

STATE SELECTION BOARD MEETING MINUTES

VIRTUAL MEETING

Tuesday, April 6, 2021

Selection Board Members Present: Douglas A. Ducey, Governor
Kimberly Yee, State Treasurer

Selection Board Member Absent: Mark Brnovich, Attorney General

Selection Board Outside Counsel: Stephen Tully, Attorney, Hinshaw & Culbertson, LLP

Governor's Office Staff: Anni Foster, General Counsel
Chuck Podolak, Natural Resources Policy Advisor

Treasurer's Office Staff: Mark Swenson, Deputy Treasurer

State Land Department: Jim Perry, Deputy Commissioner
David Jacobs, Assistant Attorney General

State Land Department Staff: Simone Westbrook Hall, NR Division Director
Ryan Johnson, IT Director
Karen Dada, Planning & Engineering Manager
Lani Drew, Program Project Specialist

1. Call to Order

The State Selection Board Meeting was called to order by Governor Ducey at 1:01 p.m. Governor Ducey welcomed everyone and thanked State Treasurer Kimberly Yee for attending. Governor Ducey noted that Mark Brnovich, Attorney General, was unable to attend the meeting; however, the Board had a quorum and was able to conduct business.

Governor Ducey welcomed Deputy Commissioner Jim Perry who provided background information on the State Land Department. Deputy Commissioner Perry also acknowledged meeting attendees, including Stephen Tully, retained by the Attorney General's office to serve as outside legal counsel for the Selection Board, and Assistant Attorney General, Natural Resources Section Chief, David Jacobs, serving as counsel for the State Land Department.

2. Public Comment

The public was provided an opportunity to submit comments through an online form. Governor Ducey requested the State Land Department staff to read the single public comment that was received.

Comment from Cynthia Campbell, City of Phoenix:

The City of Phoenix appreciates the support of the State Selection Board in approving the transfer of a portion of the State Land Department's Colorado River allocation to serve this important development in Phoenix. The proposed development will certainly be an important economic benefit to not only Phoenix, but the State of Arizona as well. As Water Resources Management Advisor for the City of Phoenix, I especially appreciate the collaboration of the Governor's Natural Resources Advisor and the Commissioner of the State Land Department in making this transfer possible. Phoenix looks forward to future collaboration that insures the collective sustainable benefit to the state and city.

3. Approval of Minutes

Review and approval of the minutes from the July 17, 2019 Selection Board meeting.

Governor Ducey asked for a motion. Treasurer Yee made a motion to approve the minutes from the July 17, 2021 minutes. Governor Ducey seconded the motion. **Motion approved.**

4. Assignment and Allocation of Central Arizona Project Water to the City of Phoenix

The State Land Commissioner requests approval for assignment and allocation of 3,900 acre-feet of ASLD Central Arizona Project subcontract water ("CAP water") to Phoenix to facilitate the development of, and the provision of water service to, the Biscuit Flats Land, comprising roughly 12,000 acres bounded by I-17 on the east, the CAP Canal on the south, the Phoenix city boundary on the west, and Carefree Highway/State Route 74 on the North (T5N R2E Sections 7-11, 14-18, 19-23, 27-30 and 32; T5N R1E Sections 12-14 and 24).

Deputy Commissioner Perry presented information on the request related to the Central Arizona Project Subcontract water assignment and allocation to the City of Phoenix.

Governor Ducey asked for a motion. Treasurer Yee made a motion to approve the Department's request to assign and allocate 3,900 acre-feet of the Arizona State Land Department's Central Arizona Project subcontract water to the City of Phoenix to provide water service to the Biscuit Flats Land as more specifically described in the agenda. Governor Ducey seconded the motion. **Motion carried.**

5. Allocation of Central Arizona Project Water to the City of Scottsdale and the City of Mesa

The State Land Commissioner requests approval to complete the allocation of the CAP water previously transferred by the Department to the Cities of Scottsdale and Mesa. The CAP water shall be allocated to any and all State Trust land currently within the exterior boundaries of the respective Cities (T3N, R5E, Sections 5-8; T4N R4E Sections 2, 23-26, 35 and 36; T4N R5E Sections 2 and 31; T5N R4E Section 36; T5N R5E Sections 5-8, 17-19 and 31-33 in Scottsdale and T1S R7E Sections 2, 16, 17 and 19; T2N R6E Sections 26, 27 and 33 in Mesa), to locations and in amounts to be determined by the Commissioner in her discretion to ensure the greatest economic value of the State Trust Land within each City.

Deputy Commissioner Perry presented on the request to assign the previously allocated Central Arizona Project Subcontract water to the State Trust land in the City of Scottsdale and City of Mesa.

Governor Ducey asked for a motion. Treasurer Yee made a motion that the Arizona State Selection Board allocate previously transferred Central Arizona Project water to State Trust land within the Cities of Mesa and Scottsdale as more specifically described in the agenda, with specific amounts to be used in specific locations as determined by the Commissioner. Governor Ducey seconded the motion. **Motion carried.**

6. Adjournment

As there was no further business, Governor Ducey adjourned the meeting at 1:18 p.m.