRA - NPS	Patrol Boat O&M, Safety Equipment for Rangers, PFDs for patrol boats, funding for two seasonal Park Rangers	\$91,620
Boating Safety	Gila County S.O.	Boating Education Classroom equipment and Deputy (Instructor) Overtime	\$4,912
Boating Safety	Mohave County S.O.	OUI Boating Education Supplies	\$15,000
OUI Law Enforcement	Coconino County S.O.	OUI Command Post	\$78,350
OUI Law Enforcement	Lake Havasu City P.D.	OUI Enforcement Equipment	\$28,416
OUI Law Enforcement	USFWS - Lake Havasu	OUI Enforcement Equipment	\$14,361
OUI Law Enforcement	Mohave County S.O.	OUI Overtime	\$20,000
OUI Law Enforcement	Maricopa County S.O.	OUI Enforcement Equipment - Inflatable PFDs and PBTs	\$15,785
OUI Law Enforcement	LMNRA - NPS	Patrol Boat O&M, Safety Equipment for Rangers, portable radios, OUI materials, funding for one seasonal Park Ranger	\$90,770
Boating Safety and OUI Law Enforcement	Gila County S.O.	OUI Overtime and three PBTs	\$10,578
Total Awarded			\$542,081
Grant Funds Available			\$575,000
Balance of Grant Funds Applied to other Internal Department Boating Safety Programs			\$32,919

Deputy Director Ferrell continued with the Director's report. Since the last Commission meeting, Director Voyles:

- Met with ADOT to discuss means to continue future cooperation between the Department and ADOT and discussed how we can combine the Road Kill data bases and raise them to a more useful level
- Participated in an AMOC Chairmanship conference call
- Participated in a conference call with new Director of CA Game and Fish, Donald Coch regarding the upcoming Border Governor's Conference
- Participated in the weekly Natural Resources conference calls
- Participated in a combined meeting of the Department's Executive Staff and Ben Tuggle's staff from the USFWS to discuss issues and on-going projects of mutual concerns
- Attended the Wildlife for Tomorrow board meeting
- Met with Regional Forester Corbin Newman to discuss our relationship and how we want to work together on Big Game Retrieval, dispersed camping, and other aspects of Travel Management and Goshawk management
- Met with Derek Bechtel and Larry Abbott, with Boy Scouts of America regarding clay target programs
- Met with several sportsmen's organizations in Tucson, followed the next day by meetings with agency staff and constituents at a meet and greet breakfast hosted by Pima County Natural Resources, Parks and Recreation
- Attended the Conservation Workshop
- Conducted the annual IBA meeting with Tice Supplee and Audubon representatives
- Interviewed by Steve Bodinet from Channel 3
- Attended the Governor's Cabinet meeting
- Participated in two patrol ride-alongs with Wildlife Managers near Payson
- Interviewed applicants for the Law Branch Chief position
- Attended the full week of Department School
- Participated in a conference call with Bill Bell and Diana Shaffer to obtain hiring approvals
- Met with Todd Graeff, Coccino Parks and Recreation Association to tour a potential Rogers Lake project
- Attended Senator Jake Flake's funeral services
- Met twice with Elaine Zelinsky and Mike Taylor with BLM
- Met with Pat Graham with the Nature Conservancy to discuss joint projects and relations
- Had a meet and greet with Arvin Trujillo, Executive Director, Najavo Nation Natural Resources and Gary Wilson to discuss cooperative efforts on the Big Boquillas
- Met with Duane Shroufe, Sal Palazzolo and Jim Odenkirk regarding Espee Ranch
- Met with former Commissioner Frances Werner
- Greeted several program managers from Sonora that were visiting to obtain technical support for establishing state level conservation and wildlife law enforcement programs
- Attended the 6th Annual Nature Film Festival event and Silent Auction sponsored by Audubon Arizona
- Interviewed candidates for the Funds Planning Branch Chief position

* * * * *

11. Commissioner's Reports

Commissioner Woodhouse reported the following:

- Discussed Adair Range issues with Department staff and Adair Range staff
- Attended Department School
- Participated in an elk collaring activity with Department staff

Commissioner Martin reported the following:

- Attended the Conservation Workshop
- Participated in the Resolution Copper meeting
- Met with the Boards of ABA, AAF, and AWF regarding the Department's budget
- Worked on budget and legislative issues with the Department and at the Capitol
- Attended the Awards Ceremony at Department School

Commissioner Hernbrode reported the following:

- Met with Region IV Department staff in Yuma regarding mountain lions and bighorn sheep, took a field trip to the Kofa
- Attended the Conservation Workshop
- Met with reporter, Lee Allen
- Attended the Malpai Borderlands meeting
- Met with the Defenders of Wildlife to discuss several issues
- Met with the Sierra Club and the Animal Defense League regarding wolf issues

* * * * *

18. Approval of Minutes and Signing of Minutes

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE COMMISSION MEETING MINUTES FROM MAY 16, 2008.

Vote: Unanimous

Following approval, the Commission signed the minutes from May 16, 2008.

