

Lands Update
For the Arizona Game and Fish Commission
June 15, 2012
Phoenix, Arizona

FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING

Coronado National Forest

The Department continues to participate on the Coronado National Forest's "Collaborative Alternative Team" (CAT) to develop an alternative to the Forest's "Proposed Action" regarding travel management planning. CAT is a 15 member group comprised of outside agencies, local government, landowners/ranchers, sportsmen, and environmental groups. The team is identifying recreational and habitat concerns and is expected to produce a "*Collaborative Alternative*" so the Forest can potentially use this information to modify their Proposed Action on each Ranger District. Hired to facilitate this process is the "*U.S. Institute for Environmental Conflict Resolution, of the Udall Foundation.*" CAT's alternative will encompass Travel Management Plans on every district within the Forest. To date, CAT has met and reviewed the road system on each ranger district except the Sierra Vista District, which will be completed in June. They have finalized their recommendations for the Safford, Nogales, Douglas, and Santa Catalina Ranger districts. Within their alternative, on any road that CAT cannot reach a consensus, the individual district ranger will determine how that road should be managed for the collaborative alternative. The next meeting is scheduled for June 2nd in Sierra Vista.

Kaibab National Forest

The Notice of Availability for the draft Environmental Impact Statement for the Forest was published in the Federal Register on April 20, 2012, which initiated the 90 day comment period. The Department is currently reviewing the document and will submit comments by July 18, 2012. The revised Land Management Plan guides the Forest in fulfilling its stewardship responsibilities and provides direction in the form of desired conditions, objectives, standards, guidelines, and suitability. The planning rule also directs the Forest to use the best available science, and provides a framework for adaptive management. This draft plan is much more strategic in nature than the previous plan; therefore the Department will be reviewing the document and asking for assurances that the level of detail is enough to translate into how management will be implemented on the landscape. Key variables the Department will be looking for are consistency with the restoration framework set forth by the Four Forest Restoration Initiative (4FRI), clear and detailed desired conditions, and how Standards and Guidelines may be implemented. The Department has had a very productive relationship with the Kaibab throughout plan revision and their process has been very transparent.

Tonto National Forest

The Forest updated the Department during a recent coordination meeting regarding the timeline for the Land Management Plan revision by 2014 with anticipation of 4-6 years for the final.

U.S. FOREST SERVICE

Apache-Sitgreaves National Forests (A-S)

The Department held its annual coordination meeting with the Apache-Sitgreaves National Forests on May 4. Topics of discussion included updates by the Forest regarding its major issues and activities, as well as other work anticipated to occur over the next year. These included the Wallow West and Timber-Mesa Vernon WUI analyses, the White Mountain Stewardship Contract, the 4-Forest Restoration Initiative, and planned range restocking within the Wallow Fire area.

Wallow Fire Area Aspen Photo Point Monitoring

During the week of May 14th, the Department established 192 photo points within the Wallow Fire perimeter (GMU 1 and 27). Establishment of these photo points will assist the Department in tracking the recruitment and retention of aspen within the Wallow Fire burned area. The Forest, university researchers and the Department have expressed concerns relative to ungulate use on aspen and the potential for that use to hinder recruitment and retention of aspen within the burned area. The photo point monitoring protocol will provide for photographic documentation of changes to aspen recruitment and retention by photo comparison from year to year. Although the Department continues to coordinate with the Forest and university researchers in an effort to develop and seek funding for a more rigorous aspen research/monitoring protocol, the group agreed that it was important to begin to collect information that could document aspen recruitment and retention within the first year post-fire and beyond. It is anticipated that this photo point monitoring protocol will be in place for at least the next 3-5 years. More points will be set within the next few weeks and even more may be set in subsequent years depending on field evaluations.

Coconino National Forest

Fossil Creek Wild and Scenic River Comprehensive River Management Planning (CRMP)

The Forest is working on an Environmental Assessment for the Fossil Creek CRMP, which is a requirement of its Wild and Scenic River designation. The Fossil Creek CRMP is expected to address protection of the Wild and Scenic 'outstandingly remarkable values' which have been determined to be recreation, geology, fish and aquatic resources, wildlife, history and traditional cultural uses, and water. On May 10, the Forest granted the Department Cooperating Agency status for the CRMP planning process. As part of this relationship, the Forest will provide the Department with a seat on the interdisciplinary planning team to provide input into their process. In exchange, the Department will provide our Fisheries Program staff capacity and expertise and other areas of expertise as needed. A Proposed Action for the CRMP has been released, and the Forest is in the process of developing their Environmental Assessment.

Four Forests Restoration Initiative (4FRI)

4FRI is a federally-funded, US Forest Service Collaborative Forest Landscape Restoration (CFLR) Project to restore ponderosa pine forests across 2.4 million acres of the Apache-Sitgreaves, Coconino, Kaibab, and Tonto National Forests over the next 20 years. Collaboration and planning have been ongoing since 2009, and the Department is a founding member of the 4FRI Stakeholder Group which includes a diverse list of over 35 organizations. The Department is also a Cooperating Agency on the USFS 4FRI Coconino-Kaibab Project, which is an Environmental Impact Statement (EIS) proposing mechanical thinning and burning over 580,000

acres on those two forests. Planning on the Coconino-Kaibab Project is ongoing, and the expected release of the Draft EIS is late July or early August.

