

**ARIZONA STATE PARKS BOARD
1300 W. WASHINGTON STREET
PHOENIX, AZ
MARCH 15, 2007
MINUTES**

Board Members Present

William C. Cordasco, Chairman
William Porter
Reese Woodling
Elizabeth Stewart

Board Members Absent

William Scalzo
Arlan Colton
Mark Winkleman

Staff Present:

Kenneth E. Travous, Executive Director
Jay Ream, Assistant Director, Parks
Jay Ziemann, Assistant Director, Partnerships and External Affairs
Mark Siegwarth, Assistant Director, Administration
Cristie Statler, Executive Consultant
Debi Busser, Executive Secretary
Charles Eatherly, Consultant
Ellen Bilbrey, Public Information Officer
Elizabeth Krug, Chief of RAM

Attorney General's Office

Joy Hernbrode, Assistant Attorney General
Nathan Fidel

Prior to calling the meeting to order, Mr. Travous thanked John Larner, Exhibit Specialist, who put ideas together for redecorating the Board Room. The room is the result to Mr. Larner's work; the pictures on the wall are the result of Mr. Scott Stahl's work and are parks from all over the state. The agency has a lot of talent. One of the engineers just finished a book on life behind the Iron Curtain.

Ms. Stewart asked if Mr. Larner had some hidden thought in mind as he designed the room.

Mr. Larner responded that he conducted a small survey and asked what color comes to mind if he said, "Arizona State Parks,". Everyone said, "Green". He started with green. The floor represents landscaping. For the ceiling, he would have liked to get sky blue, but they don't make ceiling tiles in that color so we ended up with gray. The cherry furniture brings in a richness. It's not all his work alone – it includes Mr. Stahl's, Ms. Ellen Bilbrey's, Ms. Melodie Lander's, and others' work. He noted that there are a few additional tweaks that will go on in this room as time goes on. There are some electronics coming (a projector, a smartboard, speakers, microphones, connections for computers, etc.).

A. CALL TO ORDER - ROLL CALL – 10:00 A.M.

Chairman Cordasco called the meeting to order at 10:10 a.m. Roll Call indicated a quorum was present.

Mr. Travous noted that Mr. Winkleman had another commitment and expected to be in attendance later. Although Mr. Colton's been appointed, the paperwork has not yet gone to the Senate. Ms. Tracey Westerhausen has also been appointed, but has not yet appeared before the Senate.

Mr. Woodling complimented and thanked Chairman Cordasco for moving the meeting to 10:00 a.m. He found that the freeway was a lot less crowded from Tucson to Phoenix. When he got to Chandler Road, rather than hitting a concrete wall of cars, was able to go right through to here. It was wonderful. It makes a big difference in attitude and how one feels when he gets here if he's had to fight three miles of traffic jams or a parking lot on I-10 or got here easily.

Mr. Porter stated he had to agree with Mr. Woodling. He noted that he arrived in Phoenix rather early this morning and had time to make a number of phone calls. This was probably the best trip in he's made.

B. INTRODUCTIONS OF BOARD MEMBERS AND AGENCY STAFF

The Parks Board and staff introduced themselves.

C. CONSENT AGENDA

- 1. Approve Executive Session Minutes of November 16, 2006 Parks Board Meeting.**
- 2. Approve Minutes of January 18, 2007 Arizona State Parks Board Meeting**
- 3. Consider Extending the Project End Date for State Lake Improvement Project: #780001 – Mohave County Parks, Davis Camp** – Staff recommends a 12-month extension to December 18, 2007 for State Lake Improvement Fund Project #780001 – Davis Camp. This recommendation is based on the fact that 50% of the project has already been completed. However, staff further recommends that this be the final project period time extension due to the number of past extensions. AORCC concurred with staff recommendations at their February 8, 2007 meeting.
- 4. Consider Extending the Project End Date for State Lake Improvement Fund Project: #780114 – Mohave County Willow Beach Fishing Pier** – Staff recommends a 12-month extension to January 29, 2008 or State Lake Improvement Fund Project #780114 – Willow Beach Fishing Pier. This recommendation is based on the fact that 100% of the design and engineering is complete and 20% of the total project has already been completed. However, staff further recommends that this be the final project period time extension due to the number of past extensions. AORCC concurred with staff recommendations at their February 8, 2007 meeting.
- 5. Consider Extending the Project End Date for State Lake Improvement Fund Project: #789901 – Mohave County Parks, Davis Camp Improvements** – Staff recommends a 12-month extension to December 7, 2007 for State Lake Improvement Fund Project #789901 – Davis Camp Improvements. This recommendation is based on the fact that 85% of the project has already been completed. However, staff further recommends that this be the final project period time extension due to the number of past extensions. AORCC concurred with staff recommendations at their February 8, 2007 meeting.

6. **Law Enforcement Boating Safety Fund Increased Revenue and Expansion in Allowable Uses** – Staff recommends expanding the program to include Operation and Maintenance (specifically repair costs to keep the boat and allowable equipment functional), Accident Investigation Tools (i.e., equipment and computer software) pertinent to accident investigations, Personnel Protection Equipment, and Mobile Data Terminals (MDT). Staff further recommends that the effective date be immediately upon approval and extend the current LEBSF allocation dates from June 30, 2007 to December 31, 2007.
7. **Approval of FY 2007 Historic Preservation Heritage Fund Grant Manual** – Staff recommends approval of the revised 2007 HP Grant Manual. HPAC has approved the 2007 HP Grant Manual.
8. **Approval of the FY 2007 Growing Smarter State Trust Land Acquisition Grant Program Manual** – Staff recommends approval of the updated FY 2007 Growing Smarter State Trust Land Acquisition Grant Program Manual.
9. **Consider Arizona State Parks State Lake Improvement Fund (SLIF) Capital Request** - Staff recommends that Arizona State Parks Board approve the Arizona State Parks capital request of \$ 2 million from the State Lake Improvement Fund and that the Executive Director be authorized to implement the capital improvement program, including submittal to the Governor's Office and legislature as required.

Ms. Stewart pulled Items #2, 3, 4, 5, 6, 8, and 9.

Mr. Porter made a motion to approve Items 1, and 7 of the Consent Agenda

2. Approve Minutes of January 18, 2007 Arizona State Parks Board Meeting

Ms. Stewart stated that the motion for the January Minutes needs to state as being amended. There were changes to the Draft Amendment.

Mr. Porter made a motion to approve the Minutes of January 38, 2007 Arizona State Parks Board meeting as Amended.

3. **Consider Extending the Project End Date for State Lake Improvement Project: #780001 – Mohave County Parks, Davis Camp**
4. **Consider Extending the Project End Date for State Lake Improvement Fund Project: #780114 – Mohave County Willow Beach Fishing Pier**
5. **Consider Extending the Project End Date for State Lake Improvement Fund Project: #789901 – Mohave County Parks, Davis Camp Improvements**
6. **Law Enforcement Boating Safety Fund Increased Revenue and Expansion in Allowable Uses**

Ms. Stewart stated that in Items 3, 4, 5, and 6 staff and AORCC recommended that there be no further extensions. However, the motions for those items do not reflect that no further extensions be granted on these projects.

Mr. Porter made a motion to include additional language that there will be no further extensions to Items 3, 4, 5, and 6. Mr. Woodling seconded the motion.

Ms. Stewart suggested looking through staff recommendations regarding final extensions. Perhaps the board needs to discuss whether or not to follow that recommendation. There may be projects that can't be finished.

Mr. Porter noted that requests for extensions suggested that they appear to be on track and can be completed.

Ms. Stewart noted that perhaps after two extensions have been granted the Board should not allow them to apply for another grant. Completion is always around the corner as a result of circumstances under the grantee's control. Should the Board grant additional awards to someone who has an outstanding grant? They should be devoting their time to completing the one they have.

Mr. Travous noted that the Board can reverse itself. He believes that the effect of this is to send the message that this is it. The problem will be how likely the Board is to reverse its decision later on. If word gets out that this is the last time and money needs to be returned, it solves the problem.

Ms. Stewart responded that's true until the first time the Board reverses its decision. Perhaps the Board should ask staff to look at building something in the grant criteria either prohibiting further applications after a certain number of extensions or prohibiting the maximum number of points for satisfactory completion if there's been more than a certain number of extensions. At least one of these is seven years old. That's a long time. While information is always provided about some other entity or a natural event, the Board needs to do something to encourage the entities to see this as a high priority. She believes that many times it's a combination of a lack of high enough priority and other extenuating circumstances. At a certain point there should be some consequences that speak more loudly to applicants in terms of not allowing them to apply again or not giving them the full number of points or both.

