

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, April 17, 2009
Saturday, April 18, 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 April 15, 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: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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The Public Meeting reconvened at 9:42 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. A special welcome was given to new Commissioner Husted.

Director Voyles announced that Regions I-VI were linked via video teleconferencing and that regional staff and regional members of the public were attending this meeting through the teleconferencing system.

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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. 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:

Budget

- The Department continues to wait for the Legislature to formally propose a budget
- According to current Senate and House draft budgets it appears the Department fared better in the current draft.

State Legislation (Commission supported)

HB2064: Wildlife; guides; wasted meat

- Progress: Amended language will be offered as a floor amendment. The Commission took action to support the proposed amended language at a telephonic Commission meeting held on April 14, 2008.

HB2157: Wildlife; aquatic invasive species

- The Department spoke with Representatives McLain and Kavanagh and they are willing to add a watercraft provision (allows Title 5 dollars to be used for aquatic invasive species)
- The Department is currently working on proposed amended language and will schedule a telephonic Commission meeting for the Commission to review and take action to support or oppose the amended language.

Congressional Legislation

SB796: Hardrock Mining and Reclamation Act

- Related/Companion bill HR699
- Provisions: Updates antiquated Mining Law of 1872; Seeks royalties (2-5%) on mineral extractions from public lands; No royalties on existing claims; Amends FLMPA for potential land withdrawals in consideration of environmental impacts; Introduced and assigned to Energy and Natural Resources on 4/2/09.

The Department will provide the Commission with a further analysis of SB796 and HR699.

SB632: Firearms Fairness and Affordability

- Companion Bill HR510

- Quarterly Payments on Manufacturers' excise tax on recreational equipment; Introduced and assigned, no movement
- Supported by the Association of Fish and Wildlife Agencies and the Congressional Sportsmen's Caucus.

The Department recommended that the Commission support SB632.

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO SUPPORT SB632.

Vote: Unanimous

SB409: Southeast Arizona Land Exchange (Resolution Copper)

- Introduced and assigned, no movement; Conveys certain federal lands to Resolution Copper Mining, LLC
- The Department will participate in discussions with Senator Kyle and Senator McCain's staff as this bill moves forward.

SB655: Teaming with Wildlife Act 2009

- Commission voted to support (SB2670) in 110th Congress; Same provisions; Dedicates \$8 million annually to Arizona from 2011-2016; Introduced and assigned, no movement.

The Department recommended that the Commission vote to support SB655.

The Commission readdressed this item following agenda item #12, Nongame Subprogram Activities Briefing.

HR642: Recreational Shooting Protection Act

- Requires management of federal public land (BLM land only) in a manner supportive of recreational shooting; this is a 'Zero net loss' bill of available land area; Introduced and assigned, no movement.

The Department will provide the Commission with an additional analysis on this bill.

HR1916: 'Duck Stamp Bill'

- Increases the price of the stamp for the 2010-2011 hunting season; \$25 for a stamp for any of hunting years 2010 through 2016; \$35 for a stamp for any hunting year after hunting year 2020; Expands availability of the stamp (distributors); Introduced and assigned, no movement.

HR1404: F.L.A.M.E.

- To authorize a supplemental funding source for wildland fire emergencies; Sets criteria for the establishment of fire management strategy; Authorizes appropriations to FLAME fund and sets priority of its use (severity and threat potential); Companion Bill SB561; Introduced and assigned, no movement.

The Department recommended that the Commission support HR1404.

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO SUPPORT HR1404.

Vote: Unanimous

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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 March 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:

- The 2009 Outdoor Expo held on March 27-29 at the Ben Avey Shooting Facility was very successful with over 35,000 people attending. Of these, 1,400 were youth attending Youth Day on March 27 held in conjunction with the Expo
- The Department is focusing on direct communications with the public via the Department website, Arizona Wildlife Views magazine, Arizona Wildlife Views show, media news releases, and e-newsletters subscriptions.

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5. An Update on Current Issues, Planning Efforts, and Proposed Projects on All Lands in Arizona and Other Matters Related Thereto

Presenter: Josh Avey, Habitat Branch Chief

A copy of the Lands Update report was provided to the Commission prior to this meeting and is included as part of these minutes. The update addressed decisions or activities since the March 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.

Mr. Avey provided an additional update on the Northern Arizona Shooting Range. The Department has been working diligently to explore some new potential sites. One field visit has taken place to visit five sites. Meetings are scheduled for next week with the Forest Service and private land holders including the Navajo Depot. The Department plans to make weekly trips to the area and will prepare a thorough evaluation of every site for the Commission. At the May Commission meeting the Department will ask the Commission to refine their objectives for the site as well as their financial dedications to the project.

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6. 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 these items to the Commission and none were deemed necessary to remove for discussion.

a. Request for the Commission to Approve the Master Agreement for Permit with Arizona Public Service for the Purpose of Continuing Service for Construction, Operation, and Maintenance of Electric Poles and Lines That Provide Electricity to and through Ben Avery Shooting Facility, Maricopa County, Arizona.

Presenter: Josh Avey, Habitat Branch Chief

Arizona Public Service (APS) requested that Agreement Numbers HAB-00-1102 (07/19/01) and HAB-05-0620LBK (07/08/05) for right-of-way for the purpose of continuing service for construction, operation, and maintenance of electric poles and lines providing electricity to the Ben Avery Shooting Facility be extended. In order to include all APS lines at the Ben Avery Shooting Facility including new lines associated with the Headquarters, RV Park and Clay Target Center, a master agreement for permit has been developed. The Department has determined that the electric services are necessary for operation of the Ben Avery Shooting Facility and of direct benefit to the Commission as well as the lines that travel through the facility for the benefit of others. This right-of-way is in the public interest and consistent and compatible with the operation of the Ben Avery Shooting Facility. The ten-year Agreement will remain current through May 17, 2019.

The Department recommended that the Commission VOTE TO APPROVE THE MASTER AGREEMENT FOR PERMIT WITH ARIZONA PUBLIC SERVICE FOR THE PURPOSE OF CONTINUING SERVICE FOR CONSTRUCTION, OPERATION AND MAINTENANCE ELECTRIC POLES AND LINES THAT PROVIDE ELECTRICITY TO AND THROUGH BEN AVERY SHOOTING FACILITY, MARICOPA COUNTY, ARIZONA, AND EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

b. Request for Commission Approval for Renewal of a Memorandum of Understanding between the United States Forest Service, the Pinetop-Lakeside Sanitary District and the Arizona Game and Fish Commission for Continued Cooperation Regarding Management of Jacques Marsh Wildlife Area in Navajo County, Arizona

Presenter: Josh Avey, Habitat Branch Chief

In 1978, the Arizona Game and Fish Commission (Commission) entered into a Cooperative Agreement with the United States Forest Service (USFS) Apache-Sitgreaves National Forest for the development of the Jacques Marsh Wildlife Area (JMWA). In the Agreement, the USFS would ensure delivery of an adequate supply of secondarily treated effluent to the marsh ecosystem for 20 years through a separate Cooperative Agreement, and a Memorandum of

Understanding with the Pinetop-Lakeside Sanitary District (District). A Memorandum of Understanding between all three parties was executed in April of 2004. That agreement was for a period of five (5) years and will expire in April of 2009. The Department requested approval to renew the Memorandum of Understanding to continue cooperative management of the Jacques Marsh Wildlife Area.

The Department recommended that the Commission VOTE TO APPROVE RENEWAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES FOREST SERVICE, THE PINETOP-LAKESIDE SANITARY DISTRICT, AND THE ARIZONA GAME AND FISH COMMISSION FOR CONTINUED COOPERATION REGARDING MANAGEMENT OF JACQUES MARSH WILDLIFE AREA IN NAVAJO COUNTY, ARIZONA, AND TO EXECUTE THE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

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

Vote: Unanimous

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7. Request for Commission Approval for the Department to Execute the Lease Termination Agreement to Relinquish the Approximately 10-Acre Lease at Deer Valley South in Exchange for the City of Phoenix Payment of the Commission's Corporate Hangar Lease Annual Rental at Deer Valley Airport through 2022.

Presenter: Josh Avey, Habitat Branch Chief

The Commission leases the 10-acre parcel on Greenway Road Deer Valley South from the City of Phoenix (City). In exchange for Commission relinquishment of the 10-acre parcel, the City has offered payment of the annual rental fee for the Commission's Corporate Hangar Lease at Deer Valley Airport. Currently, the Hangar Lease is for a term of 10-years through October 2018. If the hanger lease is not renewed by either party for any reason, the Lease Termination Agreement includes language that the Commission will be paid the present value of the remaining term of the hanger rates based on the market rent determined by Aviation.

Motion: Freeman moved and Martin seconded The Department recommends that the Commission VOTE TO EXECUTE THE LEASE TERMINATION AGREEMENT TO RELINQUISH THE APPROXIMATELY 10-ACRE LEASE AT DEER VALLEY SOUTH TO THE CITY OF PHOENIX FOR PAYMENT OF THE COMMISSION'S CORPORATE HANGAR LEASE ANNUAL RENTAL AT DEER VALLEY AIRPORT THROUGH 2022 AND AUTHORIZE THE DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY TO TERMINATE THE LEASE AGREEMENT AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous

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12. Nongame Subprogram Activities Briefing; January 1, 2009 through March 31, 2009

Presenter: Eric S. Gardner, Nongame Branch Chief

The Commission was briefed on Nongame Subprogram activities from January 1, 2009 – March 31, 2009 (Report previously provided to the Commission and available to the public at this meeting). Mr. Gardner briefed the Commission on the new format for this report which will include a calendar of events, species status/petitions, explanation of columns, management activities, appendix, and listed species and status reviews.

On the species status/petitions information included in the report, the Commission requested additional information that describes the Department's responsibility or role and/or any impacts to the Department.