On May 18, the USFS announced their decision for awarding a 4FRI stewardship contract to Pioneer Forest Products (Pioneer). This is the largest stewardship contract awarded in USFS history involving roughly 300,000 acres of ponderosa pine to be treated over 10 years. Pioneer intends to construct a wood mill in Winslow, creating jobs for plant construction and operation as well as logging and trucking. Small diameter, ponderosa pine timber will be converted into non-commodity, high value lumber, laminate wood panels used for doors, windows, furniture, cabinetry, and specialty components. A portion of the wood slash will be used for the mill's kiln-firing. Pioneer proposes to also use slash in the production of biodiesel fuel. Pioneer will begin harvesting 5,000 acres this year and proposes full capacity at 30,000+ acres per year by the end of 2013. Whereas forest thinning to remove small diameter wood typically costs the USFS \$500-1000 per acre, the stewardship contract results in a USFS profit of roughly \$22 per acre in a goods-for-services arrangement where the profits go back onto the land in the form of road work or other restoration activities. Significant media resulted from the contract award, and the 4FRI Stakeholder Group publicly stated its support for a contract being awarded. A small group of organizations that are part of the Stakeholder Group filed their own public statements in opposition of the contract decision.

Recognizing the immediate need for landscape-scale restoration work to begin, the Department is supportive of a stewardship contract going forward. Pioneer will be interacting with the Stakeholder Group on June 27 at their monthly meeting in Pinetop.

In other 4FRI news, the Department is an active member of the 4FRI Stakeholders' Landscape Assessment and Monitoring Working Group, where we have been meeting with USFS Leadership on the four forests to begin developing a Monitoring and Adaptive Management Program. The response from the USFS Leadership has been positive, and ongoing discussions of how the Department and others can engage the USFS in multi-party monitoring and adaptive management have been very productive and encouraging.

Tonto National Forest

Myrtle Wildland Urban Interface

The Forest recently released the draft environmental assessment for the Myrtle Wildland Urban Interface project. This project is part of the larger 4FRI. The project was designed to reduce the risks of potential for catastrophic fire within the analysis area. The Department expressed concern with the proposed alternative and lack of consistency with the strategy and design features developed from the larger 4FRI. In addition, the proposed action is different from the initial action proposed in 2009 through the scoping process. The document lacks the detailed analysis and measures for adequate comparison of the alternatives with regards to minimizing impacts to wildlife.

Kaibab National Forest

Ida Grassland Restoration Project

The Arizona Elk Society Ida Grassland Restoration Project work day was held on May 19-20. The location was in GMU 7W on the Forest next to Potato Hill near the Hobble Mountains. The

project focus was to cut invading junipers and pinions to restore the historically connected grasslands that wildlife use during the winter. There were a total of 69 volunteers who came out to help cut junipers. Included in that group were members from the Arizona Elk Society, US Forest Service, Boy Scout Troop 214, Dysart High School Wrestling Team, Phoenix Varmint Callers Inc, and the Department. Approximately 250 acres were treated.

Salt River Allotments Vegetation Management Project

This Environmental Impact Statement will analyze management strategies to maintain and improve ecological conditions on six grazing allotments along the Salt River corridor, between Roosevelt Lake and the Fort Apache Indian Reservation. The Forest NEPA team has agreed to analyze a “Habitat Optimization Alternative” that has been developed by project biologists in coordination with the Department. In the future, the Department will be working with the Forest to develop desired future conditions and habitat management prescriptions to optimize forage production and habitat quality for game species. Habitat treatment tools such as prescribed fire, mechanical treatments, revegetation and grazing management will be used. Priority areas for game species have been mapped, and evaluation of existing conditions and development of habitat management/enhancement prescriptions and recommendations are coming in the future. Special status species will be addressed individually and we are working to include Statewide Wildlife Action Plan (SWAP) species and the Department’s crucial habitats within the planning. We are also including any special status species reintroduction plans identified by the Department Fisheries program Conservation and Mitigation Program (CAMP) related and Nongame program. Currently, the Department has identified reintroduction of narrow-headed gartersnake into Ash Creek as a proposed action to be analyzed within the NEPA and consulted on during the related Section 7 consultation. This is an effort to streamline project compliance by the Department and Forest.

BUREAU OF LAND MANAGEMENT (BLM)

Arizona Strip District

The Department has just completed review of the BLM draft uranium mining Best Management Practices. This document was written as part of the follow up to the mineral withdrawal EIS. The Department has been asking for a document like this for several years, and if BMP’s are implemented well, it may alleviate most of our wildlife concerns surrounding uranium mining. While this initial document lacked some detailed information of wildlife protections measures, we are hopeful that our comments, as a cooperating agency, will be taken seriously. Most of our comments to date relate to protection measures for habitat disturbance associated with exploration, as well as measures to prevent wildlife harm (falling into collection ponds, mud pits, etc) at mine sites.