Mr. Ziemann responded that he believes, from staff's perspective, the whole discussion of extensions has been extensive in their meetings. He believes that is the genesis for that clause at the end of those motions. Mr. Travous was exactly right that the purpose of that was to send the message to the grant recipients that this is the last time. From his perspective, that message was adequately sent through staff and through AORCC. He would be hesitant to do anything that might appear as if it's binding the hands of the Parks Board. He does not know that it's necessary to send a further message that the Board may then back off it at some point in time. There is a performance history for any grant recipients in the grant. If an applicant is constantly asking for extensions, and especially if the grant recipient is at fault, then they do in fact lose points on grants that they subsequently apply for.

Mr. Porter amended his motion to approve Item 2, as amended, and Items 3, 4, and 5 as stated.

Mr. Woodling seconded the motion.

Ms. Stewart stated that staff should still look at the issue of some kind of sanctions or encouragement to finish the project. She is fully aware of the existing provisions and doesn't know if they adequately address the issue of multiple extensions. They address more failing to send in reports on time. She thinks that perhaps staff and AORCC can come up with a little stronger message. One or two extensions should be sufficient to take care of these extenuating circumstances, but there is the issue of whether there was

sufficient investigation and planning in addition to sufficient execution when you get to as many extensions as some of these have had.

Chairman Cordasco called for a vote on the motion on the floor. The motion carried.

Mr. Porter made a motion to approve Consent Item #6. Mr. Woodling seconded the motion. The motion carried unanimously.

8. Approval of the FY 2007 Growing Smarter State Trust Land Acquisition Grant Program Manual.

Ms. Stewart noted that the Board Packet materials indicate that in the past the Land Commissioner has always placed a patent restriction on the parcel requiring that it be maintained for conservation purposes. Now we're thinking about going forward where the only protection to the land and to the public funds that have been used to help purchase the land are the conservation easement. She looked at it with that in mind this time and is very concerned that, as currently written, the sample Conservation Easement will not provide anywhere near the protection as the patent restrictions the Land Department currently uses. The reason is that traditionally a conservation easement was used in situations where a person already owns the land, has existing uses, and they decided they will grant a conservation easement on their land. It's more written in terms of protecting their rights to some extent. We are now looking at a situation where the public money will help purchase land from the Land Department that the applicant has not previously had in most instances. The language that appears in this document is not really appropriate. She believes the document needs to be rewritten. The Conservation Easement she is particularly concerned about is on page 130 of the Board Packet. Under "3. Prohibited Uses" on page 131 of the Packet, it talks about activities requiring major alterations of the land or possibly causing substantial environmental damage.

Mr. Porter asked if it would cause a great deal of trouble if this item were moved to the next Agenda or to approve everything except Appendix C of this document.

Mr. Ziemann stated he would much prefer to see the document go with the caveat that Attachment C will be reworded. To some degree a conservation easement is a draft negotiated on an individual basis based upon the parcel that is purchased. This is there as a placeholder. It could certainly be stronger. In order to proceed with advertisements, potential applicants know that the cycle is moving forward, he would much prefer to have the manual even without Attachment C move forward.

Ms. Hernbrode stated she would be comfortable with simply saying we will enter into a Conservation Easement and not having an attached sample document.

Ms. Stewart stated that there is one additional thing that needs to be put into the language. On page 140 there is a list of five items. Substituting the word "Grantor" for "Buyer" should be in the manual to let them know this is the standard. There is no reason that the Board should have different protection than if the Land Department puts a patent on it. Then staff can draft a Conservation Easement that encompasses those five items. This language should be set forth in the place in the manual that discusses "uses".

Mr. Porter requested deferring this until after the break. Ms. Stewart agreed.

9. Consider Arizona State Parks State Lake Improvement Fund (SLIF) Capital Request

Ms. Stewart asked Counsel if the Board will run afoul of anything in statutes or policies if it moves \$2 million of the grant funds to uses by Arizona State Parks (ASP).

Ms. Hernbrode responded that 5-832 references the SLIF and requires these funds to be used as provided in the Section. The Section states that ASP shall administer the fund to fund staff support for the fund and the fund projects on water where boats are permitted. It does not specify that it must be a grant.

Ms. Stewart asked if, in the policies the Board has adopted with the grants, is anything set forth that is in conflict. In other words, how did the Board get this distribution?

Ms. Hernbrode responded that it was before her time. She understands that when AORCC was created it was as a separate state agency. When it was merged into ASP, there was some agreement about how they would participate together. They entered into an informal agreement about the distribution and percentage of money. AORCC has approved this request. As long as both entities are happy with what will happen, there is no problem.

Mr. Porter made a motion to approve Consent Agenda Item #9. Mr. Woodling seconded the motion. The motion carried unanimously.

Mr. Porter made a motion to take the Agenda out of order and move to Agenda Items F.2 and F.4. Mr. Woodling seconded the motion. The motion carried unanimously.

F. EXECUTIVE STAFF UPDATES

2. Proposed MOU with the Chemehuevi Tribe

Mr. Ream reported that on January 18 staff updated the Board on their meeting with the Chemehuevi Tribe. That meeting was to explore pursuing a Memorandum of Understanding (MOU) with the Tribe regarding a ferry docking facility at a proposed park at Contact Point. The draft MOU and presentation are being presented at this Parks Board meeting. The Board has received a red-lined version in the Board Packet. Ms. Statler is making a copy of the version the Chemehuevi Tribe and staff have looked at. When the Board Packet went out, the parties were still at redline with the attorney for the Chemehuevi Tribe. Since meeting with the Chemehuevi, he has also met with Councilman Margaret Nyberg and spoke with City Manager Richard Kaffenberger from Lake Havasu City to explore creating a similar MOU with the City for their needs at Contact Point. Further, he has asked to work with the Mohave County Sheriff's Office to explore an MOU with them. The idea behind having an MOU with all of these different groups that want to be part of Contact Point puts them all on the same ground as staff move into the planning portion. By creating MOUs with all three of these entities, specific needs on Lake Havasu (Contact Point) can be included in the planning process and in the public process. Staff are far advanced at this point with the Chemehuevi and their need for an MOU so they can begin seeking funding for their part of the project for a proposal.

Chairman Cordasco invited the Chemehuevi Tribal Chairman to address the Board.

Mr. Charles F. Wood, Tribal Chairman, Chemehuevi Tribe addressed the Board. He noted that he recognized some faces from meetings they have held around the state. He stated that he wanted to give the Board information on their ferry boat operation.

The ferry boat operation for the Chemehuevi has often been referred to as the "Casino Boat". They have a Chemehuevi Transit Authority; they have carved a CalTrans; and the route across the lake has been designated major route of the road system of California. To date they have spent about \$74,000 in the acquisition of the boat; they paid \$50,000 for engineering. They have been in negotiations for years with a company in Seattle, WA to acquire a new boat. The new boat will cost about \$8.2 million. They have applied for grants that have been approved at the state level. The Tribe has obligated \$800,000 of its own money for the boat and \$300,000 per year for its operation.

Mr. Wood reported that in 2006 they had a ridership of 436,000 people. New developments at the reservation include: 320 new homes now under construction; a company is coming in to build 800 homes by 2012; the tribe itself has its own development plan to construct between 1,000-2000 homes. With all of that in mind, they anticipate a ridership of 1.5 million per year by 2012.

Mr. Wood stated that the need for the ferry boat is vital for them, as well as the non-Indian people who live on the reservation full or part time. If there is a medical emergency or someone just has medical appointments, it is an 85-mile drive to Lake Havasu City. It is a 3-mile ride by riding the ferry boat. They can take advantage of the transit system in Lake Havasu City. It's much more than the mistaken identity of the ferry boat being a casino boat. It also provides for the needs of people to shop, providing light cargo transport (i.e., Federal Express), and feeds the Tribe economically.

Mr. Wood added that they began talking about a ferry docking location on Lake Havasu about four years ago. During that period, the location has moved from place to place until finally coming to Contact Point; which for them, is probably the one place they would be able to do this project on the lake. The design of the boat has to be very specific as far as yaw. Contact Point would be the ideal place for them.

Mr. Wood noted that Lake Havasu City has a 4-year college plan. They support that plan. There are plans for an education resource center. Again, they support that. They are trying to work hand-in-hand with Lake Havasu City. They share the same problems as the city.

Mr. Wood stated that, to that end, they have been in discussions with Mr. Ream and Mr. Porter on the MOU with ASP to establish at least a beginning foothold at Contact Point.

Mr. Porter noted that, from his discussions with Mr. Wood, he had expressed concern about such issues as environmental issues (pollution, sound pollution, etc.).

Mr. Wood responded that the Lake has some unique fishing. The Tribe has always taken the stance that the ecology of the lake must be maintained so that there is the least impact possible. In the specific design of this boat, they have tried to address fuel consumption and get them in line with conservation. Again, they picked a locality that is out of the way of small boat ramps with people trying to launch their boats. Among the variety of issues is the placement of the dock in trying to mitigate potential problems they see with the other recreation uses. Contact Point is also somewhat established now for Lake Havasu City's water safety center. There's an existing road with parking lots. The Tribe would be expanding some of the infrastructure that is already there.

