

**ARIZONA STATE PARKS
NATURAL AREAS PROGRAM ADVISORY COMMITTEE
(NAPAC)**

Minutes of the meeting held:

Thursday, April 26, 2007

At:

Arizona State Parks
1300 W. Washington St.
Phoenix, Arizona

A. CALL TO ORDER AND ROLL CALL

Chair Hare called the meeting to order at 12:50pm. The following people were present, and the Committee achieved a quorum.

Committee Members Present: Trevor Hare, Chair
Sheridan Stone, Vice-Chair *via telephone*
Linda Kennedy *via telephone*
Phyllis Hughes
Don W. Young
Max Castillo, *ex officio*

Committee Members Absent: John Hays
Ken Kingsley

Other Individuals Present: Jay Ream, Assistant Director, Arizona State Parks (ASP)
Dan Shein, ASP
Ray Warriner, ASP
Joanne Roberts, ASP
Ruth Shulman, ASP

B. INTRODUCTION OF MEMBERS AND STAFF

This item dispensed with in the interest of time.

C. OLD BUSINESS

1. Approval of NAPAC Minutes for the March 22, 2007 meeting.

Dr. Young moved to accept the minutes as presented. Ms. Hughes seconded the motion, which carried.

2. Distribute copies of current Off-Highway Vehicle Legislation.

Ms. Shulman distributed copies of the most recent OHV Bill before the State Legislature for NAPAC's information. Copies for telephone participants will be mailed. No discussion was held.

3. Update and discussion Lone Mountain Ranch.

This discussion was tabled until the May 24, 2007 NAPAC meeting.

4. Update and discussion on Rickett's Mine property.

At the last NAPAC meeting, Drs. Young and Casavant offered to make a site evaluation visit to the property. Ms. Roberts noted that she had forwarded site evaluation forms to Dr. Casavant, and has not received back a completed form. She turned the discussion over to Dr. Young. Dr. Young noted that he and Dr. Casavant had elected to forego the site visit because they are very familiar with the property from a geologic and hydro-geologic standpoint. However, from a biologic standpoint, a site evaluation visit may be necessary. Dr. Young said that the site is a porous fractured substrate, with implications for infiltration into the Karst topography that most likely underlies the entire "block". Ms. Roberts noted that the site evaluation form is an important document for assessment recordkeeping.

Chair Hare asked if any contact had been made to the current owner (Phelps-Dodge/Freeport) as to the availability of the property. Dr. Young said that Dr. Casavant was in the process of making that contact. Mr. Warriner had also connected with a contact at Phelps-Dodge about the property, and was informed that the company was not looking at addressing issues about property at the current time. Chair Hare suggested getting a new update before setting up a new site visit.

5. McGrew Springs update and discussion, including discussion of designating Natural Areas within existing State Parks.

Jay Ream, the ASP Assistant Director for Operations, joined the meeting to discuss the designation of Natural Areas within existing State Parks. Ms. Roberts noted that Executive Staff had had some questions about the recent recommendation by NAPAC to designate McGrew Springs as a Natural Area within Kartchner Caverns State Park (KCSP). That recommendation was not forwarded to the ASP Board in order for Staff to obtain answers to those questions. The recommendation itself has not changed since it was forwarded.

Mr. Ream introduced himself to the membership and thanked them for allowing him to participate. He apologized for not forwarding the recommendation to the ASP Board, however he felt that getting the answers to Executive Staff's questions would be very important. He noted first that the purchase of land using money from the Natural Areas Fund automatically designates that land as a Natural Area. His feeling at the time was that NAPAC intended to have the different properties of McGrew Springs recognized and codified. On that basis, he is willing to now forward the recommendation motion to the ASP Board. However, he would like to be certain that NAPAC understands the particular issues around the KC "block". Historically, the

Final Minutes
Meeting of 4/26/07

McGrew Springs purchase was intended to prevent any development that might affect the caverns and it was purchased to buffer the cave. He knows that the cave is a living entity and that the water is its life-blood.

Mr. Ream would like to suggest that NAPAC move boldly to designate the entire KC block itself as a Natural Area. Making this recommendation would include the systems, the watershed above KC, and some of the surrounding land. His purpose today is to discuss that suggestion with NAPAC. He would particularly like the Committee to holistically view the difference between Natural Areas created by using Natural Areas money, and natural areas as complete entities outside the boundaries of purchased properties. Mr. Ream also mentioned that, from a management standpoint, it might be beneficial to look beyond the boundaries of designated Natural Areas, especially in existing parks. Perhaps we might think about managing outside the boundaries, as it were, as well as inside. Mr. Ream also mentioned the “checkerboard” of purchases on the Verde River as an example of “incoherent management” that should be avoided. He said that, operationally, there will be a learning curve on the part of park managers and Natural Area management.

Chair Hare said that NAPAC had discussed the entire KC block during the meeting at which the McGrew Springs recommendation was made. That discussion encompassed both surface and underground features. Chair Hare asked Mr. Ream if Executive Staff’s definition of “block” included surface features as well. The spring is important to the underground, but also to the biota living nearby. He would like to have a definition of “block” for the purposes of Natural Area.