Kingman BLM Field Office

The Department coordinated and facilitated a meeting with BLM and the Department’s Development Branch to develop wildlife waters on Goodwin Mesa (Francis Creek Ranch/GMU 18B) in the Upper Burrow Creek Wilderness Area. The group began developing a minimum tools analysis for the proposed project that is necessary for compliance with the Wilderness Act when development is proposed in any Wilderness areas. A follow up meeting has been scheduled to continue work on this analysis.

Safford Field Office

The Department met with the Safford Field Office and their NEPA contractor regarding the implementation of the Noland Ranch Coordinated Resource Management Plan (CRMP). The affected area includes a Forest Service allotment, three BLM allotments, State Trust Lands and private lands belonging to the Freeport McMoran Mine in Morenci. This area is home to a large Rocky Mountain bighorn sheep herd along Eagle Creek. The CRMP will fence off portions of Eagle Creek from livestock use for most of the year, establish several new livestock and wildlife waters, and implement a new grazing system. The Department made several recommendations regarding fencing appropriate for bighorn sheep habitat to allow sheep access among the grazing pastures and to new waters established through this plan. The Department also recommended strategic locations for new wildlife waters to benefit the sheep herd and other wildlife species.

Yuma Field Office

The Yuma Field Office began the burro gather for the Cibola-Trigo Herd Management Area (HMA) on June 6 2012. The plan is to remove 320 burros from the HMA

DEPARTMENT OF DEFENSE

Borderland Management Task Force

The Department met with representatives from U.S. Border Patrol, Bureau of Land Management, and Bureau of Reclamation to discuss natural resource issues along the border. The primary topic was the ongoing Border Patrol mitigation efforts at Paradise Cove.

Sonoran Conservation Partnership

The Department met with representatives from Luke Air Force Base, Marine Corps Air Station, Kofa and Cabeza Prieta National Wildlife Refuges and U.S. Fish and Wildlife Service to discuss conservation efforts on the Barry M. Goldwater Range and Yuma Proving Ground.

BUREAU OF RECLAMATION & NATIONAL PARK SERVICE

At the May 11 Commission meeting the Commission approved the execution of a Memorandum of Understanding with the Bureau of Reclamation (Reclamation) and National Park Service (NPS) for participation as a Cooperating Agency in the Long Term Experimental and Management Plan (LTEMP) Environmental Impact Statement (EIS). The purpose of the LTEMP is to evaluate dam operations and provide the basis for decisions that identify management actions and experimental options that will provide a framework for adaptively managing Glen Canyon Dam over the next 15 to 20 years. The last EIS for Glen Canyon Dam, which was led by Reclamation, was completed in 1995. The purpose of this EIS is to use scientific information developed over the past 15 years to better inform decisions on dam operations and other management and experimental actions so that the Secretary of Interior may continue to meet statutory responsibilities for protecting downstream resources. A scoping report was published in March summarizing comments received during the scoping period. A number of anglers and angling groups provided comments expressing the value of the Lees Ferry rainbow trout fishery.

Additionally, a number of commenter's expressed the value of the native aquatic community downstream from Lees Ferry. The Department has been participating in monthly conference calls and participated in a cooperators webinar on June 8 where draft alternatives were presented. The Department is currently reviewing those alternatives. It is anticipated that a draft EIS will be completed by December 2012 with the final EIS completed by fall 2013. This is a very ambitious deadline, which Reclamation and NPS are currently evaluating. A website has been developed to track the progress of this EIS: <http://ltempeis.anl.gov/index.cfm>. The Department received approval from the Commission to sign a memorandum of understanding which outlined the Departments role as a cooperator.

GENERAL UPDATES

Access Agreements

Anvil Rock Ranch

The Department secured the signature of the owner of the Anvil Rock Ranch for a five year Access agreement. This agreement will provide access through the property to points east, including Buck Tank (Double O) and the western half of Yavapai Ranch. The Department is currently working on a conservation plan for Anvil Rock Ranch as part of the National Resource Conservation Service deliverables.

Cane Springs

The Department met with Cane Spring's Ranch ownership to assess the ranch pond project completed last summer. The Department gained her assistance in facilitating the completion of an NRCS, Wildlife Habitat Incentive Program application, along with her neighbor who operates the Greenwood Community Allotment, near Wikieup. The Department provided species identifications of snail and bird species for all parties.

Dunton Ranch

The Department assisted Kingman NRCS personnel with range inventory, range health assessment and wildlife habitat evaluations on the Dunton Ranch. The Department provided information on brush management (juniper clearing) prescription information to the rancher and how this would benefit both cattle and wildlife. During these discussions conditions of developing an access agreement between the Ranch and the Department was developed. The following day, ownership confirmed that the Ranch would like to partner on a seven year agreement for lands north of I-40.

Hualapai Allotment

The Department assessed the Hualapai Allotment with the landowner, to determine if his land qualified for Voluntary Public Access program support; it was determined to be a candidate for VPA support. Elements of this agreement will be determined at a later date. The rancher is interested in utilizing funding to support efforts in dirt tank clean-out and restoration.

Upper Music Mountain Allotment

The Department and Ranch Management have verbally agreed to an Access Agreement on the Upper Music Mountain Allotment in GMU 15A. The Department forwarded the owner of the Ranch two separate draft Access Agreements for review. The owner is currently deciding

between a three or five year Agreement. Funding from the selected Agreement will be utilized by the rancher to renovate waters, clean and restore dirt tanks, and address other resource and management concerns on the Ranch.

