

EXHIBIT "1"

**MEMORANDUM OF UNDERSTANDING
FOR COORDINATED RESOURCE MANAGEMENT IN ARIZONA**

AMONG

**BUREAU OF LAND MANAGEMENT (BLM)
FOREST SERVICE (USFS)
COOPERATIVE EXTENSION (CE)
FARM SERVICE AGENCY (FSA)
BUREAU OF INDIAN AFFAIRS (BIA)
NATURAL RESOURCES CONSERVATION SERVICE (NRCS)
ENVIRONMENTAL PROTECTION AGENCY (EPA)
FISH AND WILDLIFE SERVICE (USFWS)
BUREAU OF RECLAMATION (BOR)
DEPARTMENT OF DEFENSE (DOD)
NATIONAL PARK SERVICE (NPS)
U.S. GEOLOGICAL SURVEY (USGS)
AGRICULTURAL RESEARCH SERVICE (ARS)
ARIZONA STATE LAND DEPARTMENT (SLD)
ARIZONA GAME AND FISH DEPARTMENT (AGFD)
ARIZONA ASSOCIATION OF CONSERVATION DISTRICTS (AACD)
ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ)
ARIZONA DEPARTMENT OF WATER RESOURCES (ADWR)
ARIZONA DEPARTMENT OF AGRICULTURE (ADA)
ARIZONA STATE PARKS (ASP)**

A. PURPOSE

This Arizona Memorandum of Understanding for Coordinated Resource Management provides the mechanism for private land owners, Native American Tribes, land users, Conservation Districts and state and federal resource management agencies and their cooperators, permittees and leasees to develop coordinated resource management plans for farms, ranches, wildlife habitat, watersheds, or similar resource management units. It also provides the mechanism for agencies with resource management responsibilities in Arizona to work together, share resource information, and develop complimentary policies, procedures, and methodologies where possible. It is intended to foster cooperation and coordination in development and implementation of sound resource management and conservation programs where objectives are of mutual concern.

This Memorandum of Understanding is intended to supplement existing Memorandum of Understanding between and among agencies, tribes, conservation districts, and local governments for coordination of resource management in Arizona.

This Memorandum of Understanding supersedes the February 1991 Arizona Supplemental Memorandum of Understanding for coordinated resource management between the Bureau of Land Management, US Forest Service, Arizona Cooperative Extension, Soil Conservation Service, Arizona State Land Department, Arizona Game and Fish Department, and the Arizona Association of Conservation Districts.

B.

ROLES AND RESPONSIBILITIES

1. The Bureau of Land Management administers public lands within a framework of numerous laws. It is the mission of the Bureau of Land Management to sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations.
2. The U.S. Department of Agriculture Forest Service manages public lands in national forests and grasslands. The Forest Service also conducts forestry research, and provides technical and financial assistance to state and private forestry agencies.
3. The Cooperative Extension Service works to enhance agriculture, the environment, the natural resource base, family and youth well-being and the development of local communities. They accomplish this mission by the integration, dissemination, and application of knowledge in agricultural and life sciences.
4. The Natural Resources Conservation Service is a federal agency that works in partnership with the American people to conserve natural resources on private lands, and other non-federal lands, through scientific and technical expertise, and partnerships with Conservation Districts and others.
5. The Farm Service Agency mission is to stabilize farm income, help farmers conserve land and water resources, provide credit to new or disadvantaged farmers and ranchers, and help farm operations recover from the effects of disaster.
6. The US Fish and Wildlife Service is responsible for migratory birds, endangered species, freshwater and anadromous fish, the National Wildlife Refuge System, wetlands, conserving habitat, and environmental contaminants.
7. The Bureau of Indian Affairs has a trust responsibility emanating from treaties and other agreements with federally recognized Indian tribes to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of Indian tribes.
8. The Environmental Protection Agency mission is to protect human health and to safeguard the natural environment. Their purpose is to ensure clean air, clean water, safe food, pollution prevention, and better waste management.
9. The Bureau of Reclamation manages water related resources west of the Mississippi River. Their mission is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.
10. The National Park Service promotes and regulates the use of the national parks, whose purpose is to conserve the scenery and the natural and historic objects and the wild life therein, and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations.
11. The Department of Defense mission is to support the military readiness of the United States armed forces, improve the quality of life for military personnel, and comply with environmental laws to protect human health and the environment.
12. The US Geological Survey provides the Nation with reliable, impartial information to describe and understand the earth, to minimize loss of life and

property, manage water, biological, energy, and mineral resources, enhance and protect the quality of life, and contribute to wise economic and physical development.