Ms. Hughes asked about Operations and the designation of Natural Areas; how is Operations involved in the process? Mr. Ream noted that codifying the criteria for a Natural Area in any place in Arizona would also create a legacy for the future from ASP. He noted that making “the rules” of Natural Areas absolutely clear would help guide future ASP Boards and the decisions they make about ASP’s resources. For example, he noted that NAU has requested to harvest a stalactite for study from the cave. This request, made of a future Board, may not be an automatic “no” without the Natural Area designation. Designating the entire block as a Natural Area lends that much more protection to the resources and systems, at least as far as ASP Board actions. Ms. Roberts noted that the resource management guidelines are in a draft state, and include input from park managers.

Mr. Stone noted that this discussion is partially about the difference between “Natural Areas” as purchased with Natural Areas money, and “natural areas” which might be any area outside of ASP land. The precedent lies within an informal program of the Arizona Game and Fish Department (AGFD) regarding Arizona Species of Concern. There is no endangered species law in Arizona, however the list of Species of Concern stands to inform land managers about which species are important to manage for. Designating land outside ASP land as natural areas would be a similar tool for land managers, as communicated by ASP.

Final Minutes
Meeting of 4/26/07

Mr. Ream said that, in a multi-year process, ASP is currently requesting mineral withdrawal rights for the USFS land in the entire watershed in the Whetstone Mountains, as well as the Rickett's Mine property. He said that he is willing to forward the motion as it stands, but he would like to see NAPAC expand on it. The idea is to make KCSP a catalyst for a new vision of Natural Areas at ASP.

Chair Hare said that NAPAC agreed when making the original motion that protecting the KC block was crucial. However, the recommendation was not couched that way because of Operations' having issues with the Natural Areas designation within existing parks. The motion as submitted was sort of a "test case" to see how the Board responded. Dr. Young said that he had, when he joined NAPAC in January, thought that the KCSP had been designated a Natural Area. When he discovered that it had not, it was also discussed that park managers felt that the Natural Area designation would preclude certain types of park development. Mr. Castillo said that, fifteen years ago, the concept of a Natural Area was very different than it is today. The concept was to fence off the area, and keep people out, which led to the view that a Natural Designation was somehow burdensome to park managers.

Mr. Ream suggested that, because the Tonto Natural Bridge, was not purchased with Natural Areas money, that doesn't make it any less an outstanding feature to be protected. Mr. Ream feels that this is the crux of Natural Areas within existing state parks. The importance is, Mr. Ream feels, to ensure that future ASP Boards are getting the right guidance. Chair Hare said that he would like to see a proposal from Dr. Casavant outlining those features in KCSP that should be included in a Natural Area. If the ASP Board and the Operations staff find "the whole thing" acceptable then NAPAC can bring the concept to the VRG, and on. Further discussion on the difference between "big N, big A" and "small n, small a" designations followed.

Ms. Hughes asked whether Mr. Ream saw differences in management or scientific criteria between areas being acquired and areas that already exist in state parks. Mr. Ream says that there will be a learning curve with park managers, but if the area is worthy of preservation that that curve will be navigated. The major idea is to ensure that those features that should be preserved continue to be preserved.

Mr. Shein said that he felt that because of the fractious nature of land ownership in Arizona, that Executive Staff wants NAPAC to look beyond ASP's ownership. Chair Hare agreed, and said that the concept of multiple use management should be downplayed as much as possible in the future. Mr. Ream made an analogy between the cultural resource sites, which are managed in a particular fashion, and how the perception of Natural Areas needs to grow.

Chair Hare reiterated that he would like to see Dr. Casavant's scope document for KCSP and have NAPAC discuss that in conjunction with Operations input and also to discuss natural areas management.

Final Minutes
Meeting of 4/26/07

Chair Hare then asked Mr. Ream about the concern NAPAC expressed when the McGrew Springs item was not forwarded to the ASP Board. Mr. Ream noted that there were timing issues with the item, but also he reiterated that there are still larger concepts to be considered regarding the definition of Natural Areas. Chair Hare noted that the subcommittee tasked with acquisitions will be dealing with some of those issues. He then asked Mr. Ream what could be done to alleviate some of the timing issues with items brought to the ASP Board. Mr. Ream said that he believes in Natural Area and resource management, but finds that there are divisions between resource management and operations.

Ms. Hughes asked why the McGrew Springs was being formally designated as a Natural Area if the land had been purchased with Natural Areas money. Ms. Roberts noted that the Committee's thought was that the extra "layer" would provide additional above ground resource protection. Mr. Ream said that from his standpoint, he wants to see Operations and Resource Management work together to view Natural Areas the same way. Further discussion on the viewpoints followed. Mr. Ream wants to be sure that future guidance is properly in place. He also would like to support the Committee in developing a "blueprint" for ASP as far as Natural Areas.

