

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, August 7, 2009
Saturday, August 8, 2009
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

Chairman Robert D. Hernbrode
Vice Chair Jennifer L. Martin
Commissioner Robert R. Woodhouse
Commissioner Norman W. Freeman
Commissioner Jack F. Husted

Director Larry D. Voyles
Deputy Director Gary R. Hovatter
Deputy Director Bob Broscheid
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Shelley Cutts

Chairman Hernbrode called the meeting to order at 8:00 a.m. This meeting followed an agenda revision #1 dated July 31, 2009. The Commission went directly into Executive Session.

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

Vote: Unanimous

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The Public Meeting reconvened at 9:18 a.m.

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

Director Voyles announced that Regions I-VI were linked via video teleconference and that regional staff and regional members of the public were able to attend and participate in this meeting through the teleconference system. The meeting was also being webcast on the World Wide Web, however, the webcast is not interactive, so Department staff was available and prepared to accommodate comments and discussion from attendees at the regional offices via electronic blue cards and telephone capabilities.

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2. Litigation Report

The Litigation Report (attached to these minutes) was provided to the Commission prior to this meeting and was available to the public. There were no comments or questions on this report.

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3. Legislative Engagement and State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission using a PowerPoint presentation on the current status of selected state and federal legislation as well as state budget issues. The Department has been providing the Commission with regular daily/weekly updates on legislative matters during this legislative session, and provided informational materials at this meeting (available to the public). The presentation included updates on the following:

State of the Budget

- The budget has not been approved yet
- The watercraft budget was increased by \$2.4 million as requested by the Department

State Legislation

- The AIS bill passed and has been signed by the Governor.

Federal Legislation

HR1018: Restore American Mustangs Act: Passed the house in mid-July (239 to 185). The Director testified on this in Committee. Senator McCain indicated that he will help when this bill starts moving along in the Senate.

HR3046: Hunting Heritage Protection Act. Introduced in the past two Congresses and never had a Committee hearing. This is a “no net loss” idea where if certain areas are closed to hunting, other areas need to be opened up. It will only be referred to Committee at this time.

HR3381: Protecting Americas Wildlife Act of 2009. Prohibits shooting or harassing wildlife from aircraft; amends the U. S. Fish and Wildlife Act of 1956.

Mr. Guiles noted that now is the usual time to request new legislative proposals from the Commission and the Department, however, due to this Session not being over yet and due to the budget issues, Mr. Guiles recommended that rather than propose new bills, that the bills that didn't go through this year should be reintroduced. This would allow the Commission's and Department's focus to be on budget the matters.

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4. Information, Education and Watchable Wildlife Activities Briefing

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

The Commission was provided with an Information, Education and Watchable Wildlife Programs Update prior to this meeting (also available to the public), which presented new information as well as progress on related activities. The update covered activities and events that occurred since the June 2009 Commission meeting and was provided in fulfillment of the Department's commitment to brief the Commission on a regular basis.

Using a PowerPoint presentation, Mr. Gray highlighted the following items from this reporting period:

- Focus Wild Arizona Curriculum - Kellie Tharp provided an overview of the Mission and goals to accomplish with this program
- Archery Trade Association - Agreement signed for ATA to fund the bow hunter education position for 3 to 5 years
- Watchable Wildlife
 - Urban Bat Viewing (5 monthly workshops from May-September; includes an Education Presentation, Live bats & owls, viewing of thousands of bats exiting for their nightly feeding; over 400 people attended in July)
 - Hummingbird Workshop (biggest event so far; over 800 in attendance; included educational talks; banding of hummingbirds; educational animals; promoted Watchable Wildlife Guide and Magazine Sales)
- ACI Awards
 - First Place: "A Walk in the Park" (Magazine, General Interest, Article) Desert Tortoise (Poster) "Splash: Boating Safely in Arizona" (Video)
 - Second Place: "Topwater Obsession" (Magazine, General Interest, Article)
 - Third Place: AGFD Interactive Website (Website), Desert Bighorn Sheep Photo (Photography), 2008 Outdoor Expo Communications Campaign (Communications Campaign), AZ Wildlife Views 2008 Shows #2 and #3 (Television), "Kendrick Park Watchable Wildlife Trail" (Magazines, Parks, Historical Article), Raptors of Arizona (Poster)

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5. Non-Game Subprogram Activities Briefing from April 1, 2009 to July 31, 2009

Presenter: Eric Gardner, Non-Game Branch Chief.

The Commission was briefed on Nongame Subprogram activities from April 1, 2009 to July 1, 2009 (A written briefing was previously provided to the Commission and available to the public at this meeting). Using a PowerPoint presentation, Mr. Gardner presented highlights from the briefing as well as significant updates that have occurred since the briefing was written.

Mr. Gardner requested removing the "upcoming activities" slide from future presentations since the Commission now has an Outlook Calendar in which these events are posted.

Chairman Hernbrode agreed to have the slide removed from future presentations.

The presentation included the following highlights:

Black-Tailed Prairie Dog

- Currently in the 12 month status review
- Department efforts are to promote and achieve a population level that does not warrant listing
- There are concerns with private and federal land uses where the species exists. The Department is working with the USFWS to develop a document known as a Candidate Conservation Agreement with Assurances that will line out what type of conservation efforts need to be maintained. If those efforts are maintained, existing land uses may continue.

Hualapai Mexican Vole

- Listed as Endangered without Critical Habitat (At time of listing only one known population (Hualapai Mountains))
- Department petitioned in 2004
- Peer Review 2 to 3 (split vs. lump)

Thick-Billed Parrot (TBP)

Occurrence

- 1935 was the last year wild parrots were reported in AZ (TBP is 1 of 2 species from the parrot family that once inhabited the continental United States)
- Current distribution is limited to Northwest Mexico (estimated population of 5,000 to 7,000 individuals).

Reintroductions

- 1986-1993 - Department reintroduction program using captive-reared and wild-caught confiscated birds
- Discussions continue with partners including USFWS regarding the feasibility of translocation of wild parrots from Mexico into southeastern AZ.

Listing Status

- 1969 - USFWS listed existing populations in Mexico as endangered under the precursor to ESA
- Under current ESA, TBP kept its federal protection, but not in the U.S. A recent reassessment by the USFWS Division of Scientific Authority (with vetting by their Endangered Species Program), concludes that TBP is listed as endangered throughout its entire range and not just Mexico. As such, all thick-billed parrots have the status of endangered species, regardless of where they occur. (Reassessment published in the CFR on July 14, 2009)

Bird Projects

- California Condor – Total population: 362. Captive: 175; Wild: 187; Arizona: 76 2009 Breeding: 5 nesting attempts. 2 wild hatched nestlings.
- Bald Eagle – 59 Breeding Areas. Four discovered in 2009. Second best breeding season on record with a minimum 46 nestlings produced.

- Least Tern – New Arizona Resident in 2009. Endangered Species. Two pairs breeding on SRP property in Glendale (Successfully produced 1 young, in 3 breeding attempts by the 2 pairs)
- Brown-backed Solitaire thrush – Recently sighted in AZ. Controversy whether it arrived on its own from southern Sonora or was an escaped caged bird. Its amazing song makes this one of the most common caged birds in Mexico. It was documented before in AZ (October 4, 1996). The first recording was not accepted by the Arizona Bird Committee. It will likely be several months to a year before this Committee will review and vote on this recorded sighting.

Federal Status / Petition Updates

- Roundtail Chub/Headwater Chub - Both Currently in Candidate Status; Listing Could impact 45% of Sportfish Stocking Sites; Fossil Creek opening in October to fishing for Roundtail chub
- Topminnow-Pupfish - Currently 5 sites enrolled under top-pup SHA and 5 ponds at Robbins Butte will be stocked under the Safe Harbor Agreement
- Chiricahua Leopard Frog Safe Harbor Agreement - Total of 32,150 acres now enrolled; May 29, 2009 was first release of frogs into a safe harbor agreement site
- Kanab Ambersnail - Over 85 hours of volunteer labor contributed to complete 2 of 5 KAS surveys for the year; the volunteers reduced the logistic needs and expenses and saved Department funds with less staff involved
- Crayfish Eradication Effort at Northwest Reservoir (Clyne Pond) - Over 660 crayfish removed; post-treatment survey in June found no non-native species

International & Borderlands Projects

- Trilateral Committee Meeting - Department participated at the 2009 U.S./Canada/Mexico Trilateral Committee for Wildlife and Ecosystem Management and Conservation; Department action items/updates included: jaguar, Mexican wolf, cactus ferruginous pygmy-owl, Sonoran pronghorn, thick-billed parrot, black-tailed prairie dog, Partners in Amphibians and Reptiles Conservation (PARC) and Border Governors Conference; The Department was the only state agency invited to participate at the Executive Table
- Amphibian Workshop in Sonora - For the second year in a row, Nongame Branch and Region II personnel helped instruct a USFWS-organized amphibian workshop for Mexican biologists.

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Meeting recessed for a break at 10:15 a.m.

Meeting reconvened at 10:27 a.m.

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7. Consent Agenda

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

a. Request for the Commission to Approve the Right-of-Way Renewal Through State Land for Legal Access to the Cluff Ranch Wildlife Area, Graham County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

The Arizona Game and Fish Department received a State Land Department right-of-way for legal access into Cluff Ranch Wildlife Area with support of Graham County in 1999. The road, which begins just south of Pima and runs southerly to and beyond our Cluff Ranch Wildlife Area, is approximately five miles long with approximately two miles aligned through State Trust land. Graham County has and will continue to maintain the right-of-way.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE RIGHT-OF-WAY RENEWAL THROUGH STATE LAND FOR LEGAL ACCESS TO THE CLUFF RANCH WILDLIFE AREA, GRAHAM COUNTY, ARIZONA, AND AUTHORIZE THE DIRECTOR TO EXECUTE THE RIGHT-OF-WAY AND ALL RELATED DOCUMENTS.

b. Request for the Commission to Approve a Right-of-Way Grant for a Flood Control Monitoring System at Tufa Tank Site in Mohave County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

The Department received a donation of funds from the Wild Sheep Federation for the purchase of Flood Control Monitoring equipment. Subsequently, the Department entered into a Cooperative Agreement with Mohave County to install and maintain a Flood Control Monitoring System to monitor weather conditions and water levels at selected wildlife waters in Mohave County. The Flood Control Monitoring System will allow the Department to remotely monitor selected wildlife waters in remote areas. One of the sites selected by the Department and Mohave County was the Tufa Tank catchment located on Bureau of Land Management (BLM) Lands approximately 30 miles northwest of Kingman. The Tufa Tank catchment is located in a remote area and has very difficult access. Due to the radio waves that will be emitted from the Monitoring System, the BLM has asked the Department to obtain a Right-of-Way for the Tufa Tank catchment is 10 feet by 10 feet and contains .002 acres, more or less. The Right-of-Way will expire on December 31, 2039.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A RIGHT-OF-WAY GRANT FOR A FLOOD CONTROL MONITORING SYSTEM AT TUFA TANK SITE IN MOHAVE COUNTY, ARIZONA, AND EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

c. Request for Commission Approval of a Utility Permit Agreement Between the Commission and Arizona Public Service (APS) for Operation and Maintenance of Electrical Poles and Lines Through the Commission's Property at the Flagstaff Regional Office.