13. The Agricultural Research Service is the research arm of the United States Department of Agriculture. The Service provides access to agricultural information and develops new knowledge and technology needed to solve technical agricultural problems of broad scope and high national priority to ensure adequate availability of high quality, safe food, a viable and a competitive food and agricultural economy.
14. The Arizona State Land Department is responsible for administering the use and management of Arizona's State Trust lands and for coordinating the Natural Resource Conservation District program in Arizona.
15. The Arizona Game and Fish Department, acting pursuant to and under the authority of the Arizona game and Fish Commission, is responsible for the use and management of Arizona's wildlife resources. The mission of the AGFD is to conserve, enhance and restore Arizona's diverse wildlife resources and habitats through aggressive protection and management programs, and to provide wildlife resources and safe water craft recreation for the enjoyment, appreciation and use of present and future generations.
16. The Arizona Association of Conservation Districts represents the Conservation Districts in Arizona, which are legal subdivisions of State or Tribal government. Conservation Districts provide locally led leadership and assist agencies in determining priorities for conservation work.
17. The Arizona Department of Environmental Quality mission is preserving, protecting and enhancing Arizona's environment, as well as safeguarding the public health. ADEQ is responsible for air quality, water quality, and waste management in Arizona.
18. The Arizona Department of Water Resources administers state water laws (except those related to water quality), explores methods of augmenting water supplies to meet future demands, and develops policies that promote conservation and equitable distribution of water. The Department also oversees the use of surface and groundwater resources in Arizona. Other responsibilities include management of flood plains and non-federal dams to reduce loss of life and damage to property.
19. The Arizona Department of Agriculture is responsible for controlling dangerous plant infestations, ensuring the quality of fresh fruits and vegetables, and for protecting Arizona's native plants. The Department is also responsible for protecting the public from contagious and infectious diseases in animals. The Department enforces laws concerning the movement, sale, importation, transport, slaughter, and theft of livestock, and administers feed, fertilizer, and pesticide registration, licensing and compliance.
20. Arizona State Parks manages and conserves Arizona's natural, cultural and recreational resources for the benefit of the people in Arizona's parks, and through cooperation with their partners.

C. OBJECTIVES

1. To recognize that the lands and natural resources administered by the participants of this agreement are part of larger ecosystems that cross administrative and ownership lines.
2. To recognize that effective management of Arizona's lands, natural resources and ecosystems requires cooperation between many federal and state agencies, Conservation Districts, Native American Tribes, local governments, private land owners, and land users.
3. To acknowledge the significance of local objectives and resource concerns in the management and use of resources.
4. To promote coordinated resource management planning where land ownership, resource management responsibilities, and technical assistance responsibilities are intermingled or where coordination is essential to develop and implement a sound resource management plan.
5. To recognize that land owners, land users or agencies are entitled to request that agencies work together on resource planning and management where land ownership, resource management responsibilities, and technical assistance responsibilities overlap.
6. To encourage coordinated collection and use of resource information and monitoring data for making scientifically based resource management decisions, and to promote complimentary policies, procedures, and methodologies where possible.
7. To insure that consultation between agencies and land owners occurs before decisions are made which may affect the use and management of other lands and resources.
8. To provide for a framework for communication and scheduling of coordinated resource management planning, implementation, and monitoring activities on a case-by-case basis, and for a periodic review of planning progress and updating of coordinated resource management plans to insure goals and objectives are being met.

D. SCOPE

1. This Memorandum of Understanding provides the mechanism for agencies, landowners, and land users in Arizona to develop coordinated resource management plans. It also provides the mechanism for resource management agencies in Arizona to work together, share resource information, and develop complimentary policies, procedures, and methodologies where possible.
2. Coordinated resource management plans are developed on a case by case basis by appropriate members of local working groups, and are signed by the participants to document agreement on common goals and objectives for use and management of the resources within a management unit. Coordinated resource management plans represent agreement on a plan of action to achieve common goals and objectives for a specific management unit, and agreement on methods that will be used to evaluate progress toward the goals and objectives.

3. Coordinated resource management plans do not hinder agencies, private land owners, or land users from making necessary decisions to protect the lands or resources they own or administer or to comply with local, state, or federal laws or agency policy. Rather, coordinated resource management plans constitute a mutual agreement on a plan of action, and a willingness of agencies to consult, whenever possible, with all involved participants before making decisions, to insure that all resource and human concerns are adequately considered before decisions are made.

E. COORDINATED PLANNING GROUPS

The following groups are established to implement coordinated resource management in Arizona:

1. EXECUTIVE GROUP

- a. The Executive Group is made up of the state or regional executives of the participating agencies to this agreement, who are responsible for administering the resource management activities for their agency in Arizona.
- b. The Executive Group is responsible for insuring that cooperation among agencies and other groups exists for the benefit Arizona's natural resources. They are responsible for directing personnel at all levels of the organizations to be knowledgeable of, and adhere to the purpose, objectives, and scope of this agreement. They will develop, review and adopt uniform policy and procedures and supplemental agreements for coordination and cooperation in Arizona.

2. STATE TASK GROUP

- a. The State Task Group is an extension of the Executive Group. Membership of the Task Group will include state or regional level resource specialists appointed by the Executive Group. The State Task Group will meet at least annually, and other times during the year as appropriate.
- b. The purpose of the State Task Group is to assist the Executive Group in planning, implementation and monitoring coordinated resource management program in Arizona; to exchange information on policies, programs, methodologies and procedures, and issues; and to provide training, technical advice and assistance to the field groups and special working groups.
- c. This group will convey the status of statewide coordinated planning to the Executive Group. They will establish the work areas for each Field Group and maintain the current personnel lists for each Field Group. They will

review local planning progress and assist in building goal oriented consensus, help establish priorities for planning, and provide assistance in conflict resolution.

- d. The State Task Group will identify and work on opportunities, issues and problems in coordinated resource management planning and inter-agency training. They will also develop and maintain Arizona Coordinated Resource Management Handbook and Guidelines, and exchange and distribute resource data mutually beneficial to each agency.