Dr. Kennedy said that she thought the Committee should discuss who makes the decision as to what is brought to the ASP Board and what is not. Mr. Ream said that Executive Staff acts, for lack of a better term, a filter for the Board, and that is their purview. When the McGrew Springs item was held back, it was because Mr. Ream felt he needed a better understanding of all the issues, and at the time he could not support the McGrew Springs motion wholeheartedly. That lack of wholehearted support would be unfortunate. Dr. Kennedy noted that her feeling is that the item should have been brought to the Board, with Mr. Ream's suggestion that the Board revisit the item in the future when Mr. Ream had a better understanding. Mr. Ream said that, because of the structure of the advisory groups to the Board, motions come from the advisory groups, but Staff writes the motions themselves. Dr. Kennedy said that she feels, that for the future, some clarification on these procedures would be good for the ASP Board, Staff, and the Committee. She would like to be assured that the expertise requested by the Board and provided by NAPAC not be negated when issues are brought forward. Mr. Ream said that he takes some responsibility for the confusion around the McGrew Springs item. He feels fortunate that NAPAC is moving forward as rapidly as it is now, and he pledges to connect even further with NAPAC. Considering that this current Board has seven meetings scheduled for this year, the timing of items before the Board is more of an issue than ever.

Chair Hare said that for the Committee, there should have been some communication at the time. NAPAC had heard it a month after the fact, which was surprising to the Committee. Ms. Roberts said that, as the liaison between Executive Staff and NAPAC, she will work closely to ensure that these matters are communicated timely. Chair Hare said that NAPAC has pledged to have a member attend each ASP Board meeting. Mr. Ream said that attendance at the Board meetings is important.

Final Minutes
Meeting of 4/26/07

Ms. Hughes asked for a brief summary of McGrew Springs. As she sees it, the designation was requested, and that Executive Staff is asking at this point that NAPAC not request Natural Areas designations for small pieces of land in existing parks. Mr. Ream said that the size of parcels purchased with Natural Areas funds should be a trigger to thinking globally, but not a major concern as long as the criteria are met. Ms. Hughes wanted to certain about when parcels should received the designation "Natural Areas". Mr. Ream suggest that writing motions that include the attributes meeting Natural Areas criteria. Following some discussion on how motions are constructed by NAPAC, it was clarified that the criteria language provided to the ASP Board be included in the historic summary, as well as in the motion language itself. Mr. Ream said that having Executive Staff 100% behind every motion will make the process run more smoothly.

Chair Hare thanked Mr. Ream for attending the NAPAC meeting and clarifying the issues of Executive Staff.

6. Update and discussion on Huggett property purchase.

Mr. Warriner reminded NAPAC that the ASP Board had approved the purchase of these two parcels (105 and 115 acres) for the amount of back taxes. Mr. Warriner is currently writing a purchase agreement. However, Mr. Warriner said, ASP had received a letter from two property owners (Moore and Huebner, *aka* the Scat Ridge Homeowner's Association) who control three developable parcels just on the edge of the property encumbered by the conservation easement. Mr. Warriner provided copies of a map showing the parcels. Mr. Warriner noted that these parcels are on the west boundary of the east Huggett property parcel. These three parcels are completely surrounded by the Huggett property on three sides, with the US Forest Service (USFS) on the fourth side. These Moore/Huebner parcels may be considered an inholding by some definitions. There is a gate on the old Mt. Lemmon Road, which marks the driveway to those parcels and the access to the balance of the conservation easement property. ASP received a request from Moore/Huebner to create a "privacy boundary" around their parcels that exceeds the boundary thereof. Mr. Warriner said that he doesn't feel the existence of these properties impacts the reasons that NAPAC recommended their purchase. The issue that he is bringing before the Committee today is the privacy boundary around the properties, which ASP Staff is disinclined to provide. Ms. Hughes asked for definition of "privacy boundary". Mr. Warriner said that it would be a "zone" that would not be unnecessarily intruded upon. Mr. Warriner provided a copy of the letter request from Moore/Huebner. Huebner has also requested permission to use the secondary, northeast fork of the road to enter the property for housekeeping purposes. The gate on Mt. Lemmon Road is locked and would remain so, with ASP having access.

Mr. Warriner said that ASP has worked with inholdings in the past, and that he and Ms. Roberts had met with the property owners on Monday, April 23. He feels that it will be possible to come to an equitable agreement with the owners, and advised proceeding with the Huggett property purchase. He has ordered an appraisal and is in

Final Minutes
Meeting of 4/26/07

the process of ordering an environmental report. The Moore/Huebner parcels altogether amount to 18 acres or fewer.

Mr. Stone asked if there are buildings on the parcels, and Mr. Warriner said yes. There is one home on each of two of the parcels, and the third parcel (Moore, south) is zoned for one residence though none exists now.

Chair Hare asked about the time frame to finish the purchase. He would like for Mr. Warriner to provide a clearer explanation and a write-up on the purchase for the telephone participants. He feels that the property will not be used in any way that would violate the privacy of Moore/Huebner as it is. Mr. Warriner said that while the Huggett property was privately owned with the conservation easement, Moore/Huebner were practically guaranteed that no one would access the property surrounding. However, ASP is a public agency and cannot make that guarantee, though the agency must manage the property in its own best interest. Mr. Warriner also said that Moore/Huebner have asked that there be no hiking trails in the boundary, nor vehicular traffic other than that of ASP. Mr. Warriner is unsure of what legal standing ASP would have to grant a privacy boundary in any case. He feels that the ASP Board would most likely not want to set any sort of precedent regarding privacy boundaries. He went on to say that he has some reservations about the boundary issue. Chair Hare said that perhaps the owners could be “co-opted” into an agreement that would prevent future development of the property, which would protect the Natural Area, and their privacy as well. Mr. Warriner said that that approach might be helpful.

