



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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June 4, 2013

The Honorable Nancy Sutley
Chair, White House Council on Environmental Quality
Executive Office of the President
1600 Pennsylvania Avenue, NW
Washington, DC 20500

RE: Comments on draft Interagency Guidelines for development of agency-specific procedures to implement the Principles and Requirements for Federal Investments in Water Resources

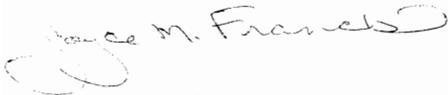
Dear Ms. Sutley,

The Arizona Game and Fish Department is the state agency entrusted with the management of fish and wildlife populations located on state and federal lands within the state of Arizona, with trust responsibility vested in Title 17 of the Arizona Revised Statutes. We appreciate the opportunity to review these draft Interagency Guidelines that help to ensure that the planning, design and evaluation of Federal investments are as consistent as possible across agencies.

As was recognized in the recently finalized Principles and Requirements (P&R), federal investments in water-related infrastructure projects and grant programs affect fish and wildlife populations and the habitats upon which they depend; i.e. those that by purpose, either directly or indirectly, affect water quality or water quantity, including ecosystem restoration or land management activities. Many of these populations are managed and regulated by the states as public trust resources under the North American Model of Wildlife Conservation. As you may know, the Fish and Wildlife Coordination Act (FWCA) of 1934, amended in 1946, requires consultation with the Fish and Wildlife Service and the fish and wildlife agencies of States where the "*waters of any stream or other body of water are proposed or authorized, permitted or licensed to be impounded, diverted . . . or otherwise controlled or modified*" by any agency under a Federal permit or license. Consultation is to be undertaken for the purpose of "*preventing loss of and damage to wildlife resources.*" The authorities under FWCA provide the States with important opportunities to provide Federal agencies with valuable wildlife impact analysis. Therefore, we would like to see reference to the FWCA inserted into the Interagency Guidelines that directs the Federal agencies to include reference to FWCA when developing their agency-specific procedures. For example, a specific listing of FWCA in the last sentence of the second paragraph of page 14 could be included such that it would read as follows: "Such mitigation or restoration measures to address effects on the natural environment must be determined in accordance with applicable laws, regulations, and Executive Orders, in consultation with Federal and State fish and wildlife agencies *as directed by the Fish and Wildlife Coordination Act*, or other appropriate authorities."

The Arizona Game and Fish Department appreciates the opportunity to provide comment to CEQ in the development of these Interagency Guidelines. We look forward to working with the various Federal agencies as they develop their own procedures for applying the P&R at either the project or program levels.

Sincerely,

A handwritten signature in cursive script that reads "Joyce M. Francis". The signature is written in dark ink and is positioned above the printed name.

Joyce Francis
Habitat Branch Chief

JF:dw

CC: Matt Menashes, Director of Operations, Association of Fish and Wildlife Agencies, 444 N
Capitol St. NW Ste. 725 Washington, DC 20001