Presenter: Josh Avey, Habitat Branch Chief

The current agreement between the Commission and APS for operation and maintenance of electric poles and power lines through the Commission's property at the Flagstaff Regional

Office will expire on August 4, 2009. APS has expressed a desire for continued use of the easement. With Commission approval, the Department will enter into a new 10-year utility permit with APS for the same purposes as currently specified and allowed.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE A UTILITY PERMIT AGREEMENT BETWEEN THE COMMISSION AND APS FOR OPERATION AND MAINTENANCE OF ELECTRICAL POLES AND LINES THROUGH THE COMMISSION'S PROPERTY AT THE FLAGSTAFF REGIONAL OFFICE, AND AUTHORIZE THE DIRECTOR TO EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

d. Request for the Commission to Approve an Amendment to the Memorandum of Understanding (MOU) with the National Audubon Society, Inc. (NAS) for the Purpose of Explicitly Recognizing Arizona Audubon Chapters as part of the NAS with whom the Department may Partner on Conservation and Education Programs of Mutual Interest.

Presenter: Eric Gardner, Nongame Branch Chief

The Arizona Game and Fish Commission and NAS entered into an MOU on August 4, 2006 to establish a framework to guide the two organizations in carrying out their cooperation and coordination across the State of Arizona in the areas of conservation and education programs of mutual interest. The purpose of this Amendment is to explicitly recognize Arizona Audubon Chapters as part the NAS. Recognition of the chapters within the MOU would allow the Department to partner with Arizona Audubon Chapters on conservation and education programs of mutual interest.

The Department recommended THAT THE COMMISSION VOTE TO APPROVE THE AMENDMENT TO THE MOU BETWEEN THE DEPARTMENT AND THE NATIONAL AUDUBON SOCIETY 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, AND D AS PRESENTED.

Vote: Unanimous

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6. 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 the latest developments relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other related matters, and included decisions or activities since the June 2009 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.

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8. Landowner-Lessee/Sportsman Relations Committee Appointment.

Presenter: Mark Weise, Development Branch Chief.

The Department's Landowner Relations Program received nominations from five individuals who would have liked to fill the vacant sportsman's representative spot on the Landowner-Lessee/Sportsman Relations Committee. Mr. John Koleszar, Mr. Larry Audsley, Mr. Steven Carmickle, Mr. Reginald Beck, and Mr. Glen Dickens are all avid sportsmen and very interested in access issues. The Commission was provided with biographies for review prior to this meeting that exhibits each nominee's qualifications.

Commissioner Woodhouse explained the purpose of the committee for the record as requested by Chairman Hernbrode. He would like the committee to involve more landowners and/or lessees that also happen to be sportsmen if at all possible. There is a need to do that to get issues on the table, especially access issues, and perhaps more other issues than have been discussed in the past.

Commissioner Martin agreed with Commissioner Woodhouse and further commented that they were all really good candidates. However, one individual, Glen Dickens, was particularly interesting because of his experience with the Department and also because he is an avid sportsman who currently owns and operates a farm in the southeastern part of the state. He also has some interest and involvement in the other areas of the committee.

Commissioner Freeman agreed with trying to find people that possessed a lot of history and knowledge pertaining to access issues. He added that he liked Steven Carmichael because some of the OHV issues that the Department currently faces are those that Mr. Carmichael has helped to resolve. In addition, he is a sportsman and an outdoor enthusiast.

Chairman Hernbrode put in a point for John Koleszar and Larry Audsley. They both have a long history of working with sportsmen's groups as well as access issues. Larry Audsley has spent more time than anyone he knows very specifically dealing with issues in the southeastern part of the state.

Chairman Hernbrode suggested delaying a vote on this matter until after the time-certain item at 10:30am. The Commission was in consensus.

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5.A. Briefing on Mexican Wolf Reintroduction in Mexico and the Possible Ramifications of Post-Release Dispersal into southern Arizona and New Mexico at Time Certain 10:30 a.m.

Presenter: Terry B. Johnson, Endangered Species Coordinator

Mr. Johnson informed the Commission that the U.S. Fish and Wildlife Service just told him that on advice from legal counsel they would not be presenting today but they would be present to answer any questions. Mr. Johnson then briefed the Commission on the direction the Commission last gave (October 2008) to the Department on Mexican wolf conservation. He also updated the Commission on Department knowledge of Mexico's plans to release Mexican wolves in northern Mexico in close proximity to the border between the US and Mexico.

Commissioner Martin asked what we know about Mexico's evaluation of the release sites. Mr. Johnson explained we don't know much about their evaluation of those sites but we are working with Mexico to get the evaluations. He has not received any of the official evaluation documents, just pertinent documents regarding this issue. Commissioner Martin also asked, if they have been doing research on the selected sites for a few years now, why weren't we involved in this process. Mr. Johnson explained that Mexican governing laws and regulations only speak to public participation and analysis within the country of Mexico and don't address what may or may not need to be done in the United States. It's incumbent on the States and Federal agencies in the United States to decide what may or may not need to be done with issues north of the border.

Commissioner Husted asked if there is photographic evidence that there may be a wild population north or south of this site and if so why they wouldn't choose to augment from that particular population. Mr. Johnson answered that he has not seen those photos and in the July 2009 meeting Mexico advised that those photos have not been confirmed as wolves. He also added that he has been told in conversations that these photos are from one location and then from another location.

Chairman Hernbrode asked what is the planned source population. Mr. Johnson explained that all Mexican wolves known to mankind are either in captivity in the United States or Mexico, or have been released in Arizona and New Mexico. There are no documented wild Mexican wolves other than released animals. There have been rumors and reports all over Mexico and southern Arizona and southern New Mexico but none of the wild reputed documented animals have been documented as wolves. All of the wolves that would be released in Mexico would be of captive origin.

Brian Millsap with the USFWS was present and answered questions for the Commission. A NEPA has been completed on the Mexican Wolf Species Survival Plan Program that the USFWS conducted with Mexico. That program is where wolves are exchanged for genetic management across the border. Mexico has 16 facilities with 74 captive Mexican wolves. The NEPA process included consideration of non-destructive data collection, monitoring, anything along those lines that could occur in the exchanges with Mexico. Mr. Millsap stated that the NEPA process has occurred but that the evaluation did not contemplate a release on the border. As to how will wolves be monitored and detected if they cross the border, Mr. Millsap stated that one of the areas of cooperation with Mexico was a verbal agreement and training along the lines of providing radio collars and monitoring equipment to Mexico so when they do reintroduce wolves they could be monitored in Mexico. Mexico is counting on their ability to provide those GPS collars for the reintroduction.

Public Comment

Senator Silvia Allen, representing District 5: Has concerns with all the unanswered questions regarding the release and requested postponing the release until those questions are answered.

Daniel Patterson, State Representative: Requested that the Commission work closely with the USFWS and the partners in Mexico in favor of reintroducing Mexican gray wolves into the area.

Manuel Gomez, The Cattlemen's Union in Sonora (Mexico): Doesn't know anything on this issue and they will try to delay this release.

Pete Cimellaro, President for Sportsman for Wildlife, Arizona Deer Association, Arizona Elk Society and Arizona Desert Bighorn Sheep Society: These organizations have concerns with timing and lack of cohesive planning for the action of the release.

Hector Ruedas, Greenlee County: Has concerns about the lack of process, including failure to do NEPA, by the USFWS and is especially concerned about the impacts these wolves will have on livestock growers if the animals move north across the border; Greenlee County appreciates the Arizona Game and Fish Department bringing Commission and public attention this issue.

Craig Miller, Southwest Representative for Defenders of Wildlife in Tucson: Involved with a partner organization that works in Sonora named Naturalia on other wildlife conservation projects; Encouraged the Commission to embrace the opportunity to improve our relationship with the partners to the South and help make this program as successful as it can.

Supervisor Gremela: Urged Commission to take a hard look at the plan. It is just too soon and there are too many questions on the release.

Johnny Fugate: Suggested the Commission not be in support of the release if it is done quickly.

Stephanie Nichols-Young, Animal Defense League of Arizona: Supports the release and urged the Commission and the USFWS to work together with Mexico to answer all questions and concerns.

Sandy Bahr, Chapter Director for the Sierra Club, Grand Canyon Chapter: Favors the release of Mexican gray wolves and understands there are problems with the release; urged the Commission to direct the Department to work cooperatively with Mexico in the release of Mexican gray wolves in Mexico.

Roxanne George: Supports the Mexican wolf recovery program.

Jim Unmacht: Suggested dropping the 10J area down to the border to cover any wolves that may cross the border.

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION REAFFIRM ITS COMMITMENT TO MEXICAN WOLF CONSERVATION IN MEXICO IN COLLABORATION WITH MEXICO AND DIRECT THE DEPARTMENT TO COMMUNICATE WITH THE USFWS AND MEXICO ON THE POTENTIAL OF A RELEASE IN SONORA AND PROVIDE US WITH REGULAR UPDATES AT OUR MONTHLY MEETINGS.

Vote: Aye - Hernbrode, Martin
Nay - Woodhouse, Freeman, Husted
Failed 3 to 2

Motion: Husted moved THAT THE COMMISSION DIRECT THE DEPARTMENT, WITHOUT COMMENT TO SUPPORT OR NOT TO SUPPORT THE RELEASE OF THE MEXICAN WOLF 30-50 MILES SOUTH OF THE BORDER, TO ANSWER THE QUESTIONS THAT HAVE BEEN BROUGHT UP HERE TODAY (I.E. (1) THE STATUS OF A WOLF THAT HAD BEEN CAPTURED OR BORN IN CAPTIVITY AND RELEASED IN MEXICO THAT CROSSES THE U.S. BORDER, (2) WHAT IS THE POSSIBILITY OF EXPANDING THE 10J; AND (3) WHAT IS THE FEDERAL NEPA PROCESS IN THIS ACTIVITY); AND TO ASK THE DEPARTMENT TO ASSIST AND PARTNER WITH THE MEXICAN GOVERNMENT AGENCIES TO DETERMINE IF THEY CAN ASSIST IN SLOWING THIS DOWN AND ALEVIATING THE FEARS OF THE DEPARTMENT’S CONSTITUENCIES.

Motion died for lack of second.

Motion: Freeman moved and Hernbrode seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO WORK WITH SEMARNAT AND CONANP IN MEXICO TO COMUNICATE AND ADDRESS CONCERNS REGARDING THE PENDING RELEASE OF THE MEXICAN WOLF IN MEXICO.

Vote: Unanimous

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Meeting recessed for lunch at 12:58 p.m.

Meeting reconvened at 2:06 p.m.

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9. Call to the Public

There were no requests to speak to the Commission.

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10. 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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Mr. Elms requested that the Commission move agenda items #13 and #14 to a future meeting. (#13, Rehearing Request Regarding Previous License Revocation/Civil Assessment for Arthur

Cook and #14 Rehearing Request Regarding Previous License Revocation/Civil Assessment for Theresa Gurnett).

Motion: Martin moved and Woodhouse seconded THAT AGENDA ITEMS #13 AND #14 BE MOVED TO A FUTURE MEETING.

Vote: Unanimous

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8. (continued) Landowner-Lessee/Sportsman Relations Committee Appointment.

Presenter: Mark Weise, Development Branch Chief.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO NOMINATE LARRY AUDSLEY.

Vote: Unanimous

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Meeting recessed for a break at 3:02 p.m.

Meeting reconvened at 3:16 p.m.

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6.A. Update to the Commission on the Kofa National Wildlife Refuge Environmental Assessment and Kofa Mountain Complex Predation Management Plan.

Presenter: Gary R. Hovatter, Deputy Director, I.E.D/F.O.D.

Mitch Ellis with the USFWS briefed the Commission on the status of the Kofa EA. The draft EA's notice of availability was published in the Federal Registrar for public review on August 4, 2010. That begins the sixty day comment period. A public meeting has been scheduled in Yuma for September 16. The EA should finalize in the Spring of 2010, but it is a tentative timeline.

Mr. Barber provided a Power Point presentation of Bighorn Sheep population on the KOFA Mountain Range. The presentation included a maps, historical and current information on mountain lion range in Arizona which demonstrated that mountain lion range statewide has been expanding while that of sheep has been shrinking.