Mohave Livestock Association (MLA)

The Department attended a meeting of the Mohave Livestock Association in Kingman. Information was provided to the group on Departmental Access funding support. Several ranchers in attendance seemed interested in this program. Within two weeks appointments were set to evaluate three independent ranchers for potential access agreements – all in Mohave County.

Kane Ranch

The Department worked with the Grand Canyon Trust, Arizona Antelope Foundation, and the Arizona Wildlife Federation to remove three miles of barbed wire fence on the Kane Ranch in House Rock Valley. This project was designed to enhance movement of pronghorn throughout the Valley. Funding for this project was provided through the Habitat Partnership Committee process.

The Arizona Wildlife Federation and the Department are implementing a National Forest Foundation grant to improve wildlife habitat and permeability within the Woody Ridge Wildlife Corridor located in GMU 6B in Coconino County. The corridor links habitat in the San Francisco Peaks area south to the Mogollon Rim. Volunteer work days are being held throughout the summer to repair livestock fencing to wildlife-friendly standards, obliterate user-created roads and trails, and remove invasive weeds within the corridor. Project sites are on or adjacent to the Coconino National Forest and include forest grazing allotments, Coconino County's Rogers Lake Natural Area, Centennial Forest State Land parcels, and City of Flagstaff utility properties. Community stewardship is building among these stakeholders and volunteer groups like Friends of Northern Arizona Forests, Grand Canyon Trust, Northern Arizona University, and sportsmen's groups to restore this crucial landscape feature.

Spider Ranch

The Department made a site visit to the Smith Mesa Habitat Restoration Project on the Spider Ranch to assess progress and check on contractor's compliance to Prescott National Forest prescription. Progress on the project exceeds expectations. The Department also met with the Spider Ranch Manager, to provide clarity on funding and time-tables associated with additional EQIP cost-share on an additional 200 acres contiguous to current work being undertaken on Smith Mesa.

McDowell Mountain Preserve

The City of Scottsdale and the Department are currently finalizing an Intergovernmental Agreement to cooperatively manage fish and wildlife resources, practice multiple-use resource management, coordinate natural resource planning efforts, law enforcement and information and education program on city lands. The Department continues to work collaboratively with the City regarding the research and management of the preserve. The Department recently met with the City for discussion and identification of any concerns for the trails planning in the area. The Department recommended minor adjustments with the trails plans to minimize impacts to the

wildlife linkage bottleneck within the planning area and suggested condensing a few of the trails planned.

Wildlife Areas

House Rock Wildlife Area

In late April the Department installed a liner at Pond 3 at House Rock Wildlife Area. The dirt tank at Pond 3 has been dry for a number of years and at one time was the favorite watering site for the buffalo. HPC funds were used for most of the work and Pond 3 is now full for the first time in a long time.

Lamar Haines Wildlife Area

The Department has been evaluating Veit Springs on Lamar Haines Wildlife Area for the potential to move it from a non-functioning to a functioning spring. Veit Springs is a group of three springs for which the Department holds the water rights. However, currently two of the three springs lack surface flow likely due to historic plumbing developments in place prior to Department ownership. As the Department works on perfecting those water rights with ADWR, we are also exploring restoration options to restore surface flows and create wetland pond habitat for native aquatic wildlife, such as the northern leopard frog.

Coordinated Resource Management Plans (CRMP)

Rhyolite Peak

Work began on the Rhyolite Peak CRMP near Sheldon. An initial meeting was held in April and field work to inventory range health began May 24. Collaborating agencies include the Department, Arizona Association of Conservation Districts, NRCS, BLM and State Land Department.

Big Ranch A

The Department participated in an initial Coordinated Resource Management Planning Meeting (CRMP) for Big Ranch A, in cooperation with NRCS, BLM, UofA Extension, and Mohave Livestock Association. The purpose of the meeting was to begin developing an allotment management plan that meets the range needs of the permittee, while at the same time addressing the habitat needs of wildlife.

Natural Resource Conservation Service (NRCS)

The Department continues to partner with the NRCS and is hosting a cross training opportunity later this month. This training is intended to provide an introduction and review of NRCS standards and specifications, and how to design practices. The Department continues to build relationships with the NRCS offices as the regional positions fill and take hold. Joint trainings, meetings, and field activities continue to pave the way to this partnership.

Natural Resources Conservation Districts

The Department attended Natural Resource Conservation District (NRCD) meetings for Willcox-San Simon, San Pedro, Whitewater Draw, and Hereford NRCDs to explain the new cost-shared position between the Department and NRCS. Only the Whitewater Draw NRCD expressed concerns with regard to having a biologist working closely with NRCS. The San Pedro NRCD discussed problems with BLM fencing along the San Pedro River, and requested the Department be an advocate with them as they work on these fencing issues with the BLM.