* * * * *

19. Future Agenda Items

Ty Gray, Assistant Director noted the following future agenda and action items from this meeting:

- Provide the Commission with a presentation on the State Trust Land an TIME ballot initiatives at the August Commission meeting
- Research a legal opinion on the TIME initiative language to determine the ability for the Department to apply for grants

- Add a note of clarification to the annual migratory bird regulation brochure to notify hunters to keep a wing on harvested Eurasian collared doves
- Provide the Commission with a presentation at the August Commission meeting on the feasibility of offering discounts or grants to SCTP shooters qualifying for the National competitions to cover target costs outside the regular SCTP season in preparation for National competitions
- Direct Assistant Director Seck to meet with Mr. Freeman in the next few days to discuss possible options for implementing an automated draw this year; schedule a telephonic Commission meeting by the end of next week to present these options for this year and identify goals for future draws
- Investigate and report back to the Commission as to whether the Department field staff conducting work will be exempted from the new air quality regulations
- Develop and implement a communications plan to inform hunters, anglers and other recreationists of the potential impacts of the new air quality ordinances
- Continue to work with Maricopa County to address issues and concerns with the new air quality ordinances
- Schedule a follow-up presentation on the status of the new air quality regulations beginning during the August Commission meeting
- Provide the Commission with costs estimates for conducting Commission meetings at locations other than the Department headquarters.

The Commission congratulated Deputy Director Ferrell and wished him well in his new position as the Director of the Wyoming Game and Fish Department, and further thanked him for all he has done for the Arizona Game and Fish Department.

* * * * *

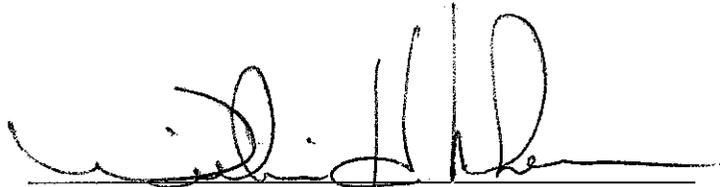
Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

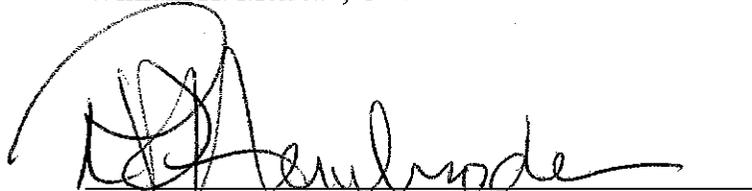
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Meeting adjourned at 5:15 p.m.

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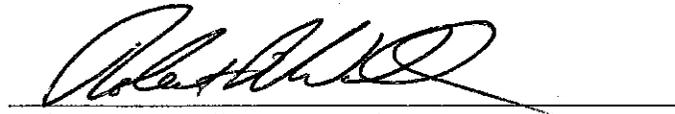
William H. McLean, Chair



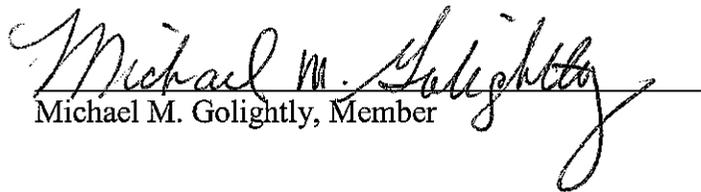
Robert D. Hembrode, Vice Chair



Jennifer L. Martin, Member



Robert R. Woodhouse, Member



Michael M. Golightly, Member

ATTEST:



Larry D. Voyles
Secretary and Director

Game and Fish Litigation Report
Presented at the Commission Meeting
June 27, 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.

On February 1, 2008, the State of Arizona, the federal defendants and conservation groups filed separate cross motions for summary judgment and responses to the plaintiffs' summary judgment motion.

On February 29, 2008, the plaintiffs filed a response to the cross motions for summary judgment. Defendants have until March 14, 2008, to file replies.

On March 4, 2008, the court granted the motions to intervene by the State of Arizona and the conservation groups.

On March 14, 2008, the State of Arizona and the other defendants filed replies to the plaintiffs' cross motion for summary judgment.

On April 2, 2008, the organization Public Employees for Environmental Responsibility ("PEER") filed a motion for leave to file an amicus curie brief in support of the plaintiffs' cross motion for summary judgment. At the same time, PEER lodged its amicus brief with the court clerk. Each defendant has filed a response opposing PEER's motion for leave. Not only is the motion untimely, the brief that PEER has lodged contains many additional factual assertions not included in the administrative record. This attempt to supplement the administrative record with new information violates the established law in this area.

The parties filed supplemental briefs on June 3, 2008, addressing the issue whether the Wilderness Act or the National Wildlife Refuge Improvement Act controls in this case. Oral argument on the cross motions for summary judgment took place on June 12, 2008. The court has taken the motions under advisement. The court has not yet ruled on the pending motion by PEER to file an amicus brief. The defendants and intervenors are awaiting a ruling before they can file any response. The defendants are also awaiting a decision on their motion to strike affidavits that the plaintiffs' filed with their cross motion for summary judgment.