3. FIELD GROUPS

- a. The Field Groups are made up of field staff from appropriate agencies and conservation districts within an Field Group Area designated by the State Task Group. The agencies involved in each field group will vary, depending on the land ownership and administrative responsibilities within each Field Group Work Area. The Field Groups will normally only include those agencies who will be directly involved in prioritizing, developing, implementing, and/or monitoring coordinated resource management planning activities.
- b. Field groups will formally meet at least once each year to exchange information and update, prioritize, schedule and assign agency roles for coordinated resource management activities.
- c. The State Task Group will maintain a working list of management units with planned or existing coordinated resource management activity in each Field Group Area. At the annual meeting the Field Groups will update the status of these management units, make additions or deletions to the list, and prioritize the workload as needed. Problems and areas of conflict should be brought up, discussed, and resolved by the group whenever possible. A member of the State Task Group will keep minutes of these meetings and to provide copies to Field Group participants and to the Executive Group.

4. SPECIAL WORKING GROUPS

- a. The Executive Group may establish, and appoint representatives of their respective agencies to a Special Working Group. The Executive Group may invite other agencies, local governments, universities, publics, producer groups or environmental organizations to participate in the Special Working Group as appropriate.
- b. The Special Working Group will address resource related issues and problems involving the need for a process of conflict resolution and public involvement at the field level which are beyond the traditional scope of the

field groups. The Executive group may form a Special Working Group by its own action, or at the request of anyone with valid issues or problems which are presented to the Executive Group.

- c. The Special Working Group will define the issue or problem, establish operational guidelines, and develop a goal oriented process for addressing the issue or problem through the building of group consensus.
- d. The Special Working Group may call upon the State Task Group for assistance as necessary and will keep the Executive Group informed of progress and recommendations as they are developed.

F. MEETINGS

1. The State Task Group is responsible for scheduling, organizing, and facilitating the meetings of Executive Group, the State Task Group, and the Field Groups. The State Task Group will designate one person to organize the time and location for each meeting, a member to send out notification of the meeting to all participants, a member to solicit agenda items, and develop the agenda for each meeting, a member to facilitate each meeting, and a member to keep and send out minutes following each meeting. The State Task Group will call special meetings when requested by any party to this agreement with 15 days notice.

G. COORDINATED RESOURCE MANAGEMENT PLANNING PROCEDURE

1. A request for a coordinated resource management plan can be initiated at any time by a resource management agency, a Conservation District, a private land owner, a Native American Tribe, a land user or other appropriate party. The requests will be communicated to the appropriate members of the Field Group and arrangements will be made to hold an initial planning meeting. If a Field Group does not exist in the area, the State Task Group will establish the group.
2. At the initial planning meeting the involved parties will make arrangements to organize and execute the planning and implementation process. The development and implementation of a coordinated resource management Plan normally includes the following steps.
 - a. Determine the area involved, agree on the lead agency, and identify all other parties that should be invited to participate on a case-by-case basis.
 - b. Develop time schedules and responsibilities for completion of inventory, plan development, and monitoring activities.
 - c. Conduct necessary resource inventories. Inventory and monitoring methods, proposed improvements and land treatment, and responsibilities for implementation, will be agreed upon during the coordinated planning process. Coordinated resource management planning is accomplished

through a team approach, involving all appropriate agency representatives, land owners, and/or the land user.

- d. Develop the coordinated resource management plan. Record inventory data, decisions and other appropriate information on appropriate mosaics, maps, sketches, forms, or other documents. Responsibility for funding and the schedule of implementation, as appropriate, will be shown. It is recognized that funding as recorded indicates intent, but performance depends on yearly finances of the responsible party.
- e. All participants sign the coordinated resource management plan. Each group or agency will designate the appropriate representative who will sign coordinated resource management plans. The signed plan represents a mutual agreement on the plan of action that will be taken for the management unit. A copy of the inventory data and coordinated resource management Plan will be provided to all participants involved.
- f. Implement the coordinated resource management plan. All participants will normally agree to participate in planned monitoring to determine if the objectives of the coordinated resource management plan are being achieved. Management adjustments or changes should be based on monitoring data. Copies of all monitoring data will be provided to all participants.

H. MODIFICATIONS TO THIS AGREEMENT

1. This agreement can be modified in writing upon the consent of the parties at any time. It is re-negotiable at the discretion of any one of the parties.

I. DURATION OF THIS AGREEMENT

1. The Executive Group will formally review this agreement five years after its execution, and each two years thereafter. The continued participation of any party to this agreement is subject to cancellation at any time, upon written notification.

J. FINANCING

1. This agreement is a Memorandum of Understanding of the parties responsible. Any work under this MOU and any amendment pursuant thereof will be regulated by the laws, policies and funding provisions governing the activities of the parties.
2. Nothing herein shall be construed as obligating the parties to expend funds or be involved in any contract to other obligation for the future payment of money in excess of legal appropriations which are authorized and allocated for this planning and work.

