

## WORK SESSION AGENDA

CITY COUNCIL WORK SESSION  
TUESDAY  
SEPTEMBER 8, 2020

STAFF CONFERENCE ROOM  
SECOND FLOOR - CITY HALL  
211 WEST ASPEN AVENUE  
3:00 P.M.

## ATTENTION

**IN-PERSON AUDIENCES AT CITY COUNCIL MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE**

The meetings will continue to be live streamed on the city's website (<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

## PUBLIC COMMENT PROTOCOL

**The process for submitting a public comment has changed and public comments will no longer be read by staff during the Council Meetings.**

All public comments will be taken either telephonically or accepted as a written comment.

**Public comments may be submitted to [publiccomment@flagstaffaz.gov](mailto:publiccomment@flagstaffaz.gov)**

If you wish to address the City Council with a public comment by phone you must submit the following information:

First and Last Name  
Phone Number  
Agenda Item number you wish to speak on

If any of this information is missing, you will not be called. We will attempt to call you only one time. We are unable to provide a time when you may be called.

All comments submitted otherwise will be considered written comments and will be documented into the record as such.

If you wish to email Mayor and Council directly you may do so at [council@flagstaffaz.gov](mailto:council@flagstaffaz.gov).

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## AGENDA

### 1. Call to Order

#### NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

*Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this work session, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).*

2. **Pledge of Allegiance and Mission Statement**

**MISSION STATEMENT**

*The mission of the City of Flagstaff is to protect and enhance the quality of life for all.*

3. **ROLL CALL**

*NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.*

MAYOR EVANS

VICE MAYOR SHIMONI

COUNCILMEMBER ASLAN

COUNCILMEMBER MCCARTHY

COUNCILMEMBER ODEGAARD

COUNCILMEMBER SALAS

COUNCILMEMBER WHELAN

4. **Public Participation**

*Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone to have an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.*

5. **Review of Draft Agenda for the September 15, 2020 City Council Meeting**

*Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.*

6. **Downtown Flowers and Planters Update**

7. **Discussion and Consideration:** Citizen Petition requesting that City Council seriously consider the effect of noise pollution on the quality of life in Flagstaff; address the unnecessary noise created when drivers intentionally modify a vehicle for the sole purpose of increasing their noise footprint.

8. **Discussion and Consideration:** Citizen Petition requesting that City Council "formally declare 2020 the year of the mother in Flagstaff."

9. **Update on Arizona State Land Department Auction of 405.36 acres located south of I-40 and east of John Wesley Powell Boulevard within Section 26**

10. **Flagstaff Police Presentation to City Council**

11. **Public Participation**

12. **Informational Items To/From Mayor, Council, and City Manager; future agenda item requests**

13. **Adjournment**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Stacy Saltzburg, MMC, City Clerk

## CITY OF FLAGSTAFF

### STAFF SUMMARY REPORT

**To:** The Honorable Mayor and Council

**From:** Eliza Kretzmann, Beautification, Arts & Sciences Manager

**Date:** 08/31/2020

**Meeting Date:** 09/08/2020



#### TITLE

#### **Downtown Flowers and Planters Update**

#### **STAFF RECOMMENDED ACTION:**

For discussion only. This is an opportunity to share information on the downtown flower program, allow for questions, and to provide input for the future of the program.

#### **EXECUTIVE SUMMARY:**

Beautification, Arts and Sciences staff brought a pilot flower project to downtown Flagstaff in 2020. Much as Holiday lights mark the winter season and draw the community and visitors to Flagstaff, flowers provide beautification to important community and commercial places in our downtown during the summer. We are now considering lessons learned, scope and focus for future years.

Elements of the project include:

- A pollinator-focused garden in Heritage Square and more fully planted permanent planters
- Hanging baskets on the ornamental lamp posts on streets near Heritage Square (24 total)
- Expanded Use of Right-of-Way Plantings on Aspen Avenue and the perpendicular alley that runs south from Aspen toward Route 66: wine barrel plantings (11), whiskey barrel plantings (3)

Key findings from the pilot project include:

- Technical findings such as the lamp posts downtown have the capacity for hanging baskets
- The community response was very positive to the project
- The pilot provided a good blueprint to build on in future years
- Cost for a high-quality flower program in our environment is higher than staff expected. The flower vendor cost for our initial scope of hanging baskets and the Heritage Square planters was \$38,900, and this was increased by about \$8,000 to include additional elements for Expanded Use of Right-of-Way (the wine and whiskey barrel plantings). However, the project provided local jobs, supports local landscaping and nursery businesses and organizations, enhanced the vibrancy of the downtown, and beautification projects attract more income to cities.
- In future years we may consolidate focus on Heritage Square and entry points for downtown, the Southside, etc. and consider a business buy-in program for streetscapes.

Community groups, internal stakeholders, and Commissions were informed or consulted about this project, including the Downtown Business Alliance, the Beautification and Public Arts Commission, the

Southside Community Association, the Historic Preservation Commission, Sirius Structures (to assess capacity of the ornamental lampposts), and City of Flagstaff divisions including Public Works, Risk Management, and Community Development.

**INFORMATION:**

Goal CC.5: Support and promote art, science, and education resources for all to experience.

Goal LU.11: Prioritize the continual reinvigoration of downtown Flagstaff, whose strategic location, walkable blocks, and historic buildings will continue to be a vibrant destination for all.

Policy NH.2: Look to downtown Flagstaff as the primary focal point of the community character.

Council Goal: Economic Development: Grow and strengthen a more equitable and resilient economy.

Pollinator Planter: Council Goal: Environmental & Natural Resources: Actively manage and protect all environmental and natural resources.