Using a PowerPoint presentation, Mr. Gardner presented the following highlights from the briefing as well as significant updates that have occurred since the briefing was written:

Federal Status / Petition Updates

- 475 species – WildEarth Guardians, June 18, 2007: Negative finding on 1/6/09 for 275 of those species
- Cactus Ferruginous Pygmy Owl: Positive 90-day finding in May 2008; Department supported Distinct Population Segment (DPS), Department cautioned rushing to listing pending genetic work/other programs
- Sonoran Desert Tortoise: WildEarth Guardians proposal to list in October 2008; 90-day finding in preparation
- Black-tailed Prairie Dog: WildEarth Guardians petition to list in August 2007; Positive finding December 2, 2008; 12-month due November 30, 2009
- Gunnison's Prairie Dog – WildEarth Guardians Petition March, 24 2009
- Tamarisk Leaf-eating Beetle – Center for Biological Diversity lawsuit against APHIS and The USFWS for permitting release - March 28, 2009
- Jaguar – Finding: Center for Biological Diversity lawsuit on critical habitat and on recovery plan – March 31, 2009

Black-tailed Prairie Dog

- Monthly monitoring continues
- Counts have been low, but likely due to the winter temperatures
- Next release planned in fall 2009 on BLM lands

Bird Projects

- California Condor: 321 total population, 147 Captive, 174 Wild, 72 in Arizona; 2008 Free Ammo Program with 90% Participation from Kaibab Hunters; Second year with no condor mortalities from lead poisoning
- Bald Eagle: 59 Breeding Areas; Four of these discovered in 2009
- Burrowing Owl: Working group revised Project Clearance Protocol; Conducting training workshops in April

Bullfrogs

- Threat to native ranid frog and Mexican gartersnake recovery; predation, competition, disease vector (chytrid fungus)
- Intensive, multi-agency effort (Department lead) to eliminate bullfrogs from the Atascosa and Pajarito mountains in the vicinity of Peña Blanca Lake; To date, > 70 sites surveyed in surrounding area; bullfrogs found in 6; Staff and volunteers have been concentrating efforts at 2 sites; >120,000 tadpoles and ~ 75 frogs have been removed from one stock tank

Desert Fishes Habitat Partnership

- On March 3, Department staff participated in the National Fish Habitat Action Plan (NFHAP) meeting to promote the Desert Fishes Habitat Partnership (DFHP)
- The NFHAP Committee approved the DFHP as a formal partnership, which makes the States and partners under the DFHP eligible to submit proposals and receiving funding under the NFHAP
- The Western Native Trout Initiative is another NFHAP-approved partnership, which the Department participates in for native trout recovery

Topminnow-Pupfish Safe Harbor Agreement

- Finalized the Environmental Assessment Checklists and Safe Harbor Agreement certificate of inclusions for the following sites (and stocking dates): McDowell Mountain Regional Park (3/13/09); White Tanks Regional Park (3/24/09); Spur Cross Natural Area (3/25/09); Hernbrode Pond (4/9/09)

International & Borderlands Projects

- Jaguar Transfer from Sonora to the Phoenix Zoo: Young male on loan from Mexico to the Phoenix Zoo for at least the next year before returning to a zoo in Mexico; Dental repairs were performed between December 08 and January 09; Animal recovered well; A DNA study will be conducted to learn more about the northern population.
- World Wetlands Day and 11th Wetlands Workshop in Mexico: Director Voyles gave a speech during the February 2, 2009, World Wetlands Day Ceremony in Ensenada, Baja California, highlighting the importance of wetlands as international resources; Thirty-five wetland managers from the state of Baja California and Ramsar sites attended the 11th wetlands workshop; Wetland habitat assessments and waterfowl and shorebird observations were conducted on the coastal wetlands of Baja California, as well as the Delta of the Colorado River.

Funding & Initiatives

- State Wildlife Grant Allocation for FY '09 = \$1,573,673; Up \$116,577 from last year; \$26,420 due to reverted funds
- Teaming With Wildlife Act: Introduced into Senate; 350 million; 8 million + to AZ

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3. (continued) State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

The Department recommended that the Commission vote to take a position to support SB655, also known as the Teaming with Wildlife Act

Motion: Martin moved and Freeman seconded THAT THE COMMISSION VOTE TO SUPPORT SB655, TEAMING WITH WILDLIFE ACT.

Vote: Unanimous

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8. Call to the Public

Alex McMillan requested that the Commission reinstate his hunting and fishing privileges.

The Department will advise Mr. McMillan on the process for requesting a rehearing before the Commission.

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Meeting recessed for lunch at 11:11 a.m.

Meeting reconvened at 2:00 p.m.

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9. 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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10. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Gene Elms, Law Enforcement Branch Chief

On September 5, 2008, Destry Finch was convicted in the Flagstaff Justice Court for assisting in an unlawful take of big game for monetary gain and sentenced a fine of \$1,080.00. On January 16, 2009, the Commission revoked Mr. Finch's hunting, fishing and trapping licenses for a period of ten (10) years, invoked a \$1,500.00 civil assessment and further required him to complete Hunter Education before obtaining any license(s) to take wildlife in the state of Arizona. Mr. Finch requested a rehearing of this matter and decision and was notified of this rehearing by certified mail. The Commission was provided with the case summary and other pertinent information relating to this case prior to this meeting for review.

Motion: Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO DENY THE REQUEST FOR REHEARING BY DESTRY FINCH.

Vote: Unanimous

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11. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Gene Elms, Law Enforcement Branch Chief

On August 29, 2008, Michael J. Malik was convicted in the Pinetop Justice Court for discharging a firearm within a quarter mile of an occupied structure while taking an elk and was sentenced to write apology letters and perform eight (8) hours of community service. On December 5, 2008, the Commission revoked Mr. Malik's hunting, fishing and trapping licenses for a period of five (5) years, invoked an \$14,995.00 civil assessment, and further required him to complete a Hunter Education before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Malik requested a rehearing of this matter and decision and was notified of this rehearing by certified mail.

Mr. Elms noted that Mr. Malik's conviction in the Justice Court was appealed and on February 9, 2009, and the Superior Court Judge upheld most of that decision. For clarification, Mr. Elms added that the Finding of Facts in this case was sent after the conclusion of the hearing in Casa Grande and indicated that Mr. Malik was in fact found guilty of Count A and B, both for discharge within a quarter mile while taking elk. That was an error and Mr. Malik was only convicted on Count B. So his case summary and notice were correct, but the Finding of Facts had that additional charge, Count A, in error. The civil assessment amount of \$14,995.00 was also correct.

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO CORRECT THE FINDING OF FACTS, CONCLUSIONS OF LAW AND ORDER IN THIS MATTER REGARDING MICHAEL J. MALIK SO THAT IT REFLECTS THE SINGLE CONVICTION IN THE JUSTICE COURT AND NOT TWO.

Vote: Unanimous

Mr. Malik was not present.

Bruce Griffin, Mr. Malik's legal counsel, was present and addressed the Commission to answer any questions they may have.

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO DENY THE REQUEST FOR REHEARING BY MICHAEL MALIK'S.

Vote: Unanimous

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13. Call to the Public

There were no requests to speak at this time.

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Meeting recessed for the day at 4:16 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

Director Voyles presented Service Pin Awards to the following Department employees:

<u>35 Year Service Pin</u>	<u>30 Year Service Pin</u>	<u>25 Year Service Pin</u>	<u>20 Year Service Pin</u>
Lee Luedeker	Steve Andrews Kurt Bahti	Rod Lucas Dave Conrad Ron Day	Sue Wood Tom Bagley Larry Phoenix Troy Christensen Mike Weisser Brian Wakeling

John Mellon and Ms. Deedee Foss, representing Shikar Safari, presented Kurt Bahti with the Shikar Safari Wildlife Officer of the Year Award for his career of contributions and accomplishments in the field of wildlife management and law enforcement.

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Meeting recessed for a break at 8:51 a.m.

Meeting reconvened at 9:06 a.m.

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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 on Department activities related to shooting sports including shooting programs and shooting range development statewide. The briefing, also available to the public, covered activities that occurred since the March 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 recapped several items in the briefing using a Power Point presentation and provided the following additional information:

Sierra Vista Range:

- Range Improvements (Construction completed on 200 yard Police Range and new Education building): \$38,000 in funds for these projects mostly funded by coalition between the Sierra Vista Rod and Gun Club and the Cochise Gun Club.

Ben Avery Bunker Trap:

- Construction has begun on existing field #17

Southeast Regional Park Shooting Range – Pima County:

- Range Development: Constructed in 2004; Phase I comprised of 30 positions for rifle and small bore; Phase II funding provided by Pima County Bond Election includes main range build out, education range, archery range and a clay target facility; Education Center is still under construction and will be completed in late 2009 early 2010; Education range is in use and has supported AGFD Hunter Education Field Days and 4H Youth Shooting programs; Hunter Education simulation hunting course is complete; Clay Target Facility and Archery Ranges are scheduled for completion in late 2010.

Mr. Cook stated that Mr. Daughtry with Pima County would make himself available to make a presentation to the Commission on the Southeast Regional Park Shooting Range as well as on the two other ranges that Pima County operates.

Chairman Hernbrode requested that the Department invite Mr. Daughtry to make the presentation to the Commission.

Commissioner Husted offered his assistance in working with federal and state agencies in developing ranges in small rural areas and in every community statewide.

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2. Consideration of the 12A Habitat Stamp Fund Budget for Calendar Year 2009

Presenter: Ron Sieg, Flagstaff Regional Supervisor

The Commission was asked to approve the 12A Habitat Stamp Fund Budget for Calendar Year 2009 for spending funds generated under the Cooperative Agreement between the Kaibab National Forest (KNF) and the Department. Each year the KNF and the Department work jointly to develop a budget proposal which is then presented to the Commission for approval. A synopsis of expenditures during calendar year 2008, revenue for calendar year 2008 and planned expenditures for calendar year 2009 were presented as follows.

2008 Budget Summary

Category	Planned Expenditure	Actual Expenditure
Archeological oversight	\$11,000	\$3,003
Seed, herbicide	\$87,487	\$0

purchase, seeding and herbicide application, water development		
Total	\$98,487	\$3,003

Calendar Year 2009

2008 calendar year stamp sales

- 2,434 stamps @ \$15 \$36,510

Available funds \$178,784.50

Proposed activities

- Construction of 3 wildlife waters \$150,000
 - Sowatts Point
 - Slide Crossing
 - Corral Tank
- Support of ongoing seeding, herbicide, Pinyon-juniper clearing, archeological survey/clearance \$28,784.50

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE 12A HABITAT STAMP FUND BUDGET FOR CALENDAR YEAR 2009.

Vote: Unanimous

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3. Information Presentation from the Hopi Tribe on the Future Relationship between the Hopi Tribe and the Department

Presenter: Ron Sieg, Flagstaff Regional Supervisor

Mr. Sieg provided some background information to the Commission and then introduced Mr. Norman Honanie, Vice Chair of the Hopi Lands Team. In 1996, Congress passed the Navajo/Hopi Land Dispute Settlement Act to resolve longstanding issues of Navajo families living on Hope partition lands. Among the provisions in this Act was the ability for the Hopi Tribe to purchase up to a half million acres of ranch lands in Northern Arizona and put them eventually into trust status. In consultation with the State of Arizona the Secretary of Interior was also given the authority to acquire state trust lands by condemnation and compensate the State for these lands at fair market value with funds provided by the Hopi Tribe. In 1997 and 1998 the Hopi Tribe purchased five ranches in Game Management Unit 4A of Region I and Game Management Units 5A and 5B in Region II, covering approximately 173,000 acres of deeded land with a comparable amount of interspersed checkerboard state lands. Up until December these lands have been treated as any other ranch. On December 8, 160,167 acres of these deeded lands were placed into federal trust status for the benefit of the Hopi Tribe. There was no change in the interspersed state lands at this time. Mr. Honanie was present at this

meeting to discuss the Hopi Tribe's future relationship with the Commission and the Department.

Mr. Honanie addressed the Commission stating that the Hopi Tribe partnership with the Department was looking very solid. Now with this land becoming trust land, one of the bigger issues will be how to take the reins with hunting. There are some things that everyone needs to understand as this moves forward - The Aja, Clear Creek and Dry Ranches acquired by the Hopi Tribe are aboriginal lands, the animals don't know the boundaries, and the lands are checkerboarded. The Hopi Tribe has developed a summary of what the Tribe wants to do that includes the following five points:

1. The status quo has been issued for this year for hunting
2. The process needs to be worked so that beginning in 2010 the Hopi Tribe will have certain permits issued so they can start hunting on these lands also
3. Immediately develop a program to address jurisdictional issues for the 2009 season (hopefully by July)
4. The Hopi Tribe and the Department will try to find and explore ways to possibly have two Hopi Game Management positions
5. Increased communication with the Hopi Tribe and the Commission/Department to broaden horizons (beginning with Mr. Honanie addressing the Commission at this meeting)

The Commission thanked Mr. Honanie for coming to the Commission meeting and expressed appreciation for the Hopi Tribe's efforts in partnering with the Department.