Mr. Woodling noted that a lot of this is far out in the future. A lot of ferries carry cars; this one does not. He asked if down-the-road (5-10 years) the Tribe will come back to the Parks Board and say they need another boat to take cars back-and-forth across the lake as well as people.

Mr. Wood responded that years ago the Tribe had looked into the idea of a car ferry. The weight would be too much. They do not foresee that occurring in the future.

Ms. Stewart noted that it was stated that in 2010 the Tribe expects 1,500,000 passengers per year. She asked if that would be on this ferry or if there are other ferries that the Tribe would use.

Mr. Wood responded negatively.

Ms. Stewart noted, then, that this would be approximately 3,000 people per day.

Mr. Wood responded that if the two projected developments under construction now go to full build-out and with their projected development, their projection is a 1.5 million ridership per year.

Ms. Stewart noted that's 3,000 people per day and the ferry appears to carry 150 people, so we are talking about between 10-20 trips per day. She assumes that there won't be the same number going each direction.

Mr. Wood responded that, currently, they operate from 6:30 a.m. to 11:00 p.m. on weekdays and until 2:00 a.m. on weekends.

Ms. Stewart asked how many trips per day they currently make.

Mr. Wood responded that they perceive the possibility of running two boats at a time back-to-back per hour should the ridership increase to that level.

Ms. Stewart noted that Mr. Wood mentioned they carry light cargo. She asked if they carry any hazardous materials.

Mr. Wood responded that he was not aware of any hazardous materials on the ferry. It is more Fed Ex or transporting parts their maintenance staff may have ordered or something the local auto shop ordered.

Mr. Porter asked if the Tribe would have a problem with the Board inserting some limitations in that regard.

Mr. Wood responded that he has been advocating that they get out of that altogether. He believes there is an inherent liability in taking someone's mail that needs to be signed for.

Ms. Stewart asked what kind of security the Tribe maintains on their crossings. Everyone is concerned now with this issue of security and public transportation. This seems to be a major public transportation undertaking.

Mr. Wood responded that they have three different types of security. First, they have their on-ground security in the Casino. The boat docks at their casino. Second, they have posted security at the boarding/unboarding of the boat on their side. They have security on the Lake Havasu City side during the full operation time of the ferry. They have a security officer in the parking lot ensuring that their passengers are parking in

appropriate parking places. On weekends beginning mid-afternoon, they have a security officer on the boat itself.

Ms. Stewart asked if Mr. Woods would propose providing the same level of security on the Lake Havasu side as the Tribe currently provides on the California side. In other words, she is wondering if it will be left to the Board to pick up the difference between the level of security the Tribe provides on the casino side. There appears to be more trained people in security whereas on the Lake Havasu side there is a person who sells tickets and isn't really responsible for security and not in a position to really do anything. The parking lot person ensures people don't park in the wrong place. She didn't gather that that's the same security as on the other side.

Mr. Wood responded that they do have more security on the California side in the casino. The person who mans the parking lot is also trained to provide on-ground security in the casino. The ticketing person is not trained. When they see the need for ridership, they would most likely provide additional trained security.

Chairman Cordasco stated he wanted to bring the Board's attention back to the MOU, which is the item on the agenda. Many of the items Ms. Stewart is bringing up are appropriate, but more for the planning process.

Ms. Stewart responded that she is trying to get an idea of what this operation is going to be and what the possible impact on the park would be. She believes her questions are relevant for the Board to know and not just for staff to be involved in.

Mr. Porter noted that the Chemehuevi have an ancestral tie, and in past discussions the possibility of their putting in an historic center for people waiting to get on the ferry was considered.

Mr. Wood responded that that would be a very wise move. If the projected ridership is true, he would expect to see the Tribe have a part in the security of the parking lot as well. As was stated earlier, security is becoming a larger and larger issue.

Ms. Stewart noted that 3,000 people is more than the annual attendance at some of the Board's parks. This is a lot of people coming through. We need to be prepared to handle this volume.

Mr. Ream stated that they tried to incorporate into this MOU the high points of their meeting. The Chemehuevi need to make a proposal to the Board. The reason for this MOU is to determine whether the Board is even amenable to a proposal by them. It will cost them money engineering-wise, environmentally-wise, and time-wise. Is the Board even amenable to the consideration of a ferry dock there. If so, the Board will then need to expend money with its planning process to say we want a ferry dock and have the planners determine whether or not it works for the agency and the other things the Board wants on that property. The Chemehuevi need to know sooner than staff can tell them. The whole point of this was to say the Board will consider their proposal as part of its planning process. He doesn't want to have to hire engineers after the park is planned and then try to find out where the ferry dock fits in. The Chemehuevi need to move by 2008. In their planning process, will the Board consider their needs – as well as the City's 4-year university, public ramp, and the Mohave County Sheriff's needs. He believes similar MOUs are necessary with them as well. Otherwise, staff build a parking lot, two boat ramps, a marina, etc. We are in the state parks business. With these MOUs we are also in the City, fire, and police business;

Mohave Co. Sheriff's business; the ferry docking business; as well as our own business. This is a big decision – it's a very different park.

There being no further questions of Mr. Wood, Chairman Cordasco thanked him for coming the this meeting.

Board Action

Mr. Porter: I move that the Board approve the Memorandum of Understanding with the Chemehuevi Tribe.

Mr. Woodling seconded the motion.

Ms. Stewart stated that she is concerned that the MOU as drafted goes well beyond what was just stated. She is concerned that the Board is making a commitment to do more than it is prepared to do at this point. In particular, she is very concerned about the language in paragraph 13 which states that the Board is interested in granting the Tribe an easement. The Board is not at a point to say that yet. The Board is interested in looking at exploring the desirability and feasibility of it. It would be a disservice both to the Board and to the Tribe to move forward with this kind of language that is that strong.

Ms. Stewart stated she is also concerned with Paragraph 16 which says the parties desire to develop a plan for the construction and development of ferry docking facilities at Contact Point.

Ms. Stewart added that Paragraph 18 is of concern. It provides for a temporary lease agreement.

Ms. Stewart stated her belief that the Board needs to have one MOU that includes all of the different parties – not just the Tribe – but all of the parties that makes it perfectly clear that the Board is interested in exploring all of these possibilities; but until the Board has the plan they are not in a position to make a commitment to any one of these entities.

Mr. Travous responded that a year could be spent trying to get everyone on one MOU. He believes the way to do this would be to accept this MOU – not necessarily the tenants of it – recognizing these are the Chemehuevi's needs as a document to go before the people who will put the plan together.

Ms. Stewart responded that she cannot vote for the Board signing this document, nor could she vote for the Board to do anything with this document.

Mr. Travous asked the Board to accept it as a recognition of their needs as we go forward in the planning.

Ms. Stewart stated she would rather just have a motion that recognizes they wish to do this and let it be at that.

Mr. Woodling objected. In looking through their concerns, it says that the Board is interested in granting the Tribe . . . (paragraph #13). He noted that there is nothing in there that says the Board has to. He doesn't see anything in the document that will restrict the Board in the future. From his reading of it, it's outlined like Mr. Ream stated. The Board is just giving the Tribe its OK to proceed to try to secure money. He doesn't see anything in the MOU that the Board needs to worry about right now.

Mr. Porter called for the question.

Ms. Stewart noted she had a concern about the granting of an easement contained in the MOU.

Mr. Porter stated that, in fairness, he would withdraw his call for the question at this time.

Ms. Hernbrode noted that there is "wiggle language" in this MOU. On page 13, it says that we are interested in granting and the second clause says, "if such use is determined to be consistent with our needs and with the deeds and lease restrictions in place . . ." That language was put in the MOU because the Board does have significant lease restrictions in place on this property and there are other needs for this property. Staff wanted the Tribe to be aware of those needs.

Ms. Stewart noted that she understands that, but the Board is saying it is interested in granting the easement and she doesn't know that that's the case until a plan is developed. It seems premature to her. She is more comfortable with the other language.

Mr. Porter again called for the question. Mr. Woodling seconded. The motion carried with Ms. Stewart voting Nay.

Chairman Cordasco called for a vote on the motion on the floor. The motion carried with Ms. Stewart voting Nay.

Ms. Stewart stated she wanted to make it clear that she is not necessarily opposed to this, but she feels it is premature and not an appropriate action at this time.

Chairman Cordasco again thanked Mr. Wood for coming and everyone else who has been working on this project.