(5/12/08) (JFO/SDC)

Lands Update
For the Arizona Game and Fish Commission
June 20, 2008
Phoenix, Arizona

SB 1441 HABITAT RESTORATION AND ENHANCEMENT FUND

Sheep Wash Ecosystem Restoration

Since the last reporting period the Clifton Ranger District has completed an additional 1,052 acres of prescribed burning on the NO Bar portion of the project area 1,191 acres of prescribed burning on the Four Bar Pasture portion and thinned 22 acres on the Mallet portion of the project area.

U.S. FOREST SERVICE

The Department has consistently provided comments to the Forest Service emphasizing the importance of coordination between the Forests and the Department to ensure that route networks are evaluated and discussed to address wildlife management objectives, and to ensure reasonable public access. Specifically, the Department has commented on Motorized Big Game Retrieval including formal letters from the Commission to the Regional Forester. The Department continues to request the ability of legally permitted hunters the continued use of motorized vehicles for the timely and efficient retrieval of downed big game to aid the Department in achieving management objectives and wildlife population goals, to avoid the unlawful waste of game meat, and to facilitate our Challenged Hunter Access/Mobility Permit (CHAMP) Program.

Apache-Sitgreaves National Forests

Department personnel continue to coordinate with the Forests on Apache trout recovery activities. The Department has discussed issues and potential conflicts related to a stream chemical treatment on the South Fork of Little Colorado River, including pesticide applicator permitting, cattle grazing conflicts, hiking/camping impacts during the treatment, and potential conflicts with Forest thinning crews, and more. The South Fork treatments are schedule for June 18-20 and June 24-26.

Department personnel have evaluated several barriers and streams in Apache and Greenlee Counties that are important to Apache trout recovery. Department personnel and Natural Channel Design have evaluated fish barriers at Conklin Creek, Stinky Creek, West Fork of Black River, Fish Creek, and West Fork LCR to confirm structural integrity and/or needed maintenance/improvement. Department personnel have also conducted stream surveys above barriers on Conklin Creek and Fish Creek to ensure that they have not been compromised during very high spring runoff flows. No non-native trout were found in these two creeks. Conklin Creek is currently fishless and will be stocked with pure Apache trout this fall, and Fish Creek was stocked with pure Apache trout in 2006-2007.

The Department investigated a fish kill at Hulsey Lake in Apache County. A large snowstorm leading into the Memorial Day weekend dropped approximately 1.5 feet of snow in the Hulsey Lake area and likely contributed to the kill. The days following the snowstorm were very warm and all the snow melted quickly, causing a quick burst of high runoff into the lake.

Coconino National Forest

The region attended two separate field trips to the Buckhorn and Walker Basin allotments. The lower elevation pastures were in poor watershed condition and the upper elevation pastures are in much better condition. These allotments are all used year around and present a difficult problem of how to balance the capacity of the winter and summer pastures without sacrificing wildlife habitat.

Biologists from NAU, Coconino National Forest and the Department visited Hay Lake to discuss current management plans and the potential for developing riparian vegetation in the channel between Tremaine Lake and Hay Lake.

Coronado National Forest

The Draft Environmental Impact Statement (EIS) for the Pinaleno Ecosystem Restoration Project will be ready for public review soon. The Forest worked closely with the Department to develop this proposal that will address both the forest health needs and the sensitive wildlife needs. A major objective of the project is to protect the habitat of the Mount Graham red squirrel. Recently biologists from the Forest Service, Department, and the U.S. Fish and Wildlife Service met to discuss recent modeling projects and publications as they relate to this proposal.

On June 3, Department personnel and volunteers from the Huachuca Gould's Chapter of the National Wild Turkey Federation completed repair work on the Upper Turkey Creek water development located on Forest lands within the Canelo Hills of unit 35A. The project involved adding an overflow pipe between the two 5,000 gallon storage tanks. When the project was initially completed, the drain pipe construction did not allow one of the storage tanks to fill completely with rain water. This overflow pipe should assist with allowing both tanks to fill during monsoon season, thus increasing the capacity of available water for wildlife.

On June 8, volunteers from the Huachuca Gould's Chapter and the Huachuca Hiking Club completed maintenance on a water drinker, trail cleanup, and sanding and sealing of wooden benches along a wildlife hiking trail in Carr Canyon, located within the Huachuca Mountains. A new drinker was installed due to vandalism. A number of young adults assisted with the repair to the benches and cleaning of hiking trails throughout the area.

Kaibab National Forest

Westside Mule Deer Habitat Improvement Project

Planning is underway for more work during summer and fall of 2008 on the Westside of the North Kaibab Plateau. While plans are preliminary at this point, the Department will seed more native browse species (approximately 400 acres) using a rangeland drill. This work would initiate in fall of 2008 and would be located in areas that were burned historically (Bridger fire 1998) or more recently in the Slide Fire of 2007. A contractor from Utah has been awarded a

native seed collection contract and will begin collecting cliffrose this summer, likely in July. There also will be more species such as 4-wing saltbush and sagebrush collected as they ripen in early fall.