Mr. Warriner said that he had discussed the matter with Charles Eatherly of ASP, and they feel that, rather than the generous boundary requested by Moore/Huebner, a 100’ buffer might be beneficial to both sides. Mr. Castillo noted that from a managerial standpoint, that would be a less than good idea. There are some issues developing in Cottonwood around the Verde River Greenway along these lines. Further discussion on public participation in park development followed.

Ms. Hughes asked about the legal description on the deed, underlying the conservation easement. Mr. Warriner said that he would look at the deed and report back to the Committee. He then said that the conservation easement lists exceptions, and these three parcels are “excepted out”. Mr. Stone asked whether these property owners had purchased the parcels from the Huggetts. Mr. Warriner said that they had not. The purchase was made from “Heartbeat of Oracle, LLC” whoever that may be. None of the LLC’s principals are a Huggett family member.

Chair Stone asked that Mr. Warriner provide further information on the rights-of-way, etc. to the Committee. Mr. Stone said that he was uneasy with a “quid pro quo” approach to negotiations on this issue. Mr. Warriner said that he feels that the property owners are perhaps more comfortable with the ASP position, however he doesn’t see why there would be any concern once the “negotiations” develop. Ms. Roberts noted that during the meeting with the homeowners, the mission and vision

Final Minutes
Meeting of 4/26/07

of Oracle State Park was discussed, and the Natural Area concept for the property was enfolded into that. Mr. Stone said he hopes that the information would help make the property owners more receptive. Mr. Stone also said that more information on the road right-of-way is necessary, and that both “sides” need to have a clear understanding of those rights. Mr. Warriner said that the conservation easement specifies “a 30 foot easement for roadway and utilities”. Ms. Hughes asked whether the easement had a legal description, and Mr. Warriner said that there was a description in the easement, and that there was plotting done in a survey of which the description was an extract. Mr. Warriner noted then that there are no fences on the property and Moore-Huebner do not want fences. Ms. Roberts clarified that the access easement does not extend to the north part of the Huebner parcel and Huebner is asking for access. Further discussion about access to the road followed.

Chair Hare requested that the right-of-way information, a copy of the letter from Moore/Huebner, and a map be provided by Mr. Warriner to NAPAC. He then asked whether moving the discussion to the May NAPAC meeting would adversely affect any time-table for completing the purchase of the Huggett property. Mr. Warriner is working right now on due diligence, so there would be no adverse effect. Mr. Stone said that perhaps information on the firescape plan for the Huggett properties, and the agreement with the USFS plan, be communicated to Moore/Huebner in order to keep options open.

Chair Hare asked whether the current conservation easement would be extinguished with ASP’s purchase of the Huggett property. The copy provided was difficult to read. Mr. Warriner noted that the Arizona Open Land Trust (AzOLT) is open to having ASP take over the easement, which will effectively extinguish the easement. AzOLT is comfortable with ASP practicing good management on the land. Ms. Hughes asked whether the easement was something that ASP could live with, if it remained with the AzOLT. Mr. Warriner noted that purchasing the property for a Natural Area is closely aligned with the intent of the easement and with Oracle State Park, so there should be no difficulty in embracing the easement.

Chair Hare said that this discussion would be resumed at the May 24 NAPAC meeting, following distribution of the information requested from Mr. Warriner. Mr. Warriner noted that he would write a draft purchase agreement, but will not finalize any agreement until the discussion in May. He will also write a letter to Moore/Huebner advising them that discussion is underway.

7. Update and discussion of COD Ranch property and possible purchase.

Mr. Warriner said that the property is still for sale. The property owner phoned Mr. Warriner to maintain contact and get an idea of where the interest lies. Mr. Warriner has had informal discussions with ASP Executive Staff and they are willing to support the purchase, especially because it alleviates the need to build on unimproved natural ground. Chair Hare asked for clarification about the construction mentioned. Mr. Warriner said that the ASP vision is to have a “center” built at Oracle, however there are no funds to do so. Ms. Roberts mentioned that she had

Final Minutes
Meeting of 4/26/07

heard from the Oracle park manager that possible facilities for staff were under discussion, under the deed restriction that exists. Mr. Warriner noted that the deed restrictions allows for construction on 10% of the property, which would be a large amount of construction given the 4,000+ acres of the park. The deed restrictions also prohibit building for certain uses such as commercial lodging, and the type of construction. Discussion on public uses of existing buildings followed.

Chair Hare would like to see some assurances from Executive Staff and Parks Operations to support the purchase, keep the property in good order, and restrict the uses of the property. He went on to mention that the COD Ranch property consists of the improved parcel, and a basically unimproved parcel that contains only a hogan. That second parcel could possibly be purchased on its own. Chair Hare would like some more information on how ASP would support the purchase.

Dr. Young said that the buildings on the ranch should not be an impediment to a purchase considering the location of the ranch relevant to Oracle and the Huggett properties. He is concerned about the USFS fire management plan as presented at the March meeting. Dr. Young is concerned that the property will sell and then be developed into housing communities, and passed out a copy of a land-sale ad. He thinks these sorts of developments will interfere with the USFS fire management. The land needs to be protected now.

