



VALLEY FORWARD ASSOCIATION
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March 31, 2003

The Hon. Earl Eisenhower
Chairman
Arizona Navigable Stream Adjudication Commission
1700 W. Washington, Room 304
Phoenix, AZ 85007

received
04-03-2003

gls

Dear Chairman Eisenhower:

Valley Forward Association is concerned about the economic and public policy implications that would result in a finding that the Lower Salt River was navigable at the time of statehood. We strongly urge you and members of the Arizona Navigable Stream Adjudication Commission to carefully consider the consequences of such a ruling and recommend that it not be classified so. Historical and technical evidence indicate no known conditions where Arizona streams meet the definition of "commercially navigable" when Arizona became a State.

Valley Forward is a 34-year-old non-profit organization that brings business, community and civic leaders together to convene public dialogue on regional issues and promote cooperative efforts to improve the environment and quality of life in the Valley. Our membership of 260+ organizations encompasses large and small businesses, local and municipal government, the education community, the non-profit sector and individual citizens.

We have historically advocated for a balance between economic development and environmental quality. This issue of navigability should certainly be considered in that context. The legal and economic consequences that would result from a navigable finding are significant. Ownership of the riverbed and adjacent lands would be called into questions, causing disruption among state and local jurisdiction, as well as the business community and individual landowners. It could even conceivably impact such milestone projects as Phoenix Sky Harbor International Airport, the Tempe Town Lake and the multitude of businesses and properties that are adjacent to the Salt River bed or within the designated "high-watermark".

Settling this question is, of course, a worthy effort and we are anxious for it to be resolved in the only manner it could be; the Roosevelt Dam was completed in 1911, leaving virtually no water in the Salt River. To ignore the obvious and come to any conclusion other than the Salt River was non-navigable at the time of statehood might cause some to call into question the true purpose of the Commission.

Thank you for the opportunity to provide input to the Arizona Navigable Stream Adjudication Commission.

Sincerely,

Thomas G. McKinley

Thomas G. McKinley
2003 Chair of the Board

Maricopa County, Lower Salt River
03-005-NAV
4/7/03
Evidence Item No. 027

Diane Brossart

Diane Brossart
President

MISSION STATEMENT:

Valley Forward Association brings business and civic leaders together to improve the environment and quality of life in Valley communities.