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**Attachments:**     [Flowers PowerPoint](#)

# Downtown Flowers and Planters

Pilot Program Update, September 2020  
Eliza Kretzmann  
Beautification, Arts & Sciences Manager



# Flowers and Planters Update

- Background
- Overview: Locations
- Lessons Learned: Technical, Costs, Feedback
- Considerations for the Future





# Background



*Project requested by the public and partner organizations and supported by the Beautification and Public Art Commission*

# Overview

- Types of Plantings
- Locations



*Photo courtesy of USFS*





# Elements Included

- 24 Hanging Baskets
- Heritage Square Planters: Pollinator-focused garden
- 11 Wine Barrel Plantings along Aspen
- 3 Whiskey Barrel Plantings in Alley South of Heritage Square





# Hanging Baskets





# Heritage Square Planters: Before





# Heritage Square Planters: After





# Heritage Square Planters: After





# Heritage Square Planters: After



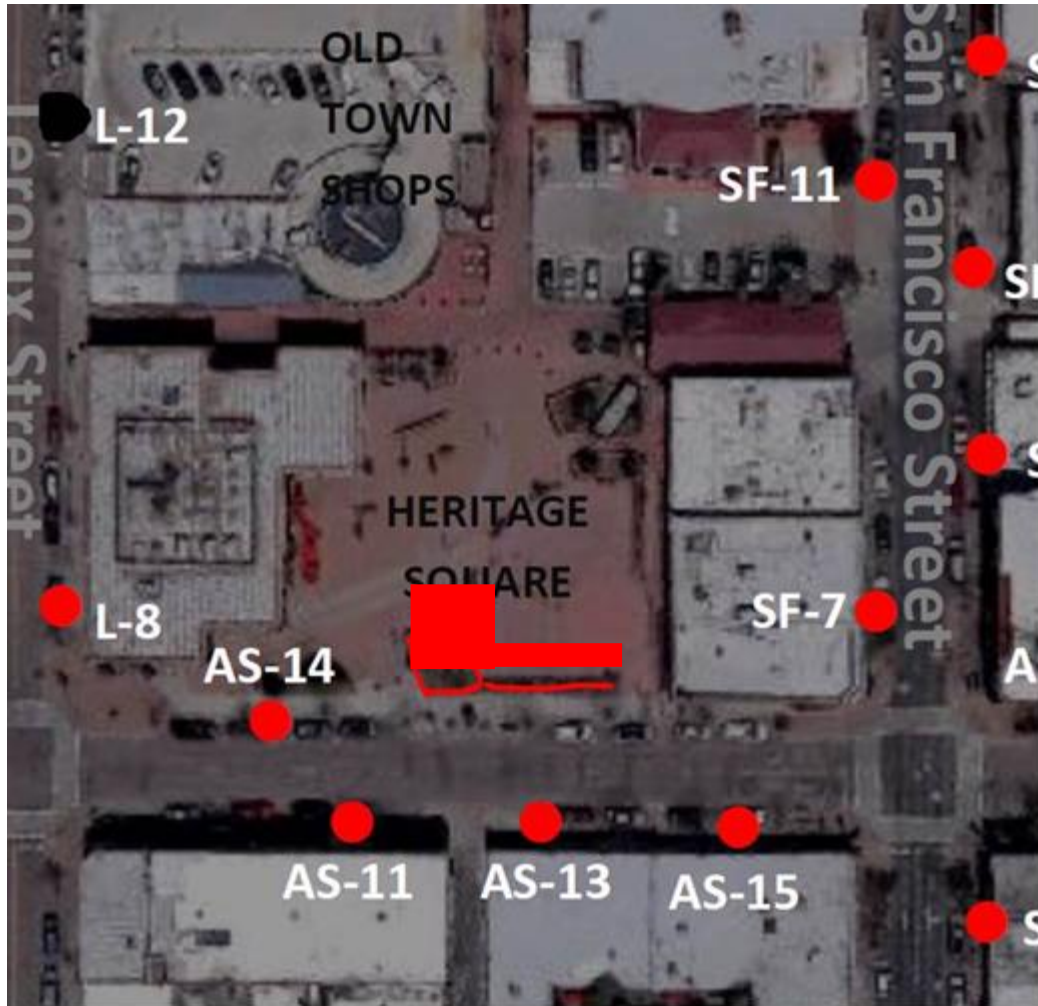


# Expanded Use of Right-of-Way





# Overview: Locations



# Lessons Learned

- Technical
- Cost
- Feedback





# Lessons Learned: Technical



- Collaborative Effort
- Lamp post and Brackets
- Regulations and Compliance
- Plants in the High Desert



# Lessons Learned: Cost

- Higher estimates than anticipated
- Vendor Cost for initial scope: \$38,900; increased by about \$8,000 to include additional elements for Expanded Use of Right-of-Way





# Cost Comes with Benefits



- Beautification brings in additional funds to communities
- Job Creation and support of Local Businesses
- First year costs are not all repeated



# Lessons Learned: Public Feedback



**downtownflagstaff** • Following  
Downtown Flagstaff

**downtownflagstaff** Have you seen what's blooming downtown?! There is now a butterfly garden in Heritage Square, and newly installed hanging flower pots! 🌻🌷

A huge THANK YOU to the Flagstaff Economic Vitality Team for making it happen!

Just when you thought downtown couldn't get any more beautiful 😊

#downtownflagstaff #flagstaffarizona #igdaily #igflagstaff #flowers #butterflygarden

4w

Liked by azhandmadegallery and 493 others

JULY 22

# Considerations for the Future

- Geographic Expansion – Southside
- Location – consider main focus on Heritage Square and key entry points rather than streetscapes
- Cost



# Considerations for the Future

- Project Structure - can look at other models for future years
- Build on the successes of pilot





# Considerations and Discussion

Questions and Discussion



## CITY OF FLAGSTAFF STAFF SUMMARY REPORT

**To:** The Honorable Mayor and Council  
**From:** Stacy Saltzburg, City Clerk  
**Date:** 09/01/2020  
**Meeting Date:** 09/08/2020



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### TITLE

**Discussion and Consideration:** Citizen Petition requesting that City Council seriously consider the effect of noise pollution on the quality of life in Flagstaff; address the unnecessary noise created when drivers intentionally modify a vehicle for the sole purpose of increasing their noise footprint.