K. GENERAL POLICIES AND REQUIREMENTS

1. Federal parties to this agreement, except those exempted agencies, are required by the policies of the National Environmental Policy Act (NEPA) to ensure that environmental impacts receive full consideration during the planning process. Procedures for environmental assessment and preparation of environmental documents required for compliance with NEPA, where applicable have been developed by each agency.
2. Pursuant to A.R.S. Section 35-214 all parties shall retain all books, accounts, reports, files and other records pertaining to this agreement for five (5) years after completion of a project and shall make them available to the State for inspection and audit at reasonable times.
3. This Agreement is subject to cancellation by the Governor of Arizona pursuant to A.R.S. Section 38-511, the provisions of which are incorporated herein.
4. All parties to this Agreement shall comply with State of Arizona Executive Order No. 75-5 "Prohibition of discrimination in State contracts--Nondiscrimination in employment by government contractors and subcontractors", which is made a part of this Agreement.
5. The program conducted will be in compliance with the nondiscrimination provisions as contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and in accordance with regulations of the Secretary of Agriculture (7 CFR-15, Subparts A & B) which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, receiving federal financial assistance from the Department of Agriculture or any agency thereof.
6. To the extent permitted by federal law, parties shall use arbitration, after exhausting applicable administrative review, to solve disputes arising out of this Agreement as required by A.R.S. Section 12-1518.

MEMORANDUM OF UNDERSTANDING FOR COORDINATED RESOURCE MANAGEMENT IN ARIZONA

APPROVED BY	TITLE	DATE
<u>Denise P. Meridith</u> FOR BUREAU OF LAND MANAGEMENT (BLM)	<u>STATE DIRECTOR</u>	<u>12/8/97</u>
<u>John V. D.</u> FOREST SERVICE (USFS)	<u>Acting (Resource)</u>	
<u>James A. Chusterman</u> COOPERATIVE EXTENSION (CE)	<u>Deputy Regional Forest</u>	<u>3-31-98</u>
<u>Robert A. Picent</u> FARM SERVICE AGENCY (FSA)	<u>Director, Cooperative Extension</u>	<u>6-18-98</u>
<u>Wayne Nordwall</u> BUREAU OF INDIAN AFFAIRS (BIA)	<u>State Executive Director</u>	<u>12/4/97</u>
<u>Richard A. Mansfield</u> NATURAL RESOURCES CONSERVATION SERVICE (NRCS)	<u>AREA DIRECTOR</u>	<u>4/13/98</u>
<u>Allen Strauss</u> ENVIRONMENTAL PROTECTION AGENCY (EPA)	<u>STATE CONSERVATIONIST</u>	<u>11/21/97</u>
<u>Stephen S. Harbelle</u> FISH AND WILDLIFE SERVICE (USEWS)	<u>Acting Director, Wkr Div</u>	<u>23 June 98</u>
<u>Robert J. Phelan</u> BUREAU OF RECLAMATION (BOR)	<u>Acting Regional Director</u>	<u>3/10/98</u>
<u>Department of Defense (DOD)</u>	<u>Regional Director</u>	<u>5/29/98</u>
<u>National Park Service (NPS)</u>		
<u>U.S. Geological Survey (USGS)</u>	<u>Regional Director</u>	<u>6/6/98</u>
<u>Agricultural Research Service (ARS)</u>	<u>USGS Director Representative</u>	<u>6/2/99</u>
<u>Arizona State Land Department (SLD)</u>	<u>Authorized Departmental Officer</u>	<u>11/6/98</u>
<u>Arizona Game and Fish Department (AGFD)</u>	<u>State Land Commissioner</u>	<u>12/11/97</u>
<u>Arizona Association of Conservation Districts (AACD)</u>	<u>AZ Game & Fish Director</u>	<u>11/28/98</u>
<u>Arizona Department of Water Resources (ADWR)</u>	<u>Executive Director</u>	<u>11/28/97</u>
<u>Arizona Department of Environmental Quality (ADEQ)</u>	<u>Director</u>	<u>6/10/98</u>
<u>Arizona Department of Agriculture (ADA)</u>	<u>Director</u>	<u>1/12/98</u>
<u>Arizona State Parks (ASP)</u>	<u>DIRECTOR</u>	<u>12/24/97</u>
	<u>EXECUTIVE DIRECTOR</u>	<u>12-22-97</u>

EXHIBIT "2"

**MEMORANDUM OF UNDERSTANDING
BETWEEN
WINKELMAN NATURAL RESOURCE CONSERVATION DISTRICT
AND
SAFFORD DISTRICT
BUREAU OF LAND MANAGEMENT
UNITED STATES DEPARTMENT OF THE INTERIOR**

I. PURPOSE

This Memorandum of Understanding establishes policy and general guidelines for use by the Winkelman Natural Resource Conservation District and the Bureau of Land Management (BLM) in coordinating their resource planning, management, and educational activities. The above parties desire to work together in an effort to develop and implement sound resource management and conservation programs. The agencies generally will function in a Coordinated Resource Management (CRM) forum for planning and issue resolution.

The conservation district will be hereafter referred to as the District, and the BLM will be referred to as the Bureau.

II. POLICY

It is the joint objective of all parties to develop, coordinate, and initiate resource conservation programs and to promote proper utilization and development of all lands subject to the respective authorities of each.

In implementing the provisions of this memorandum, each party's participation will vary depending upon land ownership, land use and administration within the area. Cooperation with all owners, managers, and users of the subject land and resources within each specific area, including states, counties, and private landowners will occur. Other persons, agencies and organizations with interest in CRM areas will be involved as appropriate.