Commissioner Husted asked for clarification on "taking the reins".

Mr. Honanie stated that in the partnership with the Department the Hopi Tribe will take the reins in working towards continued and increased partnering with the Department especially as it relates to the lands changing to trust lands.

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4. Call to the Public

Amos Rutter asked the Commission to reconsider his license revocation and change it from a five year revocation to a four year revocation.

Chairman Hernbrode directed the Department to advise Mr. Rutter on the process for requesting a rehearing.

Steve Chevront provided each Commissioner with information regarding prices on water catchments and projects and stated that there are over \$200,000 dollars in overcharges paid by the Department. Mr. Chevront believes that there is a lot of money being wasted by the Development Branch and he would like to see some solution to this.

John Koleszar, representing the Arizona Elk Society and the Arizona Deer Association, addressed the Commission regarding the OHV bill passed last year. The fee was supposed to be \$23 and it came in at \$25. Some people are paying as much as \$150 because there is a lack of

continuity and education within the Motor Vehicle Division and sportsmen, and consequently some people are being charged a lot more than others. If you go on line, there are no options to simply get the \$25 dollar fee. The procedure that can happen is not known by a lot of people. Mr. Koloszar requested that the Department use their Internet resources with the online message board and advise the OHV community how they can maintain that \$25 dollar fee. Also, for those people who have paid more than \$25 there is a reimbursement process that is available. On another issue, Mr. Koloszar asked for a map showing the specific areas as discussed by Mr. Honanie with the Hopi Tribe so that people can be exacting on what they are pointing to and not speculative.

Jim Unmacht, President, Arizona Desert Bighorn Sheep Society, had the following three requests for information: 1) An update on the National Park Service regarding the water project proposed by Will Garrison along Highway 93 near Kingman; 2) Is the Department involved with the land/boundary dispute with the San Carlos Tribe near Arivipa; and 3) Is the Department involved with the lawsuit against BLM and the USFWS in the Grand Canyon area on lead ammunition.

Chairman Hernbrode requested that the Department place these items on a future agenda.

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6. Hunt Permit-Tag Application Schedule for Fall 2009 Hunts

Presenter: Harry Seck, Assistant Director, Special Services

The Commission was provided with a brief presentation relating to the hunt permit-tag application schedule for the fall 2009 hunting seasons (attached to these minutes). 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. Two changes were noted: 1) the acceptance dates for the first-come/first-serve were moved back by one week to August 3 and 2) the permits can now be purchased at the regional offices starting on August 10. This will allow those with earlier hunts to be able to mail their applications in for first-come/first-serve or they will be able to go to their nearest regional office on August 10 and purchase their permit.

The Commission expressed concern about the Department having all of the mail-in applications processed so that they have the correct inventory by August 10 when the tags become available over the counter.

Mr. Seck confirmed that the Department has a plan that includes staffing and resources to accomplish the task.

The Commission discussed the Department's progress towards providing online license sales and an online draw process and requested that the Department provide monthly full reports as a standing agenda item on the Department's progress towards that goal.

Motion: Freeman moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE APPLICATION SCHEDULE FOR THE FALL 2009 HUNTS.

Vote: Unanimous

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8. August Commission Meeting Location and Proposed 2009 Workshop Dates, Locations and Topics

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

Mr. Hovatter provided the Commission with proposed 2009 Commission Workshop dates, topics and locations; One to be held at Sipes in August in conjunction with a regular Commission meeting in Pinetop and the other to be held in November at the Department Headquarters. The proposed agenda for the August Workshop consisted of 1) Commission Guidebook Training, 2) Kaibab Study Presentation, and 3) Wildlife Area Policy. The November Workshop would be 1) 2010 Director's Goals and Objectives, 2) Review of 2012 Strategic Plan in preparation for development of the 2018 Strategic Plan, and 3) Strategic Guidance for the 2012 Budget Build.

The Commission discussed the options and took the following actions:

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO HOLD THE AUGUST COMMISSION MEETING AT THE DEPARTMENT'S HEADQUARTERS IN PHOENIX.

Vote: Unanimous

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO HOLD THE AUGUST COMMISSION WORKSHOP AT THE DEPARTMENT HEADQUARTER'S IN PHOENIX ON AUGUST 21-22, 2009.

Vote: Unanimous

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED AGENDA FOR THE AUGUST WORKSHOP WITH THE ADDITION OF A DISCUSSION WITH REPRESENTATIVE WEIERS IF HE IS AVAILABLE.

Vote: Unanimous

Motion: Husted moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED AGENDA AND THE DATES OF NOVEMBER 17-18 FOR THE NOVEMBER WORKSHOP.

Vote: Unanimous

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Meeting recessed for a break at 10:27 a.m.

Meeting reconvened at 10:47 a.m.

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7. Update to the Commission on the Kofa National Wildlife Refuge Environmental Assessment, and the Status of the Department's Self-Imposed Temporary Moratorium on the Removal of Offending Lions

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

Mr. Hovatter provided the Commission with an update on the current status of the Kofa National Wildlife Refuge Environmental Assessment (EA) and the status of the Department's self-imposed one-year moratorium on the removal of offending lions, which ended yesterday. The one-year moratorium, that began in April 2008 and was instituted in coordination with the USFWS, was on the lethal removal of lions that were captured and collared on the refuge component of the depredation management area for bighorn sheep. The Department agreed to a moratorium for up to one year or upon completion of the EA with the expectation that the EA would be completed on or before that one year period.

Mitch Ellis, with the USFWS, addressed the Commission and expressed appreciation for the relationship that the USFWS has with the Department and all the work that is done together on the Kofa. The report that was signed by the USFWS Regional Director and the Arizona Game and Fish Director in April 2007 (The Investigative Report and Recommendations for the Kofa Bighorn Sheep Herd) represents a commitment by both agencies to accomplish specific goals and objectives. The report contains strategies that collectively are intended to bolster sheep numbers and help meet objectives related to Refuge purposes and regional translocation programs. The approach is comprehensive and includes the following:

- Monitoring (annual surveys to track population parameters)
- Research (disease, body condition, mortality)
- Water availability (improve distribution, maintain water at critical sites)
- Human disturbance (hiking during critical periods)
- Predation (manage lion predation as needed to meet objectives)
- Outreach (public awareness and support for active mgmt).

With regards to the EA (related to managing lion predation), Mr. Ellis provided the following overview of the revised timeline:

- Scoping Period (April 24, 2008 – June 23, 2008; completed)
- 1st and 2nd Administrative Draft EAs (August 28, 2008 – February 20, 2009; completed)
- Solicitor & Regional Office Review (February 20, 2009 – April 3, 2009; completed)
- USFWS Director & DOI Secretary Review (April 3, 2009 - May?)
- Draft EA / 60-Day Comment Period (June – July?)
- Edit & Prepare Final EA (July - ?)
- Final EA / Record of Decision

The USFWS would like to see the EA accomplished by the end of 2009 but cannot make any promises. The USFWS has requested that the Department agree to extend the moratorium until the EA is complete.

The Commission discussed the collared lion (KM04) that has three documented bighorn sheep kills within about a six week period of being collared, as well as uncollared lions in the area that have killed sheep, and speculated on how many sheep may have been lost already and how many more may be lost if the moratorium is extended.

Mr. Ellis pointed out that another six months of collecting data will provide a lot of valuable information and with continued monitoring of KM04, data may be provided that will support the active management program that may be put in place by the USFWS.

The Commission discussed with Mr. Ellis and Mr. Hovatter the scientific data that has already been collected on the Kofa bighorn sheep herd and weighed the potential effect of continued lion predation if the moratorium were to be extended, especially with the lack of a fairly certain projected EA completion date.

Public Comment

Jim Unmacht, on behalf of the Arizona Desert Bighorn Sheep Society, addressed the Commission in opposition to extending the moratorium.

Jessica Couleur, Sierra Club, addressed the Commission and confirmed that the Commission had received a joint letter from several organizations in support of extending the moratorium.

Brian Thomas addressed the Commission in opposition to extending the moratorium.

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Meeting recessed for a break at 12:04 p.m.

Meeting reconvened at 1:24 p.m.

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7. (continued) Update to the Commission on the Kofa National Wildlife Refuge Environmental Assessment, and the Status of the Department's Self-Imposed Temporary Moratorium on the Removal of Offending Lions

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

Public Comment

Stephanie Nichols-Young, Animal Defense League of Arizona, addressed the Commission in support of extending the moratorium.

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO EXTEND THE MORATORIUM UNTIL THE LAST DAY OF JULY 2009 AND INVITE MR. ELLIS TO COME BACK AT THAT TIME TO TALK ABOUT WHAT THE NEXT STEPS WILL BE.

Commissioner Husted commented that there are a lot of places to study lions but very few places to grow bighorn sheep.

Commissioner Woodhouse offered an amendment in regards to lion KM04 and suggested adding that the Commission consider KM04 at zero kills as of today and if he becomes an offending lion again during the four month extension, then when he is off the refuge he would be lethally removed.

Motion: Woodhouse moved and Freeman seconded to amend the motion.

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

Amended Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO EXTEND THE MORATORIUM UNTIL THE LAST DAY OF JULY 2009 AND INVITE MR. ELLIS TO COME BACK AT THAT TIME TO TALK ABOUT WHAT THE NEXT STEPS WILL BE; AND THAT LION KM04'S RECORD OF KILLS BE MADE ZERO AT THIS TIME AND IF KM04 TAKES TWO SHEEP DURING THE EXTENSION PERIOD HE WILL NOT BE COVERED BY THE MORATORIUM.

Vote: Aye - Hernbrode, Martin, Woodhouse, Freeman
Nay - Husted
Passed 4 to 1

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5. Consideration of Proposed Commission Orders 2, 5–10, and 26 for 2009–2010 Hunting Seasons.

Presenter: Brian F. Wakeling, Game Branch Chief

The Department recommended seasons, season dates, bag and possession limits, permit numbers, and open areas for Commission Orders 2 (deer), 5–10 (fall turkey, fall javelina, bighorn sheep, fall buffalo, fall bear, and mountain lion), and 26 (population management seasons) according to hunt guidelines approved by the Commission during August 2007 (last amended April 19, 2008) for a two-year period that extends through spring 2010. Consequently, no public meetings discussing the guidelines were held prior to the April 2009 Commission meeting. Each Region hosted a public meeting in early March, prior to submitting their hunt recommendations, at which they presented the survey and harvest data used for each recommendation. Prior to the April Commission meeting, each Region also hosted an open house where final recommendations were available for public review and discussion. A detailed description of proposals were provided to the Commission prior to this meeting for review and were available for public review at Department offices.

In early 2007, the Commission directed the Department to examine ways to increase general deer permits by 10% by fall 2009. This direction was addressed through the adoption of new hunt guidelines in August 2007. The Commission directed the Department through these hunt guideline changes to offer specific hunting opportunities.

Specifically, the Department was to allocate at least 3% of the general deer permits to juniors-only seasons. According to hunt guidelines, units with multiple deer hunts will have stratified 7-day seasons.