### STAFF RECOMMENDED ACTION:

Council Discussion and Possible Direction

### EXECUTIVE SUMMARY:

Citizen Petition #2019-04 was received on December 9, 2019, asking the Flagstaff City Council to consider the effect of noise pollution on the quality of life in Flagstaff; address the unnecessary noise created when drivers intentionally modify a vehicle for the sole purpose of increasing their noise footprint

Council's Future Agenda Item Request (F.A.I.R.) discussion on January 7, 2020 advanced the petition to a future agenda for discussion and possible direction by the City Council.

### INFORMATION:

The petition is attached.

There are a couple of related city ordinances that address stereo amplification, peeling out/screeching tires, removing mufflers/open pipes, and jake brake type noises. There is also the nuisance noise ordinance but it addresses noise from a residence and also lists as an exemption noise from normal traffic.

Staff will be available to answer any questions from the City Council.

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**Attachments:** [Petition #2019-04](#)

**PETITION TO FLAGSTAFF CITY COUNCIL**  
Pursuant to Flagstaff City Charter Article II Section 17  
and Flagstaff City Code Title I Chapter 12

**RECEIVED**  
DEC 09 2019  
BY: *[Signature]*

Pursuant to the Flagstaff City Charter and the City Code, any citizen (resident) of the City may present a written petition to the City Manager, signed by a minimum of 25 citizens from the City of Flagstaff, which shall be presented to the City Council.

**Title of Issue:** Intentional Noise Pollution

**Action Requested:** We the undersigned request that City Council seriously consider the effect of noise pollution on the quality of life in Flagstaff. We ask that council address the unnecessary noise created when drivers intentionally modify a vehicle for the sole purpose of increasing their noise footprint.

**Printed Name of Submitter:** Michael Collier

(Submitter must also sign below and complete information)

**Contact Information:** 928 779 2962    mcollier721@gmail.com  
(Phone Number and/or e-mail address)

**PETITION SIGNATURES**

DATE SIGNED	PRINTED NAME	RESIDENCE ADDRESS	SIGNATURE
11/19/2019	MICHAEL COLLIER	824 W. Cherry, FLG	<i>[Signature]</i>
11/19/2019	Rose Houk	824 W. Cherry, Flg	<i>[Signature]</i>
11/19/19	MEL TUCKER	118 E. TERRACE	<i>[Signature]</i>
12/19/19	Beth Kuisely Tucker	118 E. Terrace Av	<i>[Signature]</i>
11/19/19	DOROTHY HOUSE	811 W. CHERRY AVE	<i>[Signature]</i>
11/19/2019	SCOTT THYSON	4050 N. LAUSANNA WAY	<i>[Signature]</i>
11/19/2019	Anthony Delagarza	209 E Cottage Ave #2	<i>[Signature]</i>
11/19/2019	ANN HADLEY	1705 N. SAN FRANCISCO ST.	<i>[Signature]</i>
11/19/2019	Philip Pearl	502 N. Bertrand St.	<i>[Signature]</i>
11/19/2019	ELSA vonRosenstiel	502 N. Bertrand St	<i>[Signature]</i>

RECEIVED BY CITY OF FLAGSTAFF		
DATE RECEIVED	BY	COUNCIL MEETING DATE
12/2/2019	<i>[Signature]</i>	1/7/20

PETITION TO FLAGSTAFF CITY COUNCIL (Continued)

TITLE OF ISSUE: Intentional Noise Pollution

PAGE 2 OF 2

DATE SIGNED	PRINTED NAME	RESIDENCE ADDRESS	SIGNATURE
11-19-19	Annette Avery	728 N. Bertrand St. Flagstaff, AZ 86001	Annette Avery
11-19-19	Robbie Johnson	820 W. Aspen Flagstaff, AZ 86001	Robbie Johnson
11-19-19	Anthony Garcia	1716 E. Johnson Flagstaff, AZ 86004	Anthony Garcia
11-19-19	Jennifer Blue	405 W. Cherry Ave. Flagstaff, AZ 86001	Jennifer Blue
11-19-19	Rick Moore	405 W. Cherry Ave Flagstaff, AZ 86001	Rick Moore
11-19-19	MICHAEL GERNER	811 W. CHERRY AVE #6 FLAGSTAFF, AZ 86001	Michael Gerner
11-19-19	JOHN TAYLOR	816 W. CHERRY AVE FLAGSTAFF, AZ 86001	John Taylor
11-19-19	Erica Fancio	816 W. CHERRY AVE Flagstaff, AZ 86001	Erica Fancio
11-20-19	Therett Lawn	1465 W. Meliss Dr Flagstaff, AZ 86015	Therett Lawn
11/20/19	JERRY JOHNSON	825 W. ASPEN AVE FLAGSTAFF, AZ 86001	Jerry Johnson
11-20-19	JOHN A CROWLEY	805 GRAND CANYON FLAGSTAFF, AZ 86001	John A Crowley
11-20-19	JOLENEK ROHRBAKER	805 GRAND CANYON FLAGSTAFF, AZ 86001	Jolenek Rohrbaker
11-20-19	Lorelei Standish	640 N. Pinecliff Dr. Flagstaff, AZ 86001	Lorelei Standish
11-20-19	Ember Crowley	805 West Grand Canyon AVE. Flagstaff, AZ	Ember Crowley
11-20-19	Kelsey Garden	863 W. Mortvale Ave Apt #4, Flagstaff, AZ	Kelsey Garden
11/20/19	Roomie Wood	3400 Lake Mary Rd #17103 Flagstaff, AZ 86005	Roomie Wood
11/20/19	Cailey Clarke	520 S. Leroux St. Flagstaff AZ 86001	Cailey Clarke
11-20-19	JAZLEE CROWLEY	863 W. MORTVALE AVE APT 4 FLAGSTAFF, AZ	Jazlee Crowley
11-21-19	Roberta Motter	9009 W. Grand Canyon Flagstaff, AZ 86004	Roberta Motter

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Stacy Saltzburg, City Clerk  
**Date:** 09/01/2020  
**Meeting Date:** 09/08/2020



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**TITLE**

**Discussion and Consideration:** Citizen Petition requesting that City Council "formally declare 2020 the year of the mother in Flagstaff."