III. AUTHORITY

This Memorandum of Understanding supplements the National Memorandum of Understanding dated July 1987 and the Arizona Supplemental Agreement for Coordinated Resource Management of February 1991.

The Bureau and District operate under separate legislative authorities and departmental policies including, but not limited to, the following:

- A. The provisions of Title 37, Chapter 8 of the Revised Statutes of Arizona.
- B. Administrative Dispute Resolution Act of 1990, Public Law 101-552, 5 USC 581ff.
- C. Public Rangelands Improvement Act of 1978, Section 12, Public Law 95-514, 43 USC 1901.

- D. The Federal Land Policy and Management Act of 1976, as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.).

IV. RESPONSIBILITIES

A. District Responsibilities

The District will:

1. Provide to the Bureau for their information a long range soil and water conservation plan for the District.
2. Schedule an annual Bureau-District coordination meeting prior to finalizing both Bureau and District annual work plans.
3. Provide leadership for developing conservation programs on privately controlled land and affected non-federal lands by encouraging and assisting landowners and operators to formulate, coordinate, and carry out conservation plans on all lands within the District as rapidly as available resources, consent of landowners and operators, and other factors permit.
4. Work with the Bureau in developing a mutually acceptable general conservation plan for all lands. When requested by the Bureau and if available to the District, the District will make arrangements for (a) supplying soils information, (b) providing technical assistance, and (c) supplying equipment and materials to the Bureau for use on Bureau-administered public lands.
5. Meet with local officials of the Bureau periodically to review cooperation opportunities for conservation planning and application, and on problems of mutual concern.
6. Inform the Bureau of any known activity contemplated by the District or other agencies that might affect lands under the jurisdiction of the Bureau.
7. Cooperate with the Bureau in coordinating Bureau conservation plans and programs with conservation plans and programs being developed by private individuals, state, or local governmental units or other federal agencies on other lands within the districts, including assistance in securing cooperative agreements with landowners and operators.

B. Bureau Responsibilities

The Bureau will:

1. Provide to the District, upon request, such information as it may have available from surveys, inventories, or other studies which would assist the District in preparing its conservation plans.
2. Work with the District in developing, scheduling, and executing a mutually acceptable conservation plan for all lands within the boundaries of the District through the following processes:

The Bureau will:

- a. Formulate plans and implement a program of soil and water conservation and improved land management on all lands administered by the Bureau.
 - b. Provide the District with Resource Management and Activity plans with associated environmental assessments, including socioeconomic analysis for review. Such plans will be reviewed for the purpose of coordinating them with District-wide programs and objectives.
 - c. Review the Districts Long Range Program and Objectives and coordinate Bureau efforts with those of the District to the maximum extent possible in keeping with agency responsibilities, priorities and limitations.
 - d. Inform the District of any known activity contemplated by the Bureau or other agencies that might affect lands under the jurisdiction of the District.
3. The Bureau agrees to reimburse the District in an amount to be mutually determined and acceptable to both parties for use of District owned or operated equipment, services or materials furnished by the District at the request of the Bureau, which accomplishes work in conformance with jointly approved plans.
 4. The Bureau will encourage resource users to cooperate with the District in developing an integrated conservation program for their enterprise regardless of land ownership.

C. It Is Further Mutually Agreed

1. That all specific details, special considerations and initiatives, which are acceptable to the District and the Bureau will be made a part of this agreement. Copies will be furnished to all affected parties.

2. This agreement shall not be construed to affect the jurisdiction of the Bureau over public lands administered by the Bureau within the boundaries of the District; nor will this agreement impose upon any party an obligation for expenditure of funds or the furnishing of materials or equipment, or other resources in excess of the amount authorized for such purposes.

3. To the maximum extent possible, the District and the Bureau will mutually support natural resource conservation and education programs which promote conservation of the resources within the District.

4. This agreement shall be effective when signed by both parties and shall remain in force until terminated or modified by agreement of both parties or terminated by either party alone by giving sixty (60) days' written notice of termination to the other.

Bureau of Land Management

J. A. Ford
(District Office)
425 E 4th Street
(Address)
William J. Ciniel
(District Manager)
08/14/92
(Date)

Natural Resource Conservation District

Winkelman
(District Name)
P.O. Box 158, Mammoth, AZ 85618
(Address)
Vincent E. Mercer
(NRCD Chairperson)
Aug. 17, 1992
(Date)

EXHIBIT "3"



Minutes

Winkelman Natural Resource Conservation District

State of Arizona

Special Coordination Meeting with Bureau of Land Management

SunZia Southwest Transmission Project

1:00 pm June 14, 2011

San Manuel, AZ

RECORD OF ATTENDANCE

Winkelman Natural Resource Conservation District (the District)

Bill Dunn, Chairman

Beverly Miller, Supervisor

Miriam Reed, Supervisor

Gary Vinson, Supervisor

Peter Else, Supervisor

Dr. Walt Meyer, Advisor

Vicki France, District Clerk

Redington Natural Resource Conservation District (the District)