Statewide, white-tailed deer hunting opportunity in December will be limited to 5% of the total white-tailed deer permits, although alternative white-tailed deer units (Units 6A, 23, 30B, 31, and 36C) will be structured to harvest up to 30% of the expected take for that unit during December. Units 12A, 12B, 13A, 13B, 45A, 45B, and 45C will be managed according to the Alternative Deer Management Plan for mule deer. Archery deer seasons will be recommended for season length adjustments or permitting to attain 10-20% of the total deer harvest by archers.

Fall turkey hunts are recommended as limited-weapon-shotgun-shooting-shot seasons. Juniors-only turkey permits will be recommended as over-the-counter nonpermit tags in specific units. Archery turkey seasons have been adjusted to overlap with corresponding archery deer seasons.

All fall javelina hunts are to be offered during juniors-only seasons to provide for 10% of total tags (both fall and spring) for juniors hunters. Juniors-only seasons should coincide with a juniors-only deer season.

All seasons are recommended in accordance with approved guidelines, unless specifically noted under the species-specific information provided under the corresponding Commission Order.

Commission Order 2 – Deer

The Department recommended 43,580 general deer permits in 2009, an increase of 1,760 permits statewide from 2008. White-tailed deer permits are recommended for an increase of 1,070 permits. In white-tailed deer alternative management units, estimated harvest in the late December hunts is predicted to be up to 30% of the total harvest within those units. A total of 5.6% of all white-tailed deer permits are being offered in December (slightly above hunt guidelines). Antlered mule deer and any antlered deer permits are recommended for an increase of 690. Juniors permits are recommended at 2,105 (4.8% of general), a 35-permit increase over 2008. This recommendation includes a 300-permit antlerless deer hunt for juniors-only in Unit 12AW in response to continued high fawn production on the Kaibab Plateau-This hunt is consistent with the objective of allowing the Unit 12AW population to increase slightly. A 100-permit juniors general hunt is recommended for addition in Units 3A and 3C, as well as a 75-permit juniors general hunt in Unit 7. Unit 30B was added to the multi-unit juniors-only general deer hunt in Region 5 (Units 28, 29, 30A, 30B, 31, and 32). A 30-permit juniors-only muzzleloader deer season is recommended to remain in Unit 16A in December, although it had originally been recommended for relocation temporally and spatially. The December archery deer and general deer seasons are recommended to begin on December 11, 2009. Muzzleloader permits are recommended at 1,010 permits, an increase of 5 from 2008.

Archery deer seasons for 2009 are recommended consistent with hunt guidelines approved in August 2007. In 2008, units where archery harvest comprised <10% of the total harvest, archery deer season length was extended. Units 4A, 4B, 8, 9, and 19A are recommended to retain a two-week January archery deer season added last year. Other units where archery harvest has exceeded 20% of the overall take had season lengths reduced or were permitted through the draw. The total number of permit tags recommended for archery seasons are 1,810, which is a

495-permit decrease from last year. Permit levels were originally recommended based on expected harvest and corresponding success rates based on benchmarking data from other states with similar permitted archery structures. Changes were made for fall 2009 based on actual 2008 hunt success and adjustments to bring the archery harvest to 10-20% of the overall harvest for a unit. Recommended decreases include Unit 7 (400 permits) and Unit 13A (5 permits) and combining the permitted archery hunt in Units 12A, 12B, and 12B West (90 permits). Similar to last year, archers that draw a permit tag will not be required to report their harvest through the phone line, and the 10% cap on nonresident participation will apply to these draw hunts

A 10-permit CHAMP hunt was offered in Unit 12A in 2008. The Department recommended that this 10-permit CHAMP season be offered again in Unit 12A during October 9-15, 2009.

Total permits for general, muzzleloader, and juniors-only season is 46,875, which is an increase of 16.5% (6,470 permits) above 2006 levels.

The Commission discussed with Mr. Wakeling the Kaibab population and how the recommended reductions were arrived at considering that there is no population objective or scientific data from the research study at this point.

Commissioner Woodhouse recommended that the Department look at changing the times of the public open houses, specifically holding meetings after 5:00 p.m., so that they are more accessible to the public.

Chairman Hernbrode requested that the Department ensure better communication with regard to the purpose of the hunt guideline and recommendation process.

Public Comment

Jeff Dickey, President, Arizona Deer Association, supports 200 doe permits on the Kaibab.

Jim DeVos, representing the Kaibab Review Team for the Arizona Deer Association, provided a PowerPoint presentation to the Commission on the Kaibab and the research study that will soon be coming to a close.

Dick King, Arizona Bowhunters Association, questioned reducing the archery hunt permits by 90 when combining Units 12A, 12B, and 12B West and the reduction of archery permits in Unit 7. Also opposed mandatory reporting for archers; should be mandatory for all weapon types.

David Myrick, Desert Christian Archers, opposed to reducing archery permits and mandatory reporting for archers.

Steve Chevront questioned increase in rifle tags in Unit 13B and supported 200 tags on the Kaibab.

Don Martin, Mohave Sportsman Club, opposed the December muzzleloader junior hunt being called a trophy hunt because the deer harvested are commensurate with the deer that are harvested on any other juniors hunt in Mohave County.

Mr. Wakeling clarified that the term trophy may not have been appropriate but was used to describe that the hunt was at a time of year when many people consider the animals to be more vulnerable because they are going into the rut.

Jim Riut, Member of Mohave Sportsmen's Club, did not speak but turned in a speaker card in opposition to originally proposed changes to the Region III muzzleloader junior deer hunt.

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 2 – DEER AS PROPOSED WITH THE FOLLOWING EXCEPTIONS: REDUCE THE JUNIOR HUNT ON THE KAIBAB TO 200 TAGS AND INCREASE THE NUMBER OF ARCHERY DEER TAGS IN UNITS 12A AND 12B TO 1090.

Vote: Aye - Martin, Woodhouse, Freeman, Husted
Nay - Hernbrode
Passed 4 to 1

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Meeting recessed for a break at 3:26 p.m.

Meeting reconvened at 3:48 p.m.

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Commission Order 5 –Turkey

The fall limited weapon shotgun-shooting-shot turkey season was recommended to run October 2-8, 2009 with 6,120 permits, which is an increase of 20 permits over 2008. There were seven units (Units 1, 6A, 8, 10, 12A, 23, and 27) recommended for juniors-only seasons where over-the-counter nonpermit tags will be offered. These seasons will run concurrently with the permitted turkey season in the unit. Archery-only seasons are unchanged from last year.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 5 – TURKEY AS PROPOSED.

Vote: Unanimous

Commission Order 6 – Javelina

For fall 2009, the Department recommended fall javelina seasons for juniors during general seasons for which season dates coincide with a juniors-only deer season. The Commission directed the Department to provide at least 10% of the total javelina permits (both spring and fall) to juniors hunters and guidelines state that units within Region 5 will allocate 15% of the annual permits to an October 9–15 or a November 20–26, 2009 season. There are substantial changes recommended that differ from the current guidelines. A total of 1,075 permits were recommended for fall 2009 juniors-only general javelina hunts. This is a 1,545 permit decrease from 2008 and equals 6.4% of the total annual permits in Region 5. Total juniors-only javelina tags represent 7.7% of the total javelina permits statewide. This deviation from guidelines was recommended because of the number of leftover, unsold permits in 2008. Recommended permit numbers were developed by combining blocks of units, which will provide juniors hunters with a greater geographic area in which to hunt, and by recommending more permits than were issued

in each of the blocks of units in 2008. Units 28, 29, 30A, 30B, 31, and 32 were combined to match the combined units in the juniors-only deer hunts. Units 34A, 34B, 35A, and 35B were combined in one block, 36A, 36B, and 36C in another block, and 37A and 37B in a final block to allow hunters with those tags the flexibility of going into any of the open units.

Additional units in Region 3 (Units 16A, 17B, 18B, and 20A) will also offer this juniors-only opportunity. Unit 20A was recommended for a 25-permit increase to meet first-choice applicant demand.

The Department also recommended the continuance of two juniors-only opportunities in Region 6 (Unit 39): a juniors-only archery javelina season with 15 permits during November 6–15, 2009 and a juniors-only muzzleloader season with 10 permits during November 20–29, 2009. This hunt will target the javelina population occupying the Robbins Butte Wildlife Area.

Motion: Husted moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 6 – JAVELINA AS PROPOSED.

Vote: Unanimous

Commission Order 7 – Bighorn Sheep

Bighorn sheep permits were recommended for a total of 87, a decrease of 3 from last year. Decreased permits were recommended in Units 13A (1 permit), 39 (1 permit), 40B Mohawk and Copper Mts. (1 permit), 45A (2 permits), 45C (1 permit), 46A (1 permit), 46B (1 permit), 23 and 24A (1 permit; no hunt was recommended for this unit); whereas permit increases are recommended in Units 12B East (2 permits), 13B South (1 permit), and 15D (3 permits). Units 12A and 12BW, 15A, 15B, 15C, 15D, 45A, 45B, and 45C have received recent surveys at more frequent intervals than standard units and hunt recommendations were based on these more recent data.

Public Comment

Jim Unmacht, President, Arizona Desert Bighorn Sheep Society (ADBSS), expressed concern about the decline in sheep tags that are offered and suggested the Department/Commission look at the idea of the ironman or endurance hunts in areas where the terrain is very rough and challenging.

Chairman Hernbrode commented on the ADBSS suggestion in a letter to the Commission that they take another look at possibly restructuring some of the unit boundaries, and stated that it would be appropriate to look at that for the guidelines for next year.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 7 – BIGHORN SHEEP AS PROPOSED.

Vote: Unanimous

Commission Order 8 – Buffalo

Six buffalo permits evenly distributed among three hunts (2 permits each) were recommended for the fall season on the Raymond Wildlife Area herd. The first hunt (September 25-27, 2009) was recommended for 2 yearling buffalo permits (2 adult cow permits in 2008). The remaining two hunts (October 9-11 and October 23-25, 2009) were recommended for 2 yearling buffalo permits in each hunt.

No general fall hunts were recommended on the House Rock Wildlife Area herd because structured hunts have been ineffective in harvesting buffalo; companion tags for the deer hunts were addressed under Commission Order 26.

Motion: Husted moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 8 – BUFFALO AS PROPOSED.

Vote: Unanimous

Commission Order 9 – Bear

During 2009, fall bear seasons are recommended during August 1–20, from August 21 for up to 38 days, or October 2 through the end of the 2009 calendar year. General seasons may occur during any of these season dates and archery seasons may occur during the 38 day season beginning on August 21, 2009. This structure maintains open seasons while allowing Regions to manage female harvest and maintain sites to relocate nuisance bears if necessary. The 2009 recommendation was for a female harvest limit of 87 for general and 13 for archery season, which is an overall increase of 1 female bear from 2008.

Annual female harvest limits were established in August 2008 for the units with 2009 spring hunts. Those units that have both spring and fall hunts were considered in the spring 2009 hunt formulation. Harvest that applies to annual female harvest limits includes any take by a hunter or Department action that occurs within a calendar year. Implementation of the annual female harvest limit may result in the closure of a hunt before it opens if the annual female harvest limit is reached before the start of a season. Hunters will need to contact the Department before they go hunting to determine if a specific hunt unit is open, and notification of this need will be plainly identified within the regulations. Compliance with the mandatory physical check for bear remains high.

Motion: Woodhouse moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 9 – BEAR AS PROPOSED.