Willcox Field Office

The Department assisted the NRCS Willcox Office in conducting archaeological surveys in the upper Sulphur Springs Valley as part of our cooperative Bonita Grassland Restoration project. This project is in the third year of implementation and has resulted in the removal of mesquite on approximately 7000 acres. The Department's goal is to improve pronghorn and scaled quail habitat on approximately 20,000 acres over five years. All private lands involved in the mesquite clearing phase of the project will be surveyed for historic and pre-historic artifacts prior to receiving the mesquite grubbing treatments. The Department's assistance with these efforts has allowed more acres to be treated than would otherwise be possible with the available funding. Additionally, the Department is preparing a conservation plan for the Fort Grant Correctional Facility managed by the Arizona Department of Corrections (ADOC), which will tie into the Bonita Grasslands restoration area. ADOC holds a 3,000-acre state grazing allotment permit for beef cattle.

Pinal Partnership Parks, Trails, Open Space and Public Lands Committee

The Pinal partnership, parks, trails, open space and public lands committee's purpose is to move forward with regional efforts to initiate localized citizen participation in discussions and projects across the county. This committee is part of the larger Pinal Partnership. The committee is charged with planning outreach, vision statements and recommendations about parks, trails and open space for the county comprehensive plan and open space and trails master plan. The goal of the committee is to protect regional landscapes and private rights while providing natural and multi-use recreational connectivity for parks, trails and open space and the education of Pinal County residents and visitors. The Department has re-initiated the commitment to the committee and we are currently engaging and providing wildlife linkages, recreation, drainage and OHV planning information into the discussions. The Department participated in this month's meeting discussion with the county to gain insight into the various processes, ordinances and regulations currently under jurisdiction of the flood control district. The discussion included efforts to work more collaboratively and incorporate the Department on planning efforts as we move forward.

PM-10

Pinal County Air Quality Update

As of May 22, EPA is redesignating a portion of Pinal County to nonattainment for the 1987 24-hour PM10 national ambient air quality standard (NAAQS). It appears that the EPA has taken stakeholder input and reduced the size of the nonattainment area by approximately 36% when compared to the draft nonattainment area boundary proposed in 2010. The areas that were excluded from this final designation were large areas of Tonto National Forest, BLM, and Arizona State Trust Lands that are not developed and did not make sense to include in the nonattainment area. This reduction in size is a positive outcome for the Department in regards to future restrictions to motorized outdoor-related recreation. Many heavily used OHV areas in Pinal County and hunting areas were originally included in the original nonattainment boundary but are now excluded. The areas include populous segments of Pinal County, including the San Tan Valley area, Maricopa, Casa Grande, and portions of Coolidge, Florence and Eloy. The Arizona Department of Environmental Quality and Pinal County Air-Quality Dept will be required to identify sources of PM-10 (e.g. dirt roads, construction, agriculture, livestock ops,

etc.) and outline what measures (e.g. State Implementation Plan (SIP)) will be implemented to ensure levels are in compliance with the described federal standards. Pinal County will have approximately 18 months to draft a SIP and associated rules and regulations on PM-10 sources outlined in the SIP.

Proposed Rosemont Copper Project

The Coronado National Forest held a meeting for the Cooperating Agencies of the Rosemont Copper Project on May 23. The meeting was called to discuss monitoring requirements for regulatory or permitting agencies and status of the Environmental Impact Statement (EIS). A number of agencies attended. One goal of the meeting was to begin a series of workgroup meetings for monitoring plans. The Department identified the need for a workgroup to discuss identification and mitigation for impacts to wildlife, with emphasis on wildlife not listed under the Endangered Species Act (ESA). The Department noted that we have regulatory authority over the take of wildlife, that there should be a plan to avoid, minimize, and mitigate take of wildlife, and there should be a monitoring plan to minimize and document take. The Forest clarified that they do indeed have authority to require mitigation for impacts to wildlife. The Department previously commented extensively on the DEIS regarding the lack of meaningful mitigation identified in the DEIS. The Forest stated that mitigation is an “evolving topic” and that there are still many discussions to come in the ongoing conversation about mitigation.

Young’s Farm Proposal to Sever and Transfer Existing Water Right

Yavapai Land Holdings, LLC and Young Acres, Inc. bought Young’s Farm near Dewey, Arizona from the Young family several years ago. In March 2011, the new owners filed an application with the Department of Water Resources (ADWR) to sever and transfer the existing water right historically used for irrigating the farm to a new municipal use on the formerly farmed land. The intent was to provide for an assured water supply for the future development of the farm as a housing development. On April 28, 2011, the Department filed a protest of the proposed sever and transfer application as allowed under state statute. The grounds for the protest to the sever and transfer application were as follows: Conflicts with a prior vested right (The Department recently acquired Horseshoe Ranch and its existing water rights from the Agua Fria River downstream from Young’s Farm), Menace to public safety (lack of a drought conservation plan or back-up supply) and Against the interest and welfare of the public (the sever and transfer identified more water than legally put to a beneficial use, established a dual filed right under both surface and groundwater statutes, and harm to riparian habitat and public natural resources). More recently, the current owners of Young’s Farm have leased the land back to a local farmer thus placing the land back into production and as of May 6, 2011 the Arizona Department of Water Resources has suspended review of the application for the Sever and Transfer.

The Department has been and continues to negotiate a resolution to the Department’s protest of this Sever and Transfer of an existing water right.