In addition to native seeding, the Department is considering doing some pinyon and juniper treatments on the Westside.

BUREAU OF LAND MANAGEMENT (BLM)

Arizona Strip Field Office

On May 9, 2008, the Record of Decision and Approved Resource Management Plan for the Arizona Strip Field Office were released to provide guidance for the management of 1,679,896 acres of BLM-administered lands in northern Arizona. The Department continues to coordinate closely with the Field Office (FO) in development of implementation-level plans, including Travel Management Plans and associated route networks.

Havasu Field Office

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

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.

Lower Sonoran Field Office

The BLM is preparing a preliminary preferred alternative draft Resource Management Plan to be released for public review. The Department continues to participate in cooperative meetings and proactively develop comments throughout the planning process.

Kingman Field Office

Regional personnel participated in the Annual Coordinated Resource Management Plan (CRMP) Meeting/Monitoring of the Yavapai Ranch. Also in attendance were representatives from BLM Kingman Office, USFS PNF, NRCS, U of A extension, and Yavapai Ranch.

Yuma Field Office

The Proposed Resource Management Plan and Final Environmental Impact Statement (RMP/EIS) has been released to the public. The Department is currently working with BLM on development of the La Posa Travel Management Plan.

Safford Field Office

The Department is working closely with the Field Office in all phases of the travel management plan. The Gila Box unit was just finished and the remainder of the plan will be evaluated in the near future.

Tucson Field Office

The Field Office is still developing a preferred alternative for the Middle Gila Canyons Transportation Plan in Game Management Unit 37B near Florence Junction. The Department and the public are eager to examine the draft decision.

BLM NATIONAL MONUMENTS

Grand Canyon-Parashant National Monument / Vermillion Cliffs National Monument

On May 9, 2008, the Records of Decision and Approved Resource Management Plans for the Grand Canyon-Parashant and Vermillion Cliffs National Monuments were released to provide guidance for the management of 1,367,876 acres of BLM-administered lands in northern Arizona. The 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 is preparing a preliminary preferred alternative draft Resource Management Plan in association with the Lower Sonoran management area to be released for public review. The Department continues to participate in cooperative meetings and proactively develop comments throughout the planning process.

BLM has announced the closure of approximately the northern third of the SDNM to all vehicle entry due to environmental damage caused by OHV use. The area being closed is north of State Route 238 and the closure is expected to be in effect for 2-3 years. The Department will continue to work with BLM to regain vehicular access for wildlife-related recreation, including hunting, as expeditiously as possible.

Ironwood Forest National Monument (IFNM)

The Tucson Field Office (TFO) is still working on the final Environmental Impact Statement for the Ironwood Forest National Monument. TFO has indicated they are nearing completion but still need to work out some issues before the document goes out to the public.

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 restoration of the bighorn sheep population on the Kofa NWR. The Department is working with Kofa to become a cooperating agency in the preparation of an Environmental Assessment for their Mountain Lion Management Plan. Efforts to capture, collar, and monitor additional lions on Kofa are ongoing. The Department and Kofa continue to monitor and supplement water on Kofa. Water was recently supplied to Chain Tank. This required laying a considerable amount of hose to pump water to the tank, which is in wilderness. Kofa is also initiating a study to map bighorn sheep habitat and relate that to known use. Efforts continue on a study to document and monitor body condition of bighorn sheep on Kofa. More complete information on the management of bighorn sheep, lions, and water on the Kofa NWR can be found on the Department's web site. This web site is updated monthly.

DEPARTMENT OF DEFENSE (DOD)

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

ADOT

US 60 between Superior and Globe.

ADOT and Federal Highways are doing a Design Concept Report for this stretch of highway. Possible alternatives include basically widening the road to 4 lanes with a median through Queen Creek Canyon, or following new alignments. One of the other possible new alignments would take the highway through unpaved land north of Superior over Peachville Mountain. Last week, Tonto Forest and Department personnel developed an alignment preference matrix which summarized the joint views of both agencies on the possible alignments. This was submitted to ADOT and their consultants.

Phoenix/Tucson I-10 Bypass

Although the State Transportation Board has called for further study of the two remaining routes, there does not seem to be any immediate action occurring at this time. The Department

continues to be in contact with ADOT and will inform the Commission when further study resumes on the two remaining bypass routes which the Department expects to be considered as a single alternative bypass.

The Aravaipa Route would bisect the groundwater-rich Sulphur Springs Valley, increasing its value for future development, and then wind between the Galiuro and Aravaipa Wilderness areas in the rugged Fourmile and Copper Creek Canyon areas before crossing the San Pedro to join up with the existing I-10 Corridor. The report commissioned by ADOT finds that two routes are necessary to have any significant effect on traffic in the Tucson area. Therefore the Department expects both the Aravaipa and Avra Valley routes to gain considerable traction in future planning.

Agency Coordination

The Department participated in a joint effort to enhance coordination between The Natural Resources Conservation Service (NRCS), US Fish and Wildlife Service (FWS) and Arizona Game and Fish Department (AZGFD). During a two day meeting, the group explored ways to work together in species recovery on private lands, and recognize that NRCS has the funds and credibility with private land owners to make an enormous impact on species recovery. To facilitate this joint effort, field staff from all three agencies reviewed planning procedures, funding mechanisms and ways to streamline approaches of consultation.