Vote: Unanimous

Commission Order 10 – Mountain Lion

The Department recommended that the mountain lion season be opened from September 1, 2009 to May 31, 2010 in all units except those units with a multiple bag limit. Units with a multiple bag limit were recommended to remain open yearlong in accordance with the approved hunt guidelines. Compliance with the mandatory physical check for mountain lion remains high.

The Department recommended the following changes to the units or multiple bag limit from last year's hunt structures: Units 13BS, 16AS and 18BS, and Unit 27 Bear Canyon met the bighorn sheep population objectives and are recommended to revert to the standard season dates of September 1, 2009 to May 31, 2010. A new multiple bag limit hunt was recommended for eastern Unit 44A (harvest objective of 4 lions) in response to continued predation events on the bighorn sheep in this unit.

The Commission discussed the year-round multiple bag limits and its potential effect on females with kittens, and confirmed with Mr. Wakeling that the units with multiple bag limits were set to protect bighorn sheep populations.

Commissioner Martin commented that she has voted against multiple bag limits in the past because of the year-round season. The year-round season brings concern for the orphaning of kittens and that is an ethical issue which brought about the limited seasons.

Public Comment

Brian Thomas, representing himself, opposed the changes to the units or multiple bag limits.

Golden Brimhall, representing himself, opposed the changes to the units or multiple bag limits.

Jim Unmacht, ADBSS, opposed the removal of multiple bag limits in Units 16AS and 18BS because they are next to 44A; should literally surround the Kofa with multiple bag limits to protect the Kofa bighorn sheep.

Stephanie Nichols-Young, Animal Defense League of Arizona, expressed concern for taking females and for lion populations in Arizona. Ms. Nichols-Young supported the removal of the multiple bag units and opposed adding a new one.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 10 – MOUNTAIN LION AS PROPOSED WITH THE FOLLOWING EXCEPTION: THAT THE MULTIPLE BAG LIMIT UNITS BE LEFT IN PLACE AS APPROVED IN LAST YEAR'S HUNT RECOMMENDATION WITH THE EXCEPTION OF ADDING UNIT 44A AS A MULTIPLE BAG LIMIT UNIT.

Chairman Hernbrode stated that he will vote no because he does not believe that a multiple bag limit accomplishes what it tries to accomplish and he doesn't believe in the year-round season.

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

Commission Order 26 – Population Management Seasons

Population management seasons were recommended for buffalo to be available to permitted deer hunters in Unit 12A. These permits are popularly known as "companion" tags. Buffalo population management restricted nonpermit tags were recommended at 1,175 for general seasons and 1,090 for archery seasons. These permits will be available only to hunters that

successfully draw a deer tag in the coincidental Unit 12A deer hunt. Permit holders for these companion tags routinely have very low hunt success. However, about 15 buffalo were reportedly taken in 2009.

The Department recommended that these restricted nonpermit tags for buffalo be offered for cow and yearling buffalo only to facilitate buffalo population reduction in Unit 12A.

Motion: Woodhouse moved and Husted seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS AS PROPOSED.

Vote: Unanimous

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9. Call to the Public

There were no requests from the public to speak.

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

The Commission was provided with copies of their shared calendar which contained planned activities and events of various organizations and groups, as well as Department activities. The Commission will review the calendar individually and select/note the activities that they plan to attend.

The Department plans to transfer the calendar information and format into an Outlook calendar by next week where the Commission can access it with a PDA.

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11. Director and Chairman's Report

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

- Attended Budget Hearings at the Legislature. The Department's budget discussions were well received and the significance of our unique cash-flow and revenue generation processes were understood
- Participated in a conference call with Dr. Tuggle and Steve Spangle
- Had another conference call with Dr Tuggle and the New Mexico Game and Fish Director Tod Stevenson regarding the wolf program
- Participated in the kick-off meeting of an internal Department team that is working to develop the framework for moving toward an enterprise GIS that will better enable the use of geospatial information in organizational planning and decision making
- Met with representatives of the Employees Association to discuss the current trend toward Meet and Confer and the role and relationship of the Employees Association

- Met with Troy Dhyrkopp, our new Front Counter Supervisor, to discuss my vision regarding customer relations and front counter operations
- Attended the North American Wildlife and Natural Resources Conference in Washington DC and participated in several committee meetings. Chaired the Law Enforcement Committee, sat on the Executive Committee representing the Western Association of Fish and Wildlife Agencies (WAFWA), and sat on the National Grants Committee, again representing WAFWA
- Attended the Pacific Flyway Council Meeting, also held at the North American
- Met with the Navajo Nation Director of Fish and Wildlife Gloria Tom and others at the USFS Kaibab National Forest office in Williams regarding cooperative efforts, planning and issues related to the Big Boquillas Ranch and participated in a tour of the ranch. The Navajo Nation is anticipating the development of a broad based plan for the Big Boquillas and is very interested in our participation
- Met with Chris Denham with Western Hunter Magazine to discuss coordination with the Department on hunt recommendation issues related to the Kaibab
- Attended a Sonoran Joint Venture Board Meeting at the Sonoran Desert Museum in Tucson as a function of my role on the Board of Directors
- Attended the retirement party for John Millican in Tucson
- Participated in the BASF Expo and the Expo Barbeque. This effort came off very well and Ty's estimate of 35,000 attendees is in fact quite conservative
- Met with the Regional Supervisors to discuss their roles as RS's
- Met with Corbin Newman along with Commissioner McLean, Commissioner Martin and program staff to discuss the timeline for reaching a Record of Decision on the Northern Arizona Shooting Range
- Met Doc Lane with the Arizona Cattle Growers' Association regarding their efforts to develop a programmatic approach to consultation on Arizona grazing lands conservation projects being developed in conjunction with the NRCS
- Visited with two Wyoming Game and Fish Commissioners and Bill McLean. They wanted to see the Headquarters and tour BASF
- I had the pleasure of attending the hearings for Jack Husted's nomination before the Legislative Committee
- Met with Representative Patterson to discuss a variety of issues ranging from the Kofa lion moratorium to the Department's Off-Highway vehicle mission
- Attended the Governor's Cabinet Meeting
- Met with ADOA along with Gary Hovatter, Diana Shaffer and Gene Elms to discuss the development of job classification structure for the new OHV LE positions
- Met with Jim Kenna, the new BLM State Director, Mike Taylor and Helen Hankins regarding general coordination, renewable energy and wild horse and burro legislation
- Meet with outgoing Director Paul Bullis, Department of Gaming, regarding Indian gaming revenue projections and their process for tracking revenue generation from Indian gaming
- Met with Jeff "Hatch" Miller, Director, AZ Lottery, and Deputy Directors Trish Phillips and Karen Emery to discuss the situation regarding cash flow management under the previous Lottery Director and to put this issue on this radar screen with respect to future Lottery Fund decisions. We also discussed the potential for cooperative outreach efforts for both the Heritage Fund and the Lottery Fund

- Met with Billy Cordasco and toured Cataract and Espee ranch regarding the existing conservation easement on Cataract and the long-term potential for one on Espee. Also discussed prairie dogs and ferrets. Toured CO Bar Ranch where the Department has been working with them for several years on habitat projects. Also discussed Billy's interest in pronghorn including Research Branch efforts with collared animals to aid in decisions regarding highway crossings as 89 widening
- Provided Congressman Grijalva with an aerial tour of burros, habitat, trails and riparian areas around Yuma. Also discussed the Sonoran Pronghorn Recovery Program and wildlife management in wilderness. The Congressman was very interested in issues related to the funding of conservation efforts in the States and interested in funding for Bi-national conservation efforts along the Mexico border.

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

- Attended the Natural Resources Planning Group in Tucson for the planning of the Watchable Wildlife Workshop, a series that will be held across the State
- Met with Representative Weiers along with Commissioner Woodhouse to discuss the qualifications for Game and Fish Commissioners. Representative Weiers agreed to drop the legislation for now to further discuss the details of that legislation
- Attended the Conservationist Committee and then spent the afternoon at the Outdoor Expo
- Attended the Malpai Borderlands meeting on April 7th
- Participated in the April 8 Executive Session meeting to discuss legislation
- On April 9, received Safe Harbor permit and pupfish
- Participated in the Commission teleconference meeting on April 14
- Met with Tucson reporters on various issues

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11. Commissioner's Reports

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

Commissioner Woodhouse:

- Met with Representative Weiers as mentioned by Chairman Hernbrode
- Attended the Arizona Desert Bighorn Sheep Society banquet
- Attended the Arizona Elk Society banquet
- Participated in the Commission Executive Session meeting on April 8
- Attended the Yuma County Fair and the Department's booth. While there, met Commissioner Husted and some Yuma constituents
- Attended the Yuma Valley Rod and Gun Club meeting along with Commissioner Husted
- Participated in the Commission teleconference meeting on April 14
- Talked with constituents on proposed legislation
- Attended the Cibola Valley Irrigation and Drainage District meeting on behalf of the Commission.

Commissioner Martin:

- Participated in several meetings with Legislators on various issues, but particularly the aquatic invasive species and guiding and game meat bills
- Attended the BASF Expo
- Held a Conservationist Committee meeting which included: A presentation on the Teaming with Wildlife effort and discussion of a coordinated approach between the groups to craft a letter to Arizona's Congressional Delegation advocating that effort; the need for outreach and education on the Teaming with Wildlife effort was identified; the Conservationist Committee will be finalizing their charter at the next meeting; the Committee identified a work project and will move forward on taking down some barb wire fence on the Buck Springs property on July 18
- Met with Department staff and members of the public on a number of issues
- Went on the aerial wildhorse and burro tour Congressman Grijalva
- Met with Representative Patterson regarding a number of issues including the Department's mission statement as it relates to OHV and watercraft, the Kofa lion moratorium, and fire management on state lands as it relates to wildlife
- Met with Corbin Newman regarding the Northern Arizona Shooting Range timeline as reported by Director Voyles

Commissioner Freeman:

- Attended the Arizona Desert Bighorn Sheep Society banquet and had dinner with Representative Weiers and Commissioner Woodhouse
- Chaired a meeting, with the assistance of Ty Gray, on April 17 with a Russian delegation of foreign wildlife professionals and teachers
- Attended the BASF Expo
- Met with Department staff on the hunt draw
- Attended the Arizona Elk Society banquet with Commissioner Woodhouse
- Met with the Town of Chino Valley's planner and then with Department staff
- Attended the Commission's Executive Session on April 8
- Discussed HPAC with Department staff
- Attended the Commission teleconference meeting on April 14

Commissioner Husted did not report at this time since this was his first meeting as a Commissioner.

* * * * *

12. Approval of Minutes and Signing of Minutes

Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FROM JANUARY 16-17, 2009, JANUARY 23, 2009, FEBRUARY 6-7, 2009, FEBRUARY 23, 2009, AND MARCH 6-7, 2009.

Vote: Unanimous

The Commission signed the minutes as approved.

