

Minutes of the Meeting of the  
Arizona Game and Fish Commission  
Friday, June 22, 2001 – 8:00 a.m.  
Saturday, June 23, 2001 – 8:00 a.m.  
Wildlife Building-State Fairgrounds  
McDowell Rd. & 17<sup>th</sup> Ave.  
Phoenix, AZ

PRESENT: (Commission)

Director's Staff

Chairman Dennis D. Manning  
Commissioner Michael M. Golightly  
Commissioner Sue Chilton  
Commissioner W. Hays Gilstrap

Director Duane L. Shroufe  
Deputy Director Steve K. Ferrell  
Asst. A.G. Jay Adkins  
Asst. A.G. Jim Odenkirk

Chairman Manning called the meeting to order at 8:05 a.m.

1. Executive Session – Legal Counsel

- a. Legal Counsel. *Forest Guardians v. APHIS*, CIV 99-61-TUC-WDB; *State of Arizona v. Norton*, CIV 98-0632-PHX-ROS; *Conservation Force v. Shroufe*, CIV 98-0239 PHX-RCB; In *Re General Stream Adjudication for the Little Colorado River and Gila River* and *Mark Boge v. Arizona Game and Fish Commission & Shroufe*, CIV 2000-020754
- b. Legal Advice. Commission's process for determining items for its meeting agendas
- c. Briefing. Arizona Auditor General's Office audits
- d. Zuni Tribe Water Rights Settlement Agreement
- e. Legal Advice. Recent legal issues associated with water rights at Page Springs Fish Hatchery and legal access across Commission property

**Motion:** Gilstrap moved and Golightly seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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Meeting recessed 8:05 a.m.

Meeting reconvened 9:02 a.m.

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Chairman Manning called the meeting to order at 9:02 a.m. and introduced members of the Commission and Director's staff. The meeting followed an addendum dated June 15, 2001.

## 2. An Update on Current Issues, Planning Efforts and Proposed Projects on Federal Lands in Arizona and Other Matters Related Thereto

**Presenter:** John Kennedy, Habitat Branch Chief

A copy of the printed update, which was provided to the Commission prior to today's meeting, is included as part of these minutes.

More information was provided regarding the Sheep Springs Allotment. There was discussion about the Apache-Sitgreaves (A-S) and the Tonto National Forests coming together for a joint analysis of the Heber-Reno Sheep Driveway. The update went into significant issues associated with the Department's participation in the ID Team for the Beehive/Sheep Springs Allotment Management Plan (AMP). Although the Beehive/Sheep Springs Allotment was mentioned, the analysis is separate from the analysis of the Sheep Driveway. The A-S and Tonto analysis has not moved forward; the Department will seek clarification from the Forests with regard to timing associated with moving forward on the Sheep Driveway analysis. The Department will be seeking direct involvement on the ID Team. The Department's involvement in the Beehive/Sheep Springs AMP issue is ongoing. A new analysis will be submitted for public agency review.

Reference was made to a meeting with the Arizona Wildlife Federation (AWF), U.S. Forest Service (Coconino National Forest) and the Department. Chairman Manning asked why AWF was interrogating the Department and the Forest Service on the antelope practices on Anderson Mesa. Mr. Kennedy stated that based on the lack of coordination of all the stakeholders, including AWF, at this time, it appeared there was little willingness to move forward with compromises. More information could be asked of the AWF, but it appears the organization is firm on its positions with regard to the Diablo Trust AMPs and allotments. The Region II Supervisor is working with the Forest on issue resolution.

Commissioner Chilton mentioned that more studies were planned to study nutrient limitations for the pronghorn. Perhaps a collaborative project with the people in the area would be productive.

Commissioner Gilstrap asked how long the Department had been involved in pronghorn research on the Anderson Mesa. Mr. Kennedy believed pronghorn issues have been significant the past several years. Commissioner Golightly asked about the kinds of pronghorn research projects that had been done in the past. Jim deVos, Research Branch Chief, stated the majority of the research that was done by Neff and Woolsey about 15 years ago focused on the relationship between predators (coyotes) and fawn production. Also studied were factors such as habitat conditions associated with predator-prey relationships. The Department worked on a number of habitat issues, e.g., fence modifications, to be more pronghorn-friendly. The Research Branch has been working with regional staff for nearly two years in developing a cooperative approach to doing some investigative relationship research between predator densities, habitat conditions, micro-nutrients, not only in Unit 5B, but by using some comparisons in other areas. Overall, research activity has been ongoing on pronghorn for about 20 years.

Issues involving access onto newly-acquired land on the Buenos Aires National Wildlife Refuge (NWR) were raised. Chairman Manning mentioned that the Commission was not familiar enough with the particular area to make informed decisions as to whether or not there was adequate access into the interior of that NWR. He proposed that each commissioner tour the property personally. Access problems needed to be resolved with the refuge manager.

Commissioner Chilton noted that when the Department discussed access in its letters, reference should be extremely specific for genuine, public, hunter access. Mr. Kennedy stated draft letters had been prepared regarding Buenos Aires which the Director had for review. At the May 11, 2001, Commission meeting, Commission direction was not specific with regard to other federal lands in the state. Both action items had been specific to Buenos Aires, which the Department felt was appropriate. The Department could prepare amended letters to include what the Commission wanted; however, the momentum was on refuge issues with respect to policies that were out for review. The Commission did not object to the Department re-drafting a letter for the Chairman's signature to the congressional delegation expressing concern for public access to Department interests on all wildlife refuges.

Director Shroufe stated that yesterday afternoon he received copies of the agreement to initiate the land exchange for the Bellemont Shooting Range. He asked the Commission to make a motion to give him permission to sign the agreement to initiate the Bellemont Land Exchange pending review by the Attorney General's Office. Director Shroufe stated final action to approve lands for the exchange would have to come back to the Commission. Because of the way they were purchased by the Department, values would have to be transferred to the Forest Service and management of those lands in the future by the Forest Service would be guaranteed through MOUs.