RENEWABLE ENERGY DEVELOPMENT

WIND

Mohave County Wind Project

The proponents of the Mohave County Wind Farm project held public meeting for response to the draft EIS the week of May 14. Public concerns included aquifer depletion, access restrictions, and property tax increases. The main question asked was where the generated electricity would be going, and if local labor would be hired for the project. Public comments will be accepted through June 11 and addressed in the final EIS.

BP Wind Energy is currently working with the Department to refine key elements of the Eagle Conservation Plan and the Avian and Bat Protection Plan. Department meetings are being held to cover mitigation measures and address areas of concern. BP has decided to change the project layout design by moving turbines away from eagle use areas in the Northwest corner of the Western boundary. The 2012 eagle survey provided BP with data showing greater eagle use in this area, including an active golden eagle nest in the NW corner. This greatly reduces the projects proposed eagle fatality estimation and affects the amount of eagle mitigation needed for the project.

Grapevine Wind

The Department and the USFWS (Service) met with project developer Foresight Wind Energy to discuss the Bird and Bat Conservation Strategy (BBCS). These draft plans are voluntary plans put forth by developers as good-faith efforts in order to proactively address potential impacts to bats and birds resulting from the construction, maintenance, and operation of a wind facility. It is developed prior to construction to help ensure the project is designed, constructed and operated to avoid and/or minimize potential impacts to bats, birds, and other wildlife and their habitats, and to ensure compliance with applicable state and Federal laws.

While the Department encourages and participates in these plans, it is understood that per the legal authority to manage wildlife in the public trust, it is not possible for the Department to absolve individuals, corporations, or agencies from liability even if they implement bat and bird mortality avoidance or similar conservations measures. There is no wildlife threshold taken at wind energy sites beyond which the Department will initiate enforcement action, although the Department focuses its resources on investigating and prosecuting individuals and companies that take wildlife without regard for their actions or without taking effective steps to avoid or minimize take.

More specifically, the goal of BBCS's are to meet the intent of the Migratory Bird Treaty Act (MBTA, as amended), the Bald and Golden Eagle Protection Act (BGEPA, as amended), and state wildlife guidelines (AGFD 2009) by reducing risk to bat and bird species and mitigation of unavoidable risks. The BBCS framework is to identify the operational risks associated with bat and bird interactions with the project, identify measures to avoid and minimize risks through site planning and resource protection measures, describe the adaptive management, monitoring, and reporting plans for the project, and voluntarily develop measures to address wind/wildlife impacts in coordination with federal and state wildlife agencies.

The Grapevine BBCS is a good first draft; however, the Department and the Service are awaiting additional 2011/2012 wildlife data in order to refine recommendations on avoidance and mitigation measures. These data should be available fall 2012.

Proposed Sasabe Natural Gas Pipeline

El Paso Natural Gas (EPNG) is proposing a new 36-inch diameter natural gas pipeline, extending approximately 60 miles from an existing Kinder Morgan facility west of Tucson to the international border near Sasabe. One possible route would cross the Buenos Aires National Wildlife Refuge along State Highway 286. The Department has initiated dialogue with EPNG (recently purchased by Kinder Morgan). Public open house meetings are scheduled for June 5 in Tucson and June 6 in Arivaca.

SOLAR

San Luis Solar

The Department recently provided comments on Special Use Permit application for a solar photovoltaic facility on approximately 175 acres of land east of San Luis, Arizona. The Department notes the proposed project site consists of agricultural land and is not considered high quality wildlife habitat. For these reasons the Department does not anticipate significant impacts to wildlife resulting from the approval of this project.

Yuma Foothills Solar

The Department recently provided comments on a Special Use Permit application for a 400 acre solar photovoltaic facility on land managed by the Arizona State Land Department south of Yuma. There are concerns about the impacts this project would have on the flat-tailed horned lizard (FTHL) which is listed as a Wildlife of Special Concern. The land selected for this project is relatively un-impacted desert habitat that is historically and currently occupied by the FTHL. Department personnel are communicating with Yuma County about the impact this project will have on the species.

TRANSMISSION LINES

APS Dugas to Morgan

The Bureau of Land Management (BLM), Agua Fria National Monument (AFNM) is currently soliciting input on a proposed Arizona Public Service (APS) project within the AFNM. The proposal consists of fiber optic installation on the existing Navajo to West Wing 500 kV overhead transmission line. APS has submitted an application to amend two existing BLM right-of-way (ROW) grants to accommodate the installation and maintenance of the fiber optic cable between the APS Dugas and Morgan substations. The BLM is conducting an Environmental Assessment (EA) to analyze potential impacts of the proposed project on the AFNM and the human environment. The Department participates on the project team to ensure minor routes identified do not conflict with the management of Horseshoe Ranch, along with providing input on the biological evaluation and potential impacts to wildlife resources and recreation in the area. The Department is currently reviewing the biological evaluation and draft administrative environmental assessment and will be providing comments for review by the project team before the end of the month.

Arizona Corporation Commission Hearing on Rosemont Transmission Line

On May 17, the Arizona Corporation Commission (ACC) unanimously voted to approve Tucson Electric Power’s Certificate of Environmental Compatibility (CEC) to construct and operate a new transmission line to provide electricity for the proposed Rosemont Copper Mine.