**STAFF RECOMMENDED ACTION:**

Council Discussion and Possible Direction

**EXECUTIVE SUMMARY:**

Citizen Petition #2020-01 was received on January 27, 2020, asking the Flagstaff City Council to "formally declare 2020 the year of the mother in Flagstaff, AZ to help promote and push conversations to take motherhood seriously to challenge local employers to find ways to better support mothers and get real about maternal mental health."

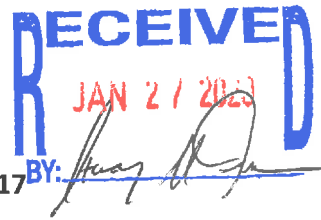
Council's Future Agenda Item Request (F.A.I.R.) discussion on February 18, 2020 advanced the petition to a future agenda for discussion and possible direction by the City Council.

**INFORMATION:**

The petition is attached.

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**Attachments:** [Petition #2020-01](#)



**PETITION TO FLAGSTAFF CITY COUNCIL**  
 Pursuant to Flagstaff City Charter Article II Section 17  
 and Flagstaff City Code Title I Chapter 12

Pursuant to the Flagstaff City Charter and the City Code, any citizen (resident) of the City may present a written petition to the City Manager, signed by a minimum of 25 citizens from the City of Flagstaff, which shall be presented to the City Council.

**Title of Issue:** Declaration that 2020 be the year of the mother  
**Action Requested:** Formally declare 2020 the year of the mother in Flagstaff, AZ. to help promote and push conversations to take motherhood seriously to challenge local employers to find ways to better support mothers and get real about maternal mental health.  
**Printed Name of Submitter:** Kristin Kauffman  
 (Submitter must also sign below and complete information)  
**Contact Information:** 928-310-8149 Kristinmk@yahoo.com  
 (Phone Number and/or e-mail address)

**PETITION SIGNATURES**

DATE SIGNED	PRINTED NAME	RESIDENCE ADDRESS	SIGNATURE
1/21/20	Kristin Kauffman	2138 S. Tombaugh Way	
1/21/20	David Bull	2138 S. Tombaugh Way	
1/22/20	George Koch	430 W. Juniper Ave 86001	
1/22/20	Erin Wellendorf	1100 N Pine Cliff Dr 86001	
1-22-20	Beth Reed	2565 W. Kettle Lane	
1-22-20	Katie Gardiner	2523 S Sliding Rock Ln	
1-22-20	Charles McNamara	3430 W Wilson Dr	
1-22-20	Annika Gustafsson	3510 S Walapai Dr	
1-22-20	Astrid Titomas	1000 W Grand Canyon Ave	
1/23/20	Spencer Griesman	3343 W Lois Ln	

RECEIVED BY CITY OF FLAGSTAFF		
DATE RECEIVED	BY	COUNCIL MEETING DATE
1/27/2020		2/18/2020

**CITY OF FLAGSTAFF**  
**STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Stacy Fobar, Deputy City Clerk  
**Co-Submitter:** Greg Clifton  
**Date:** 09/04/2020  
**Meeting Date:** 09/08/2020




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**TITLE**

**Update on Arizona State Land Department Auction of 405.36 acres located south of I-40 and east of John Wesley Powell Boulevard within Section 26**

**STAFF RECOMMENDED ACTION:**

The update is provided for information only.

**EXECUTIVE SUMMARY:**

The Arizona State Land Department has announced a public auction will be held on October 22, 2020 of 405.36 acres of property located south of I-40, at the eastern terminus of John Wesley Powell Boulevard. The property is within Section 26 to the northeast of Pine Canyon. Application # 53-120834 was filed by Symmetry Development Co, Inc. requesting the property be sold at auction. Symmetry Development is the current owner of Pine Canyon. The property has been appraised at \$10,536,000.

**INFORMATION:**

The applicant Symmetry Development Co, Inc is required to conduct due diligence in preparation of the auction. An ALTA survey, Phase 1 Environmental Survey, Cultural Resource Survey and an appraisal have been completed and are attached to this summary. The Arizona State Land Department is required to advertise the auction for 10 weeks prior to an auction occurring. The auction has been scheduled for Thursday, October 22, 2020, at 11:00am on the west steps of the Coconino County Courthouse.

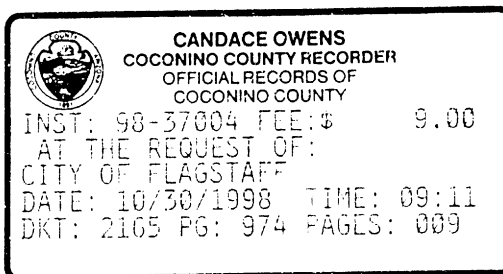
In addition to the potential development of the parcel, the City of Flagstaff and our residents have several interests in the property. The Arizona Trail traverses the parcel and the parcel is included in the John Wesley Powell Specific Plan for the extension of John Wesley Powell Boulevard (JWP) to Fourth Street. In 1998 the Arizona State Land Trust sold right-of-way to the City of Flagstaff for the Arizona Trail and dedicated it as a public trail. The ALTA survey identifies it as a 30' trail easement. The recorded trail conveyance is attached to this summary.