**Motion:** Golightly moved and Gilstrap seconded THAT THE COMMISSION PERMIT THE DIRECTOR TO SIGN AN AGREEMENT TO INITIATE THE LAND EXCHANGE DOCUMENT WITH THE UNITED STATES FOREST SERVICE PENDING REVIEW BY THE ATTORNEY GENERAL'S OFFICE.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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### 3. An Update on the Lower Colorado River Multi-Species Conservation Program

**Presenter:** John Kennedy, Habitat Branch Chief

The Lower Colorado River Multi-Species Conservation Program (MSCP) represents a partnership between state, federal, tribal, and other public and private stakeholders that is focused on managing the water and related resources of the Lower Colorado River basin. The MSCP works towards the recovery of listed fish and wildlife species through proactive habitat restoration and species conservation efforts. The MSCP planning area includes the historic floodplain of the Lower Colorado River and reservoirs from Lake Mead to the Southerly International Boundary with Mexico. The MSCP is a long-term program intended to conserve sensitive fish and wildlife habitats, accommodate current

water diversions and power production, and optimize opportunities for future water and power development.

The MSCP will provide long-term environmental compliance for federal agencies, pursuant to Section 7 of the Endangered Species Act (ESA) and non-federal agencies and entities, pursuant to Section 10 of the ESA. The Bureau of Reclamation (BOR) and the Fish and Wildlife Service (FWS) are the joint lead federal agencies for the preparation of an Environmental Impact Statement (EIS) associated with the MSCP. The EIS will provide the basis for BOR's Record of Decision on issuing the ESA Section 10 permit. In addition to the EIS, the BOR will prepare a Biological Assessment (BA) on its on-going and future management actions on the Lower Colorado River. The FWS will utilize the BA to prepare a Biological Opinion pursuant to Section 7 of the ESA.

Bill Werner, Aquatic Habitat Program Manager and the Department's lead for the MSCP, briefed the Commission using a Power Point presentation on this conservation program.

The timeline for the program was noted. The draft Conservation Plan should be out in mid-August 2001. A public review draft EIS (the federal requirement) and Environmental Impact Report (EIR) (the California requirement) will be combined and will have a comment period from March-May 2002. A final EIS/EIR is anticipated in mid-September 2002, with a Record of Decision about the end of October 2002.

Commissioner Chilton highlighted some points. It was important to look at the animal to see what habitat it uses, specifically, the southwestern willow flycatcher. They are being found in tamarisks, which are considered to be an invasive species. The birds themselves are making their own habitat decisions. In the listing process, certain claims are made that reflect more the political and aesthetic choices of the persons writing the document than the necessities of the animal. Those claims then become the basis for highly dislocated and costly actions on the part of governments that attack local economies and cultures without any basis of the animal's needs. Commissioner Chilton stated it was important to determine what actual scientific basis there is to tell us what the southwestern willow flycatcher needs and keeps us from taking actions that impact other human activities (hunting, recreation, agriculture) and necessities. Sometimes impacts are imposed on the claim that the bird cannot survive without canceling other activities that require access for the public or economic production.

Mr. Werner stated information that is being derived goes into an Adaptive Management Program.

Commissioner Gilstrap stated it was important to make these types of presentations to inform the public. The degree of success for this program was very important. The media could become more aware of these evaluations and studies. The media should report these positive experiences.

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#### 4. Consent Agenda

- a. Request for the Commission to Approve an Intergovernmental Agreement (IGA) between Maricopa County and the Commission that would Allow the Department to Accept In-lieu Fees for an Off-site Mitigation Project at the Commission's Arlington Wildlife Area. Department recommendation: That the Commission vote to approve the IGA between Maricopa County and the Commission that would allow the Department to accept in-lieu fees from the County for an off-site mitigation project at the Commission's Arlington Wildlife area as attached or as recommended or approved by the Office of the Attorney General.

This item remained on the Consent Agenda.

- b. Request for the Commission to Approve the Intergovernmental Agreement (for right-of-way) with the Town of Springerville for Purposes of Maintaining and Grading the Main Roadway and Parking Lot, and Clean Up of Shore Line at the Becker Lake Wildlife Area, Apache County, Arizona. Department recommendation: That the Commission vote to approve the Intergovernmental Agreement (for right of way) with the Town of Springerville for purposes of maintaining and grading the main roadway and parking lot, and clean up of shore line as needed at the Becker Lake Wildlife Area, Apache County, Arizona, and execute the agreement as attached or as recommended or approved by the Office of the Attorney General.

This item remained on the Consent Agenda.

- c. Request for the Commission to Approve the Agreement (for right of way) with Navopache Electric Cooperative for a Utility Easement Requested by Navopache Electric Cooperative to Provide Electrical Services to an Adjacent Landowner's Well Through the Commission's Grasslands Wildlife Area, Apache County, Arizona. Department recommendation: That the Commission vote to approve the agreement (for right of way) with Navopache Electric Cooperative for a utility easement requested by Navopache Electric Cooperative to provide electrical services to an adjacent landowner's well through the Commission's Grasslands Wildlife area, Apache County, and execute the agreement as attached or as recommended or approved by the Office of the Attorney General. In accordance with Title §17-241.B, the agreement is subject to the approval of the Governor and State Land Commissioner.

This item remained on the Consent Agenda.

- d. Request for the Commission to Approve the Interagency Service Agreement with Arizona State Parks Board and Arizona State Museum for the Purpose of Cooperating in the Operation of the Archaeological Research Program on the Commission's Chevelon Creek Wildlife Area, Navajo County, Arizona. Department recommendation: That the Commission vote to approve the Interagency Agreement with Arizona State Parks Board, and Arizona Board of Regents on behalf of University of Arizona, Arizona State Museum, for the purpose of cooperating in the operation of the archaeological research program on the Commission's Chevelon Creek Wildlife Area, Navajo County, Arizona, and

execute the Agreement as attached or as recommended or approved by the Office of the Attorney General.

This item remained on the Consent Agenda.

- e. Request for Approval of an Amended 6-Year Project Narrative for the Habitat Evaluation, Protection and Management Project (FW-11 Federal Aid Project). Department recommendation: That the Commission vote to approve the amended 6-year Project Narrative for the period July 1999 to June 2005 for the FW-11 Habitat Evaluation, Protection and Management Project.

This item was withdrawn for further discussion.