4. Update on Contact Point

Mr. Ream reported that staff are continuing work with the City on the 4-year university which is a section of land that has been identified as being "for disposal" in the new BLM Resource Management Plan. This is a property the Board has been desirous of since 1995 for inclusion in the park. The City now would like to develop a 4-year university on that park. There's been some preliminary work with a group there. Forty acres of the property is currently shaded in to be part of the park proposal once that land is available for disposal. BLM are still in the comment period. That land will not be available for application until September 2007. At that point ASP will make application for the parts we need for our park under the R&PP (Recreation and Public Purposes Act) process. That will also include our right-of-way across it. We will work with our engineers to establish that right-of-way. He added, for the record, staff will not get in the way of any 4-year university plans the City of Lake Havasu has.

Chairman Cordasco called for a Recess at 11:12 a.m.

Chairman Cordasco reconvened the meeting at 11:25 a.m.

Chairman Cordasco moved to Agenda Item F.3.b.

F. EXECUTIVE STAFF UPDATES

3. Strategy

b. Growth - The Board needs to be proactive on the issue of growth

Mr. Travous gave a presentation on one of the Seven Strategies: Growth. He noted that later today, Ms. Elizabeth Krug will give a presentation on Marketing. He reported that the Governor has created a Growth Cabinet that includes ASP, ADOT, ADEQ, the State Land Department, and others. He will present a presentation the cabinet received from MAG on February 9, 2007. This presentation, in its entirety, was distributed to the Board and is included in the Board Book.

Mr. Travous presented slides that showed current land ownership in Arizona. He showed slides that portrayed population in Arizona, ranging from 5.1 million in 2000 to 16 million in 2050. He showed a series of slides that showed growth trends from 1990-2006 just in Maricopa County and then the land ownership in Phoenix-Mesa-Scottsdale. He showed how ownership of land would create the Arizona Megapolitan Area (Sun Corridor). He showed a slide that depicted the US Trade Patterns in the Southwest. He noted that most trade routes go east to west and very few go north to south.

Mr. Travous reported that in the agency's statutes it states that the Board is to identify lands. Unfortunately, the agency has not had the tools to do so. Later, Mr. Eatherly will talk to the Board about planning in the past. We now have the tools to do planning. In May he hopes to be able to show the Board how staff have taken steps forward to planning. It doesn't mean that staff can, at this juncture, say where we can develop. Staff can certainly put people on notice what land is protected. He is proposing that staff get with the Game & Fish Dept., Dept. of Environmental Quality, Water Resources, and State Land Dept. and begin selecting lands so there is some semblance of macro growth control.

Mr. Travous also suggested that the statutes under the Arizona Preserve Initiative do not currently allow the agency to apply for that money. Changes are happening on a landscape scale. The statutes we have now deal with how we tweak a neighborhood after walking three miles along the border, dealing with problems after-the-fact, and on a micro-scale, when we're having landscape changes facing us for future generations.

Ms. Stewart stated that the other thing that brings back is that the Board really needs to place more emphasis on expanding and protecting our existing parks because we are relying upon open space that will not continue to be there to set the scenic backdrops and to feed into the recreation that's available on State Trust Lands and other lands that are subject to development. Even Forest Service Land can be sold, and in a lot of gateway communities it has been sold for development. She thinks the Board tends to think it's got its parks; but really don't in many instances.

Mr. Travous noted that the hazard of living in the desert is that in living in the desert one can see forever. It also means that if there's something ugly there, it can be seen from miles away. The Board can't protect everything, so they will have to be strategic in how they identify doing those kinds of things.

Ms. Stewart suggested the Board should consider locating future parks near population areas because some of the information the Tourism Conference has indicated that there's a limit as to how far people want to travel.

Chairman Cordasco stated that this was an outstanding presentation. There is a reality in that presentation. It is important that future discussions be in line with these things rather than resistant to some of those things. We need to identify areas that are

amenable to being parks. There are things to be considered as far as the philosophy, culture, etc., are concerned.

Chairman Cordasco then moved to Agenda Item F.8.

F. EXECUTIVE STAFF UPDATES

8. Update on MOU with Hopi Tribe

Ms. Ellen Bilbrey introduced Mr. Carroll Onse.

Mr. Onse thanked the ASP Board and staff for allowing them to make their update presentation on the MOU with the ASP Board. He stated that Ms. Susan Secakuku was present to review the MOU. They feel that significant gains have been made in accomplishing the objectives set out in the MOU.

Mr. Onse reported that there is some history. The first MOU was signed in 2003 and was for a period of 3 years. That MOU expired. The Hopi Tribe and the Parks Board renewed that MOU for another 3-year period. The parties are heavily into making it work so everyone can see some benefits. He introduced Ms. Susan Secakuku to provide the Board with an update on the project.

Ms. Secakuku addressed the Board. She thanked the Board and staff for allowing them time to report on what they have been doing. Everyone has been working hard over the last year-and-a-half. The first MOU that expired this past fall included three major objectives: 1) to establish a Parks & Recreation Dept. for the Hopi Tribe; 2) to identify partnerships for increased activity at Homolovi Ruins State Park by the Tribal people involved in craft sales, tours, exhibits, promotional events, and programming; and 3) to develop a strategic and marketing plan to continue to promote the park.

Ms. Secakuku stated that when the MOU was renewed last fall for an additional 3 years, those objectives stayed in place. Another component was added: Recognizing the pre-Commission (the precursor to the Commission for the Parks & Recreation Dept. at Hopi). The pre-Commission was established last April and they wanted to ensure it was included in the MOU.

Ms. Secakuku stated that since she's been on the board, in 2006 the Tribe gave \$100,000 to this project to hire a Project Manager and two additional Consultants to continue development on this work. They funded an additional \$100,000 for 2007. She has been meeting with a variety of different members at Hopi – artists, tour guide operators, museum staff, village members, elderly, youth programs – anyone who has an interest in this project – on how they feel they, as a Hopi Tribe, should be included in the park.

Ms. Secakuku noted that they have developed partnerships with new and existing organizations such as the AZ State Museum, University of Arizona; AZ Archaeology Society, Homolovi Chapter; the Center for Desert Archaeology; and City of Winslow, Mayor's Office. (A complete list is included in the Board Book.) They have applied for some grants. They have received almost \$80,000 from grants that will go to interpreting the park. They will host their first summer intern this summer. One of the grants is a 2-year grant to place, hopefully a Hopi student, but will be open to any other graduate interested in parks and recreation needs. It will be a 10-week internship at Homolovi that will also be offered next summer. Some of these grants fund a year-long programming effort at the park that will supplement what the park is already doing. They have 7 workshops scheduled for the summer that are free to the public. They also received a grant from the AZ Humanities Council.

Ms. Secakuku stated that this year they really want to work a little harder to advance and reach some of their goals outlined in the MOU. Those are to formalize the Parks Commission. Right now they're calling it a pre-Commission. Mr. Cordasco sits on the pre-Commission. They want to formalize this commission and establish policies and guidelines to adopt this commission. The Hopi Tribe plans to include a Parks slot in their organizational chart. They hope to formalize a Parks & Rec Dept. this year and put a strategy in place to hire a Dept. Manager. The Marketing Plan should be complete by the end of this year. She is working on finding other grant sources and getting them written and funded.

Ms. Secakuku noted that there are some things they are looking for, including continued support from ASP as well as the Parks Board. They have an issue of space at Hopi. They are busting at the seams with the office space there. One of the options they considered for staff of the new Parks & Rec Dept. is perhaps placing the Dept. Manager at Homolovi Ruins State Park. They understand that park is also very small. They believe that this manager would gain insight from the staff at Homolovi, better understand the Homolovi park system and have access to the park staff for training. They ask that the Board consider that opportunity.

Ms. Secakuku added that they really feel that in order for them to be successful in creating this new department, they need to tailor and train Hopi staff. Part of the internship this summer is helping to build that. Another option is to develop a longer internship – 6-months to 1-year – if the Hopi Tribe can find money to fund it and if ASP would be willing to host this intern at one of its parks (Kartchner Caverns State Park or another).

Mr. Porter noted that from 2000-2003 he was able to participate in the embryonic portion of this. He doesn't believe that at that time anyone had an idea of where this was going. Everyone had expectations; everyone was cautious. He noted that the idea of having the Recreational Manager actually at the park is a win/win situation.

Mr. Travous noted that Ms. Bilbrey has worked very hard on this in the marketing area. He wanted to recognize her work on continuing to make this project go. He has not heard any complaints over the past four years on this relationship. Everyone is desirous, happy. Sometimes things go slower on one side or the other. It is written off as everyone gets busy.

Ms. Secakuku recognized Ms. Bilbrey for her commitment. They have been exchanging E-mails and were on the phone over the last week. She makes every meeting regardless of where it's held. They appreciate her involvement in this project.

Ms. Stewart asked where building Phase II of Homolovi fits on the list.

Mr. Ream responded it is not on our list. Perhaps when the Enhancement Fund comes back . . .

Ms. Stewart suggested this might be perfect for a T-21 grant. It only has to be matched with 5% because it tells the story of major migration through there. It's a transportation story. It would solve a lot of problems because we don't have enough exhibit space; we don't have enough space for staff; but we do have a plan.