The future extension of JWP will cross the subject property and is included in the JWP Specific Plan. The consulting engineer has incorporated grade separated crossings of the Arizona Trail where it will intersect with the new roadway. Staff will be providing an update to City Council on the JWP Specific Plan this fall as we near completion of Phase I, which among other items will provide 30% roadway design. Phase II of the JWP plan will include public engagement and taking the plan through the adoption process. During Phase II staff anticipates discussions on the corridor necessary to protect the

recreation experience of the Arizona Trail. In addition, Multi-Modal Planner Martin Ince is taking the lead on preparing comments for the Arizona National Scenic Trail Comprehensive Management Plan, solicited by the Forest Service.

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**Attachments:**    [AZ Trail ROW Sale 1998](#)  
                          [Flag 400 Auction Flyer](#)  
                          [Flag 400 Auction Notice](#)  
                          [Flag 400 Parcel Map](#)  
                          [Flag 400 w AZ Trail Map](#)  
                          [Flagstaff 400 alta survey](#)  
                          [Flagstaff 400 Phase 1 Environmental Report](#)



**STATE LAND DEPARTMENT  
STATE OF ARIZONA**

**RIGHT-OF-WAY  
SOLD AT PUBLIC AUCTION**

R/W No. 16 - 103723

THIS INDENTURE, made June 23, 1998, by and between the State of Arizona, hereinafter called the Grantor, and

CITY OF FLAGSTAFF

hereinafter called the Grantee.

WITNESSETH, that in accordance with the provisions of A.R.S. §37-461, the Grantee herein has filed with the State Land Commissioner an application for a right-of-way for the purpose of constructing, operating, and maintaining

a public trail

and

WHEREAS, the said map and field notes thereon have been adopted by the Grantee herein as the line of definite location of the aforesaid Right-of-Way, and which said right-of-way map is herein referred to and made a part hereof as fully as though set out herein, and

WHEREAS, it is understood and agreed by the Grantee herein that, as a condition precedent to the granting of the Right-of-Way applied for, the land covered by the said Right-of-Way shall be used for no purpose other than the location, construction and maintenance of said Right-of-Way over and across the following State lands, to-wit described in Appendix A.

**TO HAVE AND TO HOLD** the same for so long as it may be used for the purpose designated, and subject to the conditions and reservations set forth herein.

**IT IS UNDERSTOOD AND AGREED** that in case the necessity for the Right-of-Way shall no longer exist, or the Grantee should abandon or fail to use the same, then this grant shall become void, and the right to use the land and all the rights granted hereunder shall revert to the State of Arizona, whereupon the Grantee agrees to execute and deliver a complete release of all right, title and interest therein.

This grant is, and shall be binding upon the said Grantee, his successors and assigns.

**IT IS FURTHER UNDERSTOOD AND AGREED** that this Right-of-Way conveys no fee to the land described herein and no rights to any of the minerals, oil, gas, coal, natural products, etc., in said land and the State of Arizona reserves the right to grant mineral and/or oil and gas leases upon said land.

**IT IS FURTHER UNDERSTOOD AND AGREED** that the said Grantee shall not fence the said Right-of-Way, nor exclude from the use of the surface thereof the State of Arizona or its lessees or grantees.

**THE SAID GRANTOR** further reserves the right to grant to others, easements and rights-of-way over and across the lands described.

**NOW THEREFORE**, in accordance with the provisions of A.R.S. §37-461 and agreeable to the conditions heretofore set forth, the Grantee herein is hereby authorized to locate, construct, operate and maintain said Right-of-Way over and across the State land described herein.

Grantee agrees to indemnify, hold and save Grantor harmless against all loss, damage, liability, expense, costs and charges incident to or resulting in any way from any injuries to person or damage to property caused by Grantee or resulting from the use, condition or occupation of the land.

#### EASEMENT CONDITIONS

1. With regard to the location, construction and maintenance of the Right-of-way:
  - (a) Grantee shall ensure full compliance with the terms and conditions of this grant by its agents, employees and contractors (including sub-contractors of any tier), and the employees of each of them.
  - (b) Unless clearly inapplicable, the requirements and prohibitions imposed upon Grantee by these terms and conditions are also imposed upon Grantee's agents, employees, contractors, and sub-contractors, and the employees of each of them.

- (c) Failure or refusal of Grantee's agents, employees, contractors, sub-contractors, or their employees to comply with these terms and conditions shall be deemed to be the failure or refusal of Grantee.
- (d) Grantee shall require its agents, contractors or sub-contractors to include these terms and conditions in all contracts and sub-contracts which are entered into by any of them, together with a provision that the other contracting party, together with its agents, employees, contractors and sub-contractors, and the employees of each of them, shall likewise be bound to comply with these terms and conditions.
2. All access roads over State land outside the Right-of-Way must be applied for and authorized in accordance with applicable regulations.
  3. No material may be removed by Grantee or its contractors without the written approval of the Commissioner.
  4. Grantee shall promptly notify the Commissioner of the amount of flora, if any, which will be cut, removed, or destroyed in the construction and maintenance of the project and shall pay the State Land Department such sum of money as the Commissioner may determine to be the full value of the flora to be so cut, removed or destroyed. Grantee shall notify the State Land Department and the Arizona Department of Agriculture 30 days prior to any destruction or removal of native plants to allow salvage of those plants where possible.
  5. Grantee shall conduct all construction and maintenance activities in a manner that will minimize disturbance to all land values including, but not limited to vegetation, drainage channels, and streambanks. Construction methods shall be designed to prevent degradation of soil conditions in areas where such degradation would result in detrimental erosion or subsidence. Grantee shall take such other soil and resource conservation and protection measures on the land under grant as determined necessary by the State Land Department.
  6. Grantee shall be required, upon completion of right-of-way construction, to make such rehabilitation measures on the State lands, including, but not limited to, restoration of the surface, revegetation, and fencing as determined necessary by the State Land Department.
  7. Upon revocation or termination of the Right-of-Way, the Grantee shall remove all equipment or facilities and, so far as is reasonably possible, restore and/or rehabilitate the land to its original condition, to the satisfaction of the Commissioner.
  8. Costs incurred by the Grantee in complying with restoration and rehabilitation requirements as determined by the State Land Department on State trust lands shall be borne by the Grantee.