John Hervert with the Department's Yuma regional office provided additional detail regarding Bighorn sheep on the KOFA. While the average number of days a mountain lion will kill a bighorn sheep is about 51 days, there is a lot of variability for individual lions, and on the extreme side mountain lion KMO4 kills a bighorn sheep every 10 days. In the case of KM04, one specific lion will kill the average number of yearlings of bighorn sheep in the area. Combining that with the other known lions in that area this lion is a huge concern on retaining the bighorn sheep population in the area. Mr. Hervert added that these numbers are conservative.

Public Comment:

Representative Daniel Patterson: Sent an email encouraging the Commission to give clear direction to the Director to continue to be a cooperater in the USFWS EA for management of Kofa lions by extending the moratorium until completion of the EA. Lion KM04 should not be killed at this time.

Jim Unmacht: In favor of protecting the bighorn sheep population from declining.

Pete Cimallro: Supports Desert Bighorn Sheep Society position. Wants to see a management plan that allows mountain lion presence and bighorn sheep populations to recover.

David McCasland: Supports the Alternative of protecting the bighorn sheep population.

Johnny Fugate, Yuma Valley Rod and Gun Club: Doesn't agree to having lions on the refuge until the population of bighorn sheep is restored and prospering.

Brian Dolan: Supports protecting the bighorn sheep populations.

Sandy Bahr: Wants the reinstatement of the moratorium until the NEPA process is complete.

Stephanie Nicholas Young: Wants to reinstate the moratorium until the EA is completed.

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Meeting recessed for a break at 5:03 p.m.

Meeting reconvened at 5:11 p.m.

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12. A Presentation to the Commission on BLM – Arizona strategic goals.

Presenter: Jim Kenna, State Director, BLM

Mr. Kenna gave a presentation to the Commission on the priorities of the Arizona BLM. A diagram was provided that outlined their strategic goals (attached to these minutes).

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11. Request by Mr. Jerry Reynolds requesting that he return his 2009 archery bull elk permit, refund the cost of the permit and restore his bonus points.

Presenter: Harry Seck, Assistant Director, Special Services Division

Mr Seck briefed the Commission on Mr. Reynolds request. Mr. Reynolds was drawn for a 2009 archery bull elk tag, Hunt 3135, Units 3A and 3C. Due to personal circumstances, Mr. Reynolds does not believe he will be able make this hunt. He requested to be able to return his 2009 archery bull elk permit and have the Department issue it to the next available applicant, receive a refund for the cost of the permit, and have his bonus points restored. He also indicated if the permit cannot be reissued he would receive no refund and the permit be given to a charity of the Department's choice.

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSON VOTE TO DENY MR. REYNOLDS' REQUEST TO RETURN HIS 2009 ARCHERY BULL ELK PERMIT, REFUND THE COST OF THE PERMIT AND RESTORE HIS BONUS POINTS.

Vote: Unanimous

The Commission expressed their condolences to Mr. Reynolds on his situation and thanked him for donating to charity if he chooses to do so.

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15. Call to the Public

Brian Dolan: Requested that the Commission take a position on bill HR1018, Wild horse and Burro Act, and to convey their position to the appropriate Congressional Delegation.

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Meeting recessed for the day at 5:39 p.m.

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Meeting reconvened Saturday at 8:00 a.m.

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

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Awards and Recognition

Department Wildlife Manager Curtis Herbert was presented with the NASBLA Arizona Boating Law Enforcement Officer of the Year Award for 2009. The award was for his outstanding accomplishments and contributions to public safety while assigned to the Lake Havasu area.

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1. Shooting Sports Activities Briefing

Presenter: Jay Cook, Education Branch Chief

The Commission was provided with a Shooting Sports Activities Briefing prior to this meeting (also available to the public) on Department activities related to shooting sports. The report included shooting programs and shooting range development statewide and covered activities

that occurred since the June 2009 Commission meeting. This briefing is part of the Department's ongoing commitment to provide the Commission with updates on a regular basis.

Mr. Cook provided a Power Point presentation to the Commission and recapped several items in the briefing. Additionally, Mr. Cook reported that a letter was sent to the Yuma County Board of Supervisors to transfer the Adair Shooting Range to the Commission.

Mr. Cook introduced two representatives from the White Mountain Shooters Association, Seth Nattle, President, and Bill Weldon, Vice President, who were present to provide pictures and diagrams of a potential range site.

Motion: Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO MOVE FORWARD WITH THE SPECIAL USE PERMIT APPLICATION PROCESS FOR THE SECOND KNOLL RANGE SITE PENDING BUDGET AVAILABILITY.

Vote: Unanimous

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2. Call to the Public

Shelley Cutts, Assistant Attorney General, addressed the Commission to say farewell as she has left the Department.

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3. Consideration of Proposed Commission Orders 5, 6, 8, and 9, for Spring 2010 Hunting Seasons.

Presenter: Brian F. Wakeling, Game Branch Chief

Mr. Wakeling briefed the Commission using a Power Point presentation that included current and historical information with charts and graphs. The Commission was asked to consider and approve Commission Orders 5, 6, 8, and 9 (provided to the Commission prior to this meeting for review) for spring turkey, javelina, buffalo, and bear. An open house was held in each region where the public could review these hunt recommendations prior to the Commission meeting. The recommendations were also posted on the Department web site and press releases were provided to let the public know of their availability.

The Department recommended juniors-only turkey hunting seasons that will be offered as over-the-counter permits in Units 1, 3C, 4A, 4B, 5A, 5B, 6A, 6B (except Camp Navajo), 7, 8, 10, 12A, 23, and 27. Juniors-only javelina permits were recommended at 1,020 permits, which comprise 3.7% of the spring permits. Javelina seasons in metro units were recommended as over-the-counter archery seasons. Several units will offer over-the-counter general or archery bear permits during the March 19–April 29, 2010 season.

Commission Order 5 – Spring Turkey

For 2010, spring limited weapon shotgun shooting seasons were recommended at 7,106 permits, a 159-permit decrease from last year. These permits were recommended to be offered during stratified seasons occurring April 23–29 and May 7–20 or April 30–May 20, 2010. New hunts were recommended in Unit 24A (Merriam's turkey, 5 permits), Unit 33 (Gould's turkey, 4 permits, and Unit 34A (Gould's turkey, 2 permits).

Gould's turkeys continue to expand. Five units with Gould's turkeys are now recommended for spring seasons, including Units 29, 31, 33, 34A, and 35A. The total number of permits recommended for this subspecies is 36, a 16-permit increase from last year.

Limited weapon shotgun shooting seasons for juniors-only were recommended in Units 1, 3C, 4A, 4B, 5A, 5B, 6A, 6B (except Camp Navajo), 7, 8, 10, 12A, 23, and 27. These permits would be unlimited in number and could be purchased over the counter. The season dates for the juniors-only season were recommended to be April 16–May 20, 2010.

Public Comment

Richard Williams, National Wild Turkey Federation (NWTf): The Arizona Chapter Board of Directors voted unanimously to support the proposed hunting regulations for the 2010 spring turkey season. The NWTf is also in support of the over the counter youth turkey hunts and the youth hunt starting one week before the general hunts.

Randy Phillips, Archery Headquarters in Chandler, AZ and on behalf of ABA: Mentioned a letter to the Commission from Mr. Dave Myrick discussing the possibilities of an additional archery spring turkey hunt. This would provide an opportunity to give out a lot of tags and have a low success rate with that hunt.

Motion: Husted moved and Martin seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 5 – SPRING TURKEY, AS PRESENTED.

Vote: Unanimous

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Meeting recessed for a break at 9:03 a.m.

Meeting reconvened at 9:15 a.m.

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3. (Continued) Consideration of Proposed Commission Orders 5, 6, 8, and 9, for Spring 2010 Hunting Seasons.

Presenter: Brian F. Wakeling, Game Branch Chief

Commission Order 6 – Spring Javelina

Permits (percentages) recommended for spring 2010 include 11,480 (43.1%) general, 9,620 (36.2%) archery, and 5,510 (20.7%) HAM. This is a decrease of 200 general permits and 275 archery permits and an increase of 105 HAM permits from last spring. The Department also

recommended 1,020 juniors-only javelina permits (30-permit increase from last spring), which comprises 3.7% of the total permits recommended. When considering the 1,100 fall juniors-only permits authorized by the Commission for fall 2009, this brings the total allocation of juniors-only permits to 7.4% of the total permits recommended. This allocation is less than the 10% directed by the Commission, but exceeds the number of permits sold to juniors-only hunters in the last year. Archery seasons were recommended to occur during January 1–21, 2010, juniors-only seasons during January 22–31, 2010, HAM seasons during February 5–14, 2010, and general seasons during February 19–25, 2010. Over-the-counter permits were recommended for archery hunts in metropolitan units, specifically Units 11M, 25M, 26M, 38M, and 47M. Season dates for these units correspond with other archery season dates, specifically January 1–21, 2010.

Motion: Freeman moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 6 – SPRING JAVELINA, AS PRESENTED.

Vote: Unanimous

Commission Order 8 – Spring Buffalo

The Department recommended 14 any buffalo permits again for spring 2010, with season dates that will run from January 1–June 13, 2010. Permits and season length are the same as for spring 2009.

For the Raymond Wildlife Area herd the Department recommended 5 permits for spring 2010: 1 adult bull permit during January 15–17, 2 yearling-only permits during February 5–7, and 2 yearling-only permits during February 19–21, 2010.

Public Comment

Randy Phillips: If there is a need to get in there and get more than one buffalo, archers would be the better way to do that.

Motion: Freeman moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 8 – SPRING BUFFALO, AS PRESENTED.

Vote: Unanimous

Commission Order 9 – Spring Bear

The Department recommended no change to seasons or season structure, female harvest limits, or permits for spring 2010. General bear hunts (Units 22, 23N, 24A, 27, 29 and 30A, 31, 32, 34A, and 35A and 35B [except Fort Huachuca]) and archery (Units 3B and 3C, 33) were recommended to offer over-the-counter permits during the March 19–April 29, 2010 season. This period has had relatively low bear harvests historically, with an average of about two bears per year. Generally three times more male than female bears are taken during this time period. Each hunt will have a female harvest limit, and any female bears taken during this time will apply to the annual female harvest limit that would close subsequent hunts if met.

One permitted general bear hunt was recommended in Unit 6B (except Camp Navajo) with 5 permits and a female harvest objective of one. Permitted archery-only bears hunts were recommended to occur in Units 3B and 3C, 22, 23N, 33, 34A, 35A and 35B (except For Huachuca), and Fort Huachuca. Total permits were recommended at 270. On average, about 4 bears are harvested annually during the later season, and one fourth of this harvest comprises female bears.

Female harvest limits for general hunts total 13 and for archery hunts total 12 (Fort Huachuca harvest limits are a subset of Unit 35A). This is no change from 2009. Annual female harvest limits for each unit remain unchanged from 2009 as well.

Motion: Woodhouse moved and Husted seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 9 – SPRING BEAR, AS PRESENTED.

Vote: Unanimous

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4. Consideration of Proposed Commission Order 21–Waterfowl and Commission Order 22-Snipe for the 2009-2010 Hunting Season.

Presenter: Mike Rabe, Small Game Program Supervisor

Mr. Rabe briefed the Commission using a Power Point presentation that included current and historical information with charts and graphs. Commission Order 21 (Waterfowl) and Commission Order 22 (Snipe), establishes seasons and season dates, bag and possession limits, and open areas. A detailed description of all proposals were available for public review at all Department offices. The Commission was provided with the recommendations prior to this meeting for review.