Ms. Secakuku stated that the Hopi Tribe could seek funds that the Tribe is eligible for that would help fund Phase II.

Ms. Stewart responded that she thinks it's critical to do a lot of the things the Tribe is trying to do because they need a facility in which to do them. Right now they are dependent on good weather. It is very small in terms of accommodating visitors and showcasing the story.

Ms. Secakuku thanked the Board for its time.

Chairman Cordasco thanked Ms. Secakuku and Mr. Onse for coming to this meeting and updating the Board.

Chairman Cordasco recessed the Board for lunch at 12:10 p.m.

Chairman Cordasco reconvened the meeting at 12:20 p.m.

E. BOARD ACTION/DISCUSSION ITEMS

1. Presentation by Charles Eatherly on History of Planning

Mr. Travous introduced Mr. Charles Eatherly. He noted that Mr. Eatherly has been involved in most of the planning efforts for the agency.

Mr. Eatherly thanked the Board for the opportunity to speak to them about early planning efforts of the Board.

Mr. Eatherly reported that this presentation deals with the Agency's plans. The first Park Plan was put together by the landscape architect who worked for the agency. When he was hired, his job was to create a Master Plan for the Agency. The first Master Plan was created in 1973. Because a consultant was used rather than staff, the Parks Board was not very enthusiastic about the plan.

Mr. Eatherly added that the first concept of having a Regional Manager was addressed around 1978. In 1980, staff put together a Master Plan for ASP. This plan involved everyone in the agency. The Parks Board was taken through a planning process to get their input as well. When the plan came back to the Board, it was very easy to get their approval because of their involvement. This was the first plan that was actually approved by the Parks Board and by Governor Babbitt. He stated that Governor Babbitt was one of the agency's strongest supporters and very enthusiastic about ASP and about the conservation of certain areas.

Mr. Eatherly reported that after the 1980 Master Plan, staff went to the Update '83. This document was a staff and Board effort. It encouraged ASP to look for new sites for state parks. As a result, 130 individuals were involved.

Mr. Eatherly reported that in 1989 the Six 2000 Plan was done. Again, there was both staff and Parks Board involvement. This document is a six-step planning/strategy process to grow and rehabilitate the system, manage human resources, expand the system, market the system, manage by natural resources, and manage current programs. This document was approved in 1989.

Mr. Eatherly then discussed Master Plans for the Parks. These are specific park plans. The first he discussed was Catalina State Park. It was the first time that the Director allowed staff to hear from citizen advisory committees to help staff. A Finding Committee was set up in Tucson because of the controversy involved. Legislation was passed. This planning committee was managed by letting them know what the agency was doing and taking their input and using it. Two of the people on that committee

eventually went on to become Parks Board members. The Plan was brought before the Parks Board and approved in December of 1976.

Mr. Eatherly then discussed the Report for a Potential State Park on Lower Oak Creek – Red Rock State Park. When the legislation passed that created the park, the agency was mandated by the legislation to develop a report by the end of the year (1981). Again, staff set up a park finding committee that consisted of 12 people. When the committee met they had at least 20 individuals and 2 newspaper reporters the entire time. Staff took them over to Dead Horse Ranch State Park to show them what a state park was. The committee approved a Plan. The Plan went to the Parks Board for approval. An additional requirement was that the agency had to work with Yavapai Co. A presentation was made to the Yavapai Co. Board of Supervisors. When the committee members stood up and said they supported this park the atmosphere changed to one of agreement. The Board of Supervisors and the Parks Board approved the Plan.

Mr. Eatherly then went through a few of the Park Plans.

A copy of this presentation is included in the Board Book.

Ms. Stewart noted that this presentation ties in with a presentation Mr. Travous gave back in July. The Board had a question as to why the Board had all of these parks all at once. That question was answered today. It wasn't just by accident. It was a plan.

Mr. Eatherly noted that there was a lot of activity, particularly during the '80s. Because of that interest, the agency was charged with finding places that should be parks.

Chairman Cordasco thanked Mr. Eatherly for his presentation.

Ms. Stewart noted that it is obvious that Mr. Eatherly has not only great skill in developing a great plan, but also the process. She's sure these things would not have happened had it not been for Mr. Eatherly's skill at managing the process as well as the plan itself.

Mr. Eatherly responded that he appreciates the compliment; however, it was the support of the Board and Executive Staff that gave them the opportunity.

Mr. Woodling added that he was at several of those meetings when he was a Board member and Mr. Eatherly was very well received. His personality leads to having people respect him.

Mr. Porter stated that he would like for the new Board members to have the information contained in Mr. Travous' and Mr. Eatherly's presentations. He believes that it is critical that they have the same information the rest of the Board has so that they can have a functional understanding of the Board without having to gradually get it through osmosis. It will give them a better idea of where ASP has been so they can better understand the reasons for what the Board is doing.

Mr. Eatherly stated there is one other comment that comes to mind. It is the thought that we do have a proud past. Even though, under the Arizona Preserve Initiative, some of these things make life so hectic, when looking back, one can be very proud of them and the impact that occurred. It is proud past and he is glad to have been a part of it.

Chairman Cordasco stated that an effort will be made to have similar presentations at the upcoming meetings relating to the strategy.

2. **NAPAC Recommendations For Purchase of the Huggett Properties Next to Oracle State Park** – Staff recommends that the Arizona State Parks Board direct staff to purchase the above-identified Huggett parcels using Parks' Land Acquisition Process and other Board-approved procedures; and further that the Parks Board allocate \$20,000 from the Arizona Heritage Fund/Natural Areas Acquisition for the purchase.

Mr. Ream reported that it is seldom we have the opportunity to purchase land for back taxes that is adjacent to and connected to a park (Oracle). He referred to a map on page 156 that shows that property and its connectivity. Mr. Don Young is present today. He has been on the property and is part of NAPAC. Mr. Young will speak to its viability and why they chose it as a natural areas property.

Dr. Don W. Young, NAPAC, addressed the Board. He stated it is a pleasure to be here again. He was an original member of NAPAC when it was created after the Heritage Fund legislation was passed. He is retired from the Attorney General's Office.

Dr. Young stated that this particular parcel ties in, to a great extent, to the protection of corridors within the state. Connectivity, or preservation of corridors, is extremely important and will become more and more important. This particular parcel, besides being a pristine oak woodland, serves a purpose of connecting Oracle State Park to state forest land. As Mr. Ream mentioned, it is not often that the agency has the opportunity to acquire a parcel of this size for back taxes. It is truly a win/win situation.

Dr. Young reported that at their February meeting, NAPAC voted to present this parcel to the Parks Board for acquisition.

Board Action

Mr. Porter: I move that the Arizona State Parks Board direct staff to purchase the identified Huggett parcels using Parks' Land Acquisition Process and other Board-approved procedures; and further that the Parks Board allocate \$20,000 from the Heritage Fund/Natural Areas Acquisition for the purchase.

Mr. Woodling seconded the motion.

Ms. Stewart stated that this motion needs to include the natural features the Board is attempting to protect. Mr. Young mentioned the pristine oak woodland. She asked if there are other features NAPAC took into consideration in recommending this acquisition.

Dr. Young responded that, speaking as a hydrologist on the committee, he does not believe there are many other T&E (threatened and endangered) species. It is contiguous with the park and forest lands. The connectivity is really the issue here. The Forest Service has plans for management of their lands, which ASP would like to join in.

Ms. Hernbrode noted that on page 155 of the Board Packet, NAPAC's Recommendation says that NAPAC recommended approval for the purposes of the conservation of the existing vegetation conditions.

Mr. Porter re-stated his motion to include the words: This motion is made in keeping with the NAPAC Recommendation concerning the conservation of the existing

vegetation conditions and connectivity between US Forest Service and Arizona State Parks lands that are currently managed for conservation.

Mr. Woodling seconded the re-stated motion.

Chairman Cordasco called for a vote of the motion, as re-stated, on the floor. The motion carried unanimously.

- 3. Yuma Crossing State Historic Park Name Change to Yuma Quartermaster Depot State Historic Park** – Staff recommends that the Parks Board change the name of Yuma Crossing State Historic Park to Yuma Quartermaster Depot State Historic Park to reflect the original nature of the site and its interpretive focus for our visitors and partners. The name change will be forwarded to the Arizona Board of Geographic and Historic Names to be reviewed and included on State and Federal maps.

Mr. Ream reported that this issue was discussed almost a year ago when the Board met in Yuma. There were a number of hurdles staff had to go through. It's still a good name change idea. Staff are now beginning the final phases of the Master Plan. "Yuma Crossing" is a café in town. The reasons leaving off "Fort Yuma" for the name change to Yuma Quartermaster Depot State Historic Park, is that it is too long and the Chechuan Indians are using it for their property on the California side. If the Board takes action on this, the motion needs to be changed to include "Review an approval by the State Board of Geographic and Historic Names". Staff have been in contact with them and they have no problem with this name change.