9. Prior to surface disturbance, the Grantee hereof shall provide evidence of archaeological clearance to the Arizona State Land Department. Archaeological surveys and site mitigation must be conducted in accordance with rules and regulations promulgated by the Director, Arizona State Museum. In the event additional archaeological resources are detected by Grantee after receipt of archaeological clearance, all work shall cease and notification shall be given to the Director, Arizona State Museum.
10. THIS DOCUMENT is submitted for examination and shall have no binding effect on the parties unless and until executed by the Grantor (after execution by the Grantee), and a fully executed copy is delivered to the Grantee.
11. IN THE EVENT OF A DISPUTE between the parties to this Agreement, it is agreed to use arbitration to resolve the dispute but only to the extent required by A.R.S. §12-1518; and, in no event shall arbitration be employed to resolve a dispute which is otherwise subject to administrative review by the Department pursuant to statute or Department Administrative Rule.
12. Grantor reserves the right to relinquish to the United States pursuant to the U.S. Act of August 30, 1890, land needed for irrigation works in connection with a government reclamation project.
13. Notice of authority to cancel this contract:  
  
This contract is subject to cancellation pursuant to A.R.S. § 38-511.
14. Native Plant Law:  
  
If the removal of plants protected under the Arizona Native Plant Law is necessary to enjoy the privilege of this Document, the Grantee hereunder must previously acquire the written permission of the Arizona State Land Department and the Arizona Department of Agriculture to remove those plants.
15. The State of Arizona, through its State Land Department, retains ownership of the land. The use of this Right-of-Way is to be non-exclusive. This easement is sold SUBJECT to existing reservations, easements or rights-of-way heretofore legally obtained and now in full force and effect.
16. The Department does not represent or warrant that access exists over other State lands which intervene respectively between this Right-of-Way easement and the nearest public roadway.
17. SUBJECT to the express condition that when the lands cease to be put to the stated purpose, said easement shall cease and terminate. Said termination shall be effected through judicial proceedings instituted by or on behalf of any officer or employee of the State of Arizona in a court of general jurisdiction of the State.

18. Grantee shall adhere to all rules, regulations, ordinances and building codes as promulgated by local jurisdiction and any applicable agencies.
19. Grantee shall not exclude from use of State of Arizona, its lessees or grantees, or the general public the right of ingress and egress over this roadway.
20. Grantee shall acquire any necessary permits from the Arizona Department of Transportation and/or the County Highway Department prior to construction.

Within 30 days of project completion, Grantee shall submit a completed certificate of construction. (Copy Attached)

## ENVIRONMENTAL INDEMNITY

Grantee shall protect, defend, indemnify and hold harmless the Grantor from and against all liabilities, costs, charges and expenses, including attorneys' fees and court costs arising out of or related to the presence of or existence of any substance regulated under any applicable federal, state or local environmental laws, regulations, ordinances or amendments thereto because of: (a) any substance that came to be located on the Right-of-Way due to Grantee's use or occupancy of the lands by the Grantee before or after the issuance of the Right-of-Way; or (b) any release, threatened release or escape of any substance in, on, under or from said Right-of-Way that is caused, in whole or in part, by any conduct, actions or negligence of the Grantee, regardless of when such substance came to be located on the Right-of-Way.

For the purposes of this Right-of-Way, the term "regulated substances" shall include substances defined as "regulated substances", "hazardous waste", hazardous substances", "hazardous materials", "toxic substances" or "pesticides" in the Resource Conservation and Recovery Act, as amended by the Hazardous and Solid Waste Amendments of 1984, the Comprehensive Environmental Response, Compensation and Liability Act, the Hazardous Materials Transportation Act, the Toxic Substance Control Act, the Federal Insecticide, Fungicide and Rodenticide Act, the relevant local and state environmental laws, and the regulations, rules and ordinances adopted and publications promulgated pursuant to the local, state and federal laws. This indemnification shall include, without limitation, claims or damages arising out of any violations of applicable environmental laws, regulations, ordinances or subdivisions thereof, regardless of any real or alleged strict liability on the part of Grantor. This environmental indemnity shall survive the expiration or termination of this Right-of-Way and/or any transfer of all or any portion of the Premises and shall be governed by the laws of the State of Arizona.

In the event any such action or claim is brought or asserted against the Grantor, the Grantee shall have the right, subject to the right of the Grantor to make all final decisions with respect to Grantor's liability for claims or damages, (i) to participate with Grantor in the conduct of any further required cleanup, removal or remedial actions and/or negotiation and defense of any claim indemnifiable under this environmental indemnity provision, having reasonable regard to the continuing conduct of the operation/business located on the Premises and (ii) to participate with the Grantor in negotiating and finalizing any agreement or settlement with respect to any such claim or cleanup.

ADDITIONAL CONDITIONS  
PUBLIC TRAILS  
NON-MOTORIZED  
16-103723

1. Grantee reserves the right to grant additional access rights, or any other rights not in conflict with the rights granted herein to other parties at Grantor's sole discretion.
2. Within 90 days of revocation or termination of this easement, Grantee shall remove all equipment or facilities and, at Grantor's option, obliterate and rehabilitate the trailway to the satisfaction of the Grantor.
3. Grantee shall adhere to all rules, regulations, ordinances and building codes as promulgated by local jurisdictions and any applicable agencies.
4. Grantee shall install cattle guards and/or fencing in the appropriate areas at the request of the Commissioner of the State Land Department.
5. Grantee shall not fence this right of way, unless required to do so by the Commissioner of the State Land Department prior to or subsequent to construction of the trailway.
6. Grantee shall not alter or cause ponding or any damage up or down stream of any water crossing.
7. The use of this Right of Way by the Grantee, or its successor, guests or invitees shall be entirely at the risk of the Grantee or those claiming through the Grantee.
8. Grantee agrees to conduct said operations so as to not pollute any groundwater supply.
9. Said right of way will be limited to a non-motorized vehicular traffic (hiking, bicycling, and walking). Material for trail shall be riprap, ABC fill, etc. as to maintain natural drainage and alleviate any erosion.
10. Grantee agrees to relocate trail at the request of Grantor.
11. Grantee will post signs that surrounding land is State Trust Land.