Arizona State Land Department (ASLD)

The Arizona State Land Department has decided to continue to study a potential Habitat Conservation Plan for State Trust Lands in Pinal County. The Department and the U.S. Fish and Wildlife Service met with ASLD on May 12th to discuss potential options. ASLD will schedule another meeting after determining what their needs are.

Statewide Transportation Planning Framework

The Department attended the Statewide Transportation Investment Strategy public hearing on June 4th. The Investment Strategy is one part of the bq AZ plan, and identifies the critical needs of the state that is broken down into major highways, state routes, and then all the way down to more rural areas and local bike/walk infrastructure. Victor Mendez, Director of ADOT, as well as many other Board members were presiding.

This investment strategy has been defined to provide ideas for one solution to solve the transportation issues associated with AZ growth, lack of funds from Federal and State funds and taxes, and increases in construction costs of up to 60%. The board reiterated several times that they were not there to campaign an initiative, but instead to discuss the strategy. The long-term plan, however, is an initiative on the ballot for November for a 1% sales tax increase that if passed would take place in January 2010.

Associated with the funds for strategic highway projects is a 3% or 1.277 billion dollar fund for conservation, however, this funding program has not been developed to date. This conservation fund is to work toward “ensuring connectivity of wildlife movement, biological habitat preservation, and preservation of the visual and scenic resources for both users and neighbors of transportation facilities.” The Department plans to stay heavily involved as this plan progresses.

Buckeye Hills OHV

Game and Fish personnel recently attended another meeting of stakeholders on May 29th. Attending were Maricopa County and Buckeye Parks, as well as BLM and AGFD. Attendees toured the Buckeye Hills by vehicle. Alternatives were discussed. Maricopa County Parks Director R. J. Cardin mentioned their desire to have another entity manage the Buckeye Hills Shooting Range.

Byner Ranch Coordinated Resource Management Plan (CRMP)

The Department participated with NRCS, Arizona Extension, BLM, and Freeport McMoran Mining in a CRMP tour of the Byner Ranch grazing allotments. The group was investigating proposed improvements to more evenly distribute grazing impacts on the ranch. Additionally, Region III personnel, along with the BLM Kingman Office, NRCS, and representatives from Freeport McMoran Mining met to review a draft Comprehensive Resource Management Plan for the Byner Allotment.

Channel Catfish Stocking

Department personnel stocked channel catfish into several lakes in Navajo and Apache counties to improve warm water fishing opportunities in the area. The in-town lakes of Woodland Lake, Scott Reservoir, Rainbow Lake, Show Low Lake, and Fool Hollow Lake, plus Little Ortega Lake were stocked with subcatchable and catchable size catfish. The in-town lake planning process, which evaluated the fish management objectives of each lake, identified warm water fish stocking as a management tool to obtain higher angler success and satisfaction during the warm summer months when trout cannot be stocked and/or they aren't biting.

City of Coolidge Annexation

The City of Coolidge approved an agreement with the Arizona Game and Fish Department to allow hunting within City limits outside of developed areas. This agreement is currently going through review within the Department and should be available for Commission approval before the beginning of dove season.

City of Flagstaff

The City of Flagstaff is gearing up for a revision to their Regional Land Use and Transportation Plan in 2008. The transportation component of this plan has already begun, and the Department is currently providing wildlife habitat connectivity GIS data to the City's consultant. The Department plans to work with the City of Flagstaff to integrate similar concepts in the Land Use component of the plan, which is expected to kick off summer 2008.

Three months ago the Arizona Water Protection Fund staff notified the City of Flagstaff that they were going to recommend that the WPF commission rescind the \$330,000 grant the City had been awarded to restore the riparian area in Picture Canyon. The City staff, their consultants (Natural Channel Designs), the State Land Department staff, and others spent large numbers of hours working through the concerns expressed by the WPF staff.

Recently, the WPF Commission met in Flagstaff. On their agenda was an action to either rescind the grant or to approve the City to begin the project. With the support and testimony of the

Department, the State Lands Dept., Natural Channel Designs, the County and the WPF staff, the WPF Commission approved the City's project. Restoration activities can begin at Picture Canyon immediately. The Department will continue to work with the City and its consultants on planning and implementation of this project.

City of Showlow

Department personnel continue to work with the City of Show Low to improve facilities at a popular recreation area at Show Low Lake, Navajo County. The Department will be installing a new boat dock, expanding the handicapped parking, improving the access from the upper parking, and assisting the city to install an ADA compliant fishing pier. All the improvements will be placed on Department property near the boat ramp and an agreement is in place with the City to cooperatively manage the site.