- f. Request to Approve the Heritage Fund Budget Amendments and Off-Highway Vehicle Budget Amendments for Fiscal Year 2002. Department recommendation: That the Commission vote to approve the expenditure of unspent fund balances from the Public Access; Identification, Inventory, Acquisition, Protection, and Management; Habitat Evaluation and Protection; Urban; Environmental Education; Administration and Support Services (interest monies) Programs; and the Off-Highway Vehicle Fund, including the addition of one-half FTE for Fiscal Year 2002.

This item remained on the Consent Agenda.

- g. Request for the Commission to Approve a Project Statement for Pronghorn Research (W-78-R) and a Project Statement to Evaluate the Department's Standard Protocol for Fish Management in Arizona (F-14-R). Department recommendation: That the Commission vote to approve the attached project statements outlining basic approaches to conduct research on pronghorn and to analyze, using current statistical approaches, the Department's Fisheries Management Program.

This item remained on the Consent Agenda.

- h. Request for the Commission to Approve a Memorandum of Agreement (MOA) with the U.S. Army Corps of Engineers. Department recommendation: That the Commission vote to approve the Memorandum of Agreement between AFGD and U.S. Army Corps of Engineers and execute the Agreement as attached or as recommended by the Office of the Attorney General. This will allow AGFD to enter into Support Agreements (SA). The first SA will be to develop an Adaptive Management Plan for the Rio Salado Project in the Phoenix metropolitan area.

This item remained on the Consent Agenda.

**Motion:** Golightly moved and Gilstrap seconded THAT THE COMMISSION APPROVE THE CONSENT AGENDA ITEMS A THROUGH D AND F THROUGH H AS PRESENTED.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

Regarding Item E., Chairman Manning noted there was a lot of money involved in the project. He asked what the difference was between what was in place now and the amendment. John Kennedy, Habitat Branch Chief, stated \$1.78 million was identified for the first fiscal year noted in the project narrative (01-02). The Habitat Branch's FW-11 program had an existing project narrative for the period 1999-2005. The existing project statement was upgraded and modified to a project narrative using a new outline that is consistently being used for the agency's project narratives and work plans. The difference is now it reflects *Wildlife 2006* strategies as opposed to *Wildlife 2000* and there are specific measures associated with each of the objectives for each job.

**Motion:** Gilstrap moved and Golightly seconded THAT THE COMMISSION APPROVE CONSENT ITEM F-4.E.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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#### 5. Call to the Public

Nancy Lewis, representing self, asked if there anything that could be done about the hunt application form where a hunter must, by law, indicate his social security number. She was concerned about identity theft. There was a method where a social security number did not have to be on a hunting license. Mr. Odenkirk stated that there was a requirement to submit a social security number with the hunt application, but if requested, that information would not appear on the license that is issued. He would have to go back and review legislation. Director Shroufe noted this issue could be addressed at the August Commission meeting.

Nancy Lewis, representing self, found the comments made earlier about the Arizona Wildlife Federation (AWF) to be inappropriate at a public meeting. She noted that she has been a member of AWF for 20 years.

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Meeting recessed 10:15 a.m.

Meeting reconvened 10:30 a.m.

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#### 6. Statewide Shooting Range Project Update

**Presenter:** Kerry Baldwin, Education Branch Chief

Written updates were provided on various issues in the program prior to today's meeting.

Commissioner Golightly stated recently there was a meeting of the Flagstaff's steering committee. The main point he wanted to express to the public and to the Commission was that an attempt was made to identify in-kind resources. It was important for the community and the state to support the Bellemont Shooting Range to save money for the Department. The trap and skeet people realize the bulk of the money in terms of user participation. They were willing to address their own issues in getting their range operating as soon as possible. Mr. Baldwin added that the Department would be working with the Northern Arizona Range Association to develop a cooperative management agreement on the range once title or access is obtained. This would come to the Commission for approval.

Jim Burton, Assistant Director for Information and Education, gave an update on the meeting of the Ben Avery Economic Development Committee. Future issues were addressed for economic development. It was decided that a land planner would take a look at what opportunities were at Ben Avery rather than approach development in a piecemeal fashion. A land development plan would be prepared to guide future efforts. Chairman Manning added there was no sense of urgency to do anything with the property at Ben Avery.

Regarding lighting at some of the ranges at Ben Avery, Mr. Baldwin stated cost estimates were still arriving from external vendors, and there would be a briefing memo from the Director prior to the next Commission meeting. Three ranges were lit: the main range to 50 yards; some of the Thursday evening combat ranges and the junior range to 50 yards. The Department was looking at the cost for pulling in new electricity for some ranges and stadium lighting to improve existing lighting conditions.

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#### 7. State and Federal Legislation

**Presenter:** Richard Stephenson, Legislative Liaison

Mr. Stephenson was preparing for the next legislative session. He reviewed the process for developing Department policy initiatives and expectations for the process. Prior to the August Commission meeting, the Commission would have information regarding the types of issues the Director is considering for recommendation at the August Commission meeting. The issues would be worked on to allow the Commission to give formal direction at its September meeting.

Commissioner Gilstrap requested that as part of the Commission's proposed legislation for 2002, the Department evaluate the merits of elevating fraudulent applications to take big game to a high level misdemeanor and making it a revocable offense.

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#### 8. Economic Impacts of Game and Fish Programs in Arizona

**Presenters:** Jeff Casper, Responsive Management Coordinator  
Jon Silberman, Arizona State University West

For additional background information, see Commission meeting minutes for October 20, 2000, pages 7-8. The status was given of the Department's efforts to produce meaningful data demonstrating the benefits of Department programs to the economy of Arizona.

Mr. Casper gave introductory remarks and introduced Dr. Jonathan Silberman.

A presentation was given by Professor Silberman regarding his findings documented in a final report to the Department entitled, "*Outdoor Recreation Expenditure Impacts for Arizona Counties*".

The objective is to arrive at economic impacts of outdoor recreation in Arizona for each individual county. The single most important factor driving economic impact at the county level is the activity days by local residents within each county and Arizona residents traveling within state and out of state because they will have different spending patterns. Activity days in each county are critical because they will change over time due to population growth, changes in statewide demographics, preferences for outdoor recreation and quality of outdoor recreation.

There was good information regarding activity days for fishing consisting of data from license sales and angler surveys. Minor improvements need to be made which would be separating multiple licenses that tend to over estimate angler days and increasing sample size.