Andy Smallhouse, Chairman

Charles Ffolliot, Supervisor

Sue Newman, Supervisor

Norman Meader, Advisor

Bob Evans, Advisor

Stefanie Smallhouse, Executive Director, AZNRCD

Margaret Byfield, American Stewards of Liberty

Bureau of Land Management

Jim Kenna, State Director, BLM

Tom Dabbs, Gila District Supervisor BLM

Rebecca Heick, Branch Chief, Minerals & Lands

Brian Bellew, Tucson Field Office

Others in attendance

Doris Haynes, NRCD

Molly Hanson, The Nature Conservancy

Ken Wiley, The Nature Conservancy

Becky Dunn, NRCD

Rachel Thomas, Hereford NRCD

Francie Meyer, NRCD

Hattie Hedrick, NRCD

Anna Lands, Cascabel Working Group

Enriqueta Guevaro

Note: Due to technological limitations in transcribing digital recordings, errors may exist in the transcription of statements made by meeting attendees which do not accurately reflect actual statements made during the meeting. This is due to the fact that corrections were not made for grammar or confusing phrasing found in normal speech. Numbers refer to locations in the recording. Unclear or in audible portions are in *italics*.

trying to make a legal point of some kind, I don't know that, that's going to be a particularly productive dialog. If it's about looking at issues, alternatives and impacts, and having an open dialog, we can do that. We can make that happen. Siting, well, a couple of more points. One is, is the BLM is committed to looking at consistency with local plans. We're not at the point in the process where we do the formal part of that. That's when we publish a draft Environmental Impact Statement. We can and we will fully disclose all of that as it implies across, clear across New Mexico and Arizona. Siting major power lines as I mentioned at the beginning is difficult stuff. It's hard to find people that stand up and say, "pick me, pick me". It just doesn't happen, and that's the case here. There are no alternatives that, eh, sort of jump out and say, "This is the most natural way to do this." They all have issues, they all have problems and I sort of covered sort of the, the basics of it is that from a technical stand point, I think they covered the gambit. South, North, every valley that is reasonably available in between. Ah, I do think there are, there are three things that would be very, very helpful to hear this group give me some feedback on. One is, what if any reasonable alternative is missing. If you truly see something that, I mean I looked at what they've looked at, and looked at the constraints, and looked at the terrain, and looked at the designated areas of various hills and *colonies*. And, I don't see it. So if, but if there is something missing, this is the time to get that identified. The second one is, what alternatives shown are, are not reasonable? Now this isn't about what decisions should be, this is about whether they are reasonable to analyze. I think that northern tier, the southern tier, the valleys in between, I don't know what else you can do. But I'm here to listen. If there are things that I can't see that wouldn't be the first time. So let us know. And then I think really some dialog about the here forward part of this. You know we need to, to think about you know what kind of a dialog is going to work for you? So, those, those are the three things I would lay on the table you know, got the line managers who have jurisdiction here, they're here to listen as well. So I'll turn it back to you. (#3 32:06)

B. Dunn: Ok. Thank you. It's very enlightening. I was interested to hear you talk about consistency because that's congress mandated consistency with local plans, just like you said, and I'm wondering, are we going to be able to see draft EIS before it comes out to the public?

J. Kenna: Well, that really depends on the two options. If you stay in the camp of being general public participation, then you'll see it when everybody else sees it. If you come in as a cooperating agency, sure.

B. Dunn: Well, you know under FLPMA, coordinating local government has a, a higher plane than either one of those, as far as you're responsibilities to 'em. And, and that's been our argument all along.

J. Kenna: Well I understand that. And I did run it by the solicitors, including the national solicitor, and I think their feeling is, it's a misinterpretation of case law. There are regulations that directly apply. There is a mechanism for doing it. It is a cooperating agency mechanism. And that's available. If you're going to try and suggest that there's something new, different... I mean we're doing one of these on some, fairly, very controversial subjects. We're working on the northern Arizona mineral withdrawal up

that addressed in an EIS.

A. Smallhouse: Will you share that with us before it comes up in an EIS or will you share the EIS with us before, excuse me, before the plan, before it's given to the public?

J. Kenna: Yeah, we'll figure out a way to get this done, one way or another. and, that's people are chaffing at you know, which option is going to get picked, but regardless of how, whether you want to become a cooperating agency or not, I am going to ask these guys to come back and talk to you before we release the DEIS and at that point, we should have enough data on questions like that, about exactly how they are treated, and we can just resolve that.

Ok.

J. Kenna: I think that's doable.

A. Smallhouse: Well, that's good. 'Cause as we mentioned before, we, you know, it's not just our decision. We represent the public, you know, on these issues. And we need, it's our job to get results like it's your job you know, things that you have to do or, whether you had to come here or not, you're here but, anyways. I guess, is there, do you know of any, so you don't know of any actions that they're going to take when, or, when they use alternatives on the soil or you can give me (*unclear*)

J. Kenna: Well sure, sure, there will be actions that address corrosion. Some of them are going to be common to all alternatives. Because, there are some things that no matter what soil type you're in, there're just good practice, uh for this kinds of a project. And then there probably will be some that are more tailored to the more erosive soils. But, that's something that we can do the analysis on and comeback and talk.

A. Smallhouse: Ok, and you probably haven't seen our assessment, watershed assessment on what we've analyzed and done, assessment and analysis on the whole (*unclear*) of the San Pedro for Redington? Have you seen that documentation or is there, or any of...

J. Kenna: Personally, no, but my guess it, and I think Tom's proposal is a good one. Is, let's just figure out the things that you want to know, whether we've got 'em in the process. And, if that's a question we can probably just, if you give us a list,

Well see, that's, that's what we have (*multiple speakers, unclear*)

We can come back and say, "Yeah, we got it, got it, got it, got it."