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13. Future Agenda Items and Action Items

Deputy Director Broscheid reported capturing the following action and future agenda items from this meeting:

- Conduct a telephonic meeting for the Commission to take action to support or oppose HB 2157, the Aquatic Invasive Species bill, as the amended language is prepared
- The Department will inform the Association of Fish and Wildlife Agencies as well as the Congressional Delegation of the Commission's support of SB 632 (Firearms Fairness bill), HR 1404 (Flame legislation), SB655 (Teaming with Wildlife bill)
- Ensure that the next Nongame endangered wildlife briefings include potential impacts to Department activities and what the Department's authority and role is in the listings
- Schedule as a future agenda item and invite Pima County to address the Commission on the Southeastern Arizona Shooting Range project
- Ensure that the next Lands Update includes an update on the Will Garrison's wildlife water tank, the Arivaipa land dispute and the BLM's Arizona Strip Field Office RMP lawsuit.
- Provide monthly full report updates on the online license and draw process; post as a standing agenda item in which the Commission can take action
- Schedule an update for the August Commission meeting on the Kofa lion issue, which will be following the public comment period as presented by Mr. Ellis
- For future hunt guideline recommendation meetings, the Department will evaluate and adjust the public meeting times and dates to better accommodate the public, and the Department will ensure better communication with regard to the purpose of the hunt guideline and recommendation process
- The Department will get back to the Commission with the male and female breakdown for the depredation hunts
- The Department will coordinate the earliest possible telephonic Commission meeting to consider taking action to modify the revocation of Mr. McMillan
- Migrate the Commissioner's calendar to the Department's home page Internet site and also via Outlook calendar.

* * * * *

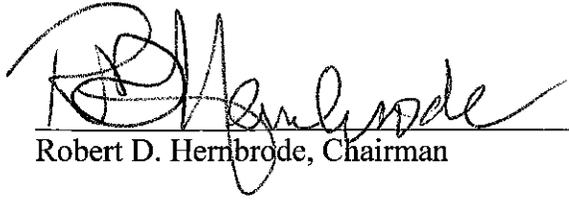
Motion: Martin moved and Husted seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

* * * * *

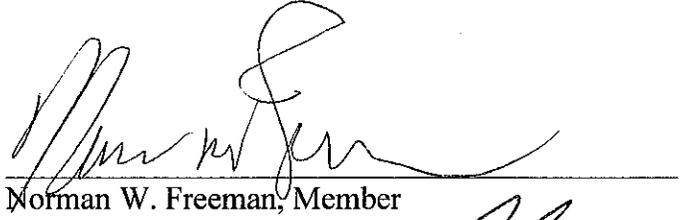
Meeting adjourned at 5:42 p.m.

* * * * *


Robert D. Hembrode, Chairman

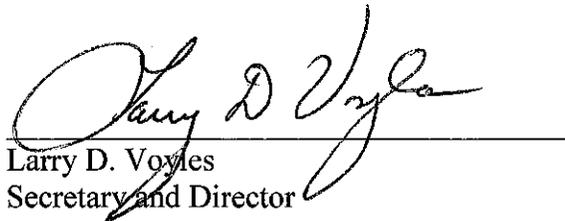

Jennifer L. Martin, Vice Chair

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
March 6, 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.**

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 State's Motion will be heard by the Court on May 26, 2009.**

(4/9/09) (JFO/SDC)

Lands Update
For the Arizona Game and Fish Commission
April 17, 2009
Phoenix, Arizona

FEDERAL LAND MANAGEMENT PLANNING

**Coronado National Forest
Proposed Travel Management Plan**

The Department attended a public meeting on the Proposed Travel Management Plan (PTMP) for the Santa Catalina Ranger District. In general, Department road input has been incorporated into the PTMP, and the Department is supportive of the current proposed road plan. Sky Island Alliance has raised concerns about PTMP, and is asking for more road closures to protect wildlife, habitat, and quiet areas.

In this PTMP, dispersed camping will be allowed 300 feet from all roads on the Santa Catalina Ranger District, except some identified roads where dispersed camping will not be allowed. We have asked the Ranger District to provide clearer visualization regarding the dispersed camping restrictions, as the road number list provided to the public is not very clear. The Ranger District described (in person, not in writing) the roads where dispersed camping will be prohibited as roads to camping areas, summer homes, and the like, and also all roads in Happy Valley. In Happy Valley, the Ranger District plans to identify all currently used camping sites as designated camping sites, thus dispersed camping will not be necessary. The Department agrees that dispersed camping outside of currently used areas in Happy Valley is not necessary, as those areas are already restricted by vegetation. Based on the verbal description, we believe this plan for dispersed camping is reasonable for the Santa Catalina Ranger District, but we have asked for a map to re-affirm our agreement and clarify the dispersed camping proposal for the public.

The Department will be providing formal comments to the Santa Catalina PTMP by April 15. Travel Management Plans for the other four Coronado Ranger Districts are still being developed.

The Annual BLM/the Department Region V/Forest Service coordination meeting is scheduled for April 21-22.

Kaibab National Forest

- **Forest Plan Revision:** Planning staff informed the Department that the Comprehensive Evaluation Report would be out to the public soon. This report identifies 4 key needs for change or focus areas which include restoring fire adapted ecosystems, aspen management, grasslands and meadows, and riparian areas, seeps and springs. The new Plan will be “desired condition” driven and plan components include: 1) Desired Conditions, 2) Objectives, 3) Guidelines, 4) Suitability and 5) Special Areas. The Department has been working closely with FS staff with respect to how wildlife species will be handled under the plan. KNF has produced their Ecological Sustainability Report and their Species Diversity Reports which outline the Species of Concern (SOC) and the Species of Interest (SOI) which will be carried forward as Forest Planning Species. The

Department is currently reviewing these lists and will be making recommendations on addition or deletion of specific species. The Forest has informed the Department that there will be a formal process to update or modify the species list every 5 years.

- ***Travel Management Rule (TMR)***: The Tusayan District is ahead of the other two Districts and is hoping for end of the calendar year implementation for their TMR. This would include appropriate maps out by October. The Williams District is aiming for an EA release of their plan by the end of August, and the North Kaibab is beginning their analysis for a minimum road system and expects a report on this out by May.

SB 1441 HABITAT RESTORATION AND ENHANCEMENT FUND

Sunset: Approximately 45 acres have been thinned within Block C of the Sunset project. The burn plan for the project has been signed, and the Clifton District plans to mobilize the burn on April 4, with black lining starting on April 4, and aerial ignition on April 7.

U.S. FOREST SERVICE

Apache-Sitgreaves National Forest

The Department participated in the annual coordination meeting with the Forest on March 11. Topics discussed included updates by the Forest on the Travel Management Rule, Forest Plan Revision schedule, and the Heber Horse Territory Plan. The Region's Herbaceous Forage Monitoring protocol was also discussed as were strategies for unauthorized livestock management on Forest lands.

The Department provided comment to the Forest regarding the Proposed Action for the Blue River and KP Creek Wild and Scenic Rivers Suitability Study. The Department concurred with the Forest on the remarkable values including fish, wildlife, and recreation contained within those segments of the Blue River and KP Creek. The Department requested close coordination with the Forest during the course of the suitability study to give full consideration to the potential impacts on the ability of the Department to continue to manage fish and wildlife resources and thus maintain and enhance those identified values.

Coronado National Forest

The Department continues to work with the Forest to develop a Memorandum of Understanding regarding evaluation of the proposed Rosemont Copper Project. The Forest is drafting a similar document with other federal, state, and municipal agencies. This agreement will give cooperator agency status to the Department and will outline the manner and extent of Department involvement in the Rosemont Environmental Impact Statement. On April 2, the Department attended a cooperating agency meeting and site visit with Forest and Rosemont personnel.

Kaibab National Forest

Kaibab National Forest Coordination meeting: On April 1st, the Department and the Forest held their annual coordination meeting. We discussed Forest Plan Revision, Travel Management Rule, Fire Management Plan, the Four-Forests Accelerated Landscape Restoration Project, and AGFD/Kaibab projects of mutual interest. A spreadsheet has been generated to track the

progress of these mutual priority projects and shift prioritization as needed. This spreadsheet will be modified and tracked yearly at the annual coordination meeting.

Westside Mule Deer Habitat Improvement: The Department and the Forest will continue mule deer habitat improvement on the westside of the Kaibab Plateau this summer and fall 2009. Treatments will include small scale pinyon and juniper treatments (hand crew or mechanical grinder) with the possibility of incorporating native shrub species into the treatments by hand seeding or using a new small scale seeder that the Forest is planning to purchase. In addition, to pinyon and juniper treatments, the Department plans to do some follow up shrub seeding within the Slide Fire to finish work that was initiated in previous years. With respect to herbicide, this season the Department is going to use a slightly more adaptive approach to herbicide treatment, i.e. follow up monitoring that will inform when herbicide is needed instead of using it at a pre-emergent phase. Lastly, the Grand Canyon Trust has offered to continue the monitoring and contribution in volunteer hours.

North Canyon Creek Structure Repair: The Department met with the Forest to discuss the feasibility of repair to the natural and man-made structures in North Canyon Creek. North Canyon Creek provides habitat for a very important refugium population of endangered Apache Trout. A summer 2007 inventory of North Canyon structures indicated that many were in disrepair and in need of renovation in order to maintain and improve fish habitat. A completed inventory and photographic documentation identified 22 existing structures in need of repair. The North Kaibab Ranger District is in the earliest stages of NEPA to begin planning for the project. Because North Canyon is located in a Wilderness Area, a minimum tool analysis will be done in order to determine equipment restrictions. Early indications are that the Forest can complete NEPA in Fall of 2009 and work may begin as early as the Summer of 2010, outside of the fish spawning season.

Corva/AA allotment: The Department met with biologists and range staff from the Williams District to discuss the Proposed Action for the grazing renewal of the Corva and Double AA allotment. While the Forest is not proposing to increase cattle numbers on the allotment, there is a proposal to add a 30 mile pipeline within the allotment to facilitate cattle dispersal and provide water for wildlife. Most of the pipeline would follow existing roads and disturbed areas and would be phased in over time, depending on money and water availability. This change to the allotment management plan would require that the Forest do an Environmental Assessment for this project. The Department is engaged with the Forest to assess possible benefits for wildlife and will be contributing comments as they relate to pipeline construction, year-round availability of water for wildlife, making sure that pipeline associated troughs are constructed for non-game use (bat-friendly) and assuring that any fencing related to project construction meets wildlife standards.

Kaibab Health Focus Group: The Department continues its involvement in the Kaibab Forest Health Focus (KFHF). The goals of the project are to use ForestERA (NAU) data and modeling to prioritize treatment areas on the North Kaibab, Williams, and Tusayan District of the Kaibab National Forest. The group has a June deadline to delineate 3-5 project areas that are strategically placed on the landscape keeping in mind community infrastructure, fire risk and hazard, T&E, and goshawk (NOGO) habitat, and other wildlife related issues. This effort is not

a NEPA effort, but results from this planning effort will likely inform Forest Plan Revision and prioritize future NEPA projects. A wildlife sub-group has formed within the group's framework in order to assess effects of theoretical treatments to a more diverse subset of wildlife other than Mexican spotted owl and NOGO. This wildlife sub-group has discussed the appropriate method and data to adequately represent wildlife habitat needs within the KFHF process. The goal would be to use wildlife data to assess the potential effects of treatments on wildlife, and access treatment placement with respect to wildlife connectivity among and between treatments. The subgroup is using the Department's ACP individual and species diversity layers that were created as part of the State Wildlife Action Plan. In the final KFHF report, the subgroup envisions a discussion of potential species habitat considerations tailored to each priority and/or treatment polygon identified by the whole focus group.