Coconino County

Coconino County Parks and Recreation Department continues to pursue potential acquisition of Rogers Lake as county open space. Rogers Lake is one of the largest ephemeral wetlands in northern Arizona, receives significant migratory bird use, and is part of a critical wildlife movement corridor from the San Francisco Peaks to the Mogollon Rim. Coconino County is the lead agency on the Rogers Lake project, and recently submitted an Arizona Preserve Initiative application to the Arizona State Land Department to re-classify Rogers Lake for conservation purposes. The Department is exploring ways to be a contributing partner. If Coconino County acquires this property, they have agreed to develop a joint management agreement with the Department whereby the county would manage public recreation access and the Department would manage the wildlife and their habitats.

Coconino County continues to work with the US Natural Resources Conservation Service and the Department to enroll Pumphouse Greenway in the national Wetland Reserve Program. Enrollment of Pumphouse into the WRP program has recently become uncertain, and NRCS is seeking resolution to the issue. The county has also enlisted the Department's participation in a joint agreement with an adjacent private landowner to develop a Watchable Wildlife site on his land. This joint agreement will also include the eventual sale or donation of those lands to the county to expand the Pumphouse Greenway area by an additional 10 acres, including the source springs for the wetlands.

Ecological Services

The FWS announced a 90-day finding on a petition to list the cactus ferruginous pygmy owl (CFPO) on June 2, 2008. The petition relies largely on the recently proposed scientific reclassification of the pygmy-owl that recognizes the CFPO subspecies (*Glaucidium ridgwayi cactorum*) in southern Arizona and Sonora and Sinaloa, Mexico as distinct and defined by a smaller range than the subspecies recognized in 1997. The petition seeks to list either the entire newly reclassified species (throughout its range in Arizona and Mexico), or the Sonoran, or the Arizona distinct population segments. The 90-day review of the petition finds that it presents substantial information that listing the entire subspecies may be warranted. Over the next 12 months, the Service will analyze data on distribution, habitat, threats, and genetic studies to see if the CFPO warrants listing. The 12-month finding will have 3 potential outcomes: 1) the species warrants listing and FWS will recommend listing it, 2) the species warrants listing but is

precluded from listing by other priorities (in which case it becomes a Candidate), or 3) the species does not warrant listing.

Gould's Turkey

On April 12-13, the 2008 annual Gould's turkey survey throughout the Huachuca Mountains was conducted. A total of 37 routes were completed with 37 volunteers assisting. Routes were completed on USFS lands, private property, and Fort Huachuca. A total of 234 turkeys were observed, including 80 gobblers (49 were Jakes), 148 hens, and 6 unclassified. The number of jakes observed represents an estimated recruitment rate of 61%. This year's survey resulted in lower number of turkeys observed than during 2007 when 257 were counted, but is above the 223 surveyed during 2006. The number of gobblers observed during 2008 was nearly equal to the 84 observed during 2007. The overall number of hens observed declined from the 173 surveyed during 2008. Yet, the number of observed jakes increased from the 32 observed during 2007. This is indicative of an increase in the recruitment rate during 2008.

An additional survey was completed on the Rail X ranch, located in unit 35B within the Canelo Hills. A total of 35 turkeys were observed including 7 adult gobblers, 5 jakes and 23 hens. This is an increase over the 21 turkeys observed during 2007, when 10 gobblers, including 2 jakes, and 9 hens were surveyed.

In the Chiricahua Mountains surveys resulted in 123 turkeys counted, including 25 mature gobblers, 63 hens, and 35 jakes. Additionally, 2 young hens were observed in the Cave Creek/Portal area. These two are the first surveyed on the east side of the mountains. It appears that we will need to expand survey routes next year to cover the entire Chiricahua Mountains.

Only preliminary surveys were conducted in the Pinaleno Mountains this year and resulted in 15 turkeys counted. Inclement weather probably caused lower numbers in this range for this first survey effort.

Locatable Mineral Operations

Staff from Region II wrote a letter to address issues with changes to a Proposed Rule related to Locatable Mineral Operations on Forest Service (FS) lands nationwide. The main issue that the Department had was the inadequacy of the FS to address cumulative effects. (Final Letter Attached)

Sunshine Wind Energy Park

The Department coordinated with Coconino County in its review of the permit renewal for the proposed Sunshine Wind Energy Park, which is planned for the area near Meteor Crater along I-40 west of Flagstaff. In cooperation with the Department and the county, Sunshine Wind Energy Park has agreed to an additional year of bat surveys to assess potential risk to local and migratory bat populations in the project area. Authorization of this wind facility depends on APS approval, and Sunshine anticipates APS acceptance and potential construction no earlier than 2009.



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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MICHAEL M. GOLIGHTLY, FLAGSTAFF
DIRECTOR
LARRY D. VOYLES
DEPUTY DIRECTOR
STEVE K. FERRELL



May 27, 2008

Forest Service, USDA
Attn: Director,
Minerals and Geology Management Staff
Mail Stop 1126
Washington DC 20250-1125

Dear Sir or Madam,

The Arizona Game and Fish Department (Department) appreciates the opportunity to comment on the Proposed Forest Service Rule related to Locatable Mineral Operations. As you are aware, Forest Service (FS) lands provide important and rare wildlife habitat components in Arizona to which the Arizona Game and Fish is responsible to conserve, enhance, and restore. We offer our comments formally in this letter related to potential changes in the existing rule.