SunZia Transmission Line Project

SunZia is a DOI National Pilot Project and is receiving increased national attention. In an effort to get the information to the public and interested parties in an expedited manner, DOI requested that the Draft Environmental Impact Statement (DEIS) be released to the public no later than May 25, 2012. This expedited schedule required BLM to release the document to the public prior to addressing the Department’s previously provided comments. During the 90-day comment period, the BLM will simultaneously address cooperating agency comments and public comments. The DEIS is now available on the BLM project website. The Department received the hard copies on May 24, 2012. BLM has committed to contacting the Department in the very near future to coordinate interim meetings to discuss the project, comments, and any unresolved issues. BLM plans to meet with cooperators in mid June to discuss unresolved/unincorporated comments and upcoming public meetings; hold public meetings in late June, early July; hold a conference call with cooperators in mid-August; 90-day comment period for the DEIS ends August 22, 2012.

Timeline for the DEIS:

May 25, 2012	Release of the DEIS
Mid June	Cooperator Meeting – Discuss comments that have not been resolved/incorporated & discuss upcoming public meetings
Late June/July	Public Meetings
Mid-August	Conference Call with Cooperators – Opportunity for additional conversation & discussion with Cooperators
August 22, 2012	End of 90 day comment period

SunZia’s estimated total transmission capacity is 3,000 megawatts for two 500 kV AC lines, or 4,500 megawatts should a hybrid configuration of one 500 kV AC line and one 500 kV DC line be commercially justified through commitments for new generation facilities, which the Department is also concerned with. The length of the proposed route is approximately 460 miles, segments of which, could potentially fragment some of the largest blocks of unfragmented habitat in the state, as well as attract future infrastructure projects such as renewable energy development along its route. The Department’s major areas of concern include the Aravaipa-Galiuro habitat linkage area, Sulphur Springs Valley grasslands, and the San Pedro River Valley.

Southline

The Southline Transmission Project is a proposed transmission line between New Mexico (south of Las Cruces) and Arizona (northwest of Tucson). The project is being designed to minimize land and resource impacts by developing an approximate 240-mile route of new, 345kV double-circuit transmission lines along existing linear features between the existing Afton (NM) and Apache (AZ) substations, and upgrading approximately 120 miles of existing transmission lines (from a single-circuit 115kV to double-circuit 230kV) between the Apache (AZ) and Saguaro (AZ) substations. The Department will have cooperating agency status throughout this project.

TRANSPORTATION

Deer Valley Parkway (formerly Beardsley Parkway)

Maricopa County Department of Transportation (MCDOT) corridor feasibility study for the 6-8 lane parkway is ongoing. The analysis area has been reduced to include the general alignment of Deer Valley Road east/west between the US 60 and the proposed Wild Rose Parkway north of the White Tank Mountains in western Maricopa County. The Town of Buckeye will be conducting a transportation plan for portions between Wild Rose Parkway and the Hassayampa River corridor. The Department continues to participate in Technical Advisory Committee meetings and provide input on wildlife and wildlife habitat issues/opportunities/constraints. Most recently the Department reviewed the Technical Memorandums 1-3: Existing and Future Features; Environmental Overview; Drainage Overview. Project planners have included wildlife linkage designs and goals for the White Tank Mountains into the Environmental Overview as well as other special status species concerns. The Department has recommended management actions that protect desert washes and habitat connectivity and survey to determine if Desert tortoise (Sonoran population) occupy suitable habitat within the project area as part of any future analysis for parkway design and in order to develop site specific mitigation for this species.

North South Corridor Study

This study is to provide a connection between US 60 and I-10 in the east valley through identifying and evaluating routes. The Department participates on the stakeholder team. The Department has provided draft wildlife linkages information, and currently we are working directly with the project managers to address our immediate concerns for removal of an alignment on the west of the CAP in the northern area of the study. The progress meeting was cancelled for April, but scheduled for May 15. In the interim, a small meeting was scheduled May 2 for specific discussion on the Department's concerns. These discussions included the Environmental Protection Agency, Army Corp of Engineers and Pinal County. This discussion provided sufficient rationale for the retainment of an alternative west of the CAP, along with two other additional alternatives west of the CAP. The June meeting has been cancelled. Currently, the alternatives selection report is being compiled to be completed for internal review by ADOT in late June. Planning is also commencing for the environmental fieldwork. The Department is internally working together across Regions and work units to provide adequate participation on this project.

Maricopa County Department of Transportation

Maricopa County Department of Transportation (MCDOT) initiated a corridor feasibility study for the proposed Camelback Parkway. This parkway will span 15 miles and provide an east/west

link across the Hassayampa River between Sun Valley Parkway and Tonopah Parkway. The Department will continue to participate on the Technical Advisory Committee and provide concerns with connectivity and permeability, fragmentation, degradation, and access.

Sonoran Valley Parkway

The BLM received a right-of-way application from the City of Goodyear to construct and operate a 200 foot-wide roadway for the Sonoran Valley Parkway project. The length of the road would be between 12 and 16 miles long, depending on selected alternatives. The Department is currently entering into a MOU with BLM for participation as a cooperating agency in the process for the parkway.

