



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

1700 West Washington, Room B-54, Phoenix, Arizona 85007

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GEORGE MEHNERT
Executive Director

AGENDA AND NOTICE OF PUBLIC MEETING

August 30, 2016

Presentations and Consideration Regarding Navigability of Salt River
PHOENIX, ARIZONA

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Navigable Stream Adjudication Commission and to the general public that the Navigable Stream Adjudication Commission will hold a meeting on August 30, 2016, beginning at 9:00 A.M. in Senate Hearing Room 1, 1700 W. Washington St., Phoenix, Arizona 85007. This meeting may carry-on to the following day, if necessary, August 31, 2016.

Pursuant to A.R.S. § 38-431.03(A)(3), the Navigable Stream Adjudication Commission may vote to go into Executive Session for purposes of obtaining legal advice from the Commission's attorney on any matter listed on the agenda, or pursuant to A.R.S. § 38-431.03(A) or for discussion of records exempt by law from public inspection on any matter listed on the agenda.

Title 2 of the American with Disabilities Act (ADA) prohibits the Commission from discriminating on the basis of disability in its public meetings. Individuals with disabilities who need a reasonable accommodation to attend or communicate at the Commission's meeting, or who require this information in alternate format, may contact George Mehnert at (602) 542-9214 to make their needs known. Requests should be made as soon as possible so the Commission will have sufficient time to respond. For those individuals who have a hearing impairment, this Commission can be reached through the Arizona Relay Service at 1-800-367-8939 (TTY) or 1-800-842-4681 (Voice). The agenda for the meeting is as follows:

1. **CALL TO ORDER.**
2. **Roll Call.**
3. **Approval of Combined Minutes for the Salt River hearing Nos.03-005-NAV and 04-008-NAV Consolidated Salt; January 26-29, 2016, February 23-26, 2016, March 10-11, March 30-31, 2016, and May 17-19, 2016 (discussion and action).**
4. **Party presentations on the navigability of the Salt River Nos.03-005-NAV and 04-008-NAV Consolidated Salt.** Official parties to the Salt River hearings will each have an opportunity to provide an oral summary of their position on the navigability or non-navigability of the Salt River in its "ordinary and natural condition" at the State of Arizona's admission to the United States on February 14, 1912, consistent with the Arizona Court of Appeals decision in *State v. Arizona Navigable Stream Adjudication Comm'n*, 224 Ariz. 230, 229 P.3d 242 (App. 2010); and segmentation of the Salt River consistent with the United States Supreme Court's decision in *PPL Montana, LLC v. Montana*, 556 U.S. ___, 132 S.Ct. 1215 (2012).
5. **Call for Public Comment.** (comment sheets).
(Pursuant to Attorney General Opinion No. 199-006 [R99-002]. Public Comment: Consideration and discussion of comments and complaints from the public. Those wishing to address the Commission need not request permission in advance. Action taken at this meeting as a result of public comment will ordinarily be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.)
6. **Decision regarding the navigability of the Salt River .** (Discussion and action).
The Commission may go into executive session to confer with counsel to the Commission prior to voting on the navigability of the Salt River.
7. **Motion to Honor Prior Commissioners.** In recognition of years of service to the people of Arizona, Commissioner Jim Henness will move to recognize prior commissioners Jay Brashear, Dolly Echeverria, Earl Eisenhower, and Cecil Miller, who have passed away.
8. **Future meeting dates, meeting locations, and future agenda items.**
9. **ADJOURNMENT.**

The chair reserves the right to alter the order of the agenda.

Dated this 18th Day of August, 2016, George Mehnert, Director, Navigable Stream Adjudication Commission.