



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

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GEORGE MEHNERT
Executive Director

Meeting Minutes

Phoenix, Maricopa County

June 20, 2002

COMMISSION MEMBERS PRESENT

Jay Brashear, Dolly Echeverria, Earl Eisenhower, James Henness, and Cecil Miller.

COMMISSION MEMBERS ABSENT

None.

STAFF PRESENT

George Mehnert and Tom Vogt.

1. CALL TO ORDER

Chair Eisenhower called the meeting to order at approximately 9:34 a.m.

2. ROLL CALL

See above.

3. APPROVAL OF MEETING MINUTES

A. May 23, 2002.

Motion by: Dolly Echeverria Second by: Jay Brashear Vote: All aye

Motion: To adopt the minutes as submitted.

4. WATERCOURSE HEARINGS AND PRIORITIES

Chair Eisenhower said the first watercourse hearing would be around the third week in September regarding the small and minor watercourses in Yuma County. He said the Commission is beginning with the small and minor watercourses simply because of budgetary constraints. After some discussion, Chair Eisenhower announced the hearing date will either be September 23, 2002 or September 26, 2002 depending on which date will be better for the Commission's counsel Mr. Jennings.

Mr. Brashear asked if the hearings will be conducted as in the previous manner since the Commission changed from simply an advisory body. He said hearings may be longer and more involved than in the past. Mr. Brashear suggested reserving meeting places to accommodate at least 25-30 people. Mr. Henness agreed with Mr. Brashear's suggestion on reserving a room large enough for increased participation from the public. Chair Eisenhower said the Commission will do everything possible to make sure everyone who wishes to participate will have an opportunity to do so.

Chair Eisenhower said due to the budget crunch of both the Commission and particularly regarding the State Land Department (SLD), the major watercourse hearings will not begin until funding is available. Mr. Henness asked what the Commission can accomplish with the budget given during the next fiscal year. Chair Eisenhower said the Commission has enough money to hold several hearings, but will require the updated studies from the SLD in order to proceed with the major watercourses. V. Ottozawa-Chatupron

(Mr. Ott), representing the SLD, said with the funding provided to the SLD by the Commission, the updated engineering report information for the small and minor watercourses for Yuma County will be available for a September hearing date. He added that La Paz County should be available for late October or the first part of November. He also said the SLD has no budget for Commission work for fiscal year 2003. Mr. Ott said he should know more about the SLD budget by September 1, 2002. Mr. Mehnert asked if there is any plan for the SLD to apply for a supplemental budget. Mr. Ott said in the past the SLD has asked for supplemental funding but has never received any. Mr. Brashear asked if the Commission had any extra money from this year's budget to transfer to the SLD. Mr. Mehnert said if there was any, it would not be a large amount. Chair Eisenhower said he and Mr. Mehnert would get together in the next few days to discuss the FY 2003 budget. Mr. Ott said that by the next Commission meeting the SLD will have an outline of the cost of updating the other watercourses to meet the new criteria. Mr. Mehnert said he asked the SLD for input on a timeline suitable to the SLD's funding, and contemplating a Commission 2006 sunset date, but that he has not heard back from the SLD.

5. REPORT FROM DIRECTOR

A. Approval for Payment of Attorney Fees (Jennings, Haug & Cunningham).

Mr. Mehnert said both he and Mr. Vogt looked over the invoices and found no problems.

Motion by: Jay Brashear Second by: James Henness Vote: All aye

Motion: To pay the three invoices for Jennings, Haug & Cunningham.

6. CALL FOR PUBLIC COMMENT

Chair Eisenhower asked for public comment. There was none.

7. FUTURE AGENDA ITEMS AND ESTABLISHMENT OF FUTURE MEETINGS

Chair Eisenhower requested that any substantive discussions outside Commission meetings and hearings between any member of the Commission and member of the public are considered inappropriate and should not take place. He said any questions or comments should be handled either under the appropriate agenda item or during the Public Comment agenda item so that the Commission can continue to remain open and above board.

Chair Eisenhower said the Commission will hold a hearing on the Yuma County small and minor watercourses the third week of September, either the 23rd or the 26th. He said the Commission can hopefully hold a hearing for the La Paz County small and minor watercourses by the end of October.

Mr. Brashear asked if there will be another meeting necessary to vote on the notice of intent study. Chair Eisenhower said no vote is necessary; the Commission simply needs to publish the notice in the manner set forth in the statute. Mr. Mehnert said the Commission has never voted regarding intents to study, but that the Commission voted on the initial classification, when that was applicable, and that maybe Mr. Brashear is confusing the former initial classifications with the notices of intent.

8. ADJOURNMENT

Motion by: Cecil Miller Second by: Dolly Echeverria Vote: All aye

Motion: To adjourn the meeting at approximately 10:06 a.m.

Respectfully submitted,



George Mehnert, Director

Date: June 21, 2002