Commission Order 21 – Waterfowl

Ducks: For this year, the same harvest packages that were used when the Pacific Flyway was under the mid-continent model will be used. Although the breeding population numbers are in, the model runs were not complete at the time this memo was written, in all likelihood, a liberal package will be subscribed. Whatever the results may be, the season packages available are as follows:

1. Liberal, 107 day season, 7 bird bag limit;
2. Moderate, 86 day season, 7 bird bag limit;
3. Restrictive, 86 day season, 4 bird bag limit.

Both the Liberal and Moderate 2008 Federal framework packages for the Pacific Flyway allowed for a 7-bird bag limit, with species bag restrictions of no more than two female mallards, two redheads, one pintail, and two scaup. Canvasback season was closed because of low survey numbers. Survey numbers for canvasback are up this year, and a closure is unlikely. The long-term average for pintail and scaup remain below the goals outlined in the management plans for both species in 2009. Because the population indices are below population goals, a continuation

of the restrictive bag-limit of one bird per day will probably be in place for pintail and canvasback for this season. It is possible that we could have shorter seasons for both pintail and canvasback. Should partial, 60 day seasons be necessary for any species, the Department will recommend the full 60 days. Scaup numbers remain below the long-term average by about 18%. In 2008, the Pacific Flyway frameworks reduced the daily bag on scaup from four to two. A further reduction in bag limit is unlikely for scaup this year.

Geese: In 2002, the Pacific Flyway Council requested that the Service include geese in the duck framework extension as well. This was approved, allowing duck and goose seasons to run the same number of days. To assure that Canada goose reproduction in Northern Arizona is not disrupted, goose seasons within Units 1, 22, 23, and 27 start later than goose seasons in the rest of the state.

The Rocky Mountain Population (RMP) of Canada geese are the most important geese in the bags of hunters in the interior states. In 1999, the Pacific Flyway Council approved a recommendation to increase the daily bag limit on Canada geese from two to three birds. Arizona adopted the framework in the 1999–2000 Commission Order and has continued that recommendation.

The Department's recommendations hinge on which regulation package is called for based on the results of the Western Mallard Model. Based on this year's survey results, a liberal package is the most likely season structure. That package is illustrated below.

Liberal Package

	<u>Mountain Zone</u>	<u>Desert Zone</u>
Juniors-Only	Oct 3 – Oct 4, 28, 2009	Feb 6 – Feb 7, 2010
Falconry-Only	Oct 3 – Oct. 7, 2009	Feb. 1 – Feb. 5, 2010
General Duck	Oct. 9, 2009 – Jan. 17, 2010	Oct. 23, 2009 – Jan. 31, 2010
General Goose	Oct. 9, 2009 – Jan. 17, 2010	Oct. 23, 2009 – Jan. 31, 2010
Restricted Goose Hunts	Nov 15, 2009 – Jan. 17, 2010 (Units 1 and 27) Nov. 15, 2009 – Jan. 31, 2010 (Units 22 and 23)	

The Mountain and Desert Zones in Arizona are defined by unit within the Federal Register as follows: Desert (South) Zone: Those portions of Units 6 and 8 in Yavapai County, and Units 10 and 12B–45. Mountain (North) Zone: Units 1–5, those portions of Units 6 and 8 within Coconino County, and Units 7, 9, and 12A. Essentially, the North Zone is in the mountainous, high elevation areas of Arizona; the South Zone is in the lowland, desert areas.

The Department recommended adoption of the federal bag limit of seven ducks (including mergansers) per day, with no more than two female mallards, two redheads, one pintail, two scaup, and one canvasback taken in any one day. Recommended possession limits for ducks are 14 after opening day, with no more than four redheads, two pintails, four scaup, and two canvasbacks. Bag and possession on canvasback, pintail and scaup may change due to final analysis of the harvest strategy for those species. Recommended goose bag limits are no more than six white geese (snow, including blue and Ross' geese) and three dark geese (Canada and white-fronted). Recommended goose possession limits are no more than 12 white geese and six

dark geese. The Department recommends that the Commission adopt the species bag limits as prescribed by the Service for the 2009–2010 waterfowl season. Should the Service again require season within a season structure for either canvasback, pintail, or scaup, the Department will recommend selecting the maximum allowable days for those seasons.

The Department recommended continuation of the allowable framework extension for Liberal package. Both zones receive the maximum allowance hunt days under both the Liberal and Moderate packages. Under the Liberal package, there are 107 total hunt days allowed. In the Liberal recommendation above, 101 days are devoted to general waterfowl, five days are a Falconry-Only season and there is a weekend Juniors-Only season in each zone. Federal frameworks require that the youth hunt be on weekend days within 14 days of the General season, but may be outside the General season frameworks. The bag limits for the Juniors-Only hunts will be the same as during the General season.

Arizona and California are required to coordinate seasons along the lower Colorado River region. California is required to match their season along the Colorado to the Arizona season dates.

Coots and Common Moorhens: Commission Order 21 includes bag limit and season structure for coots and common moorhens within the general duck season frameworks. The Department will continue to recommend the full Federal framework and bag limit on coots and moorhens which is 25 per day, either singly or in the aggregate. Possession for coots and moorhens is 25 in possession, either singly or in the aggregate. Although an Arizona State Waterfowl Stamp is not required for harvest of these species, hunters taking coots or moorhens must have in their possession an Arizona Migratory Bird Stamp that registers them for the Harvest Information Program. Harvest of these species is typically incidental to waterfowl hunting. A total of 1,167 coots were harvested in the 2008–2009 season. In 2007–2008, 984 coots tragically lost their lives by colliding in time and space with cold steel.

Commission Order 22 – Snipe

The Department recommended that the Commission approve a general snipe season consistent with the total allowable season days and bag and possession limits allowed by the Service for Pacific Flyway states. In Arizona, the allowable bag is 8 snipe per day with a possession limit of 16 after opening day. Seasons for snipe are recommended to run concurrent with the general waterfowl seasons in each of the state's zones.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 21 – WATERFOWL AND COMMISSION ORDER 22 – SNIPE, AS PRESENTED.

Vote: Unanimous

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5. Hunt Permit-tag Application Schedule for Spring 2010 Hunts

Presenter: Harry Seck, Assistant Director, Special Services Division

The Commission was provided with a brief presentation relating to the hunt permit-tag application schedule for the spring 2010 hunting seasons (attached). The application schedule identifies proposed acceptance dates and deadline dates for all hunts associated with the draw process. In addition, the proposed dates for when hunt permit-tags and refund warrants will be mailed are also identified, along with information relating to the first-come/first-serve process for any permits that may still be available.

Motion: Woodhouse moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR SPRING 2010 HUNTS.

Vote: Unanimous

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6. E-Commerce Update

Presenter: Harry Seck, Assistant Director, Special Services Division

Mr. Seck provided the Commission with an update and discussion on the status of the Department's E-Commerce activities, including online watercraft registration renewals, license sales, and big game applications.

Mr. Seck briefed the Commission on the online draw results information including how many people obtained their draw results from the Departments website. There were no complaints from the public regarding the access or speed of the website, especially considering the number of people accessing it for their results.

The Department is currently engaged in the development of the online watercraft registration renewal systems and the online license sales. The online watercraft registration renewal system is scheduled to be completed in September 9, 2009 and the online license sales are scheduled to be completed by January 4, 2010.

Commissioner Hernbrode mentioned that he received a call about a hunter that got his second choice when there were still tags left over in his first choice option. Mr. Seck will look into that type of issue with the new process that is being developed.

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Meeting recessed for a break at 10:17 a.m.

Meeting reconvened at 10:32 a.m.

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7. Update on Commission Workshop Planned for August 21-22, 2009

Presenter: Mike Senn, Assistant Director, Wildlife Management Division

The Commission has planned to meet in a work session format on August 21-22 at the Phoenix Headquarters Offices. The work session format is intended to allow for in-depth discussion of

selected topics of interest or importance to the Commission, and to provide an opportunity for continuing education and training for Commissioners. The work session will be publicly noticed and is open to the public. The work session topics will be for discussion only and no action will be taken by the Commission. Items resulting from the work session that require further discussion or action by the Commission will be taken up on a future Commission meeting agenda.

The Commission's work session will include the following principle topics:

- Commission Guidebook Training, provided by the Management Assistance Team of the National Conservation Training Center;
- Kaibab deer research and management, with presentation by Research Branch Chief Chantal O'Brien and Game Branch Chief Brian Wakeling; and
- Proposed Department Policy regarding "Real Property", with presentation by Habitat Branch Chief Josh Avey.
- Budget Discussion depending on if there is changes between now and the time of the workshop.

The work session agenda will be finalized and published following this update to the Commission. The agenda will include calls to the public; however, Commission discussion must be focused on topics on the agenda. Items identified for discussion that are outside the scope of the work session agenda may be placed on an agenda for a future Commission meeting.

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8. Call to the Public

There were no requests to speak to the Commission.

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9. Review and Update of Upcoming Commission Calendar Activities and Events

Presenter: Gary R. Hovatter, Deputy Director, IED/FOD

Deputy Director Hovatter briefed the Commission that this will be the last time this item is on the agenda. It was left on this agenda to give an update that the Commission Calendar is now in place and that the Department will provide more information and a point of contact for each item on the calendar.

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10. Director and Chairman's Report

Director Voyles reported the following activities since the last Commission meeting:

- Met with Dale Larson and Karen Williams with Phoenix Parks and Recreation to talk about mutual opportunities
- Participated in an IWJV Telephonic Board Meeting

- Attended the Governors Cabinet Meeting
- Attended an MCI West Resources Regulatory Roundtable at the Marine Corp Station in Miramar, CA
- Attended The WAFWA Conference in New Port Beach, CA
- Participated in the Rocky Mountain Elk Foundation and Conservationist Committee Workdays
- Met with the new State Land Commissioner Maria Baier
- Attended the Department Awards and Recognition Ceremony
- Attended a WFT Board Meeting followed up by Arizona Wildlife Finance Corporation Board Meeting
- Attended a Welcome Dinner for new WM Recruits hosted by Russ Richins
- Renee Bahl, Director of State Parks, requested joint staff briefings on the progress of OHV implementation
- Met with Andy Kunasek, Maricopa County Board of Supervisors
- Participated in a Conference Call with Martin Varga, Director of Mexico Wildlife Services
- Attended meetings with the Arizona Office of Tourism
- Traveled to Albuquerque and participated in the annual Southwest Chapter of the Native American Fish and Wildlife Society
- Spoke at the Cattlegrowers Convention
- Met with Nicole Stickler, Executive Director for the Arizona Association of Counties
- Met with Kristen Mays, Chairman of the Corporation Commission, along with Commissioner Husted
- Sent out a memo to Department Staff regarding changes personnel changes and introduced the new Deputy Director, Gary Hovatter

Chairman Hernbrode reported the following activities since the last Commission meeting:

- Went on a YPG Facility Tour
- Met with regional personnel and San Carlos Apache Wildlife Management personnel about Aravaipa area issues
- Attended the WAFWA Conference
- Attended the Tucson Watchable Wildlife Workshop with Tucson leaders in the Community about enhancing the Watchable Wildlife
- Attended an HPC meeting in Pinetop

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11. Commissioner's Reports

Each Commissioner reported on their activities since the last Commission meeting.