Mr. Ream reported that, as included in the Master Plan, staff will interpret, first and foremost, the Yuma Quartermaster Depot story there. Secondly, the Bureau of Reclamation story and water usage story will be interpreted at the park. The train will be removed back to its original place. There is provision in the Master Plan to reconstruct at least part or a whole steamboat deck there in place of the train. The story of steam transportation up and down the Colorado River will be told because it ties into the reclamation story.

Board Action

Mr. Porter: I move that the Board change the name of Yuma Crossing State Historic Park to Yuma Quartermaster Depot State Historic Park to reflect the original nature of the site and its interpretive focus for our visitors and partners. The name change shall be forwarded to the Arizona Board of Geographical and Historic Names to be reviewed and included on State and Federal Maps.

Ms. Stewart seconded the motion.

Ms. Stewart stated this name change will help in terms of visitation. When people look at things like the AAA book and see Yuma Crossing as a state park they wonder what it's all about. It will be a lot more focused and more people will actually go to see it because they can understand what the Board is trying to do.

Ms. Stewart added that she hopes some room will be found at the park to at least include a small exhibit on the Anza Trail. She thinks that is an important thing although they didn't cross exactly there. It ties in with some of the other stories the Board is telling and that it's important to have a small display. Help is available from the Superintendent of the Anza Trail in terms of some funding for that exhibit.

Chairman Cordasco called for a vote on the motion on the floor. The motion carried unanimously.

4. **Rewording of motion made in November on the Simonton Property spelling out the reasons for the natural areas features the Board was purchasing to protect** – Staff recommends the following language to replace the language of the motion made in November on the Simonton Property: “I move that the Arizona State Parks Board direct the Executive Director to pursue Parcel 2 as identified in the Board Packet after completion of due diligence required by Parks’ Land Acquisition Process and other board-approved procedures. An amount of not more than \$810,000 from the Arizona Heritage Fund/Natural Areas Acquisition shall be used for this purpose.

Mr. Ream reported that he was recently in contact with Ms. Stewart regarding the motion made to purchase the Simonton property back in November (Simonton Phase 2). Simonton Phase 1 was passed at the meeting in Oak Creek, but the Board held off on Simonton Phase 2 until staff received information regarding water rights and access to the property. Subsequently, the Board passed Simonton Phase 2, but left out language similar to what was again left out in the Huggett properties that Ms. Stewart requested be added in today.

Board Action

Mr. Porter: I move that the Arizona State Parks Board direct the Executive Director to pursue Parcel 2 as identified in the Board Packet after completion of due diligence required by Parks’ Land Acquisition Process and other board-approved procedures. An amount of not more than \$810,000 from the Arizona Heritage Fund/Natural Areas Acquisition shall be used for this purpose. The natural area values include elements of the mesquite bosque and the suite of species typically found in a mesquite bosque. Additional considerations are federally-listed species or listed and/or proposed critical habitat and all species identified in the Heritage Data Management System Project Evaluation Program for the Verde River Greenway Expansion, dated September 19, 2006, as well as for the connectivity to the US Forest Service Property to protect open space values.

Ms. Stewart seconded the motion. The motion carried unanimously.

Mr. Ream stated that staff would endeavor to include the natural areas reason for acquiring properties in the future.

Ms. Stewart stated her belief that this is important from the standpoint of a few years from now when questions arise as to what the Board is required to protect, one can look just to the Minutes rather than to then try to look through 3-4 other documents.

5. Proposed MOU with the Arizona State Parks Foundation

Mr. Travous reported that a meeting has not yet been held with Risk Management nor the attorneys in the AG’s Office. A meeting that was scheduled three weeks ago was cancelled by the AG’s Office has not yet been re-scheduled. He is comfortable with the way the document sits now, but there is still a need for input from the AG’s Office and Risk Management.

Ms. Hernbrode stated that she expects that there will be some changes to this MOU when the Foundation reviews it. Today she believes that staff are looking for permission to take it forward to the Foundation. Staff are not asking the Board to approve it; they just want authorization to take it forward to the Foundation. She spoke with Ms. Stewart this morning and she has changes that counsel has not been able to review.

Ms. Stewart requested to state those changes on the record. They relate to the ones she brought up before and she doesn't feel that the language fully covers them.

Ms. Stewart referred to page 1 of the MOU.

Chairman Cordasco asked if these are simply word changes or idea changes.

Ms. Stewart responded that they are idea changes. She feels they are significant. On page 1, the 4th paragraph it says, "Whereas it is the mutual desire of the Foundation and Parks to work more closely for the common purpose of providing quality outdoor" she suggested adding a comma and adding the words "historic and cultural". She is concerned that it provided a limitation by only saying "outdoor education". It would add the words, "historical and cultural" between "outdoor" and "education".

Ms. Stewart referred to the section that says, "The Foundation will:", "1. Provide the Agency with a report of its activities and fund raising efforts" add ", including a statement of income and expenses,". The reason for that is that there are questions nowadays of how much of the money collected goes to the actual programs and how much goes to administration. It is information the Board should have.

Ms. Stewart referred to page 2 of the document, #6 at the top of the page, "Obtain written approval from the State Parks Director or his designee in advance of any activities" add "(including making representations)". The reason for that is that the Board does not want people to interpret this differently than the Board intends. Technically, activities may include speech and representations that to the ordinary lay person may feel that does not. She wants to make it clear. People who donate may act on that and there could be some bad feelings as a result.

Ms. Stewart moved farther down the page to "Parks at its sole discretion may:", #2, the last line, "activities normally associated with" strike the word "daily". That is consistent with the advice the Board received from the AG's office several months ago to not be involved with administration.

Ms. Stewart requested that the copy that goes to the Foundation include those changes.

Mr. Travous responded that he has not had the opportunity to ponder these suggested changes. Prior to sending this document to the Foundation, he would like the opportunity to ponder them. This can be a very sensitive issue. He wants to make sure that he's had an opportunity to ponder them.

Ms. Hernbrode added that she did not believe a vote is necessary on this. She believes they can tell the Foundation that the Board has not approved the document. Any wording changes, etc., can be taken forward to the Foundation for their review.

Ms. Stewart stated she is not sure what is being taken to the Foundation.

Ms. Hernbrode responded that Mr. Travous needs to look at the proposed changes. If he is OK with them, they'll put them in the document; if he has questions about it they may not put them in.

Mr. Porter stated he thinks that, from what he's heard, the changes make good sense, but he, too, has not had time to ponder them.

Ms. Stewart noted that it is important that it be written clearly so everyone interprets it the same way so everyone understands it.

Chairman Cordasco returned to Agenda Item C.8.

C. CONSENT AGENDA

8. Approval of the FY 2007 Growing Smarter State Trust Land Acquisition Grant Program Manual.

Ms. Stewart reported she met with Ms. Pulsifer and they believe they have come up with a solution to approve the manual with the following changes:

1. Delete Attachment C (Sample Conservation Easement).
2. Delete any references to Attachment C or Sample Conservation Easement.
3. On page 92 of the Board Packet, under "Conservation Protection", at the end of the first paragraph, add "any conservation easement shall include the following covenants and conditions". On page 140, take #s 1-5 and add them, except substitute the words "grant recipient" for the word "buyer" in each instance. This will make it clear that the standard of protection will be the same with a conservation easement as it would be with the Land Dept. patent. Any specific uses that need to be written into the conservation easement can be written in.

Board Action

Mr. Porter: I move the approval of Item #8 of the Consent Agenda with the changes made. Ms. Stewart seconded the motion. The motion carried unanimously.

F. EXECUTIVE STAFF UPDATES

1. Update on San Rafael

Mr. Ream reported that Mr. Porter commented that he had spoken with Mr. Bob Sharp at the last Board meeting and that Mr. Sharp was concerned about fire danger on the San Rafael. He went to Resources Management and asked them what is being done there. He received a memorandum from Ms. Joanne Roberts and distributed a copy of the memorandum to the Board.

Mr. Ream stated that right now, because we don't have a Management Plan for the property, there is a two-phase strategy. First is the protection of the historic structure. Staff have fire barriers in place around it. Staff have a Type 6 fire apparatus there as well as two fire hydrants in and around the Green House and the barns to protect the structures. The second part of the strategy is protection of the riparian ecosystem. There is an aggressive fire protection program in place. Should a fire start, staff aggressively fight it until it's out. It is not a "burn and let burn" plan. Once we have a Resource Management Plan in place there may be a burn strategy, a grazing strategy, and these are all to be determined. Currently, staff is on an aggressive strategy.

4. Update on Tam O'Shanter

Mr. Siegwarth reported that staff have formed a committee. Since the last Board meeting, members of that committee have visited Joshua Tree Park in California on their own dime (camping), Hueco Tanks in Texas (again, on their own time – camping), and two members went to the National Climbing Management Summit in Denver, Colorado (stayed with family to save money). It was fascinating. Staff did not realize it was “by invitation only”, but they didn’t know how to say, “no,” to us. It was a great 3-day event.