A. Smallhouse: We have, you know, we've gone, this is the fifth time we've gone over this stuff, so it's sort of frustrating for us, in this meeting. We don't care if you call if cooperation, coordination, whatever. In our minds, we're coordinating and that's our legal obligation. And so, what we need to know, you know, we're busy, we're all busy, we all have normal business, we're volunteer supervisors, and so we need, we need to have some cooperation, coordination... But we've asked these questions, this is the fifth meeting, and what we're asking for is some result with some answers to our questions.

EXHIBIT "4"



**Minutes
Winkelman Natural Resource
Conservation District**

Special Coordination Meeting with Bureau of Land Management
SunZia Southwest Transmission Project
1:00 pm July 12, 2011
San Manuel, AZ

RECORD OF ATTENDANCE

Winkelman Natural Resource Conservation District (the District)

Bill Dunn, Chairman

Beverly Miller, Supervisor

Miriam Reed, Supervisor

Gary Vinson, Supervisor

Peter Else, Supervisor

Dr. Walt Meyer, Advisor

Vicki France, District Clerk

Redington Natural Resource Conservation District (the District)

Andy Smallhouse, Chairman

Charles Ffolliot, Supervisor

Sue Newman, Supervisor

Bob Evans, Advisor

Stefanie Smallhouse, Executive Director, AZNRCD

Bureau of Land Management

Tom Dabbs, Gila District Supervisor BLM

Melissa Warren, RECO

Brian Bellew, Tucson Field Office

Darrell Tersey, Biologist

Others in attendance

Doris Haynes, NRCD

Rachel Thomas, Hereford NRCD

Francie Meyer, NRCD

Hattie Hedrick, NRCD

Anna Lands, Cascabel Working Group

Enriqueta Guevaro

San Manuel Miner Reporter

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Note: Due to technological limitations in transcribing digital recordings, errors may exist in the transcription of statements made by meeting attendees which do not accurately reflect actual statements made during the meeting. This is due to the fact that corrections were not made for grammar or confusing phrasing found in normal speech. Also in this meeting there was a lot of banter and multiple speakers at once. Numbers refer to locations in the recording. Unclear or inaudible portions are in *italics*. () indicates an acknowledgement in the middle of a statement.

B. Dunn: Secondly, once the draft comes out, because we basically signed this agreement, that we're going to be cooperating with you, then we basically lost out standing, legally to, to disagree with what the *record of decision* is (unclear) with the preferred alternative. Yeah, we do participate in the process,

B. Bellew: You wouldn't, that's, I mean that's, I mean case in point, we just finished this over with Catron County, and they were cooperators throughout on the Land Use Plans for Socorro. And what, back to where we mentioned earlier, the biggest thing is that the information that you have, that's entered into the document, and you have the assurance that it has, that's going to get entered into the document. The problem we're getting into right now is, since we, BLM doesn't recognize coordinating status within, NEPA planning, we don't, we're hit a certain point where we would be giving this body more information than our general public would be getting and that's not a good situation.

S. Smallhouse: Right, but we're not the general public. That's the,

B. Bellew: That's all the reason (multiple speakers)

S. Smallhouse: I know that you guys have, I know that BLM, you don't have a process for which this to happen, but that's not really our problem. I mean, I don't mean to say that rudely,

B. Bellew: That's fine.

S. Smallhouse: But I mean, literally, I mean it's, we know that it's in, in the NEPA, we know that it's in FLPMA that, that we are entitled to do this, and you guys haven't done it in the past with, before so, you don't have a process for which it can be done. But for us, we're sort of like, that's not really, that's not really our issue. We know that we can do this, and you guys don't have an avenue for which can be done, but that doesn't mean that that doesn't, that doesn't mean we can't do it, and so, it's frustrating for us, in that we're providing information that if, if Game and Fish, for whatever reason said, we don't want to be a cooperating agency on this one, (Uh-hmm)...then would you say to them, then you cannot submit any information for the document?

No. Just the same as we're not saying that... (multiple speakers, unclear)

S. Smallhouse: ... the difference between Game and Fish and us? Because we don't want to be a part (multiple speakers, unclear)

M. Warren: But if the Game and Fish weren't a cooperator, they wouldn't review any of the documents.

B. Bellew: They won't review, they will not have... the cooperating status gives you the opportunity to do exactly what you are asking. To be able to look at the draft before it gets out, look at the alternatives, you can formally request that information be entered into the document, as a cooperator. You have the (unclear).

B. Miller: Does that mean it will be, if we request it,

B. Bellew: Yes, it has to be entered into the document, as a cooperating agency, that's what that, what...

that table, whether it's us coming to these meetings and giving you information, but you have the opportunity to, to enter comment back on what's in the document, up until the preliminary finals. So, that's, so and then it does, it does identify those things ok, so when we drop down, you get to review the comments, and offer your expertise into that document, when it comes to issuing the proposed final document, BLM issues it, issues it but you offered information and, and your take on it all the way up through there. So, and then, when it, we have a requirement of the Governor's Consistency Review, and contributing to that review. So, so it's something to think about, I think one of the parts about it, in terms of a cooperator, coordinator position, there's a timing piece, that's probab- that's discussion that's outside of what our realm is here...