Chair Hare asked for clarification of the purchase price. Mr. Warriner said that the total price for both properties was \$2.7 million for both parcels, with \$1.8 million for the improved parcel alone. The parcels are 14 acres for the improved and 32 acres for the unimproved. Dr. Young said that the structures are valuable, and he would like to see ASP partner with someone to make use of them. Mr. Young reiterated the point that these buildings would fulfill a need of ASP's for new facilities. Mr. Warriner agreed.

Chair Hare said that he had mentioned the desirability of having at least 1/2 mile of boundary because of the possibility of development. He would still like to see some assurances from Executive Staff and the ASP Board about support for the maintenance of this purchase. Mr. Stone said that he finds this purchase to be a dubious proposition. He would like to see a strategic plan and an outlook for the future, rather than being reactive. Dr. Kennedy said that a strategic plan for Oracle SP as well as the property under discussion would be good. She would like to see a bigger picture.

Ms. Roberts said that each park had at one time had a management plan. The plan for Oracle is from the late 1980s or early 1990s, though that plan contains a limited resource management component. Park Operations and Resource Management would have to work together to form a plan that would merge the plan for Oracle SP with the COD Ranch parcel(s). Mr. Castillo noted that a purchase of improved property had occurred for the Verde River Greenway using Natural Areas funds, and the VRG operations center is there now.

Chair Hare noted that the ranch house on Oracle SP is unable to be used for staff quarters or any facility expansion. Dr. Kennedy said that during the COD Ranch visit she had heard that the buildings would be “concessioned” out. Mr. Warriner said that actually, using the buildings as an education is what was discussed, and that partnering with a concessionaire would still mean that the property was run for the benefit of ASP. Dr. Kennedy still wants to know how the Natural Areas Fund could be used for this educational purpose. Ms. Roberts noted that under several of the NAPAC charter documents note that “bigger picture” purchases such as COD Ranch are permissible, and that the further of education and conservation are also part of the charter. Dr. Kennedy would like to see a “market analysis” on the need for an educational facility. Ms. Roberts said that the Research and Marketing team at ASP may have that information, but that normally their focus is on park visitor usage.

Chair Hare said that the buildings on the COD Ranch took up perhaps five or six acres of 32 acres, and the Mr. Stone had noted that the remainder of the land was “worked over”. Mr. Stone said that he had noted some areas that had been “bladed over” and trash dumped. Chair Hare said that he found the majority of the property looked rather like the Huggett properties and Oracle SP, so he would like to find out exactly how many acres have been disturbed, including dump-sites, well-sites, and the house across the wash.

Chair Hare says this is a substantial list of questions to be answered, and the topic will remain on the agenda. He feels that the property may be overpriced as it remains on the market. Mr. Stone said that he feels that there may be better opportunities in the area for NAPAC to focus on 32 acres. Chair Hare suggested looking at other properties near the Oracle SP north boundary, and east. Mr. Warriner said that those properties are becoming single-family homes. Chair Hare would like see some answers to the questions posed and a strategic outlook for next meeting.

8. Update and discussion of Capitan Chiquito property and possible purchase.

Mr. Warriner said that he has a definitive map, which is not different from the map provided to NAPAC members at the last meeting. The property consists of the center 160 acres at the intersection of four parcels (sections 5,6,7, and 8 on the map). The sale would occur on agreement of 51% of the property interest (as opposed to 51% of the owners). There are varying percentages of interest among the owners. Once the majority agreement is reached to sell the property, then an application is filed with the Bureau of Indian Affairs (BIA). The BIA then arranges for an appraisal and review the sale documents. If they believe that the transaction is at fair market value, then the sale is approved. This process can take up to eight months, depending on the BIA backlog.

Mr. Warriner continued that there is a good roadway to the property, and there are allotments on both the east and west that may be available if ASP proves good stewardship. The property is approximately 40% of the way between Hwy 77 and the Aravaipa Wilderness Preserve. Aravaipa Creek touches all four parcels.

Ms. Hughes asked about a road on the map, and Chair Hare noted that the road leads to some BLM property and beyond. Chair Hare feels that this property could give us good foothold into Aravaipa. Dr. Young noted that the Cobra Ranch in the area had just been donated to The Nature Conservancy (TNC). He mentioned that the land is part of a wide flood plain and is eroded. Chair Hare said that the next step is a site visit.

9. Discussion of Oracle State Park conservation deed and update on discussions.

Chair Hare said that in earlier discussion regarding this deed, the concerns had been mainly about 1) fire as an ecological management tool, and 2) animal trapping for biological study/survey purposes. Mr. Warriner said that he had sent the copy of the deed to NAPAC. Chair Hare said that he felt that the trapping language might limit certain types of trapping for biological purposes. Mr. Warriner said that an agreement with the holders of the deed, Defenders of Wildlife (DoW) might ease the restrictions. Dr. Young said that such discussions are underway. He said that the matter would be brought before the state DoW Board shortly. Chair Hare and Dr. Young had met with them previously, but no official agreement or such has been reached yet.