Mr. Siegwarth reported that, internally, the planning group continues to move forward. They have broken into four subcommittees: Environmental, Cultural, Facility Development, and Climbing-Related Policies and Development. Staff are moving aggressively forward mainly because, in talks with Resolution Copper and state legislators, they are very optimistic. It could be 8 months or 20 months. We need to be ready.

Mr. Siegwarth added that a visit is being planned to Oak Flats, the climbing area that will be traded to Resolution. The purpose of this visit is to get a better understanding of what is being lost. The following day they will go to Tamo so they can see what’s being gained.

Mr. Siegwarth noted that he is taking the ASP Foundation on a tour of Tamo next week as part of the public education process.

Mr. Travous add that there are meetings taking place today in Washington, DC. The members of the House of Representatives changed so all the committees have changed as well. The Arizona delegation is meeting to see who will move this bill forward.

5. Update on San Bernardino Ranch

Mr. Porter stated he met with Mr. Bill Radke (US Fish & Wildlife) in Tucson. Mr. Radke is the Manager of the San Bernardino Ranch. The purpose of the meeting was to touch base and see whether we are on the same wavelength or very far apart. A meeting was then set for Mr. Radke and him to meet with Mr. Ream in Phoenix. Due to a scheduling conflict, he had to participate by telephone for a while and then had to deal with other matters. They agreed that when Messrs. Radke and Ream were finished they would call him back and update him on what had occurred. It got so late in the day that he called Mr. Ream. They were just about finishing up. He believes that we now have a good idea of what ASP can do there, of what US Fish and Wildlife (USFW) can do there, and what is needed from Mr. Finks and the Johnson Ranch Foundation to make it work.

Mr. Porter stated that he thinks it is now time for him to set up a meeting with Mr. Finks to inform him of what we need from him if he wants this project to work.

Mr. Ream stated that ASP has been in discussion with the principals for the San Bernardino Slaughter Ranch – namely Harvey Fink and William Radke (Refuge Manager at the San Bernardino Wildlife Refuge). Mr. Fink is the attorney for the Johnson Trust that runs, operates, and owns the 230 acres that are the Slaughter Ranch. He will call it the Slaughter Ranch Museum rather than San Bernardino because San Bernardino is a much larger piece of land.

Mr. Ream stated that, although complex, the gist of the discussions have been a multi-level partnership that requires negotiated actions by all three parties that almost have to happen simultaneously. First, Mr. Fink's Slaughter Ranch Museum will transfer the 230 acres of the Slaughter Ranch Museum to the USFW. In turn, USFW will permit (under permit) to ASP the opportunity to operate the museum. Mr. Fink will then endow the park operation at an amount to be determined and for a length of time to be determined. Further, both ASP and the USFW will work with the Malpai Group for the establishment of a headquarters and offices for all three agents on the property for the purpose of sharing expenses and customer service.

Mr. Ream stated that staff met with Mr. Radke on February 15 and discussed the issues involved with such a venture. Mr. Radke reported that the USFW is ready to take control and ownership of the Slaughter Ranch and that they are willing to provide security and maintenance of the entire property. That would leave only the operation of the museum as part of what ASP will do. That currently is a condition of the transfer from Mr. Fink. Mr. Fink will not transfer the land to the San Bernardino Wildlife Refuge unless ASP is given the opportunity to operate the museum. The endowment from the Trust should be significant enough to operate the museum for quite some time. He believes that an endowment to run the operation for several years would have to be of a significant size – perhaps \$1 million.

Mr. Woodling noted that originally Mr. Fink was not going to offer an endowment; he was going to offer so much money each year from the Trust he's managing for Johnson. Now we're talking an endowment. Where would that money go.

Mr. Travous responded that it could be handled several ways. The legal part of this is that ASP cannot commit the legislature to spend money without their approval. ASP cannot create a state park with more than 160 acres without the legislature's approval. The property is smaller than that. Mr. Fink talked about an amount of money over so many years. If he puts it in an endowment, then staff would never touch the corpus, use the interest from the endowment to run the park, and staff could assure Mr. Fink that it will last beyond the time he is still with us. One can never say, "in perpetuity." If Mr. Fink doesn't do it that way, then staff start spending, in essence, the corpus and in 2-3 years if the legislature does not create the park, then the whole thing falls apart. It behooves him to put the money in up front. It's probably more money than he wanted to contribute, but this is the long-term answer to the situation.

Mr. Travous added as long as staff are not committing state-appropriated dollars that the Board isn't in any jeopardy. The endowment would have to be a restricted fund somewhere in some foundation – it could be the ASP Foundation; it could be the Malpai Foundation. It cannot go to ASP because then it becomes appropriated. Once the money touches the State of Arizona, all kinds of things apply.

Ms. Stewart asked if that includes the Gift Fund.

Mr. Travous responded affirmatively.

Ms. Stewart challenged Mr. Travous' answer and asked for advice from Counsel as to whether there is a requirement that money in the Gift Fund has to be appropriated by the legislature.

Mr. Travous responded that money in the Gift Fund is subject to all the rules of the legislature.

Ms. Hernbrode added that certainly, any money that comes to the agency becomes state money and must be spent legally. The Board has the authority to accept gifts that have conditions.

Ms. Stewart stated that the legislature then could not take the money and use it for something else when it's given with those restrictions.

Ms. Hernbrode responded that she once gave the Board the advice that the legislature could not touch the money the Board awarded to grant applicants. She is leery of ever saying the legislature cannot do something regarding money.

Mr. Travous added that, if it's an endowment, the Board would be asking for a gift every year.

Mr. Porter noted that the money will show up somewhere. He also noted that there is no way Mr. Fink will give that money to the State. He thinks the proposal as set forth is sellable. As much as he wants that ranch to be a park, the Board has to be careful to not take on another property that will cost it money. If Mr. Fink is not willing to meet those conditions, he does not believe the Board can do it.

Ms. Stewart asked if staff anticipate charging an admission fee to the museum and if so, would the admission fee be limited to the physical building or would the fee be charged for the entire park area.

Mr. Ream responded that he and Mr. Radke discussed how a visitor might approach the Slaughter Ranch. There is not a lot of visitation now. Putting a State Parks title on it or having rangers present and regular operation hours year-round would probably increase that visitation. Mr. Radke suggested our biggest numbers would come from people out visiting the wildlife. There is no entrance to the wildlife refuge at the present time. There are a few dirt roads leading to it. Birders like to come to the refuge; birding is a morning activity and then visitors might want to tour the museum.

Ms. Stewart asked if the Board would be able to charge for the whole thing. Otherwise, she can't see it being viable if all the Board can charge for is entrance to the building with the exhibits. A lot of people would come out to enjoy the other things and skip the museum.

Mr. Ream responded that the Board could charge for the whole thing.

Mr. Porter noted that there are portions that have historic importance that could very well be signed for hikers.

Ms. Stewart added that the fact that this is a combination-type park makes it more attractive in terms of visitation and being able to get some revenue. There will be a need for 2-3 rangers. We can't run a park without a couple of them.

Mr. Porter stated that he believes the Board has done everything Mr. Fink would want it to do. He suggested providing Mr. Fink with an outline of where we are and finding out where he is. Mr. Fink is waiting to hear from us.

Mr. Travous noted that when we began with the San Bernardino we had a Chairman of the Board who became very excited about this property, as did Mr. Ream. Mr. Travous noted that he was sitting in the middle-of-the-court asking how the agency could possibly take care of this place. Mr. Ream was getting the pressure to get it done from the Board while at the same time he was telling Mr. Ream to not get us into a situation

that will hurt the agency. As much as the Board wants this to happen, the agency's message right now is that we have things that need taken care of. Mr. Ream has found a way in the middle by tenacity and being beaten on the shoulders. He appreciates the way Mr. Ream has handled this project.

Mr. Travous added that the ball is in Mr. Fink's court. Staff have found a way to get it done if he wants this to happen now. This could work. If he will step up, we can.

Mr. Porter stated he is so pleased with the tremendous effort from the Board and staff in trying to make this work. He will tell Mr. Fink that USFW and ASP have reached the conclusion that they can work together. USFW is willing to provide a permit to ASP. In order for ASP to accept that permit and the offer of the museum, Mr. Fink has to agree to endow the operation to the extent necessary. He will also tell him that ASP is, in fact, pursuing the Malpai Group. The ball is in his court.

Mr. Woodling asked if Mr. Fink has gotten past the reversion clause.

Mr. Porter responded affirmatively.