There was quality information from hunting license sales; the location and activity of big game hunting and activity days for small game hunting. Missing were locations of small game hunting. Also, there was no information on scouting, which would generate an economic impact, and information on zip codes of hunters on surveys.

The only comprehensive source of expenditure data that currently exists was in the 1996 national survey, which was in the process of being updated and should be available in a few years. The national survey does not provide all needed information. There are big differences in the spending per activity day from state to state, which suggests hunters and anglers are unique from state to state.

Possible approaches identified to capture information on expenditures to do an economic impact for each county in Arizona for hunting and fishing are:

- 1) add expenditure questions to angler and hunter opinion surveys
- 2) take a small sample of hunters and anglers (150 each) and do a detailed expense diary
- 3) have Game and Fish staff do field interviews or distribute questionnaires to be completed and returned later
- 4) do post card surveys of anglers and hunters to capture trip expenditures
- 5) pull similar data from the national survey for other states near Arizona and analyze why there are differences across the states
- 6) implement a new survey designed to capture expenditure information

Regarding OHV use, Arizona State Parks was beginning an economic impact study that would capture all necessary information. A key part of the study was to define OHVs, to look at the ground surfaces on which they are used and to look at recreation.

For boating, the information from the watercraft survey does have activity by boat owners by county in Arizona. Gaps occur in that there is no information from commercial operators or rentals; there was no expenditure data and there was no data from sailboats, canoes, i.e., the focus of the study was on motorized and fuel tax. Options for boating would be to:

- 1) add expenditures to the next watercraft survey or implement a new survey
- 2) survey commercial operators, add sailing and canoeing

The only information that exists for watchable wildlife was in the 1996 national survey, which contained statewide participation and expenditures. The gap in data is no information at the county level and no data on nonresident participants. Options for watchable wildlife are:

- 1) provide only the statewide economic impacts from the national survey or implement a new survey to identify distribution in Arizona

Mr. Casper stated the Department would continue to work with State Parks on OHV economic impacts. The Department will continue through normal processes to try to implement changes in hunting and angler surveys to try to fill in some of the gaps efficiently and cost effectively. The Department would ask the Commission for direction on this at a future meeting.

Dr. Silberman stated expenditure data could be collected on a five or ten year cycle. Data on activity days should be collected on a more regular basis. He stated there were two types of economic impacts for outdoor recreation. The focus has been on the expenditure economic impacts (what is spent on equipment, trips, meals, lodging and travel). In addition to those would be net economic value, which is how people value the experience over and above what they spent for it.

Commissioner Golightly pointed out that demographics in Arizona were changing rapidly. He asked about costs for the survey vs. using monies to recruit youths into hunting and fishing, recruitment of license dollars and habitat improvement projects. Mr. Casper stated some of the information had few gaps, e.g., hunting and fishing. Watercraft and wildlife watching seem to have the least information that may require the most amount of dollars to implement surveys.

Mr. Casper stated a presentation could be given at the August Commission regarding the economic study report's scope and cost estimates. Chairman Manning was not concerned so much with the monies spent for the study as the dollar figures derived from the study. Mr. Casper stated he and Dr. Silberman started putting together a two-year implementation plan that would include OHV, hunting, and fishing. This plan could be presented at the August Commission meeting. Commissioner Chilton also expressed concern and wanted to know when all the collected data would produce what could be done alternatively with the money. Mr. Casper added that much survey data that has been collected already has been asked for and used by program managers. Data directed more at the county level may be even more useful and he anticipated broad use of the data.

9. Review of Habitat Requirements for Native Trout, Their Sensitivity to Drought and the Prospects for Down-listing and De-listing of the Gila and Apache Trout

**Presenter:** Larry Riley, Fisheries Branch Chief

An informational review was provided on Gila and Apache trout in Arizona. The presentation focused on habitat requirements, sensitivity of the species to drought conditions and the current efforts by the Department to work towards the down-listing and de-listing of these fishes. Slides were shown as part of the presentation.

Chairman Manning asked about the current status of Gila trout populations in Dude Creek and Raspberry Creek. Mr. Riley stated the Department planned on doing surveys this summer on Dude Creek to sample young of year and some reintroduced fish. The success rate for reintroductions has been very high in the past. There has been no visual sighting of fry.

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10. Presentation on Collaborative Efforts to Develop a State Conservation Agreements Program for Proactive Conservation Nationwide and How Candidate Conservation Agreements with Assurances Can Complement these Agreements

**Presenter:** Terry Johnson, Nongame Branch Chief

There was discussion three years ago in the Threatened and Endangered Species Policy Committee of the International Association of Fish and Wildlife Agencies (IAFWA) that revolved around the ability of state and federal agencies, and their non-governmental partners, to try to get ahead of the listing curve and find mechanisms for pro-active conservation. The IAFWA decided to look at available tools for conservation planning and see if there was a missing element.

Looked at were the number of species at risk, the number of species already being considered through various tools under the Endangered Species Act (ESA), and some of the impediments to doing conservation work with the existing tools. The IAFWA determined that a tool was needed to provide a pro-active conservation effort that would not be directly tied to the imperilment of the species.

A program concept was developed called State Conservation Agreements (SCAs). The intent was to see if there was sufficient public interest in development of such a program that would allow species conservation, not to preclude listing of the species, but to preclude the need for listing species. Focus would be on reducing risks so that a species that is being adequately managed at the state level would not be viewed as a candidate for listing under the ESA.

Since November 2000, eight workshops have been conducted on behalf of the IAFWA to explore public acceptance and involvement. Two national workshops were held in West Virginia and Arizona. Federal and state agency representatives participated at the national workshops. There were no private individuals or NGOs. The purpose of these meetings was to determine if there was sufficient support for this concept among government partners to take it to the people. After the two meetings, interest to develop the concept was expressed by both federal and state governments.

The issue then needed to be explored on a regional basis. Six workshops were held starting in March 2001. The summary of the workshops was that the concept was embraced across the spectrum, but not without doubt, reservation or question. The interest is there, however.