Commissioner Martin:

- Met with Randy Phillips on issues
- Attended the WAFWA Conference
- Attended Conservationist Committee workday event
- Attended the Department Awards

Commissioner Woodhouse:

- Attended the YPG Facility Tour
- Attended the Landowner/Lease Sportsman Relation Committee meeting in Tucson
- Talked with several members of the Desert Bighorn Sheep Society about helping develop a water facility
- Talked with several entities about the KOFA situation
- Talked with County Supervisors and President of Adair Ranges on the Adair Ranges

Commissioner Freeman:

- Attended the YPG Facility Tour
- Attended the Telephonic Arizona Wildlife Finance Corporation Board Meeting
- Toured the KOFA
- Met with Gene McGrath Central Arizona Project
- Participated in a couple telephonic meetings with Sanford Cohen
- Visited with Professor Gail Lampe from William Woods University in Fulton, MO on questions with waterfowl
- Met with Randy Phillips
- Brought family down to Ben Avery to shoot. His family from back east were incredibly impressed with Ben Avery
- Talked with Bill McLean on the Northern Arizona Shooting Range
- Went to the Vermillion Cliffs to watch Condors
- Visited Region III on some GIS related issues
- Spoke with Representative Patterson about the KOFA issues
- Met with Ty Gray and Kellie Tharp about upcoming November Adobe Mountain Wildlife Center open house
- Briefed Randy Lamb on the new Commission Guidelines for the upcoming HPAC meeting

Commissioner Husted:

- Attended the YPG facility Tour
- Attended the WAFWA Conference
- Met with Randy Phillips
- Attended the State Transportation Board Meeting
- Attended the Department Awards Ceremony
- Met with Chairman Mays of Corporation Commission with Director Voyles

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12. Approval of Minutes and Signing of Minutes

No Minutes were available at this time.

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13. Future Agenda Items and Action Items

- Reevaluate the use of BPN Capability with the Commission Calendar
- Provide access information to the Commission
- Present background analysis of the Wild Horse and Burro Act
- Provide via email the Federal Legislative strategy to Commissioner Husted
- The Department will provide any new information to the Commission regarding the upcoming releases in Mexico as soon as they become available
- Evaluate the issues associated with first choice applicants being rejected when there is left over tags in those units. Provide the Commission with an analysis of background information of what causes that issue and provide a recommendation to minimize those impacts on customer service
- Provide information of the legality of the transfer of those tags per existing statute as a letter from the Chairman
- Schedule Joint Commission Meeting with both the Arizona Corporation Commission and then New Mexico Game and Fish Department and propose some dates
- Work to coordinate the trip with Representative Salazar and the Commission on the Resolution Copper Trip

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

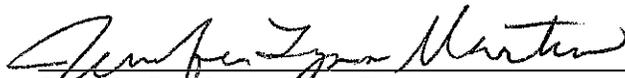
Vote: Unanimous

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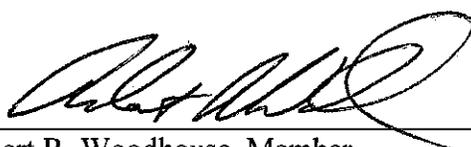
Meeting adjourned at 11:53 a.m.

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Robert D. Hernbrode, Chairman



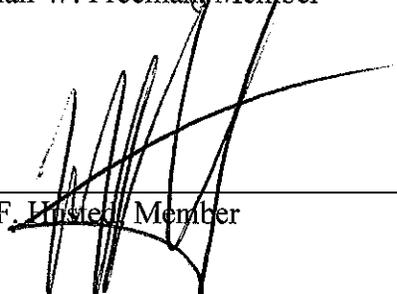
Jennifer L. Martin, Vice Chair



Robert R. Woodhouse, Member

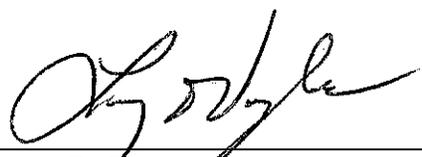


Norman W. Freeman, Member



Jack F. Husted, Member

ATTEST:



Larry D. Voyles
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
August 7, 2009**

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 issued an order on September 5, 2008, denying the plaintiffs' cross motion for summary judgment and granting the defendants' and interveners' cross motions for summary judgment. Judgment in favor of the defendants was entered on September 11, 2008.

The plaintiffs filed a notice of appeal on October 29, 2008. The court entered a time schedule order on November 4, 2008. The plaintiffs (now appellants) filed an opening brief on February 13, 2009. The defendants and intervenors filed motions for thirty day extensions to file responsive briefs. The court granted the motions and extended the date to file the briefs to April 15, 2009.

The court issued an order on April 27, 2009, granting the plaintiffs an additional 21 days from the date of the order to file a reply brief. The reply is now due on May 18, 2009.

2. Anderson v. Arizona Game and Fish Department, et al., C20089051. On January 7, 2009, the Department was served with a Summons and Complaint for Judicial Review of Administrative Decision in this action. Plaintiff seeks judicial review of the Commission's June 27, 2008 action revoking his licenses to take wildlife for ten years and the Commission's December 5, 2008 decision to deny Plaintiff a rehearing in the matter. The case was filed in Arizona Superior Court in Pima County and has been assigned to the Hon. Kenneth Lee.

On January 27, 2009, the State filed a Motion to Dismiss Plaintiff's Complaint for failure to name the state agency as a defendant as required by A.R.S. § 12-908. On that date, the State also filed a Conditional Answer to Plaintiff's Complaint in the event that the court denied the State's Motion to Dismiss. On January 28, 2009, Plaintiff filed a Motion to Amend his Complaint to add the Commission as a party to the action. On February 3, 2009, the State filed its Opposition to Plaintiff's Motion to Amend his Complaint. At a hearing on March 9, 2009, the Court granted Plaintiff leave to amend his Complaint. Plaintiff filed his Amended Complaint on March 10, 2009, and re-filed the same Amended Complaint on April 6, 2009. On March 27, 2009, the State filed a Conditional Answer to Plaintiff's Amended Complaint concurrently with a Motion to Dismiss Amended Complaint or Alternatively for Change of Venue.

The Court granted the State's Motion for change of venue and ordered Anderson to re-file his complaint in Coconino, Maricopa or Pinal counties. Anderson re-filed his complaint on July 23rd in Pinal County. The State has until August 13th to file an answer.

(5/11/09) (JFO/SDC)

Lands Update
For the Arizona Game and Fish Commission
July 31, 2009
Phoenix, Arizona

Forest Service Land and Travel Management Planning

Forest Service

On June 30, 2009 a US District Court in Northern California ruled against the US Forest Service 2008 Planning Rule, finding the rule in violation of the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA). Plaintiffs in the case included 14 environmental organizations, represented by the Center for Biological Diversity and Western Environmental Law Center. The District Court also ordered the Forest Service to reinstate either the 1982 or 2000 Planning Rule before it proceeds with Forest Plan Revision. The Forest Service has not officially announced which planning rule it intends to follow, or how much of their Forest Plan Revision work to date will be negated by the Court's decision.

Apache-Sitgreaves

The Department received the Forests Working Draft Land Management Plan dated June 15, 2009, which was developed under the 2008 Planning Rule. Given the ruling on June 30, 2009 the Forest is currently waiting for direction on how to proceed with the plan revision, though it is likely that an Environmental Impact Statement (EIS) will be required. In the interim, the Department will continue to review the draft document and provide comment to the Forest.

Tonto National Forest

The Region has had mixed success in providing input into the Forest's travel planning process. Some districts have worked closely with Department personnel in reviewing roads and related issues at the District level, and other districts have been less open about the process. Tonto Supervisor's Office staff has cited limitations due to the Federal Advisory Committee Act (FACA), irrespective of our standing under the Unfunded Mandates Act and our MOU with the Tonto. As a result, the Department was not given the opportunity to sit in on the multidisciplinary road review process as we have done with the BLM.

U.S. FOREST SERVICE

Four Forests Initiative

The US Forest Service (USFS) Southwest Regional Office continues to work on an accelerated, landscape-scale forest restoration project on four forests (Coconino, Kaibab, Apache-Sitgreaves, and Tonto), aka the Four Forests Restoration Initiative. The Four Forests Initiative calls for mechanical tree thinning and fire to restore fire-adapted ecosystems and reduce fire risk in Arizona forests. The effort seeks private sector involvement to offset costs of restoration, accelerate treatments, and bring economic development to rural communities in northern Arizona. Eventually 2.4 million acres will be considered over 20 years, but the first phase may thin 300,000 to 700,000 acres over the first 10 years. The Department is participating in a

collaborative steering group to design the general framework for the initiative. The collaborative steering group is made up of multiple agencies, non-governmental organizations (NGO's), local governments, and wood product industries. Recently, the steering group developed the '4FRI Path Forward Document', which describes a formal, collaborative process that will be used to address all aspects of restoration, conflict resolution, and adaptive management. In the Path Forward document a tree diameter cap of 16 inches applies to the entire initiative area, unless ecological objectives call for removal of larger trees. The USFS has informally adopted the Path Forward document, but has stated its intent to allow for greater flexibility than what would be offered with a diameter cap. The Department supports the USFS in that intent. At this time, the collaborative steering group has broken into smaller working groups to develop elements of the initiative, and will reconvene to advance the effort in a two day session in August.

Apache-Sitgreaves National Forest

The Department provided comment to Navajo County and the Lakeside Ranger District (District) on the Scoping Report for the proposed Pinedale Road Project. The project would result in the installation of asphalt pavement along a 9-mile stretch of Pinedale Road on Forest Service lands between Highway 260 and the Town of Taylor. This section of Pinedale Road is currently a two-lane unpaved roadway with no right-of-way fencing. Although not mentioned in the Scoping Report, the Department expressed concern that the addition of right-of-way fencing would further fragment pronghorn habitat within this portion of GMU 3C. In subsequent communication with the District, the Department learned that right-of-way fencing is being considered as a component of this project. The Department is currently working with the District to address this concern, and has recommended that the right-of-way fencing be moved further back from the edge of the roadway in order to minimize the barrier effect caused by fencing in close proximity to a paved roadway.

The Department provided comment on the Proposed Action for the Rodeo Chediski Prescribed Burn Project. The proposed project would provide for broadcast burning on approximately 148,222 acres within the boundaries of the 2002 Rodeo Chediski Fire south of Highway 260. Approximately 5,000 to 15,000 acres would be treated per year. In addition to addressing current and future fuel loading concerns, project benefits include maintenance of browse and herbaceous forage production. The Department expressed its support for the proposed project, and continues to work closely with the Forest on the analysis.

The Department provided comment on the proposed Show Low Land Exchange. The proposed land exchange would involve the exchange of approximately 1,028 acres of Federal lands in Apache, Navajo, and Yavapai counties for approximately 1,555 acres of private land in Apache, Coconino, Greenlee, Navajo, and Yavapai counties. The Department expressed support for the exchange based on the overall benefits to wildlife likely to be realized as a result of the proposed exchange.

Department personnel continue to conduct Apache trout recovery projects on the Forest. Improvements were made to fish barriers on Conklin Creek, West Fork Little Colorado River, and East Fork Little Colorado River. Barrier evaluations by electrofishing upstream were conducted on West Fork Little Colorado River and in Conklin Creek and Bear Wallow Creek. Habitat and fish population monitoring was conducted on East Fork Little Colorado River.

Coronado National Forest

The Department continues to work with the Nogales Ranger District and the Coronado Supervisor's office on the Peña Blanca Lake dredging project. The sediment removal has been completed and the project is starting to wrap up. The fish structure work has been completed and plans are currently shifting to construction of the new boat ramp, parking facilities and site cleanup. Summer rains have begun to re-fill the lake but so far progress has been slow due to poor rainfall.

The Department continues to work with the Safford Ranger District and the Coronado Supervisor's office on the Gila Trout Project in the Pinaleño Mountains. The Environmental Assessment (EA) is expected to come out soon. The stocking of Frye Creek is planned for this fall and renovations of Ash and Marijilda drainages are planned for subsequent years.

The Memorandum of Understanding with the Forest for the Rosemont Copper Project is now complete and, the Department is now recognized as a Cooperating Agency. The Department is currently reviewing potential alternatives available for the project and attends monthly meetings with the cooperating agencies.