Ms. Stewart suggested that this park creates an opportunity for the Board to look at its parks differently than in the past. She hoped that this not be called an historic park. She believes that a disservice is sometimes done by labeling parks as this or that. This park will hold different opportunities. People who are interested in environmental education, people who are interested in birding (or hiking), people who are interested in the historic part would all come. If it's called an historic park, a lot of people will miss out on a lot of it. She thinks what the name of this place is and how it is marketed will be key. It has tremendous potential, especially if the Board is able to control admission to the entire grounds. There are a lot of opportunities with the potential partners to do a lot of the things that the Board hasn't done before. If it is called "the Museum" or "the historic park" those opportunities will be lost. Certainly the agreement with Mr. Fink to operate the museum is part of the whole master plan. That's just one part of the park.

Mr. Porter noted that this whole thing started with the interesting Mr. Johnson. It might be appropriate to name the museum after him. The park itself would be called something else.

Mr. Porter added that Mr. Fink expressed at one point that he would like to see a monument somewhere on the property honoring the foundation and its work over the years in preserving the property.

Mr. Woodling noted that if Malpai does indeed get involved, they would have to raise funds for the office building, staffing, etc. They are willing to approach that. They need to be out of their current office (Malpai Ranch) sometime in 2008. He noted that Malpai Group gives a lot of tours. Malpai has a lot of visitors coming in and they give a lot of tours in that area. There will be a lot of people coming in to see Malpai and what they're doing.

9. Legislative Update

Mr. Ziemann reported that there are a couple of weeks left for committees to hear bills. On that front, things are proceeding. HB 2044 – AORCC Continuation – is well through the system. HB 2443 – OHV User Fee Bill is also moving. It went through the House

and is in good shape. This is the bill that anticipates they will register off-highway vehicles for a fee yet-to-be-determined.

Mr. Ziemann noted that the other major item is, of course, the Budget. The Governor proposed her budget the second week in January during the State of the State message. Staff's principle concern with the budget is to get capital money back. The Governor proposed an additional \$1.5 million in 2008 and \$4.5 million in 2009. The legislative subcommittees have been meeting and their proposal was no money in 2008 and no money in 2009. The Senate has subsequently met and are acknowledging our need for capital money. Their proposal would be to put \$1 million in 2008 and \$1.5 million in 2009. While staff appreciate the acknowledgement that the agency has capital needs that need to be funded, those figures are insufficient to meet the needs of the system. The House is a long way from moving anywhere. They are not getting very far on the budget.

Mr. Ziemann noted that it appears that the Senate could actually wind up, get their work done, and get a budget passed in about 100 days – mid-April. The House will likely still be working in the middle of May.

Mr. Travous added that one of our strategies is to not hide our problems. Staff were asked to send over more pictures again this week. It really brings out the issue with the Walter Reed Hospital. They were hiding some problems and look where it got them. We are not doing that.

Ms. Stewart commented that, along those lines, there's another opportunity next week. During the Environmental Legislative Day a number of organizations will have tables at the Capitol. This would be a perfect place to have those pictures and to have staff available to answer questions. There are two audiences that will be attracted: a number of legislators and people from conservation organizations will stop by the table.

Mr. Porter suggested putting a display together showing the problems and need of our state parks at the History Convention.

Ms. Hernbrode advised the Board that they were getting off track.

7. Report on Robertson Law Suit Settlement

Ms. Hernbrode reported that the AG's Office managed to settle the Robertson Law Suit (a rock was thrown off the bridge at Tonto Natural Bridge State Park). Recommendations on safety issues were forwarded to staff. Everyone is happy with the settlement.

3. Strategy

a Marketing - Decide who we are and then market the identity – Presentation by Research and Marketing

Ms. Elizabeth Krug gave a presentation on how the agency is marketing itself. That presentation is included in the Board Book.

Mr. Woodling asked if there's been any research regarding the percentage of Hispanic visitation.

Mr. Ziemann responded that the agency has not reached out to the Hispanic population. He is not sure that our parks have the amenities the Hispanic community wants to visit.

Ms. Stewart asked where staff are in updating the Website.

Mr. Ream responded that our gift shop was ready to go. It has been delayed several months due to GITA changing their protocol.

Mr. Stewart asked if staff have done much with other agencies? People who visit national parks, national forests, and City of Phoenix preserves might be interested in our facilities. Perhaps we could joint market with other agencies.

Ms. Krug responded that staff send entities samples of our brochures and ask if they would like to receive them. Many do request them and continue to request them.

Ms. Krug noted that the agency is in the midst of its 50th Anniversary and that is the big focus at the present time. The celebrations began in October 2006 and go throughout this full year.

Ms. Krug noted that the agency is partnering with the Office of Tourism. Their budget allows for \$250,000 to be available to ASP for marketing the parks system. They have a lot services that we don't. Staff from both agencies will sit down and determine where we will go. There is a lot of opportunity there.

Mr. Travous noted that it was more than an opportunity – it was a request from the Governor's Office to spend \$250,000.

Mr. Ziemann added that he believes staff are eager to work closer with the Dept. of Tourism than in the past. It's not only spending some of the money on ads, but it's also a chance for staff to touch base and work more closely with some of the experts.

Chairman Cordasco asked if there is anything the Board can do to assist in coming up with tag lines.

Ms. Krug responded the she believes those that have been put out so far have been good. However, we need to come with more options. The agency itself is so large overall. A word means a lot to a person. When one has the opportunity to say three words and make them mean so much, one has to be very careful in choosing the right words. She needs to be able to bring the Vision down to where people will be able to understand what we are.

Mr. Travous added that this was an easy year because it encompassed everyone in the agency. Everyone had a piece of it. Staff didn't really start doing campaigns until about 3-4 years ago. Our first attempt was "Escape, Explore, Experience". The real challenge is to make it work. Ms. Krug, in working with Tourism, may come up with other things beyond tag lines to move us forward.

Chairman Cordasco asked, relating to tag lines, if he came to her and said three words, "Arizona State Parks" – does it say what the organization does?

Ms. Krug responded that it says "State Parks".

Chairman Cordasco asked Ms. Krug to think about it over the next year. If he says "Arizona State Parks" to someone, does it convey to them what the organization is?

Ms. Stewart noted that one of the things that was emphasized at the Tourism Conference is that younger people are not thinking about going to destinations. They are defining themselves more in terms of the activities they like to engage in. She wondered if staff was changing its marketing to reflect the way people are changing

their thinking in terms of selecting vacation destinations based on the activities available.

Ms. Krug responded that in some of the ads in magazines they have mountain bike riders on one of our trails.

Ms. Stewart asked what Ms. Krug would do if she had a budget 3 times her current budget.

Ms. Krug responded it would be more advertising, billboards and international marketing.

Ms. Stewart asked if there's been any thought given to redesigning the website along those lines and including some of the same headings as the Dept. of Tourism has so people can quickly go from one to the other.

Ms. Krug responded that she could certainly check into it. She doesn't know the answer offhand.

Ms. Krug added that everything in marketing is done in-house. We don't work with an ad agency.

G. CALL TO THE PUBLIC

Mr. Charles Wood, Chemehuevi Indian Tribe, thanked the Board for inviting him to stay for the entire meeting. He is always fascinated by the functioning of government and loves going to meetings. This is probably the only place he would have heard the presentation on growth. This has been a fascinating meeting and very informative.

H. TIME AND PLACE OF NEXT MEETING AND CALL FOR FUTURE AGENDA ITEMS

- 1. Staff recommends that the next Arizona State Parks Board Meeting be held in Phoenix, AZ on May 17, 2007.**

Chairman Cordasco noted that the next meeting will be held in the Arizona State Parks Board Room on May 17, 2007 beginning at 10:00 a.m.

- 2. Board members may wish to discuss issues of concern and request staff to place specific items on future Board meeting agendas.**

Chairman Cordasco noted that representatives of the Governor's Office are asked to drop by.

Ms. Hernbrode stated she will have a report on Mabery and requested it be included on the May Agenda. Counsel will go before the Court of Appeals on April 24, 2007.

Chairman Cordasco stated the next two presentations on Strategy will be presented. He requested that the 7 items be listed. He requested another history function be included as well.

Mr. Porter requested that both Contact Point and San Bernardino be included on the May Agenda.

Mr. Travous noted that the Board should have received invitations to the 50th Anniversary Event on March 28 on the Capitol Lawn. There is a celebration at

Patagonia Lake State Park this weekend. Events in April include Ft. Verde on the 14th, Jerome on April 21st, and Catalina on April 28th.

I. ADJOURNMENT

Chairman Cordasco adjourned the meeting at 2:40 p.m.

Pursuant to Title II of the Americans with Disabilities Act (ADA), Arizona State Parks does not discriminate on the basis of disability regarding admission to public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the acting ADA Coordinator, Karen Farias, (602)364-0632; or TTY(602) 542-4174. Requests should be made as early as possible to allow time to arrange the accommodation.

William C. Cordasco, Chairman

Kenneth E. Travous, Executive Director