G. Vinson: Hold on, really, because we, we feel like legally, we're saying we legally feel like we can't be coor- cooperators, and you're saying you legally feel like you can't be coordinators. And you're pushing toward, well you can describe coor- cooperator however you want is what you're saying, and we're s-, I still haven't got *really* much answer on why, there's, there's precedence where in *Owyhee* County, where BLM has coordinated before. This isn't a new thing, there...

This isn't new at all... ten years ago (multiple speakers, unclear)

And, and they have the records that you can go back and review.

M. Warren: I've, I've read that.

G. Vinson: So you've read that. So how come in the records, they do say, in stuff that says, are you going to coordinate with us, and they say yes. But you guys keep telling us you cannot.

M. Warren: Well, I know that the State Director took it up to DC and it, and they're saying, no.

(multiple speakers) Ok.

(multiple speakers) Well

M. Warren: (multiple speakers) So I'm saying to you, I'm saying to you, in good faith, I'm saying to you. (multiple speakers) Your boss said no.

G. Vinson: (multiple speakers, laughter) Yeah, basically yes. We know you're the messen-, well, you know...

(multiple speakers) I understand, I understand what it is you want. I understand what it is you want...

(multiple speakers) Ok.

M. Warren: (multiple speakers) I'm trying to help you find a way to get what it is you want, and we can, you can work on another avenue of figuring out your future role as a coordinator on a separate track. But, your objective, I believe is to make sure that the impacts, and the resources that you so passionately care about, are addressed and identified in this EIS. And, I think that's more important than whether you call it a cooperator or coordinator, this is what I want to be able to do, and we're saying, this is how you do it. Now, I do have cooperators like I said on projects that like have varying roles, I have a cooperator that doesn't sit in on

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(multiple speakers) Right,

(multiple speakers) Because we're not able...

S. Smallhouse: (multiple speakers) So valid information won't be included because we don't want to sign the agreement.

B. Bellew: No, I'm saying that if, even if you don't sign the agreement, and you, continue on the track above being a coordinator, and we're not able to recognize that status, you still have the right during the public comment period to enter all that information and, and it's the same as if somebody sat at their kitchen table with a pad of paper and wrote a comment in and we're required by law to enter that comment and address it, so...

S. Smallhouse: So if we, so it's safe to say that any time we spent here, the next two hours, or whatever, could be completely wasted.

B. Bellew: I don't think so because you know the, direction that we were given after the last meeting was, we need these questions answered and we spent a body of time and said Melissa went back through and made sure all those minutes were addressed and did go down through each one of those, so I don't think it's a waste of time.

A. Smallhouse: I guess another question along those lines is, is a, the information that we already, we had a tons amount of hours, we (unclear), has there any, has there been anything done, because we weren't a cooperating agency and you weren't recognizing coordinating agency, what's been done with that information of all those other meetings that we've had, and all the other information that we've given you? Has that been a waste of time?

(multiple speakers) Well, this is...

(multiple speakers) or do you, 'cause you said, you can submit at public comment period,
(multiple speakers) there's something...

B. Bellew: (multiple speakers) ...anything you want, but, I mean, what about the stuff we've already submitted, I guess I'm asking

B. Bellew: Well, I mean, it still comes down to the information that you submitted. If you're looking in the draft then it's not in there, you can request that information is in there.

(multiple speakers) during the...

(multiple speakers) on the next comment period.

B. Bellew: (multiple speakers) during that, during that draft comment period. So, there is that assurance but by public process that then that information could get entered. Part of what we're trying to do today is to bridge that gap between whatever conversations you may have had earlier with contractor, with Adrian, whatever, and to write here on the ground, hopefully to make sure that your concerns have been addressed.

(multiple speakers) Ok.

(multiple speakers) That makes sense?

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B. Dunn: (multiple speakers) Yeah, let's, unless someone has an objection, let's move on with the issues and policies and go from there. Ok? 'Cause we're not, we've beat this dog to death,

B. Bellew: Yeah, and you understand that position that comment at this level (unclear due to laughter) it's but the biggest thing for the tenth or whatever number of times is the biggest important thing, and the most important thing for the public, is that the information is brought forward in the document. (Ok) The instrument to how it's done, and everything else, that's, some of that's maybe another discussion but, we're more than happy to work with you in terms of seeking out how other RCDs have worked this, or counties, or whatever, because it's a common concern and, I mean, I would think that a county would have the same type of situation that (unclear due to multiple speakers)...

B. Dunn: Ok, and, and we will do that. But, by the same, token, I'd ask you to check with the, the Idaho State BLM office, and, their coordinating stuff that they've done for ten years, I guess with the *Owyhee* County.

B. Bellew: Ok. Good.

B. Dunn: Fair enough?

B. Bellew: Yeah. That's an easy one.

All right. Ok.

B. Miller: Let's start at the beginning and go through each one.

All right.

(multiple speakers, unclear)

(multiple speakers) Are we going to start at the bottom of the page and working up again?

(multiple speakers, laughter, unclear)

We can't do anything right here.

Ok, where do you want to start?

let's see, um.

Hopefully they all start... (multiple speakers, unclear)

B. Dunn: Does any one have any questions about number one? Let's get that way, I guess. And if you got something you want to say just, say it, about which ever one we're talking about.

Let's start at one, huh?

B. Dunn: No this is cooperating st-, agency status. We, we beat that one to death.

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