The Forest has distributed to the public the Draft Environmental Impact Statement (DEIS) for the Pinaleño Ecosystem Restoration Project. The DEIS discloses the results of an impacts analysis of a proposal by the Forest to thin dense tree stands, remove standing dead trees, down woody debris, and use prescribed fire to further restore the Pinaleño Mountains forest ecosystem. It also discloses the impacts of removing woody biomass from treated areas. The project is anticipated to be implemented over the next 10 years. The affected area includes 5,754 acres on the Pinaleño Mountains near Safford, on the Safford Ranger District. The Forest worked closely with the Department to develop this proposal that will address both forest health and sensitive wildlife needs. A major objective of the project is to protect and enhance the habitat of the Mount Graham red squirrel. The 45-day public comment period will close on August 4, 2009. The DEIS is available on the web at www.fs.fed.us/r3/coronado.

Kaibab National Forest

The Department participated in a field visit to the Westside Habitat Improvement Project on the North Kaibab. The area is scheduled for pinyon and juniper treatments and for shrub seeding. In preparation of the fall seeding, the Grand Canyon Trust recently collected more pre-treatment data and has dedicated three volunteer weekends to collect seed, prune cliffrose, and hand seed into treatment areas. Monitoring indicates that ground disturbance associated with the drill seeding is not increasing cheatgrass and Plateau herbicide is reducing cheatgrass in some areas. Shrub seedlings do not appear as though they are germinating abundantly; however, it can take 3-5 years for shrub seedlings to establish.

The Department and the North Kaibab Ranger District (District) have been planning to renovate the creek in North Canyon to repair historic log check dams built in the 1930's. This project is now on the Schedule of Proposed Actions for the District, and the Department has been working with Natural Channel Design to investigate stream morphology and design considerations. The project has funding for completion and work could begin as early as next summer, depending on

the NEPA process. This work will be implemented in a wilderness area, but controversy is not anticipated at this time. This is a project that the Department has been working toward initiating for several years, as the pool habitat for the Apache trout has been degrading over time as the structures age.

BUREAU OF LAND MANAGEMENT (BLM)

On July 20, the Secretary of Interior announced a proposal to withdraw approximately 633,547 acres of public land and 360,002 acres of National Forest Lands from uranium mining. These lands are associated with the Grand Canyon Watershed Protection Act of 2009 (H.R.644) introduced by Rep. Grijalva last year. The proposal is a two year withdrawal, during which time various studies and analysis will investigate whether these lands would proceed under a 20-year withdrawal that must be passed by Congress. At this time, this withdrawal applies only to new claims. However, environmental groups are pushing to limit exploratory drilling associated with existing claims as well. Last March the Commission expressed support of the emergency withdrawal in a letter to Senator McCain. The Department will continue to stay engaged in the process as it becomes more clear on how the withdrawal will or will not affect current exploratory drilling being planned, and how that may affect local wildlife in the area.

Hassayampa Field Office

The Bureau of Land Management is in the process of working with stakeholders and agencies in an effort to develop a functional, feasible recreation plan for the Table Mesa Road area. In effect, this plan is the next step following the recently developed Resource Management Plan (RMP). The Hassayampa Field Office has been collecting public comments and mapping concepts since last November; incorporating alternatives for a draft Recreation Plan. The Draft Plan was presented to the public on June 30th. The draft map for the planning area is posted on the BLM website. Due to the interpretation of a BLM Instructional Memorandum on authorizing shooting ranges, the locations of popular existing target shooting sites will not be shown on the map. The text of the draft plan/EA will be available soon. The proposed plan/Final EA will be out for review sometime in September 2009.

The Department worked with the Field Office on Travel Management Plan route evaluations for the Harcuvar/North Aguila area. Route evaluations for this area were completed in June 2009 and a preferred alternative is currently being developed.

Lower Sonoran Field Office

The Department began working with the Field Office on Travel Management Plan route evaluations for the Gila Bend Mountains area on July 20th. It is anticipated that the route evaluations will be completed in August 2009.

Havasu Field Office

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.

Kingman Field Office

On July 13th and 14th, Department personnel participated in the continuation and wrap-up of Route Evaluation for the Kingman Field Office's Hualapai Mountain Unit. Route Evaluation is scheduled to continue August 10-14th in the Kingman Field Office's Black Mountain Unit.

Phoenix District Office

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.

Yuma Field Office

The Proposed Resource Management Plan and Final Environmental Impact Statement have been released to the public. The Final Resource Management Plan and Record of Decision will be issued after protest resolution. The Department continues to work with BLM on the development of subsequent implementation-level plans, including the La Posa Travel Management Plan.

Tucson Field Office

The Tucson Field Office (TFO) is in the final review stage for the Middle Gila Transportation Management Plan and is in the process of reviewing comments received on the final draft.

The Department is currently assessing recreation access needs in the area northwest of the Galiuro Mts. BLM has completed an inventory of existing routes here. Arizona State Land Department has provided the Department permission to conduct the inventory using BLM resources. The Department will continue to coordinate closely with the Field Office in the development of subsequent implementation-level plans, including Travel Management Plans and associated route designations.

Safford Field Office

The Department has been actively participating in a route evaluation process in the Safford Field Office for the San Simon travel management area toward the end of completing a designated route system for the area.

BLM NATIONAL MONUMENTS & CONSERVATION AREAS

Ironwood Forest National Monument (IFNM)

The Tucson Field Office (TFO) continues to work on the development of a proposed final Resource Management Plan and Environmental Impact Statement for the Ironwood Forest National Monument. The Department is coordinating with TFO on the final draft of the Resource Management Plan which is due out to the public for comment this fall. The Plan is currently under BLM State Office and Washington Office administrative review.

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 BLM-administered lands in northern Arizona. The final plan includes a series of unique route networks and designations. Various organizations have filed law suits against the BLM for these plans referencing off-road vehicle route designations and livestock grazing decisions as being incompatible with the Presidential proclamations that created the monuments. One law suit against both BLM and FWS alleges that the Resource Management Plans fail to protect California condors in the Grand Canyon from lead ammunition. Over the last months, the Department has been active in assisting the AG's office in developing the Department's response and involvement in these lawsuits.

Agua Fria National Monument

The Proposed Resource Management Plans and Final Environmental Impact Statement for the Agua Fria National Monument and Bradshaw-Harquahala Planning Area were released on August 8, 2008. The Department continues to work with the Field Office in the development of subsequent implementation-level plans, including Travel Management Plans and associated route designations.

Sonoran Desert National Monument (SDNM)

The BLM continues to develop its preliminary preferred alternatives for the draft Resource Management Plan in association with the Lower Sonoran management area to be released for public review. The Department continues participating to proactively develop comments throughout the planning process.

The temporary road closure in the SDNM implemented by the BLM began on June 13, 2008, and encompasses 88 miles. The closure was implemented due to natural and cultural resource damage, and was anticipated to remain in effect for two to three years after which, following restoration efforts, areas would be reopened. To date, the BLM has been working to restore damaged areas, but do not have a scheduled time frame to begin lifting the closure.

Las Cienegas National Conservation Area (LCNCA)

For over a year, the Department has been working with the Bureau of Land Management's Tucson Field Office to finalize an Environmental Assessment on the Department's proposal to "Reintroduce Black-tailed Prairie Dogs on the Las Cienegas National Conservation Area". In October 2008, the Department reestablished the black-tailed prairie dog population on State Trust Lands within the LCNCA. The BLM's Environmental Assessment was distributed for a 30 day public comment period on April 8, 2009. The responses for support (5 letters) outnumbered those opposing (3 letters) the reestablishment and those that were neutral (2 letters). A majority called for an intensive monitoring program to document the projects successes or failures, and the effects on the grassland habitat. The Department held a conference call with BLM personnel on June 1, 2009 to discuss the comments received, and to help formalize the response. On June 19, 2009, after a briefing with their State Director, BLM obtained the appropriate signatures to finalize the Environmental Assessment and the Finding of No Significant Impact. This decision commits the BLM to providing up to 1000 acres of

reintroduction habitat for black-tailed prairie dogs on the LCNCA. The decision could have been appealed to the Interior Board of Land Appeals, Office of the Secretary if received within 30 days of receipt of the decision or no later than July 24, 2009. No such appeals were filed. The Department will now be able to continue to move forward with reestablishment of a second area within the LCNCA. This second area will be prepared this fall for a release tentatively scheduled in October. The date is dependent upon finding a source population.

U.S. FISH AND WILDLIFE SERVICE

Kofa National Wildlife Refuge (Kofa NWR)

Efforts to capture and collar additional lions on the Kofa NWR have resulted in the capture and collaring of one adult male lion. FWS monitoring of waterhole cameras have shown evidence of at least three lions still routinely using the Kofa Mountains Complex. The Commission voted to extend the Department's self-imposed moratorium on lethally removing offending lions captured and collared on the Refuge through July 31. The U.S. Fish and Wildlife Service (Service) requested the Department extend the moratorium due to the complexity of conducting the environmental assessment (EA) for managing mountain lion predation on desert bighorn sheep on the Refuge. The Service anticipates releasing a draft EA in early August 2009. The total number of collared sheep is approximately 40. Efforts continue on a study to document and monitor body condition of bighorn sheep on Kofa NWR. The annual bighorn sheep survey on Kofa NWR was completed in October 2008 and the resulting population estimate was 436. This estimate is similar to the previous two years. In May, two Department interns began monitoring areas outside of the Kofa NWR for signs of lions and collecting data from trail cameras; they will continue this work until approximately early August. Additional information on the management of bighorn sheep, lions, and water on the Kofa NWR can be found on the Department's web site.

GENERAL UPDATES

Arizona Department of Transportation (ADOT)

Benson Development

The Department met with URS, consultant for ADOT, on the Cochise County NW Transportation Plan centered around Benson. The Department previously identified a critical landscape linkage here connecting the Whetstone and Rincon Mountains. The NW plan could potentially fragment this linkage further. The City of Benson controls planned development areas immediately adjacent to the Coronado Forest on the northwest side of the Whetstones. This planned development could contain 12,000 homes at build out. The city is looking to improve the transportation infrastructure in preparation for this potential future. The Department will continue to coordinate on the transportation planning.

Hoover Dam/Bighorn Sheep (Milepost 2-17 Project)

The Department continues to participate in weekly partnering meetings for this project, and provide frequent guidance for the location of project right-of-way fencing. Soon, the project team will begin identifying locations for the “jump-outs” that will allow any bighorn sheep that enter the US 93 roadway to escape from the right-of-way.

I-40 – Bellemont to Winona

ADOT is initiating a new highway project along I-40 from Bellemont to Winona (through Flagstaff). The Department has been actively involved in agency meetings and public meetings in the initial stages of this highway project. The Department, Federal Highways, and ADOT have funded an elk movement study for this area and data from the first collared elk are available. In total, 70 or 80 elk are slated to be collared for a three year study. In addition to elk movement data, as part of the corridor analysis for Coconino County, a multispecies corridor analysis will be conducted to augment existing crossing data. The Department is in good standing to advocate for wildlife issues along this section of highway. The other factor being considered is the potential for crossing issues associated with the railroad, which runs along the corridor being upgraded. The statewide bqAZ effort has plans to increase rail statewide and the Department is having discussions about the effect of rail on wildlife crossings to ensure that rail and highway improvements both facilitate wildlife movement.

State Route 89A Fain Road

To accommodate future traffic projections, ADOT, in cooperation with the Federal Highway Administration, is planning to widen Fain Road to a 4-lane divided roadway from SR 89A to milepost 326.26. The Department also understands that Yavapai County is planning to widen Fain Road to a 4-lane divided highway from milepost 326.26 to State Route 69. The Department has expressed concerns to ADOT related to increased habitat fragmentation and impacts to pronghorn antelope, and has requested further coordination on the proposed widening project.