Document wide:

The Department requests that the FS strike “where practical” with respect to minimizing environmental impacts. We suggest that in replace of “where practical”, the FS add the statement found on page 15695 which reads *“Reasonable and necessary uses of the National Forest System (NFS) lands must employ sound and accepted practices to avoid or minimize adverse environmental impacts.”*

PART 228- Minerals

Section 228.3, Definitions:

Page 15696: The document states that the *“Department continues to believe that a universal definition of the term “significant disturbance” cannot be established for NFS lands.”* While our Department understands the difficulty in describing “significant disturbance” across FS lands nation wide, we suggest the definition be developed as part of forest regulations (such as Land Management Plan revisions) on a more local level in order to quantify effects as they relate to wildlife.

Section 228.4, Submission of Notices of Intent to Operate, Bonded Notices, and Plans of Operations:

Page 15697: Related to the new bonded notice category of operations, the Department has concerns with respect to the possible cumulative effects to wildlife. It states *“As the rule is proposed, it is conceivable that some small mining operations would actually progress to the removal of the valuable locatable mineral deposit and the completion of reclamation under the terms of one or more bonded notices.”* By not defining what a “small mining operation” is, and how many of these can exist across a landscape, the proposed changes to the rule will not be able

to address cumulative effects. In addition, by suggesting that these mines may exist under “one or more bonded notices”, its not clear if this permits multiple, adjacent, simultaneous small mines, or if it permits mines in a temporal sequence.

Section 228.5, Bonded Notice-Completeness Review:

Page 15697: This section states that the authorized officer (District Ranger) would be required to determine whether operations would satisfy environmental protection requirements within 15 days. While our Department understands some need for streamlining permitting processes, we feel that a 15-day period is not enough time to have wildlife experts, such as state and federal biologists, ensure that environmental requirements are met. We suggest that the FS consider a longer review period (30-45 days) for completeness review in order to fully meet environmental requirements such as the Endangered Species Act.

Section 228.9, Environmental Protection Requirements:

Page 15698: The Department is encouraged that the FS is adding a new paragraph referencing the Endangered Species Act (ESA). The Department encourages early consultation with the Fish and Wildlife Service (USFWS) on projects that may effect listed species. In addition to including information on the ESA, the Department recommends adding other enforceable laws that pertain to wildlife such as the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act

PART 223-Sale and Disposal of National Forest System Timber

Section 223.14, Where timber may be cut:

Page 15702: It is our understanding that timber may be cut, associated with mining clearance, when claim is developed. It is also our understanding that it is possible to cut and remove timber under a plan of operations (see page 15705 under *Operations requiring a proposed plan of operations*) for the purpose of removing timber for purposes other than related to clearances. We recommend that timber harvest be limited to what is essential to the development of a claim in order to avoid impacts to wildlife. If it is deemed necessary to clear timber for purposes other than related to mining claims, the Department recommends language (on page 15705) to suggest that it also be done using sound principles of forest management as it is in Section 223.14.

PART 228- Minerals

Section 228.3, Definitions, (n) *Significance disturbances of surface resources*

Page 15702: Early in the document the FS requested comments on the adequacy of proposed definition of “*significant disturbance of surface resources*”. Here are our comments as they pertain to wildlife and wildlife habitat:

- The current definition pertains to disturbances related to earth-moving equipment, which may result in some significant disturbance to surface resources. While ground disturbance certainly can lead to alterations in wildlife habitat, the word “surface disturbance” does not reflect those disturbances, which may disturb or harass wildlife and alter their behavior negatively. In order to fully reference the requirements in laws such as the ESA, we suggest a more thorough definition that captures effects to wildlife

behavior such as “surface disturbance and/or any associated activities such as the operation of loud equipment, artificial lights, etc.”

- The definition only relates to Threatened and Endangered species at this time. The Department recommends that the FS add language to reflect effects to other wildlife species as you have done in Section 228.9: Page 15708-(f) *Fisheries and wildlife habitat*. We also recommend that you add language here related to other enforceable laws pertaining to wildlife such as the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Section 228.4, Submission of notices of intent to operate, bonded notices, and plans of operations.

Operations not requiring prior notice:

Page 15704 (ii): The Department requests clarification on what a “reasonable amount” of mineral deposit is. This statement leaves the operator with the flexibility to remove as little or as much as needed, therefore giving no clear indication of the impact on surface resources. Perhaps these “amounts” could be defined by what is usually needed for testing or analysis depending on the type of locatable mineral being sought.

Page 15704 (iv): The Department questions the legitimacy of allowing underground operations without prior notice to the FS. It seems plausible that underground operations could effect water resources. We ask the FS to reconsider whether this action should require prior notice and at a minimum add language that reads, “*Beginning underground operations that will not cause significant disturbance of NFS surface resources or water resources*”

Operations requiring a proposed bonded notice AND Operations requiring a proposed plan of operation:

Pages 15704 and 15705 (c) and (d): One way in which these levels differ is that plans of operation can occur on more than 5 acres, but both are likely to “*cause significant disturbance of NFS surface resources lasting no longer than two years on unreclaimed NFS lands at any one point in time.*” Again, the Department requests clarification or analysis of the total footprint of these bonded notices and plans of operations, how they are occurring on the landscape, and what their cumulative effects may be. We suggest that the FS consider scale in that they provide guidance that not more than ** bonded notices or plans of operation may occur in ** area at a given time.