Chair Hare said that he would follow up with the group.

Ms. Roberts said that she has concerns, as does Joy Hernbrode, the Assistant Attorney General for ASP, that neither NAPAC nor its individual members make any commitments or enter into agreements in and of itself. NAPAC is an advisory body only, and the possibility for confusion exists if this not made absolutely clear in meetings with groups and individuals outside of ASP. Ms. Roberts said that when the need arises, DoW (or any similar group) should meet with Staff. She said that Ms. Hernbrode advised NAPAC in the past that the language was less than definitive, and there is room for discussion.

Chair Hare said that he believes DoW is happy with the management of Oracle SP as it is, and there is room for conversation. He also said that when DoW gets in contact with Dr. Young, the discussions will be turned over to both Ms. Hernbrode and Ms. Roberts.

10. Discussion of NAPAC's charge, structure, purpose, goals and objectives.

Chair Hare said that he, Mr. Stone, Ms. Roberts and Dr. Casavant had held a meeting about the work NAPAC needs to do this year. Some of the subcommittees were faltering, and it was decided to prioritize two issues and focus on those. The two issues are identification, evaluation, prioritization and acquisition processes, and the second was the Natural Areas Management Guidelines. In order to accomplish this, it was thought best that the entire NAPAC Committee meet every other month, with "off" months being longer, more focused subcommittee meetings. Another plan is to manage the NAPAC meetings to maximize efficiency. Third, NAPAC members

Final Minutes
Meeting of 4/26/07

should make an effort to network with Board members and create relationships with agencies, conservations groups and the like.

Chair Hare asked whether the membership had any comments on the restructuring of meeting dates and times. Ms. Hughes said that allowing the subcommittees to take a lead will increase the number of accomplishments this year.

Ms. Shulman noted that a new Bill had passed requiring that advisory group subcommittees provide minutes just as the larger group does. Because there are many subcommittees associated with ASP advisory groups, Ms. Shulman is adopting a plan whereby those meetings are recorded digitally and the MP3 sound file becomes the official minutes. NAPAC expressed their approval of this plan for subcommittee meetings. Mr. Shein also noted that the Conservation Acquisition Board will soon be meeting again after a hiatus, and this will be another group coordinated by Ms. Shulman. He noted that both Ms. Roberts and Ms. Shulman have broad job responsibilities as it is. Ms. Hughes noted that the subcommittees work with documents a great deal, so that all those documents become official records of the meetings as well.

Chair Hare noted that although the Verde River Greenway subcommittee would be on the backburner so to speak, the processes in place there will continue regardless. Ms. Roberts noted that when the second resource ecologist position is filled, that person will work with The Nature Conservancy CAP program for the VRG.

Ms. Hughes asked whether the subcommittees will have an expanded membership. Mr. Stone asked for a recap of the subcommittee meeting structure. The subcommittees will not be held concurrently, because Ms. Roberts needs to attend both. Ms. Roberts noted that the subcommittee members should commit to punctuality. She also noted that the Selection subcommittee making site evaluation visits also affects the meeting scheduling. She feels that having an afternoon 4-hour meeting on one day, and a morning 4-hour meeting on the following day will work best. Chair Hare said that the first month will be subcommittee meetings; the second month will be the full NAPAC meeting. This schedule will begin in June, following the already-scheduled NAPAC meeting for May.

Mr. Shein noted that the Resource Management section of ASP, which is the umbrella section for natural and cultural resources, has one staff member per program. It then becomes incumbent on NAPAC members to perform pre-meeting preparation, and do the "homework" involved with performing their tasks. Staff's mission is partially to support the Committee, but they also need to fully support the 30 state parks. Chair Hare agreed fully.

Membership of the NAMG subcommittee is: Trevor Hare, Max Castillo, Sheridan Stone, Joanne Roberts and Ray Warriner.

Membership of the Selection Process subcommittee is: Trevor Hare, Ray Warriner, Sheridan Stone, Joanne Roberts, Linda Kennedy, Phyllis Hughes, and Don Young.

Final Minutes
Meeting of 4/26/07

The Committee discussed meeting dates and agreed on the following:

May 24, Verde River Greenway, 12:00pm – full NAPAC meeting

June 27, Phoenix, 12:00pm-5:00pm – Selection subcommittee
June 28, Kartchner Caverns, 9:00am-1:00pm - Natural Areas Management
Guidelines (NAMG) subcommittee

July 26, Oracle State Park, 12:00pm – full NAPAC meeting

August 22, no location determined, 12:00pm-5:00pm, Selection subcommittee
August 23, no location determined, 9:00am-1:00pm, NAMG

September 27, Phoenix, 12:00pm – full NAPAC meeting

October 24, no location determined, 12:00pm-5:00pm, Selection subcommittee
October 25, no location determined, 9:00am-1:00pm, NAMG

November 29, Tucson TBD, 12:00pm-5:00pm – full NAPAC committee
(December meetings will be discussed at a later committee meeting.)

Site evaluation visit dates were also discussed, particularly for Capitan Chiquito at Aravaipa. That visit will tentatively occur on May 21, 2007.