SR 89A - Vermilion Cliffs Corridor Management Plan

The Department has reviewed and commented on the Draft Corridor Management Plan for State Route 89A. This section of highway extends from Bitter Springs, over Marble Canyon, up and onto the Kaibab and down into Fredonia, AZ. This plan sets the stage for potential designation as a National Scenic Byway. It is a stakeholder driven process whereby agencies, Non Government Organizations (NGOs), and interested public describe the social, ecological, and scenic aspect of the roadway. The Department provided input on the importance of highway crossing structures for wildlife. If this roadway becomes a scenic byway, ADOT and Federal highway will rely on the values associated with this plan, should improvements or widening take place in the future.

Buckeye Hills

The Department continues to meet with the Bureau of Land Management and Maricopa County Parks about a cooperative management agreement for the 18,000 acres of BLM land in the Buckeye Hills, west of SR 85. A draft cooperative management agreement was written by Department staff and was reviewed with very few changes by the other agencies. We will also need to draft a general MOU to cover the relationship between the Department and County

Parks. Discussions have led to the general agreement that lands administered by all three agencies will eventually be managed together as far as specific agency restrictions and obligations allow. The County's Buckeye Hills Recreation Area, the Department's Robbins Butte, Powers Butte and PLO 1015 lands, and the 18,000 acres of BLM land will share a common entrance near the Robbins Butte entrance, and access and opportunities will be coordinated between the three entities. The next meeting is scheduled for August 20. The Region is in the process of reviewing inventoried roads in the Buckeye Hills west of SR 85 in close coordination with BLM staff. This has been a great experience and the Department is grateful for the full inclusion of the Department by BLM in the process.

Chino Valley HCP

The Department attended an initial coordination meeting with the Town of Chino Valley's Water Resource Director and representatives from the Flagstaff USFWS Ecological Services Office to discuss Chino Valley's desire to initiate development of a Habitat Conservation Plan. While Chino Valley will miss the window of opportunity to apply for an HCP planning assistance grant this grant cycle, it will endeavor this upcoming year to develop the scope of the HCP and initiate development of the partnering list for this effort. At this meeting, the Department recommended that Chino Valley solicit the participation and involvement of Yavapai County and the other CYMPO Municipalities in the development of and support for this effort. The Department has been invited and plans to actively participate in this process.

Chiricahua Leopard Frogs Release

Department personnel released more than 30 Chiricahua leopard frogs, including adults and tadpoles, on May 29 into a protected pond on private property near Show Low. The introduction of these federally threatened frogs is the first to occur as part of a new Safe Harbor Agreement. The Safe Harbor program makes it possible for private and non-federal landowners to participate in the conservation of multiple wildlife species, including endangered Gila topminnow, desert pupfish, Yaqui topminnow, and Quitobaquito pupfish by providing refuge sites. The frogs for this inaugural release came from a breeding stock maintained by the Department at the Pinetop Regional Office that originated from the Three Forks area of the Apache-Sitgreaves National Forests. It is hoped that frogs from this site will breed successfully and become a source population for stocking future waters.

City of Flagstaff/Coconino County

The Flagstaff Regional Planning process continues for the City and the County. Both jurisdictions are involved in a revision of the Flagstaff Regional Plan and have initiated Focus Group meetings to address land use, circulation, open space, and the environment, among others. The Department is currently working with City/County staff on development of the Conservation, Environment, Energy, and Water elements of the plan. The Department will continue working to integrate wildlife goals and policies throughout this regional planning document.

Coconino County

The Arizona State Land Department recently held a public meeting in Flagstaff to hear comment on Coconino County Parks and Recreation's application to reclassify approximately 2200 acres in and around Rogers Lake for conservation purposes per the Arizona Preserve Initiative. Over

30 agencies, organizations, and/or community members spoke in support of the reclassification. It is known that the grazing sub-permittee is opposed to the reclassification. However, no one was present to speak in opposition at the hearing. Coconino County Parks and Recreation are currently raising funds to bid for Rogers Lake at auction as early as summer 2010. Coconino County has asked the Department to provide 10 percent of the acquisition costs and to partner in joint management of Rogers Lake to conserve and enhance its wetlands and wildlife habitat, and to develop Watchable Wildlife recreation opportunities.

Creeks and Communities Proper Functioning Condition (PFC) Workshop

The Department attended the Creeks and Communities Proper Functioning Condition Workshop presented by the National Riparian Service Team and organized by the Ranching Heritage Alliance, University of Arizona, Arizona Cattle Growers Association, Forest Service and The Quivira Coalition. The first day consisted of discussions regarding the concepts and principles of PFC, which provides for the assessment of the hydrological function of riparian systems. The subsequent three field days consisted of visits to several different types of riparian sites where attendees discussed and performed PFC assessments.

Degradation of Walnut Creek

Department personnel met twice with a private landowner on upper Rainbow Lake, Navajo County, on May 29 and July 1 to discuss an old dam on adjoining Department property. The private landowners contend that the Department's actions of removing crumbling portions of that dam have contributed to the degradation of Walnut Creek flowing into the lake and to the lake itself, and are requesting that the Department repair the old dam. The Department disagrees that the disrepair of the dam has led to the degradation of the creek or the lake. Portions of the dam were taken down for safety reasons. The water rights in the creek and lake are entirely privately owned and the Department will likely not repair the old dam. The Department has offered to organize a clean-up day to remove trash and debris dumped on the property by other adjoining landowners and has recommended a riparian rehabilitation project to improve the riparian and stream function of Walnut Creek. The Department is also working with the Show Low Creek Watershed Committee to address conditions in Rainbow Lake. On a related note, the Show Low Creek Watershed Committee is recommending the use of white amur to control aquatic weeds in Rainbow Lake and using this old dam on Department property as one of the barriers to make a closed system as required to stock white amur. Department personnel have communicated to the group that this approach will be extremely difficult under our white amur regulations and that the group should focus on the recommendations by Arizona Department of Environmental Quality in a Total Maximum Daily Load report for Rainbow Lake. Although the old dam could be modified to function as an upstream barrier, it will be extremely difficult to design and build a barrier to downstream movement with the high flow levels that come through the Rainbow Lake spillway.

Great Western/Glassford Hill Extension Design Concept Report (DCR)

The Great Western/Glassford Hill Roadway Development Project Team (AECOM) shared their preliminary findings and recommendations with the public at a public open-house on Wednesday July 22nd. The Department is tentatively planning to initiate the pronghorn collaring effort for this area during the last week of September or first week of October.

Hidden Water Parkway

Maricopa County Dept. of Transportation (MCDOT) has initiated a corridor feasibility study for a new parkway that would link I-10 south to I-8 at Gila Bend. The proposed parkway would follow the Gila River south, adjacent to the Old US Highway 80 alignment. Long-term transportation planning through the bqAZ effort (MAG) shows the northern most segment of this parkway alignment as a proposed Hassayampa Freeway. The corridor bisects a wildlife habitat linkage, known as the Gila Bend-Sierra Estrella Linkage, that connects the Gila Bend Mountains to the east with the Buckeye Hills and Maricopa Mountains, and is part of a regional connectivity plan that includes the Sierra Estrella Mountains. The Department will be participating as a member of the Technical Advisory Committee for the feasibility study. The Department questions the purpose and need for the parkway given the adjacency of the Old US Highway 80 and SR85, and has concerns for impacts to wildlife movement between the Gila Bend Mountains and Buckeye Hills.

Lake Management Plan

Department personnel continue to work with the public and stakeholders in developing a lake management plan for the East Sector of the Department's Pinetop Region. Several meetings have been held to discuss specifics at each lake, receive public input, and develop emphases, objectives and strategies. Presentations on the planning process and specifics at each lake were given to the San Pedro Flycasters in Sierra Vista on May 7 and to the Old Pueblo Trout Unlimited on June 3. Meetings were held in Springerville with the Town of Eagar and Pioneer Irrigation on June 9; in Greer with the US Forest Service and Greer Lodge on June 19; in Greer with the general public on June 22; and in Eagar with the general public on June 23.

Little Colorado spinedace Comprehensive Monitoring Surveys

Department personnel have conducted comprehensive monitoring surveys for Little Colorado spinedace across their historical range, beginning in late May and continuing through the summer field season. Some of the surveys have occurred on the Apache-Sitgreaves National Forest and on several Department wildlife areas, including Wenima Wildlife Area, Becker Wildlife Area, Grasslands Wildlife Area, Silver Creek Wildlife Area (hatchery property), and Chevelon Wildlife Area. Other surveys have occurred on private property where the landowners have granted access. These surveys were conducted on portions of Chevelon Creek, Silver Creek, and the Little Colorado River. Overall, the results have been good, finding moderate to high numbers of spinedace at locations where they have been documented in recent years. No spinedace were found in Silver Creek.

Maricopa County

Trilby Wash Feasibility Study

The U.S. Army Corps of Engineers (USACE) and Maricopa Flood Control District (District) have initiated the Trilby Wash Feasibility Study to develop and evaluate potential flood control solutions for the Trilby Wash, McMicken Dam, and outflow channels to the Agua Fria River. The Study area is of high interest to the Department as part of a regional connectivity plan to preserve wildlife habitat linkages between the White Tank Mountains and surrounding wildlands. The District and the City of Surprise have supported preservation and enhancement of these flood control corridors to benefit wildlife as well as create a recreational opportunity within the urban environment. The USACE will be considering ecosystem restoration as well as

recreational opportunities within the range of alternatives for the McMicken Dam rehabilitation and adjoining flood control. The Department will be involved with the planning process as an agency stakeholder and providing input to support an ecosystem restoration approach.

Maricopa County Ordinances P-28 and P-27

The Department met with Maricopa County Air Quality Department (MCAQD) Executive Assistant to the Director, Lucinda Swann, and other staff to discuss revisions to Maricopa County Ordinance P-28. Maricopa County provided information on the applicability of other dust ordinances (such as Ordinance 310.01, Fugitive Dust) that are enforced within the County. The team also looked at the Best Management Practices (BMPs) utilized by the agricultural industry to help control dust. As a result of the meeting the Department has crafted suggested revisions to Ordinance P-28 that will limit PM₁₀ emission attributed to Off Highway Vehicles (OHV) while allowing for reasonable access. The respective Departments will meet again on August 11th, 2009 to craft revisions.

A bill was passed this last session that will have an effect on air quality related to agricultural Best Management Practices. Senate Bill 1225 modifies a standing committee formally comprised of members from crop related industry which will now add representation from the dairy, feedlots, poultry, and swine industries. The bill removes the sovereignty that the County had over these added industries and places authority in the committee. The County will have a representative at the table. Previously, this committee was unique to Maricopa County. However, any county that reaches non-attainment for PM₁₀ will also be regulated under the BMPs authorized by the committee. The Department is continuing to monitor activities related to dust ordinances in Pinal County as well as they appear to be the next in line to be designated as a non-attainment area.

The Department has revised the Arizona OHV Rules and Regulation Guide and has included a section on dust issues across the state as well as in Maricopa County. In addition the Department continues to implement measures developed by the OHV Dust Task Force. These measures are aimed at reductions of PM₁₀ emissions related to OHV operation with the hopes that these efforts will help allow reasonable access. The mitigation efforts could ultimately lead to compliance with air quality standards.

Maricopa County – Solar Projects

Mesquite Solar Project

The Department met with representatives from Sempra Global Energy to discuss impacts to wildlife and possible mitigation for the Mesquite Solar Project on land purchased by Sempra for their existing gas turbine power plant in Maricopa County. The Department will continue to work with Maricopa County Planning and Development on this project.