The planning team for the Threatened and Endangered Species Committee of the IAFWA, will meet in July to construct a model or guidelines for a SCA program to take to the IAFWA in September for consideration and possible ratification by the directors of the state wildlife agencies. If accepted, workshops would be held nationwide to determine if you have the tool, what do you spend it on; what do you use it on; what are the priorities and what species would be worked on, especially species that occur across state boundaries.

Existing elements in the ESA conservation “toolkit” were then discussed with the Commission including Candidate Conservation Agreements with Assurances (CCAA), Candidate Conservation Agreements and Safe Harbor Agreements.

Candidate Conservation Agreement with Assurances is an agreement between willing partners, including private and state, that is intended to provide signatories to the agreement, and to an extent, their neighbors, with some degree of assurance that if properties are managed in accordance to the signed agreement, they will not be at risk of greater regulatory requirements if the species were to become listed as threatened or endangered under the ESA. It does not apply to federal lands because the ESA requires that federal agencies give affirmative effort to conserving endangered species. This agreement applies to state and private properties and not to federal landowners. This program is two years old. There is only one CCAA in the United States (for the Columbian sharp-tailed grouse). The effectiveness of this agreement has not been proven.

Candidate Conservation Agreement does not have assurances built into it and is intended to be more flexible. There are about 250-300 of these agreements in the United States and several are in place in Arizona. These agreements are greatly affected by the quality of information available when the Agreement is crafted.

The State Conservation Agreement (SCA) concept is to use local partnerships rather than the power of the ESA to do conservation management. Some of the strongest conservation efforts in the country have been those that have had local support, the most robust public participation with a wide spectrum of stakeholders and interested parties involved.

Chairman Manning expressed concern about the CCAA program. To him it seemed nothing more than the Conservation Agreement (CA) program we pursued for the jaguar several years ago, only to see the species listed. Everybody participated in developing that agreement, including the Service, but in the end, the species was listed and the agreement was changed to conform to the ESA. Mr. Johnson explained that the CCAA program did not exist when the Jaguar CA was crafted.

The same problems with the jaguar agreement existed with many CAs. When the CA and the Candidate Conservation Agreement programs' policies were developed, there were no standards established by the U.S. Fish and Wildlife Service for measuring adequacy of the agreements. There was, then, no way for the Service to say that it was sufficient to preclude the need for listing the species. There was also an issue of timeliness raised by the courts, i.e., an agreement had to be in place a certain number of years before success could be measured. The difficulty with the jaguar was that the CA came to the surface very late in the listing game which was part of a moratorium that had been in place in the Service on all listings and discussions. Based on judicial information and litigation pressure, the Service decided the jaguar would be listed in spite of the agreement. However, the Service has not proceeded to the next steps. A recovery team has not been appointed for the jaguar; the jaguar CA and conservation team in the biannual meetings are still used by the Service to measure progress on issues that would otherwise be addressed by the recovery team and actions. There has been something accomplished with the Jaguar CA. There has been another accomplishment in that dialog has been occurring with various groups. A forum has been created for them to discuss ESA issues, but there are no assurances.

Two years ago, the Service began to address the issue of no standards. A PECE Policy was developed, which evaluates adequacy of conservation efforts. The PECE Policy was supposed to have been completed a while ago. Public comment was submitted to try to affect changes. There was no certainty that the Policy would be codified and finalized before next spring.

Commissioner Gilstrap hoped this kind of process would work. Mr. Johnson agreed it had great potential. The level of assurances that could be built into a SCA would be at the level that the partners are willing to accept. This is different than saying it would be done by federal fiat under a *Federal Register* policy or a peace policy; the partners in the effort could actually structure the assurances that would be appropriate to the situation. This has much more potential than the other mechanism.

Chairman Manning stated all it would take was to list a species under the ESA to do away with the Agreement. Unless we see in writing standards that would hold up in court, he saw this as another fancy name for a CA that is powerless once a species was listed. Mr. Johnson clarified the assurances that were built under a Candidate Conservation Agreement are done in such a way that they become legally binding as a "permit" if a species is listed. The Service has to approve such an agreement. There would be no increased financial burden to the signatories on the private side in the agreement if a listing occurred. The financial burden would fall on federal partners and other people who do not have a signed agreement.

Mr. Johnson noted there was congressional support for this effort.

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Meeting recessed 12:30 p.m.

Meeting reconvened 1:30 p.m.

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

**Presenter:** Leonard Ordway, Law Enforcement Branch Chief

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

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15. Appeal of Denial for Monetary Compensation for Loss of One House Cat

**Presenter:** Gerry Perry, Region V (Tucson) Supervisor

Wallace Burford contacted the Department in February 2001 seeking payment in the amount of \$328.21 for the loss of his pet house cat, Jake, to depredation by coyotes. The Department denied his request in a letter dated March 9, 2001. Pursuant to the provisions of R12-4-608, Wallace Burford appealed the Department's decision in letter dated April 9, 2001.

Mr. Burford lives in a subdivision in Marana, Arizona, approximately one mile from the Saguaro National Monument boundary. Mr. Burford witnessed the attack by coyotes on his cat. Mr. Burford asserted that because the Department had no warning signs in place to warn of the dangers of coyotes to pets, the state was responsible for the coyotes attacking his cat and should monetarily compensate him for his loss.

Mr. Burford was present at today's meeting and offered testimony. He wanted to know why his story had been published in the Tucson newspaper. It was explained to him that under the Freedom of Information Act, reporters were entitled to public records regarding this appeal.

Mr. Burford stated he had just moved to Arizona from out-of-state and had no knowledge of coyotes in the area. The Department estimated there were 250,000 coyotes in the state. Members of the Commission expressed sympathy to Mr. Burford regarding the loss of his cat.

**Motion:** Gilstrap moved and Chilton seconded THAT THE COMMISSION VOTE TO DENY MR. WALLACE BURFORD'S REQUEST.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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Meeting recessed 2:55 p.m.

Meeting reconvened 3:08 p.m.

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16. Request to Approve 6-Year Project Narratives for the Department's Wildlife Conservation and Restoration Program and Authorize the Use of Heritage Carry-Forward and State Monies for Matching Funds

**Presenter:** Larry Riley, Fisheries Branch Chief

Congress enacted a one-year appropriation called the Wildlife Conservation and Restoration Program (WCRP). There are three components to the Program: 1) Conservation, 2) Outreach and 3) Recreation.