Aspen Management: The Department has been invited to serve on an Interdisciplinary Team (IDT) to strategize Aspen Management on the Williams and Tusayan Districts of the Kaibab National Forest. A preliminary aspen stand inventory was completed by the Forest over the 2008 field season and results indicated aspen in varying conditions across 250-300 aspen stands. The first meeting of the IDT suggested that planning may be handled under a Categorical Exclusion (CE) using category 6: *Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction.* Potential proposed action treatments discussed at the meeting included: 1) thinning conifers that are competing with aspen, 2) protecting aspen regeneration with fencing or jack-strawing, and 3) prescribed fire or mechanical treatments to stimulate aspen regeneration. Proposed actions may also include planting of aspen stems in certain fenced areas to re-establish aspen where clones have died out. There was discussion of the desire to try comparative treatments such as fencing half of an aspen stand and jack-strawing on the other half. The next step in this process is for field visits to assess the most practicable treatments prior to initiation of NEPA.

Coconino National Forest

Hart Prairie Fuels Reduction Project: The Forest is proposing a 13,000-acre fuels reduction project in the Hart Prairie area to reduce fire risk to urban-interface private in-holdings, reduce pine encroachment into historic meadows, and restore aspen and Bebb's willow. This is an area with abundant wildlife and high biodiversity, with three Mexican spotted owl protected activity centers and critical summer mule deer habitat. The Department will be engaged in a review of this project to ensure wildlife habitat objectives are maintained throughout project design. The project's Environmental Assessment and Proposed Action is expected spring 2009.

Buckhorn Range Allotment: The Forest has initiated public scoping for an Environmental Assessment of the Buckhorn Range Allotment, which encompasses the lands on the north rim of West Clear Creek, running east of Camp Verde. The Department is currently reviewing the Proposed Action and will be working with the Forest to address wildlife habitat issues on the low-elevation winter range as well as riparian habitat integrity. The Forest expects to make a decision on this Allotment Management Plan by Summer 2009.

Prescott National Forest

The Department attended a public meeting hosted by Prescott National Forest in regards to an Ecological Sustainability Report produced by the Forest in conjunction with their current Forest Plan Revision process. The Department has been invited to participate on the planning team for the forest planning effort.

Tonto National Forest

The Department is currently planning the annual coordination meeting with the Forest. A date has not been set. Details will be forthcoming.

BUREAU OF LAND MANAGEMENT (BLM)

Arizona Strip Field Office

The Annual BLM/AGFD coordination meeting was held on February 19-20. The Department is working on contracting out wildlife friendly fencing around the Red Pond water lot. In the interim, the Department has removed the top wire to facilitate movement of wildlife. The Department is also working on modifying fence to wildlife friendly specifications throughout 13A and 13B. BLM will continue surveying livestock waters and installing wildlife escape ladders where needed. The internal review for the Virgin River fish barrier has been completed and a NEPA decision will be issued soon. A 17,027 acre wind energy right-of-way has been granted at Hurricane Cliffs. A meteorological tower has been installed at Hurricane Cliffs to collect wind data. Travel Management Plans for Vermillion Cliffs and Grand Canyon-Parashant National Monuments should be completed this year. Meeting with BLM, ERI (NAU School of Forestry), and the Department to discuss Mount Trumbull research projects will occur on May 11th. BLM is interested in working with ERI and the Department in juniper thinning projects.

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. The Annual BLM/AGFD coordination meeting was held on February 26. Ongoing cooperative wildlife and fisheries projects were discussed. Five applications for commercial solar power installations have been received by the Havasu Field Office. The Bullhead Unit Travel Management Plan has been completed and it should be signed soon. The Lake Havasu Travel Management Plan is underway.

Phoenix District Office

The BLM is preparing a preliminary preferred alternative draft Resource Management Plan to be released for public review. The Annual BLM/AGFD coordination meetings were held on February 12 (Region 6) and February 18 (Region 4). The Lower Sonoran Field Office Resource Management Plan should be released for public review in August. The Table Mesa and Agua Fria National Monument Travel Management Plans should be finished in fiscal year 2009. The Travel Management Plans for the Hieroglyphic Mountains, Black Canyon area and Wickenburg area should be finished in fiscal year 2010. The Travel Management Plan for the entire Lower Sonoran Field Office should be finished in fiscal year 2010 or 2011. The Phoenix District has 15

applications for commercial solar installations. The recreation plan for Saddle Mountain area is now underway.

Kingman Field Office

The Annual BLM/AGFD coordination meeting was held on March 11. BLM will begin implementing actions in wilderness plans including: route reclamations, trail maintenance, and prescribed fire. The Field Office is currently doing route inventories in the Music Mountains, Cerbat Mountains and White Hills. They will finish the route evaluations in the Hualapai Mountains this summer and then start on the Black Mountains. BLM and the Department will do a burro survey in the Cerbat Mountains this summer. The Kingman Field Office has received three applications for commercial solar power installations.

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. The Annual BLM/AGFD coordination meeting was held on February 24. The Yuma Field Office has 15 applications for commercial solar power installations.

Tucson Field Office

Middle Gila Transportation Management Plan

The Tucson Field Office has released the Middle Gila Transportation Plan for 60 Day comment and public review. Comments are due in early May. The Department is reviewing the plan and will meet with the Tucson Field Office prior to closing of the comment period. The Department has been an active participant in the Plan which has been developed with extensive public participation over the last decade.

Safford Field Office

The Safford Field Office has received inquiries regarding solar energy development on two townships of BLM land south of Safford. No applications have been filed yet. The potential applicant is evaluating the site for feasibility. The Office will take no action until they receive an application. The Department has requested close coordination. The BLM/USFS/AGFD Region V coordination meeting will be held on April 21 – 22. The Department worked with BLM to clean up trash from a remote cabin site on BLM and TNC property.

BLM NATIONAL MONUMENTS & CONSERVATION AREAS

Ironwood Forest National Monument (IFNM)

The Tucson Field Office continues to work on the development of a proposed final Resource Management Plan and Environmental Impact Statement for the Ironwood Forest National Monument. The final draft of the plan is on hold pending completion of other projects but is expected to be released in 2009.

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.

National Park Service-Grand Canyon National Park

The Department commented on the Park Service's Exotic Species Management Plan Environmental Assessment. The Department is in full support of increased efforts to survey for and subsequently treat exotic plants. The Department's main concerns pertained to the Park Service's decision to treat cheatgrass as a low priority species. The main reason for habitat improvements on the Westside winter range on the Kaibab is to counteract cheatgrass invasions into mule deer habitat within the Bridger Fire, which ignited in the Park. The Department strongly urged the Park Service to reconsider cheatgrass as a high priority species within the Environmental Analysis of the *Exotic Plant Management Plan* and to make concerted efforts to locate and treat areas of infestation.

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.

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 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. Additional information on the management of bighorn sheep, lions, and water on the Kofa NWR can be found on the Department's web site.

The Sonoran Pronghorn Recovery Team continues to evaluate potential sites for establishing a second population in the U.S. National Wildlife Refuge. Kofa NWR is one of the primary sites being evaluated for this effort.

GENERAL UPDATES

Maricopa County Ordinances P-28 and P-27

The Department attended a cities and town workshop hosted by the Maricopa County Air Quality Department (MCAQD) on February 4, 2009. The Department made a short presentation on the new OHV laws and how grant monies may be available for the cities and towns. The workshop focused on a needs analysis pertaining to dust issues throughout Maricopa County with an emphasis on partnerships to solve issues. OHV activity, enforcement training and consistency were among several identified issues. The cities and towns also recognized the need to provide operators legal places to ride. The Department will continue to work with MCAQD and look for partnership opportunities.

The Department attended a workshop hosted by MCAQD on March 19, 2009 reviewing and proving comments on a fugitive dust workbook. This workbook will be designed to better inform contractors about the dust control standards and best management practices. Suggestions included the creation of a companion pamphlet to educate the public (specifically OHV users) about the effects of their actions on fugitive dust issues.

The Department has convened a group of representatives including US Forest Service, the BLM, Arizona Department of Environmental Quality, and Arizona State Parks. This group, the PM₁₀ Task Force, is working on the dust issue from a policy making level and is focused on issues affecting OHV use and access in Maricopa County, specifically Area A. The recommendations and resulting implementation from this forum will help shape the future of OHV use in Maricopa County and will provide a template for future dust related issues. The task force met on January 29, 2009 to set deadlines for several implementation deliverables including a consolidated outreach message, enforcement conference, identifying legal areas to operate, and violation tracking. The task force will continue to meet at least three times per year. At this point the implementation phase of this project has begun. The OHV program has provided violation information to MCAQD and is working to set up a Law Enforcement seminar that will promote training and coordination between Area A agencies.

The Department has established a task team to look at ways to address the PM₁₀ issue on ASLD properties. The team forwarded its recommendations and included proposed points of common interest, importance and benefit for use in future agreements that would assist with providing continued access opportunities. In addition, the group drafted a proposed process map detailing methods for opening roads on ASLD properties.

ADOT

I-17 (SR 179 North to I-40)

The Department continues to attend monthly I-17 planning meetings. This project is part of a larger I-17 plan and focuses on widening the existing freeway from the SR 179 exit to the I-40 interchange in Flagstaff. In late April the Department will join ADOT and consultants in the field for a field review of possible wildlife crossings. Locations for these wildlife crossings will be driven by existing telemetry data that the Research Branch has been collecting, along with the animal collision accident data. In addition to the field review for wildlife crossings, the Department and the consultant working on the Biological Evaluation (BE) have set up a field date to look at potential bat habitat under bridges and in box culverts for the first week in May.

Interagency Coordination

The Department attended or hosted annual coordination meetings with Kingman BLM, Lake Havasu City BLM, National Park Service – Lake Meade National Recreation Area, and Prescott National Forest.

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

The Department made a presentation to ADOT, NPS and FHWA for a fencing design change associated with the MP 2-17 SR 93 project. In order to increase likelihood that bighorn sheep overpasses will function effectively, on-going negotiations are taking place to adjust placement of 5' ROW fencing and 7' Funnel fencing. At this meeting, draft *alternate plans* for the bighorn sheep crossing structures were presented to the project TAC by Contech Bridge Solutions Inc. The alternate proposal is a prefabricated Conspan Arch, which will save taxpayer dollars, meets our design constraints, and from a wildlife perspective - appears to maintain a more natural environment and travel corridor for bighorn sheep crossing.

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

The Great Western DCR is a roadway development study being carried out by AECOM for Central Yavapai Metropolitan Planning Organization (CYMPO). The purpose of the study is to identify an alignment for a limited access roadway connector from a location near the Glassford Hill Traffic Interchange on SR 89A to Road 5 South and the Southern connection of the Chino Valley Bypass. Participants on the TAC include CYMPO, Yavapai County, Chino Valley, Prescott, and Prescott Valley, ASLD, AGFD, and Prescott ADOT. The Department will continue to be actively involved in this planning effort, which includes compliance with the National Environmental Policy Act (NEPA). The Department is currently investigating funding sources for a pronghorn antelope telemetry research project in the GW-DCR project area. If funding can be identified, the telemetry data produced by this project will be used to guide decision-making with respect to wildlife crossing structures and mitigation for this and other development projects planned for this general area.

Ranch Management Efforts

Ranch Management, 305, 307, NRCS, BLM, and ADBSS met for an initial Coordinated Resource Management Planning meeting on the Gediondia Allotment in unit 15CS. Following the meeting, there was a tour of the Eastern portion of the allotment, inventorying resources and visit to defunct perennial water (Basin Well and windmill) that partners are investigating renovating.