D. NEW BUSINESS

1. Discussion of current agreements between Arizona State Land Department (ASLD) and ASP regarding fire services.

Ms. Roberts said that ASLD holds the office of the State Forester. The Forester has two agreements with ASP; one with ASP which agrees that they will help with fire suppression and fire management, as per their funding mandate. Ecological burns, and other ecological management are out of the Forester's purview unless they are paid to do so. ASP would need to develop a fire management plan for that property as well. In so far as the suppression and management as noted above, the Forester will aid ASP at ASP's request. The second agreement is the Joint Powers of Agreement with ASLD and its Federal partners. This allows the Forester to set the fire policy for state land fire management. Ms. Roberts says that even though the Joint Powers of Agreement are in place with Federal entities, the Forester will not respond to any fire unless invited. The Forester will likely never be a first-responder to a fire. However, there are likely fire protocols that exist as to who will be the first responders, and the cascading response following. The first agreement is not an MOU, but is an Interagency Agreement (IAA) over and above the Joint Powers of Agreement. This opens up the possibility of a strategy for using prescribed burns with the USFS through the firescape program. That program is a term used internally by the USFS to identify response to fires, using the NEPA process, while bringing in partners to look at the

Final Minutes
Meeting of 4/26/07

landscape scale of fire and fire management. Ms. Roberts is working with the Greater Huachuca Fire Planning Group, as is Dr. Kennedy, to incorporate prescribed burns and ecological fire management. The agreements should not be an impediment to using fire as a management tool. The ASP Board is particularly sensitive to fire on the San Rafael, where there has been a 700-acre this past weekend.

Chair Hare asked for an email report on the fire at San Rafael, and noted that the Committee need not take any action regarding the IAAs.

2. Discussion of the fire plan on the San Rafael State Natural Area (SRSNA).

Ms. Roberts said that the default protocol for the use of fire on SRSNA is to always use active suppression, as with all park properties, because there are no ecological management based fire plans. All of the basics, structures, safety, responders, and so on are all addressed currently. Mr. Castillo noted that the response at VRG is a local aid agreement with the agencies. Ms. Roberts said that the sole view of suppression should be brought around to also include ecological fire management tools.

Chair Hare said that he would like NAPAC to focus on two things: acquisition processes and management guidelines. He said that in the management guidelines, fire can be listed as an active management tool. He sees more discussions with the USFS being held when the management guidelines are completed. Ms. Roberts said that Lee Eseman, manager at SRSNA, would like to see a fire plan/guidelines in place and approved by the ASP Board.

Ms. Roberts said that the USFS is, as she understands it, completing the NEPA process for its firescape plan, and that contiguous properties would be considered as a “whole piece” for the NEPA. Ms. Roberts then asked Dr. Kennedy for her comment. Dr. Kennedy said that that particular plan may not work out that way, but that it’s still under discussion. Ms. Roberts said that she had spoken with Brooke Gebow and that the USFS would like to see a “fire direction” for SRSNA come from the ASP Board.

Chair Hare said that he felt there was no Federal nexus as far as NEPA and burns on ASP property outside the USFS discussions. Ms. Roberts said that, informally, the US Fish and Wildlife Service (FWS) advised that mitigation work and responsibility still rests with ASP. Mr. Castillo said that using Federal funds for any project requires NEPA. Chair Hare said that if the NEPA takes into account non-USFS partners then ASP will be covered, but if not, we might as well pay for mitigation. Ms. Roberts said that she feels that the USFS will have the documents prepared, and that verbiage might be co-opted from their paperwork. Dr. Kennedy said that FWS is part of the Greater Huachuca Fire Planning Group.

Chair Hare asked Dr. Kennedy if there was a timeline. She responded that the NEPA may be available for review by August, but it may not be. The Teams Enterprise Group doing the work is on contract, which has an expiration date.

Final Minutes
Meeting of 4/26/07

Chair Hare said that Staff will continue to keep NAPAC informed. He then asked if Mr. Sharpe should be communicated with regarding fire on the SRSNA. Ms. Roberts said that she feels that if the buildings are well protected, and ASP demonstrates proactivity in their protection, Mr. Sharp and the community at large will be satisfied. Mr. Sharp's concerns had been brought to a Board member in an informal way, and Mr. Sharp is involved with SRSNA cultural resources. Chair Hare asked whether a letter to Mr. Sharp would be in order. Ms. Roberts said she had provided the fire information to Mr. Shein and Mr. Ream, and they had responded to the ASP Board.

Dr. Kennedy asked if a FireWise Assessment of the buildings had been done. Ms. Roberts said no, but that a group could assess the fuel load in the area, which might now be a moot point. Dr. Kennedy suggested that a FireWise Assessment might be useful, especially for the buildings on the SRSNA. Ms. Roberts said that she will follow up with Ms. Eseman and discuss the FireWise program with her. Dr. Kennedy said that the FireWise team might point up items that have not been considered before. It will also provide some credibility as to ASP's commitment to protect the resources.

Ms. Roberts handed out a draft outline of a Statement of Direction for management planning for SRSNA. This is modeled after Sonoita Creek State Natural Area and is one of the initial steps for setting direction for a State Natural Area. From the Statement of Direction, a presentation is made to the ASP Board for approval to release funds to complete a comprehensive management plan.