All WCRP Projects will be funded by matching state funds from a variety of sources against federal monies that are newly available. Congress established the WCRP last year as a new, perhaps temporary, subaccount of the Pittman-Robertson (P-R) (Federal Aid in Restoration) Act. However, Congress funded the WCRP from general tax revenues, not from P-R sources or other sources.

The Department developed narratives that would allow participation in the program under the Federal Aid Cost Sharing Program (3-1 matching funds) administered by the U.S. Fish and Wildlife Service (FWS).

The agency's four new WCRP Project Narratives were for Fiscal Years 2001 through June 2007. The new projects focus on wildlife conservation and wildlife-associated recreation. In April 2001, the Commission approved narratives for two companion projects that addressed wildlife conservation education (WCRP) through education outreach and information outreach components.

WCRP funds available to Arizona in FY01 total \$1,146,103 (federal share). The Department will immediately commit \$1,060,750 of those monies and match them with \$353,583 of non-federal monies (Heritage; State Game and Fish monies; OHV and other grant monies) for a total WCRP of \$1,414,333. Additional apportionments will be captured in the future.

**Motion:** Gilstrap moved and Golightly seconded THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT'S WILDLIFE CONSERVATION AND RESTORATION PROGRAM WILDLIFE CONSERVATION AND WILDLIFE-ASSOCIATED RECREATION PROJECT NARRATIVES FOR FISCAL YEARS JULY 2001 THROUGH JUNE 2007, TO AUTHORIZE THE USE OF HERITAGE CARRY FORWARD AND STATE MONIES AS MATCH AS NECESSARY, AND TO AUTHORIZE THE DIRECTOR TO AMEND OR EXTEND WILDLIFE CONSERVATION AND RESTORATION PROGRAM GRANTS AS NECESSARY.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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### 13. Update and Clarification of Federal Budget and Expenditures for the Mexican Wolf Reintroduction Project

**Presenter:** Terry Johnson, Nongame Branch Chief

For additional background information, see Commission meeting minutes for May 12, 2001, pages 20-37.

Current monetary figures for the program were distributed and explained to the Commission. The U.S. Fish and Wildlife Service's (FWS) Open House schedule was discussed; the FWS would disseminate the information to the media. The Department would post it in its weekly wildlife bulletin.

The purpose of this item was to provide clarification on questions that had been asked about the expenses associated with the Mexican wolf reintroduction program at the May Commission meeting.

Page 6a. in the handout was important as it provided new data. Mr. Johnson stated that the Department's (state) cumulative expenses on this project (1982-83 to projected June 30, 2001) were \$377,892. Monies spent by the Department for the same time period that have come from federal agencies to us to spend on the effort totaled \$583,130. The FWS expenses since 1976 were estimated to be \$4,662,053. The figures for 99-00 and 00-01 were not firm. However, the total cost of the wolf recovery program by the end of this fiscal year is estimated to be \$5,623,075. Chairman Manning stated this was the amount he was looking for at the May Commission meeting. After that meeting, the media and public were left thinking the wolf program cost less than \$1 million; that figure was, however, only for costs incurred on the state side as the Department's presentation indicated.

Director Shroufe noted responses to a lot of questions that had been asked by the Commission were contained in the Environmental Impact Statement.

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12. Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2002 and January 2003

**Presenter:** Steve K. Ferrell, Deputy Director

The Commission discussed the proposed meetings dates and locations for calendar year 2002 and January 2003 presented by the Department. Consensus was reached on the following schedule:

<u>Date</u>	<u>Location</u>
January 17-19, 2002	Phoenix-Legislator Day (1/17); Meeting (1/18); Meet the Commission (1/19)
February 22-23	Yuma
March 15-16	Kingman
April 12-13	Phoenix (hunt orders)
May 17-18	Tucson
June 21-22	Phoenix (budget)
August 9-10	Flagstaff
September 20-21	Springerville
October 18-19	Phoenix (fish orders)
December 6-7	Phoenix
January 16-18, 2003	Phoenix-Legislator Day (1/16); Meeting (1/17); Meet the Commission (1/18)

**Motion:** Gilstrap moved and Chilton seconded that the COMMISSION ADOPT THE SCHEDULE AS PRESENTED OR WITH CHANGES MADE AT THIS MEETING AND SUBJECT TO CHANGES IN THE FUTURE ON THE AUTHORITY OF THE COMMISSION CHAIR.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

Commissioner Gilstrap asked that Mr. Stephenson ensure the two legislator days (1/17/02 and 1/16/03) were on the House and Senate calendars.

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### 11. Commission Discussion, Issues and Concerns related to Media Articles

The Commission discussed issues and concerns associated with misleading or inaccurate media articles. Chairman Manning wanted immediate response from the Commission and Department to counter misrepresentations, misquotes and misstatements in the newspaper.

Commissioner Gilstrap suggested the Chairman assign a couple of commissioners to work with the Department and appropriate staff, with the Director's recommendation, to see if a process could be developed for the Commission regarding media communication. The recommendation would be brought back at a future meeting. Chairman Manning designated Commissioners Gilstrap and Carter to meet with the editorial board of *The Arizona Republic*. This would be a first step.

Commissioner Chilton asked if the Department had authority to respond in terms of correcting inaccuracies on its own. Director Shroufe stated the Department did have authority to write letters to the editor.

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### 17. Call to the Public

There were no comments.

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### 18. Approval of Minutes

**Motion:** Gilstrap moved and Golightly seconded THAT THE MINUTES FOR APRIL 20-21, 2001; APRIL 30, 2001 AND MAY 11-12, 2001 BE APPROVED.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

There were no minutes to be signed.

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### 19. Director's and Chairman's Reports

Chairman Manning attended a partnership function between the Department and Lottery Commission. He attended the employees' awards ceremony in Flagstaff at the Northern Arizona University. He attended the Ben Avery Economic Development Committee meeting.

Director Shroufe referenced Division updates were provided earlier to the Commission.