SR 95 Climbing Lane and Fencing Project

The Department performed a field review of the SR 95 Climbing Lane/Fencing Project to identify location and type of interim fencing mitigation necessary to maintain connectivity for wildlife throughout the project footprint. The proposed work will include construction of non-standard game fencing along both sides of SR 95 highway; cattle guards at permitted access points and fencing at culvert headwalls and flood gates. The Department submitted follow-up project guidance regarding fence construction and Wildlife Connectivity to ADOT, SR 95 Engineering Consultants, and Contracts Branch.

State Route 303L

The environmental feasibility study and proposed alternatives for the expansion of this state route in the Rainbow Valley transportation system is being conducted. The purpose of the study at this time is to identify the preferred Gila River crossing and freeway corridor to inform the engineering and environmental studies. The Department provided recent comments from the scoping meeting to include consideration focus on the existing Rainbow Valley Road and reduce the redundancy of major transportation corridors within the planning area. This study overlaps with the Sonoran Valley Parkway proposal and justification of the need should be clarified in more detail. The Department has identified 'Alternative 3' along existing Rainbow Valley Road as having the least potential for impacts to wildlife and habitats. In addition, concerns to special status species, riparian habitat, xeroriparian habitat, wildlife connectivity, recreation and access have been identified.

US 60, Silver King/Superior

The project is to widen the existing US 60 to a four-lane rural and urban fringe cross section. The project begins around Boyce Thompson Arboretum and ends in the streets of Superior. The Department participates on the project team for incorporation of wildlife and recreational access concerns. The project began in the early 2000's and NEPA documentation was completed at that time. Since it has been re-initiated, revisions to earlier documentation are necessary. The project currently is in the permitting/clearances phase for the geotech investigations for the project. The Department is working with the team to incorporate wildlife friendly specifications into the culvert and bridge designs, along with updating the environmental documentation. This project includes several drainage, bridge structures and lighting that will provide opportunity for wildlife friendly retrofitting. In addition, several wildlife linkages will need to be considered and Wildlife Contracts is also involved in the current discussions and reviews of the 20% designs for the bridges. The Department continues to coordinate and provide information for the biological evaluation and NEPA process.

Wild Rose Parkway Feasibility Study

Maricopa County Dept. of Transportation (MCDOT) corridor feasibility study for the 6-8 lane parkway is ongoing and the Department continues to participate on the Technical Advisory Committee (TAC). The proposed parkway will provide a north/south link between Sun Valley Parkway and US 60, north of the White Tank Mountains. Similar to all parkways proposed in western Maricopa County, MCDOT has stated that the purpose and need for action is based on the projected “build-out” transportation demands analyzed around the MAG Hassayampa Framework Study. Most recently the Department reviewed and provided input on the Environmental Overview and project consultants presented the Tech Memo 3 – Drainage Overview. Department concerns in the analysis area are: maintenance of wildlife habitat connectivity between the White Tank Mountains and surrounding undeveloped lands; preservation of outdoor recreation and hunting opportunities associated with the White Tank Mountains. There is no alignment under consideration that would avoid the need for mitigation of losses to habitat connectivity. The parkway will traverse two major wash corridors (Iona/Trilby washes) that are components of a linkage plan, and the CAP canal and ROWs which are also part of a linkage plan. Recently the City of Surprise amended their General Land Use plan to include portions of these wash corridors south of CAP as wildlife linkages. The Department has provided wildlife information to project consultants for inclusion in the biological portion of the Environmental Overview Technical Report. Inclusion of linkage goals and objectives into corridor feasibility technical reports will identify the need to incorporate wildlife friendly crossing structures, where the parkway will impact linkage goals, in future parkway design and engineering plans.

City of Phoenix

The City of Phoenix continues to move forward with the Black Canyon Corridor Study-North Gateway Village. The concept study was adopted in the fall of 1997 by the city within an amendment to the general plan. The concept plan proposed the development of regional employment centers, balanced residential communities integrated with the surrounding desert environment. The Department recently became involved in the planning for the North Gateway Village part of the plan as it addresses the vicinity of the Ben Avery Shooting Facility and the Headquarters office. The Department is planning to meet directly with the planners for further discussions and clarifications.

City of Peoria – Open Space Preservation Program

The City Planning and Community Development Department has initiated the development of a comprehensive open space program within the City and Planning Area (General Plan). Previously, the City implemented regulatory tools including Hillside Development Overlay (HDO) and Desert Lands Conservation Overlay (DLCO) as a means to guide development in these sensitive areas. The Open Space Preservation Program will be designed to work in concert with these tools. The City provided a presentation on their program to the Department and key governmental/agency partners to introduce the plan, discuss the modeling process behind the plan, goals and objectives, and to initiate lines of communication and collaboration on the vision and implementation of the plan. The plan has 4 key elements to the vision for the program: identify ecologically and historically significant lands; provide abundant, high quality recreational opportunities; create an extensive open space network for future generations to enjoy; and prioritize desirable open space properties for acquisition. The Department will be

working with the City and project consultants to provide feedback on how well the open space model and priority projects align with wildlife and outdoor recreational priorities that the Department has for the planning area.

Yavapai County

The Department completed and reviewed final draft comments and maps for the Yavapai County's Comprehensive Plan.