Sonoran Solar Project

Project planning with Sonoran Solar LLC (Nextera) continues to move forward. The BLM has initiated NEPA with a notice of intent to prepare an Environmental Impact Statement (EIS). BLM has also invited the Department to participate as a Cooperating Agency. Sonoran Solar LLC continues to request input from the Department for project mitigation relating to wildlife impacts and habitat loss. The Department has discussed concerns with project siting on

undisturbed public lands, within a wildlife linkage identified by stakeholders participating in the Maricopa County Linkages Workshop held nearly 2 years ago. The Department recently met with Sonoran Solar LLC in June to discuss preliminary Department recommendations for mitigation. At this time we recommend the following: develop a wildlife water to replace a stock tank within the project footprint that wildlife use as a water source; fund research to evaluate the effects of solar energy development on wildlife movement within the Buckeye Hills East-North Maricopa Mountains linkage, as well as potential impacts on the wildlife community within and around the proposed solar development; and compensation for habitat loss for the portion of the project footprint that impacts an important wildlife linkage commensurate with Department policy.

Northern Arizona Shooting Range (NASR)

The Department sent a letter to the Coconino National Forest formally requesting that the Forest finalize the Agreement To Initiate for the Willard Springs Land Exchange and provide it for the Department's review and signature. This letter asks for confirmation that Forest Realty Specialist Mr. Pete Mourtsen will address the 6 recommended edits identified on Page 5 of the Forest's Regional Landownership Adjustment Team's (RLAT) review of the Willard Springs Feasibility Report dated January 16, 2009. It also informs the Forest that a cross-reference of the Forest list of permitted Archeological consultants with the state-contracted archaeological companies identified Logan Simpson Design Inc. and EcoPlan Assoc. as two compatible companies to undertake the cultural resources investigations at the Cochrane Hill and Winona/Telegraph Range alternative sites. Letters were sent to the Coconino County Board of Supervisors and Hopi Tribe providing a brief history of the project and requesting their support and extending an invitation to meet with Department personnel. Finally, letters were sent to the private landowners who submitted property offers during the 90-day evaluation period thanking them for their proactive efforts and informing them that the proposed parcel will not meet the Commission's objectives for this particular project.

Sonoita Creek Ranch

In September 2008, the Department submitted a proposal to the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund for \$1 million to help purchase the Sonoita Creek Ranch through the Recovery Land Acquisition Grants Program. The land acquisition will protect habitat of the Gila topminnow and other federally listed species. In April, the USFWS notified the Department that we were awarded partial funding for this proposal (\$307,000). In June, the Department was notified that USFWS has released other monies and is now able to fund the entire \$1 million grant proposal. We must identify matching funds and make agreements with the seller to accomplish the grant award. Arizona State Parks has notified us that they will not be able to contribute matching funds this year. The Department is working with other partners to find matching funds for the acquisition.

Sonoran Parkway

The Department continues to meet with representatives from the City of Goodyear, BLM and consultants on development of an Environmental Assessment for the proposed Sonoran Parkway. The parkway will cross an identified wildlife habitat linkage between the Sierra Estrellas and the Sonoran Desert National Monument (SDNM) in Rainbow Valley south of Buckeye. The project proponent has asked the Department to provide information on the most appropriate locations, as

well as parkway design components that will maximize permeability and preserve the values of the linkage, minimize road mortalities to wildlife and improve public safety.

Wildlife Linkages/Corridors

Coconino County

The Department continues to work on the Coconino County Wildlife Corridor Project, in collaboration with the Statewide Arizona Wildlife Linkage Steering Committee. Preliminary data from the March stakeholders workshop are in review by the Steering Committee, and the Department is preparing for the second stakeholder workshop to be held in Flagstaff in late September. The goal of this project is to engage local planners, land managers, and conservation groups in the design of detailed wildlife corridors to better provide for habitat connectivity throughout Coconino County. Results from a mid-level analysis are expected Fall 2009, and results from a detailed analysis are expected Fall 2010.

Yavapai County

Department personnel met with Yavapai County Supervisor, Carol Springer, to discuss launching a coordinated approach to Natural Resources Planning across the Central Yavapai Metropolitan Planning Organization (CYMPO) portions of Yavapai County. Supervisor Springer strongly supports this effort, and recommended that the Department make a formal presentation on Wildlife Corridors/Linkages Goals for the area at the July Coordinated Transportation – Land Use Meeting (CT-LU) attended by CYMPO administrator, Prescott ADOT, and Yavapai County Staff. Due to travel restrictions the Department postponed the presentation on Wildlife Corridors/Linkages Goals until the August 6th CT-LU Meeting. Following this upcoming presentation, attendees will discuss the most appropriate means by which to engage the planners of the CYMPO municipalities in this natural resources planning effort. This will be followed by a similar presentation to CYMPO's Multi-modal Technical Advisory Committee at their September meeting.

Hunt Permit-tag Application Schedule – Spring 2010

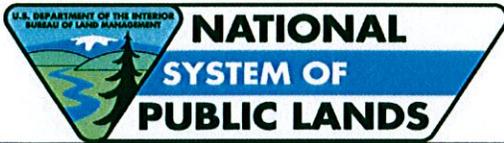
Hunt permit-tag applications will be accepted and processed in accordance with R12-4-104 and R12-4-114 and this schedule.

Drawing					
	ACCEPTANCE DATES¹	CORRECTION PERIOD²	DEADLINE DATES³		
HUNT	Applications accepted on or after:	Deadline 5 p.m. (MST) in Department offices	Deadline 7 p.m. (MST) in Department offices on:	Hunt permit-tags mailed out by:	Refund warrants mailed out by:
Spring Turkey	(See note 1)	Sept. 24, 2009	Oct. 13, 2009	Dec. 4, 2009	Nov. 27, 2009
Spring Javelina	(See note 1)	Sept. 24, 2009	Oct. 13, 2009	Dec. 4, 2009	Nov. 27, 2009
Spring Buffalo	(See note 1)	Sept. 24, 2009	Oct. 13, 2009	Dec. 4, 2009	Nov. 27, 2009
Spring Bear	(See note 1)	Sept. 24, 2009	Oct. 13, 2009	Dec. 4, 2009	Nov. 27, 2009

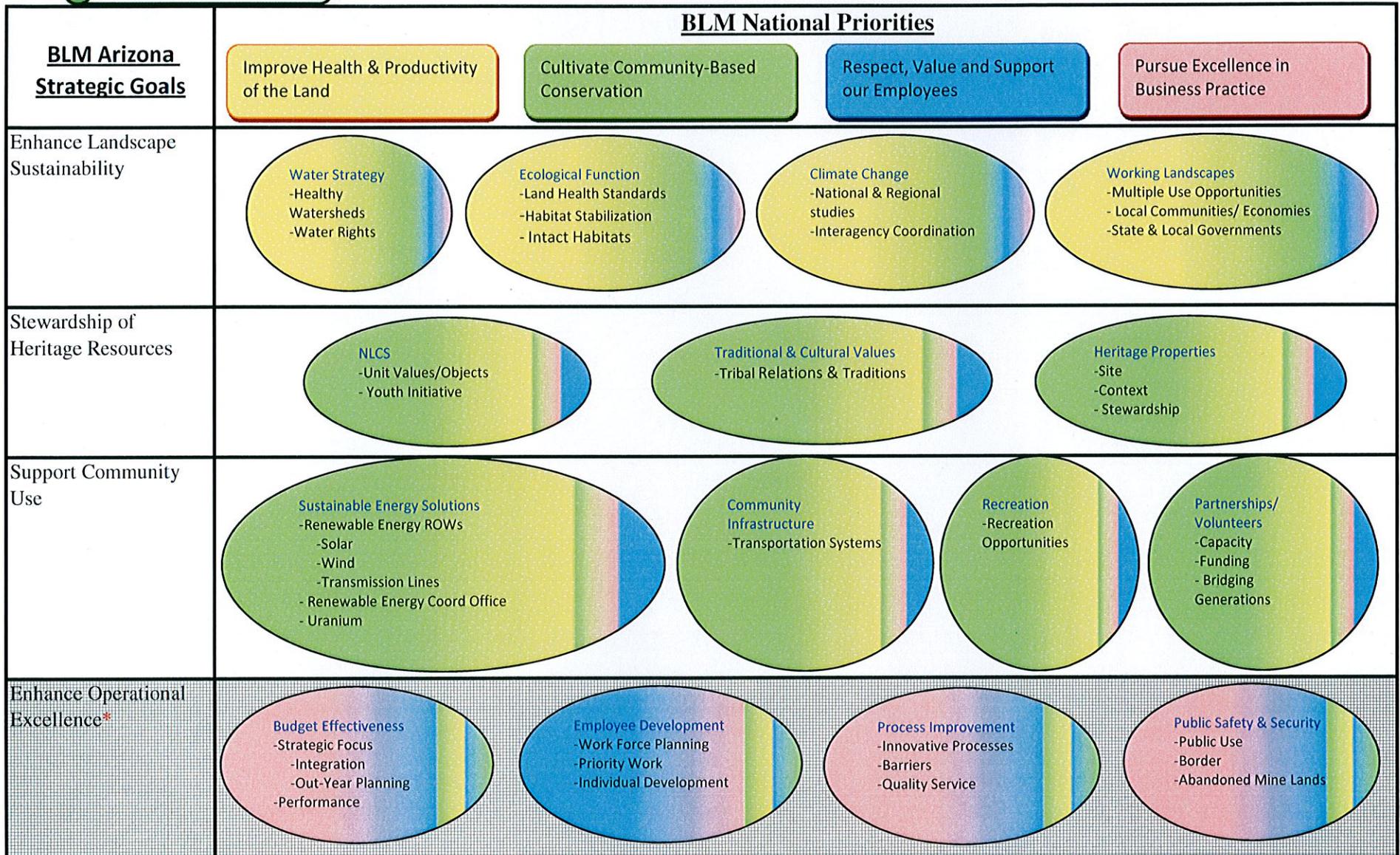
First Come⁴		
	Applications accepted by mail on or after 8:00 a.m. (MST):	Permits available for purchase at all Department offices after 8:00 a.m. (MST):
HUNT	ACCEPTANCE DATES	ACCEPTANCE DATES
Spring Turkey	Nov. 30, 2009 ⁵	Dec. 7, 2009 ⁵
Spring Javelina	Nov. 30, 2009 ⁵	Dec. 7, 2009 ⁵
Spring Buffalo	Nov. 30, 2009 ⁵	Dec. 7, 2009 ⁵
Spring Bear	Nov. 30, 2009 ⁵	Dec. 7, 2009 ⁵

Notes:

- The Department will accept Hunt Permit-tag Applications for big game listed above as soon as the applicable year hunt information is available on the Department's Web site (www.azgfd.gov), or from any Game and Fish Department office or license dealer, unless otherwise noted in the Hunt Permit-tag Application schedule.
- If a paper Hunt Permit-tag Application that is submitted contains an error and is received by Sept. 24, 2009, the Department will make three attempts within a 24-hour period to notify the applicant by telephone (if a phone number is provided).
- Department offices at Flagstaff, Kingman, Mesa, Phoenix, Pinetop, Tucson and Yuma will close for business at 5:00 p.m. (MST); completed applications will be accepted at these locations until 7:00 p.m. (MST) on deadline days. No applications will be accepted after this time regardless of the postmark. Deadline dates may be extended in the event of a Department related system failure.
- First come permits are issued if available and will sell very quickly. Applicants are advised to check with the Department before submitting an application for leftover permits. A listing of leftover permits is available online at www.azgfd.gov or at any Department office.
- Applications for first come permits, if available for hunts on Camp Navajo or Fort Huachuca, must be submitted by U.S. mail only to, P.O. Box 74020, Phoenix, AZ 85087-1052.



BLM Arizona Strategic Goals Diagram



* Employees and Operational Excellence serve as the foundation in achieving Arizona's strategic goals as depicted above.