3. Discussion of Dr. Ken Kingsley's membership and review of prior candidate applications.

Chair Hare said that in the last set of minutes it was noted that Dr. Kingsley would be moving to Nevada, but that he wanted to maintain his NAPAC membership. Recent developments show that he is going to be almost totally incommunicado, and that it may not be possible to maintain that membership effectively. Ms. Roberts noted that he said responses from him would take one to two weeks. He would be away for at least six months and possibly more, depending. Ms. Hughes asked whether he was asking to resign or merely have a hiatus. Ms. Roberts said that he wanted to maintain his membership and participate from afar. Ms. Hughes asked about the attendance requirements. The rule is: after three unexcused absences, members can be asked to resign, and the Board takes the advice of the Committee under consideration as far as whether to remove a member. Ms. Shulman noted that the purpose of an advisory group is to provide quality advice to the ASP Board, and this cannot be done unless members meet regularly and do the work. Chair Hare noted that the discussion under item C10 is about NAPAC doing more work to meet certain goals this year. Under the circumstances it may be necessary to ask Dr. Kingsley to resign. Ms. Hughes asked when Dr. Kingsley's term expired, and Ms. Shulman advised that it expires at the same time hers does, in three years. Chair Hare asked for Mr. Stone's input, as a long-standing member of NAPAC. Mr. Stone said that this is a new occurrence for NAPAC, and understands that an active member is absolutely necessary. Dr. Kennedy said that lacking one member will make it that much harder to meet quorum to conduct business. Mr. Stone said that given the issues, we should make timely

Final Minutes
Meeting of 4/26/07

decisions and implement them; whether to ask the Board to remove Dr. Kingsley and then appoint someone else, or to ask the Board to “switch” members.

Chair Hare, referring to the copies of the prior NAPAC applications, said that the “runner up” at the last membership discussion was Tom Moody. Dr. Young and Ms. Hughes said that in reviewing the applications, they felt Mr. Moody was well qualified. Chair Hare then noted that this was a “short-cut” discussion in the interest of time, rather than having each application reviewed in depth.

Ms. Shulman noted that Gordon Lewis was not eligible for membership, however she included his application because it made the pool complete, as it was before. She also noted that Mr. Moody had submitted an old application, and would still need to submit a proper application if he were elected to the group. Mr. Stone said that he would like to see a letter go to each applicant asking if they were still interested, and that perhaps we should wait for the Kingsley vacancy to occur.

Chair Hare said that the first step then would be to ask Dr. Kingsley for his resignation. The next step would be to ascertain whether these past applicants are still interested. Further discussion on applicants, residency requirements and the application process followed, including some discussion of prioritizing the remaining applications. Several members chose Tom Moody as number one, Mr. Stone chose as number one Jared Underwood, as did Dr. Kennedy. Temple Reynolds did not make anyone’s list. Yvonne Resendez-Young remains viable. Dr. Kennedy again expressed that the vacancy should be accomplished before we recommend a new member to the Board. Ms. Hughes suggested conducted a teleconference meeting to choose new members

Ms. Shulman will draft a letter to Dr. Kingsley regarding his membership, as well contacting the remaining four eligible applicants to determine their interest. Dr. Kennedy noted that we should advice Dr. Kingsley that he will remain eligible to apply for membership once again in the future.

E. SUBCOMMITTEE REPORTS

(The subcommittee reports were dispensed with, and subcommittee discussion was folded into item C10 above.)

1. Natural Areas Management Guidelines (NAMG) committee: Update and report on progress.
2. Update on the interim San Rafael State Natural Area (SRSNA) Management Plan materials, report and discussion if necessary.
3. Update on Verde River Greenway – Report on the next steps in CAP Planning process.

Final Minutes
Meeting of 4/26/07

4. Update from Land Acquisition subcommittee, Acquisition Process Working Group, including discussion.

It was noted that the name of this subcommittee was changed to "Selection Subcommittee".

F. PUBLIC COMMENT

None.

G. BOARD COMMENTS, REQUESTS, AND ITEMS FOR FUTURE AGENDAS

For future agendas: Huggett property discussion re: Moore/Huebner parcels; Dr. Bob Casavant/KCSP scope; Capitan Chiquito property; COD Ranch; Oracle SP deed; site evaluation visit date scheduling; other topics as necessary. Mr. Stone and Dr. Kennedy will receive copies of all hand-outs distributed at this meeting as soon as possible. Ms. Shulman will provide members with a NAPAC roster, an ASP Board roster, and the schedule of ASP Board meeting dates as soon as possible.

H. TIME AND PLACE OF FUTURE MEETINGS

May 24, 2007, 12:00pm at the Verde River Greenway. Also see above for the schedule for the remaining year.

I. ADJOURNMENT

Chair Hare declared the meeting adjourned at 5:05pm.

Prepared by Ruth Shulman on May 2, 2007, and reviewed by Joanne M. Roberts, Arizona State Parks NAPAC Coordinator, on May 14, 2007.

APPROVED BY A UNANIMOUS VOTE OF THE NATURAL AREAS PROGRAM
ADVISORY COMMITTEE ON May 24, 2007.

Affirmed by:

/s/ Trevor Hare
Trevor Hare, Chair

Date: May 24, 2007