Director Shroufe attended the Arizona Predator Callers banquet. He attended the exit interview with the federal aid auditor. He attended the ribbon cutting ceremony for the lottery machine with two commissioners. He attended a meeting of the Wildlife Conservation Council. He attended an OHV public relations campaign kickoff. He attended the annual U.S. Forest Service coordination meeting. He attended the Governor's Cabinet meeting. He attended a meeting with the Yuma Valley Rod and Gun

Club and Wildlife Conservation Council members about the potential for getting additional and new funding to the Department. He met with the State Director and Deputy Director for the Bureau of Land Management (BLM) and BLM Director of Special Land Designations from Washington, D.C. This person is directly involved with the monument issue. We will try to work locally and regionally with BLM to try to insist concerns are addressed.

Director Shroufe attended an AORCC meeting. He attended a meeting in Washington, D.C. to meet with the U.S. Fish and Wildlife Service representatives regarding refuge policies. He hoped significant progress had been made. He attended a Wildlife for Tomorrow board meeting; he had tickets for the Outdoor Hall of Fame banquet on August 24. He attended a Management Team meeting.

Director Shroufe noted a report was about ready to be given reference commissioners expenses throughout the West. Larry Kruckenberg, Secretary-Treasurer for the Western Association of Fish and Wildlife Agencies (WAFWA), wanted to know if the presentation could be made at WAFWA's business meeting in July. Director Shroufe stated it would be on the agenda.

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## 20. Commissioners' Reports

Commissioner Chilton attended a luncheon with representatives from the Arizona Desert Bighorn Sheep Society. She attended the Altar Valley Conservation Alliance meeting.

Commissioner Gilstrap attended the OHV public relations campaign kick off. He attended a fishing program for youths in Kingman. He attended a dedication ceremony of Meers Point boating and recreation area and Department employees' awards ceremony. He attended the meeting with the Yuma Valley Rod and Gun Club and the Wildlife Conservation Council members about the potential for getting additional and new funding to the Department. He attended the Ben Avery Economic Development Committee meeting.

Commissioner Golightly attended the Northern Arizona Flycasters banquet. He went with the Anglers United state organization representatives to the White Mountains to fish. He attended several shooting range meetings. He attended the Coconino Sportsmen's/ Arizona Antelope Foundation fence removal project at Raymond Ranch. He attended the Department employees' awards ceremony.

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**Motion:** Gilstrap moved and Chilton seconded THAT THE COMMISSION RECONVENE INTO EXECUTIVE SESSION AND FROM THERE ADJOURN.

**Vote:** Golightly, Chilton and Gilstrap – Aye

Carter- Absent

Motion carried

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Meeting recessed 4:15 p.m.

Meeting adjourned 5:30 p.m.

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Saturday, June 23, 2001 – 8:00 a.m.

Chairman Manning called the meeting to order at 8:00 a.m. The meeting followed an addendum dated June 15, 2001. Commissioner Carter and Jay Adkins were absent.

1. Request to Adopt Commission Order 19: Dove; Commission Order 20: Band-tailed Pigeon and Commission Order 24: Sandhill Crane

**Presenter:** Tice Supplee, Game Branch Chief

Commission Order 19: Dove

The Department recommended continuation of the extended Falconry-only dove season initiated in 1991. Recommended Falconry-only dates are September 14 through October 30. The season recommendation includes the maximum number of hunt days available. The dates will overlap the general season September 14 and 15.

The Department recommended no change to the season structure for mourning doves and white-winged doves, with a September season of 15 days starting on September 1 and ending on September 15. The North Zone will be open to all-day shooting and the South Zone will be half day, mornings only with a full day Juniors-only hunt. Legal birds are white-winged and mourning doves. The second dove season will be for mourning doves only and will be open to all-day shooting statewide.

The Juniors-only season would be for those areas and dates closed to afternoon dove hunts during the September season. Juniors are also allowed to hunt during the mornings and, for clarification, the shooting hours notation was changed to read ½ hour before sunrise until sunset. This year, the Juniors-only dove hunt opportunity was recommended at the Powers Butte Wildlife Area. The dates are September 8-9, 2001.

Commission Order 20: Band-tailed Pigeon

The Department recommended no change in season length and bag limit from the 2000 season. The 2001 Department recommendation was that the band-tailed pigeon season open on September 28 and close on October 8, 2001, with bag and possession limits of 5 and 10 respectively. The recommendation provided for two weekend hunting opportunities, including a holiday that provides opportunity for junior hunters.

Commission Order 24: Sandhill Crane

The Department recommended four general 5-day hunts beginning on November 5 with 75 permits in each hunt. There would be a non-hunt day between hunts. Under the terms of the Rocky Mountain Sandhill Crane Management Plan, Arizona's 2001 maximum allowable harvest of Rocky Mountain Population (RMP) cranes was 75. With the recommended season structure, total harvest is estimated to be between 150-200 sandhill cranes. The predicted removal of RMP birds is estimated at 40 (53% of the allocation). Successful hunters will be required to have birds inspected per the agreement with the Pacific Flyway to conduct the check station every third year.

**Motion:** Gilstrap moved and Chilton seconded THAT THE COMMISSION ADOPT, SUBJECT TO FINAL FEDERAL FRAMEWORKS, COMMISSION ORDER 19: DOVE; COMMISSION ORDER 20: BAND-TAILED PIGEON AND COMMISSION ORDER 24: SANDHILL CRANE, AS PRESENTED.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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## 2. Request to Adopt Commission Order 23: Trapping for the 2001-2002 Season

**Presenter:** Tice Supplee, Game Branch Chief

No changes in season dates, legal species, bag and possession limits were proposed by the Department. The proposed Order reflected the continued closure of Metropolitan Wildlife Management Units 7M, 37M, 39M and 42M. The proposed Order opens trapping on private and public lands in accordance with ARS §17-301.

**Motion:** Chilton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 23 AS PROPOSED.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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## 3. Request to Approve a Notice of Rulemaking Docket Opening for Article 1, Definitions and General Provisions and Article 3, Taking and Handling of Wildlife Rules

**Presenter:** Mark Naugle, Manager, Rules and Risk Management

(For additional background information, see Commission meeting minutes for May 11, 2001, pages 7-9.)