The Department, BLM, and management from Francis Creek Ranch toured the Burro Creek Wilderness Area located on Goodwin Mesa and a portion of the Francis Creek Ranch in unit 18B. The purpose of the visit was to investigate the development of three wildlife waters that would benefit resident antelope and wildlife populations. The water developments, in Wilderness, were identified in the Upper Burro Creek Wilderness Management Plan, the Aquarius Habitat Management Plan, and Arizona Statewide Pronghorn Operational plan. The Department will continue coordination efforts with the Kingman BLM to pursue this opportunity.

Building a Quality Arizona – bqAZ

In February and March of 2009, the Department attended community workshops focused on gathering input from Tribal Communities, Natural Resource Communities, and Resource Agencies. At each workshop three possible scenarios of the 2050 bqAZ Statewide Transportation Planning Framework were presented (Personal Mobility, Transit Mobility, & Focused Growth). The Department emphasized the need to incorporate wildlife habitat connectivity into the bqAZ process at the workshops. An ADOT contact made at these public meetings led to an ADOT-AGFD-bqAZ Project Managers coordination meeting on March 31, 2009. This allowed the Department to meet one-on-one with the ADOT project staff and consultants who are managing the bqAZ process. The Department's presentation to this group included wildlife telemetry research efforts related to transportation and its impacts to wildlife, in addition to current and future Department guidelines and tools that can be used to incorporate wildlife into transportation planning. ADOT and bqAZ Project managers were very receptive to including any available wildlife information into the framework process. However, ADOT is under a mandate to develop one recommended scenario of the bqAZ framework within six weeks. A Department workgroup will be coordinating with an ADOT-bqAZ sub-workgroup in the coming weeks to incorporate as much wildlife data as possible into the bqAZ framework before the Draft Statewide Recommended Transportation Framework Scenario is completed.

Coconino County

The Department has partnered with Coconino County, ADOT Flagstaff District, and the Arizona Wildlife Linkages Working Group to launch a 'Coconino Wildlife Linkages Project'. The goal of this project is to identify crucial wildlife habitats and corridors across the entire county. This large planning effort will build on existing wildlife corridor information that was captured during the 2003 Coconino County Comprehensive Plan and expand geographically to cover all areas of the County. Planning is expected to run through late 2010, at which time published maps and reports will be made available to the public and used primarily by the Coconino County Community Development and Parks and Recreation Departments. The first Stakeholders' workshop was held March 9, and was attended by land management agencies, towns, cities, transportation authorities, Native American tribes, and environmental organizations. The workshop was a success and we captured substantial amounts of new information about wildlife movement corridors in Coconino County. The Department is working to digitize this information and will bring stakeholders back together for a follow-up workshop in July 2009. Collaboration and project development continues with the Arizona Wildlife Linkages Working Group.

Northern Arizona Regional Shooting Facility (NARSF)

Per Commission direction, the Department has initiated a review of suitable alternative sites for the NARSF. We have scheduled monthly conference calls and meetings with the Coconino National Forest to closely coordinate our efforts on the pending feasible analysis decision for the Willard Springs land exchange. Additionally, we have coordinated with the Arizona State Land Department on potential available sections, with private landowners on potential leases, with the Camp Navajo Depot on potential Coast Guard lands and reviewed previously drafted legislation for a Congressional land grant. The Department has also coordinated with the consultant (Mr. Steve Fairaizl) for the Munds Park Community and Shuster Foundation and met with the Forest Service grazing permittee at the Willard Springs (Windmill Ranch) on proposed alternative sites. Lastly, the Department has ordered a survey to determine recreational shooters, law enforcement and community needs for the NARSF projects. This survey will be presented at the May Commission meeting.

Apache County

The Department met with representatives of Ridgeway Arizona Oil Corporation to discuss planned development of the St. Johns Dome – Helium Field. This gas field consists of approximately 158,000 acres in Apache County, including 131,000 acres of State land and 27,000 acres of private land. Well densities of one well pad per section are planned for initially, with maximum densities of two well pads per section. The anticipated lifespan of the project is 20 to 40 years. Extraction of both helium and CO₂ gas will occur. It is anticipated that the majority of the CO₂ will be piped to the Permian Basin in southeastern New Mexico and western Texas to aid in the recovery of oil from partially depleted oil fields. Ridgeway personnel indicated a willingness to work with the Department in order to minimize potential impacts to wildlife associated with the project.

Hopi Nation

The Department held its annual coordination meeting with the Hopi on March 13. At this meeting we learned more about the Hopi's recent acquisition of private lands in south 5A and 5B. The Navajo-Hopi Land Dispute Settlement Act of 1996 provided for up to 500,000 acres to be acquired by Hopi in Northern Arizona and placed into Trust status to compensate for 1882 land lost within traditional areas, and included nearly 1/3 of the reservation and many aboriginal lands. The Hopi coordinated with the State at that time, primarily through Governor Symington, who supported this effort which included transfer of State Trust lands checker boarded within the new Hopi lands. A contiguous package of lands was the goal and the initial purchase included the Aja, Clear Creek, Hart and Drye ranches. This still leaves nearly 200,000 of the allocation left and there is no sunset provision for more lands to be acquired. No lands could be within 5 miles of cities or towns, so the 26 Bar property as well as around 12,000 acres near Winslow are not eligible. On December 8, 2008, 160,000 acres went into Trust Status. This included all fee lands in the Aja, Clear Creek, Hart and Drye ranches (lying outside the 5 mile limit). Application for Trust status was originally filed in 2000, but Bureau of Indian Affairs discussions as well as some environmental issues with buildings delayed action. These lands are now in Federal Trust Status, with the deed held in the name of the United States for the benefit of the Hopi Tribe, and the deed is recorded in Navajo and Coconino Counties as well as the Federal Land Tract record in Albuquerque. These will not be Reservation as a law in the late 1800s prohibited the President from designating any additional reservation lands without action of

Congress. The Courts say these lands are not reservation, but are covered by the same legal authorities, e.g. only Tribal and Federal laws apply, and no taxes are assessed (though a one-time \$250,000 transition tax payment was made on transfer to ease the county impacts). To be transferred to Reservation status these lands would have had to be contiguous to the 1882 Reservation lands. These new lands are best described as “Indian Country.” Representatives from the Hopi Nation will be speaking with the Commission at the April meeting to discuss future wildlife management on Hopi lands.

Wind Energy Guidelines

In March, the Department’s Wind Guidelines Team completed their first draft of the *Guidelines for Reducing Impacts to Wildlife from Wind Energy Development in Arizona*. The Draft went out for internal review and is now being shared with federal and state partners. The goal is to have the guidelines posted on the Department website within the next few months. The Wind Team benchmarked with other states and the USFWS guidelines to initiate this process and the resulting document is similar to California’s guidelines but catered toward AZ wildlife. The document primarily describes methodology and recommendations for pre and post construction avoidance and mitigation to birds and bats from wind development. However, the document also describes general best management practices for avoiding impacts to important wildlife habitat for other species as well. The Department worked closely with the Aviation section to craft language embedded within the Meteorological Tower Guidance, such that Department safety, when flying low elevation wildlife surveys, is carefully considered.

Pinal County

The final draft of the County’s comprehensive plan will go to the Board of Supervisors in April. The Department supports incorporation of the Open Space and Trails Master Plan. The Department recommends additional open space linkages for wildlife, especially between the Tortolita and Catalina Mountains and between Ironwood Forest National Monument and Picacho Peak State Park. Linkages are absent or minimal in these areas at present and may need to be incorporated into a future revision of the Open Space and Trails Master Plan.

Pima Regional Transportation Authority (RTA)

The Department holds a voting seat and has been participating on the RTA Wildlife Linkages Subcommittee which reviews proposals for research and construction using RTA monies. Currently, funding is limited to projects tied directly to road construction projects. The Subcommittee did not meet in March.

Federal Agency Coordination

The Annual BLM-AGFD Region V-Forest Service coordination meeting is scheduled for April 21-22. The Annual FWS Ecological Services Tucson Coordination meeting with AGFD Region V is scheduled for May 4.

Town of Marana

The Town of Marana just released the latest drafts of their Habitat Conservation Plan and associated Environmental Impact Statement for public review. The documents are available on the Marana website at www.marana.com/ or at www.fws.gov/southwest/es/arizona. Comments are due before May 1, 2009

Malpai Borderlands Group

The Department attended the board meeting of the Malpai Borderlands Group. The Department provided an update on deer populations and hunt recommendations, major law enforcement cases in the area (100% convictions and fines of \$2400), solicitation for HPC project ideas, the jaguar capture, and the bear trapping research project. The Forest provided the Group with an update on recent wildfires in the area. The Border Patrol attended the meeting and provided an update on the border situation.

Hunt Permit-tag Application Schedule – Fall 2009

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:
Deer	(See notes 1, 2, 3)	May 28, 2009	June 9, 2009	Aug. 14, 2009	Sept. 4, 2009
Turkey	(See notes 1, 2, 3)	May 28, 2009	June 9, 2009	Aug. 14, 2009	Sept. 4, 2009
Javelina	(See notes 1, 2, 3)	May 28, 2009	June 9, 2009	Aug. 14, 2009	Sept. 4, 2009
Bighorn Sheep	(See notes 1, 2, 3)	May 28, 2009	June 9, 2009	Aug. 14, 2009	Sept. 4, 2009
Buffalo	(See notes 1, 2, 3)	May 28, 2009	June 9, 2009	Aug. 14, 2009	Sept. 4, 2009
Pheasant	(See notes 1, 2, 3)	May 28, 2009	June 9, 2009	Aug. 14, 2009	Sept. 4, 2009
Sandhill Crane	Aug. 3, 2009 ⁴	N/A	Sept. 1, 2009 ⁴	Sept. 21, 2009	N/A
Raptor	Jan. 4, 2010 ⁴	N/A	Feb. 2, 2010 ⁴	Feb. 22, 2010	N/A

First Come		
	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
Deer	Aug. 3, 2009 ^{5, 6}	Aug. 10, 2009 ^{5, 6}
Turkey	Aug. 3, 2009 ⁵	Aug. 10, 2009 ⁵
Javelina	Aug. 3, 2009 ⁵	Aug. 10, 2009 ⁵
Bighorn Sheep	Aug. 3, 2009 ⁵	Aug. 10, 2009 ⁵
Buffalo	Aug. 3, 2009 ⁵	Aug. 10, 2009 ⁵
Pheasant	Aug. 3, 2009 ⁵	Aug. 10, 2009 ⁵
Sandhill Crane	Sept. 21, 2009 ⁴	NA
Raptor	March 1, 2010 ⁴	NA

Notes:

- The Department will accept Hunt Permit-tag Applications for big game and Pheasant listed above as soon as the applicable year's 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. Please consult the regulation booklet for eligibility and requirements before submitting your application.
- If a paper Hunt Permit-tag Application that is submitted contains an error and is received by May 28, 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.
- Sandhill Crane and Raptor applications are accepted by mail only at the following addresses: P.O. Box 74020, Phoenix, AZ 85087-1052; or at 5000 W. Carefree Highway, Phoenix, AZ 85086-5000. These applications may not be hand delivered to any Department office.
- 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.