Also within this section (bonded notice and plans of operation), the Department requests additional language that states, “Operations that occur within sensitive wildlife habitats require a full environmental analysis”. Adding this statement will provide consistent language with what the FS is requesting on page 15698 when it states “*All operations that would be conducted under a bonded notice would have to meet the environmental protection requirements set forth in 228.9.*”

Proposed bonded notice and plan of operations content requirements:

Page 15705: The Department requests the FS add language on *how* reclamation should be done in addition to requesting the estimate of the cost of reclamation. Earlier in the document, the FS

May 23, 2008

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refers to the "Anatomy of a Mine" document for more information on reclamation. This document does not provide thorough information or guidance on practices of reclamation. Restoring or reclaiming wildlife habitat requires more than recontouring and revegetation; it includes specifics on forage plants and habitat structure. Therefore, it would be helpful if the FS either referred to a more complete document or included Best Management Practices in this section.

Section 228.5, Bonded notice-completeness review

Page 15706: The Department requests clarification on what "logically related" means. Language that discusses possible cumulative effects is needed here.

Section 228.6, Plan of operations-approval

Page 15706: Because activity associated with mining at the plan of operation level can occur on a large scale and cause significant ground disturbance, the Department feels strongly that this action should always require a full environmental analysis.

Section 228.8, Inspecting operations and remedying noncompliance

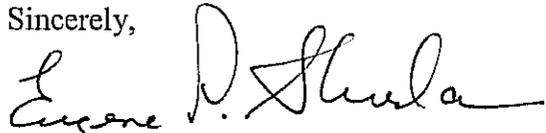
Page 15708: The Department recommends that operations be visited on a regular basis instead of "periodically". We suggest these visits occur no less than two times/year.

Section 228.9, Environmental protection requirements

Page 15708: The Departments requests that the FS strike "where practical" when referring to protection of fisheries and wildlife habitat. It is mandated by law, under the ESA, Migratory Bird Treaty Act, and the Bald and Golden Eagle Acts, that provisions of wildlife protection are incorporated.

The Arizona Game and Fish Department appreciates the opportunity to comment on potential changes to the rule. Feel free to contact Josh Avey, Habitat Branch Chief, at 623-236-7605 if there are questions we may be able to address related to wildlife resources. Thank you for your time.

Sincerely,



for
Josh Avey
Habitat Branch Chief

JA:ar

F-3 discussion
related to F14

SCTP PROGRAM BUDGET OPTIONS FY09

Current SCTP Budget

PS/ERE	\$60,400
Travel	\$ 4,000
AOO	\$38,800
Vehicle Cost	\$ 3,500
Budget Enhancement	\$126,350
Total Cost	\$233,050

AOO in the amount of \$38,800 is categorized and allocated as follows:

Equipment, repair and maintenance	\$15,000
Coach Training and New Volunteer Recruitment	\$15,000
Additional Programmatic Expenses	
Administrative Help	
Information/Registration Packets	
Competition Expenses (Trophies/Paperwork)	\$ 8,800

Breakdown of Participants by Shooters

48% 1st year shooters
25% 2nd year shooters
27% 3rd + year shooters

Program Costs for FY 09

Shooting Season Oct 1 – May 1 for a total of 7 months

Ammunition Costs - \$6.00 per box x 4 boxes per month x 7 months = \$168

Target Costs - \$5.00 per round x 4 rounds x 7 months = \$140

Total Cost per Shooter per Season = \$308

Option 1

Current Commission Directive (Based on projected shooters of 650)

Funding all first year shooters will cost	\$96,096
Funding half of second year shooters will cost	\$24,948
One new program per year start up costs	\$ 7,600
Total Cost	\$128,644

Option 2

Fund All SCTP Participants (Based on projected shooters of 650)

Fund all shooters will require an additional cost \$73,850

Option 3

Fund all first and second year SCTP Participants (Based on projected shooters of 650) and half of all remaining participants.

Funding all 1st and 2nd and half of 3rd + year require additional \$46,746

Request matching funds from AzSSEF for the half of 3rd + in the amount of (These participants would have to apply and once approved become SCTP ambassadors requiring community service) \$26,950

Option 4

Fund all first and second year SCTP Participants (Based on projected shooters of 650) and requesting AzSSEF Fund all 3rd + year participants.

Funding all 1st and 2nd year participants additional funding \$19,950

AzSSEF match for remaining participants \$53,900 (These participants would have to apply and once Approved become SCTP ambassadors requiring community service)

Option 5

Fund all SCTP participants at a flat rate. (Based on projected shooters of 650) Flat rate at \$200-250 per Shooter.

Flat Rate at \$200 per participant \$ 3,650
Flat Rate at \$225 per participant \$19,900
Flat Rate at \$250 per participant \$36,150

Option 6
100% funding