The Department recommended that the Commission approve the following proposed rule amendments as part of this Docket opening:

- R12-4-304. Lawful Methods for Taking Wild Mammals, Birds and Reptiles: Amendments to address the petition by Calvin Cowles that requested modifications to the rule to allow for disabled persons to use a crossbow as a legal method of take for all big game species.
- R12-4-307. Trapping Regulations: Licensing Methods; Tagging of Bobcat Pelts: Amendments to clarify and address the use of “water sets” in response to a withdrawn petition by Frank Riggs and the Arizona Trappers Association.
- R12-4-309. Restricted Hunts: The Department recommended this rule be repealed.

- R12-4-119. Arizona Game and Fish Department Reserve: The 1998 five-year review of Article 1 concluded that the reference to "Arizona Law Enforcement Officer Advisory Council" was no longer correct. The correct reference is "Arizona Peace Officers Standards and Training Board" and the rule needs to be amended to reflect this change. Rulemaking was never initiated to correct this discrepancy, and since the next 5-year rules review of Article 1 is not due to be completed until February 2004, the Department believed it would be expeditious and cost effective to make the change now as a part of this Docket opening.

The Commission would have the opportunity to approve or reject any amendments to the rules as a part of the Proposed and Final Rulemaking process. If approved by the Commission, the Notice of Rulemaking Docket Opening would be filed with the Secretary of State by June 29, 2001, for publication in the *Arizona Administrative Register* on July 20, 2001. The anticipated effective date for the rule amendments would be March 2002.

**Motion:** Gilstrap moved and Golightly seconded THAT THE COMMISSION VOTE TO APPROVE A NOTICE OF DOCKET OPENING FOR THE AMENDMENT OF R12-4-119, R12-4-304 AND R12-4-307, AND FOR THE REPEAL OF R12-4-309.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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#### 4. Call to the Public

There were no comments.

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#### 1. Executive Session

Two issues were brought forth into public session that were discussed in yesterday's executive session.

- b. Legal Advice. Commission's process for determining items for its meeting agendas

**Motion:** Commissioner Gilstrap moved THAT IN LIGHT OF THE ATTORNEY GENERAL'S OFFICE ADVICE, THE COMMISSION RESCIND THE ACTION TAKEN AT THE MEETING WHERE IT ESTABLISHED PROCEDURE FOR PUTTING ITEMS ON THE AGENDA.

Chairman Manning clarified that it had been established Commission policy to have a consensus of three or more commissioners, with the Chairman's consent, to place an item on the agenda in a manner between meetings when it was not able to be put on the agenda at a previous meeting. These were often due to an emergency or unusual circumstances that require an item be placed on the agenda between meetings. It was discussed yesterday that a new precedent could be established that any commissioner with compliance from the Chairman can place an item on the agenda between Commission meetings. Director Shroufe noted Commissioner Gilstrap's motion only rescinded the old policy. Commissioner Gilstrap stated his motion was to only rescind the former policy and not to make a new policy.

Commissioner Golightly seconded the motion.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

Commissioner Gilstrap believed there was already a procedure in place that may give appropriate flexibility.

Mr. Odenkirk stated currently the Commission had no policy regarding Commission meeting agenda items. The Commission would just fall back on what the Open Meeting Law requires. The Department would like to have direction on how items would be placed on agendas in the future.

Commissioner Gilstrap stated he would feel more comfortable if a procedure came to the Commission that had been developed in concert with the Department to establish time frames.

Mr. Odenkirk suggested this item could be placed on the agenda for August. The Commission could direct the Department in the interim that it would operate in a certain way until then. The Commission could, in an interim basis, tell the Department that any commissioner can communicate an agenda item or an agenda item could be communicated through the Chair. Under the Open Meeting Law, any commissioner could ask the Department to put an item on the agenda. In terms of coordinating and making communication clear between the Commission and the Department, in the past it has always gone through the Chair. The Commission may want to rely upon that procedure in the interim.

Commission direction for the next 60 days was to work through the Chair regarding putting items on an agenda. The Chair would work in concert with Mr. Odenkirk and the Director to establish a future procedure. Chairman Manning stated that if he received a recommendation from the Department that he agreed with, he would pass it on to the Commission for informal consensus before it was submitted in the form of a motion.

d. Zuni Tribe Water Rights Settlement Agreement

**Motion:** Chilton moved and Gilstrap seconded THAT THE COMMISSION AUTHORIZE THE DIRECTOR, AS SECRETARY TO THE COMMISSION, TO EXECUTE THE ZUNI INDIAN TRIBE WATER RIGHTS SETTLEMENT AGREEMENT, THAT SAID AUTHORIZATION IS CONTINGENT UPON THE DIRECTOR EXECUTING THE AGREEMENT AFTER ALL THE OTHER PARTIES TO THE AGREEMENT HAVE AUTHORIZED EXECUTION OF THE AGREEMENT, AND CONTINGENT UPON NO SUBSTANTIVE CHANGES TO THE AGREEMENT AFFECTING GAME AND FISH, OCCUR FROM THIS DATE OF JUNE 23, 2001, AND THE DATE THE DIRECTOR EXECUTES THE AGREEMENT, UNLESS SUCH CHANGES ACCRUE TO THE BENEFIT OF GAME AND FISH.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

5. Future Agenda Items

- 1) Presentation and discussion about the use of hunter ID numbers in lieu of Social Security numbers on hunting licenses
- 2) Work with Chair to come up with a policy for putting items on Commission meeting agendas
- 3) Commission expense review
- 4) Discussion of forest health issues
- 5) Arrange tour of the Blue Ridge Demonstration Project for the September Commission meeting in Pinetop  
(Coordination would involve persons giving presentations for Items 4 and 5 to determine their preference for August in Flagstaff or September in Pinetop, at the same time as the tour)
- 6) Status report on economic surveys

Commissioner Gilstrap stated the Department and Commission may want to have a formal group evaluate land purchases and acquisitions. The group may consist of a commissioner or two and appropriate Department personnel. Director Shroufe explained the Department's in-house procedure. He would report back to the Commission regarding this procedure so that the Commission could determine whether or not it wanted to participate in or change the procedure.

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**Motion:** Gilstrap moved and Golightly seconded THAT THE MEETING ADJOURN.

**Vote:** Golightly, Chilton and Gilstrap – Aye  
Carter- Absent  
Motion carried

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Meeting adjourned 8:40 a.m.

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