STATE OF ARIZONA LAND DEPARTMENT  
1616 W. ADAMS  
PHOENIX, AZ 85007

RUN DATE: 12-aug-1998  
RUN TIME: 09:43:32

KE LEASE NUMBER: 016-103723-00-000  
AMENDMENT NUMBER: 0

Page 1

LAND#	LEGAL DESCRIPTION	C.C.	ACREAGE
21.0-N-07.0-E-26-03-050-9006	M&B THRU NWNW E2W2 SWSE	0.0	5.230
TOTALS:		0.0	5.230

APPENDIX A  
PAGE 1 OF 1

2165-981

IN WITNESS HEREOF, the parties hereto have signed this Document effective the day and year set forth previously herein.

STATE OF ARIZONA, GRANTOR  
Arizona State Land Commissioner

[Signature] 9/21/98  
GRANTEE Date

By: [Signature] 9-29-98  
Date

ATTEST:  
[Signature] 9/21/98  
CITY CLERK Date

APPROVED AS TO FORM:  
[Signature] 9-22-98  
CITY ATTORNEY Date

(SEAL)

211 West Aspen Avenue \_\_\_\_\_  
Address

Flagstaff AZ 86001 \_\_\_\_\_  
City State Zip

**Exhibit A**

A 30 foot wide strip of land located in the west half and the southeast quarter of Section 26, Township 21 North, Range 7 East, Gila and Salt River Meridian, Coconino County, Arizona, being a portion of Arizona State Trust Land, and lying 15.00 feet on each side of the following described centerline:

Commencing at the northwest corner of said Section 26, a brass cap stamped "BLM 1970"; thence N 88° 56' 41" E (basis of bearings) 714.70 feet along the north line of said Section 26 to the **POINT OF BEGINNING;**

Thence S 41° 13' 00" E 137.29 feet;  
Thence S 39° 12' 16" E 555.91 feet;  
Thence S 55° 14' 57" E 79.73 feet;  
Thence S 25° 00' 27" W 120.42 feet;  
Thence S 33° 58' 02" W 150.18 feet;  
Thence S 11° 15' 13" W 183.43 feet;  
Thence S 45° 38' 17" E 177.01 feet;  
Thence S 64° 37' 27" E 195.18 feet;  
Thence S 34° 51' 24" E 453.62 feet;  
Thence S 15° 06' 39" W 184.80 feet;  
Thence S 10° 25' 09" W 155.71 feet;  
Thence S 01° 08' 26" E 372.63 feet;  
Thence S 55° 44' 12" E 384.40 feet;  
Thence S 67° 13' 45" E 284.41 feet;  
Thence S 06° 46' 17" E 126.98 feet;  
Thence S 23° 41' 00" W 226.37 feet;  
Thence S 40° 26' 09" W 175.06 feet;  
Thence S 20° 32' 04" W 167.69 feet;  
Thence S 01° 32' 53" E 79.66 feet;  
Thence S 42° 26' 15" W 97.42 feet;

**ACCEPTED**  
**CITY OF FLAGSTAFF**  
**ENGINEERING DIV**

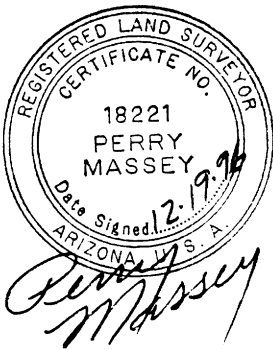
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INT

\_\_\_\_\_  
DATE

Thence S 26° 29' 03" W 147.19 feet;  
 Thence S 09° 04' 35" E 105.26 feet;  
 Thence S 23° 26' 39" E 144.89 feet;  
 Thence S 77° 46' 16" E 218.77 feet;  
 Thence S 56° 35' 15" E 203.98 feet;  
 Thence S 57° 22' 47" E 160.98 feet;  
 Thence S 77° 47' 38" E 146.36 feet;  
 Thence S 64° 18' 46" E 304.18 feet;  
 Thence S 73° 13' 17" E 127.50 feet;  
 Thence S 62° 16' 50" E 238.41 feet;  
 Thence S 67° 37' 38" E 230.92 feet;  
 Thence S 68° 22' 51" E 123.00 feet;  
 Thence S 24° 51' 37" E 196.62 feet;  
 Thence S 41° 31' 24" W 498.93 feet;  
 Thence S 50° 33' 56" W 412.08 feet;  
 Thence S 00° 32' 15" E 27.51 feet to the TERMINUS POINT.

The sidelines of said strip to be shortened or lengthed to terminate at the north line of said Section 26.

Containing 5.23 acres, more or less, as shown on the attached Exhibit A-1, which is made a part hereof by this reference.



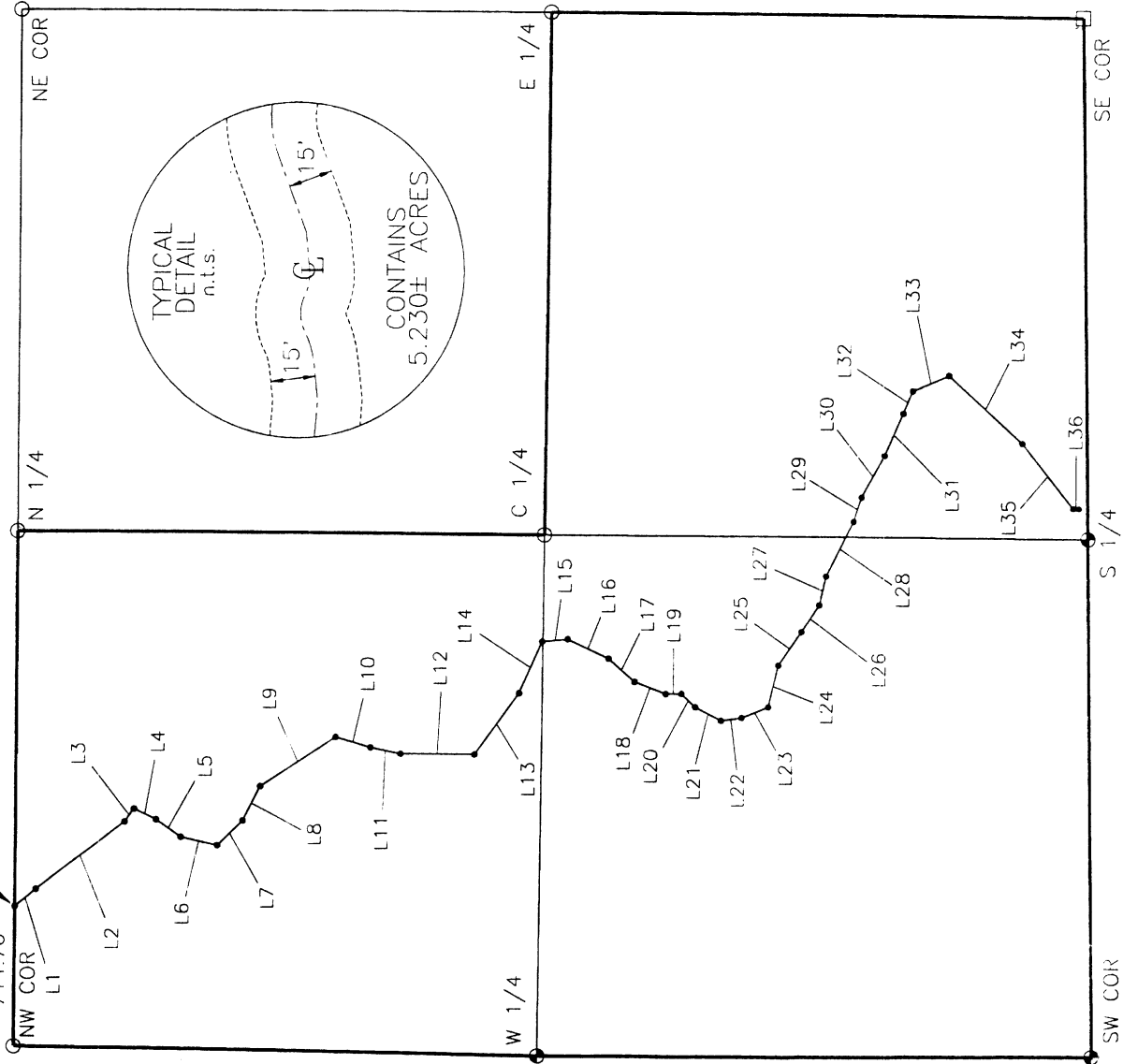
ACCEPTED  
 CITY OF FLAGSTAFF  
 ENGINEERING DIV

\_\_\_\_\_  
 INT                      DATE

F.U.T.S. Fisher Point Link  
 Descriptive Title

03-96025  
 City File No.

(Basis of Bearings)  
N88°56'41"E  
714.70'

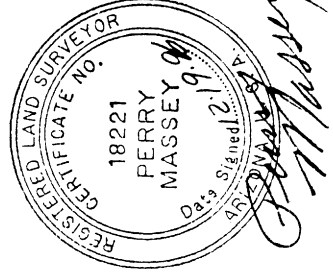


LINE	BEARING	DIST.
L1	S01°32'53"E	79.66'
L2	S42°26'15"W	97.42'
L3	S26°29'03"W	147.19'
L4	S09°04'35"E	105.26'
L5	S23°26'39"E	144.89'
L6	S77°46'16"E	218.77'
L7	S56°35'15"E	203.98'
L8	S57°22'47"E	160.98'
L9	S77°47'38"E	146.36'
L10	S64°18'46"E	304.18'
L11	S73°13'17"E	127.50'
L12	S62°16'50"E	238.41'
L13	S67°37'38"E	230.92'
L14	S68°22'51"E	123.00'
L15	S24°51'37"E	192.62'
L16	S41°31'24"W	498.93'
L17	S50°33'56"W	412.08'
L18	S00°32'15"E	27.51'

LINE	BEARING	DIST.
L1	S41°13'00"E	137.29'
L2	S39°12'16"E	555.91'
L3	S55°14'57"E	79.73'
L4	S25°00'27"W	120.42'
L5	S33°58'02"W	150.18'
L6	S11°15'13"W	183.43'
L7	S45°38'17"E	177.01'
L8	S64°37'27"E	195.18'
L9	S34°51'24"E	453.62'
L10	S15°06'39"W	184.80'
L11	S10°25'09"W	155.71'
L12	S01°08'26"E	372.63'
L13	S55°44'12"E	344.40'
L14	S67°13'45"E	254.41'
L15	S06°46'17"E	174.98'
L16	S23°41'00"W	244.37'
L17	S40°26'09"W	174.06'
L18	S20°32'04"W	167.69'

- ALUMINUM CAP
- BRASS CAP
- OPEN PIPE

SITUATED IN  
the W1/2 and SE1/4  
SECTION 26, T21N, R7E  
G & SRM  
COCONINO COUNTY  
ARIZONA



ACCEPTED  
CITY OF FLAGSTAFF  
ENGINEERING DIV

IMT \_\_\_\_\_ DATE \_\_\_\_\_

CITY OF FLAGSTAFF

EXHIBIT A-1

Drawn by:  
Chris W. Folker

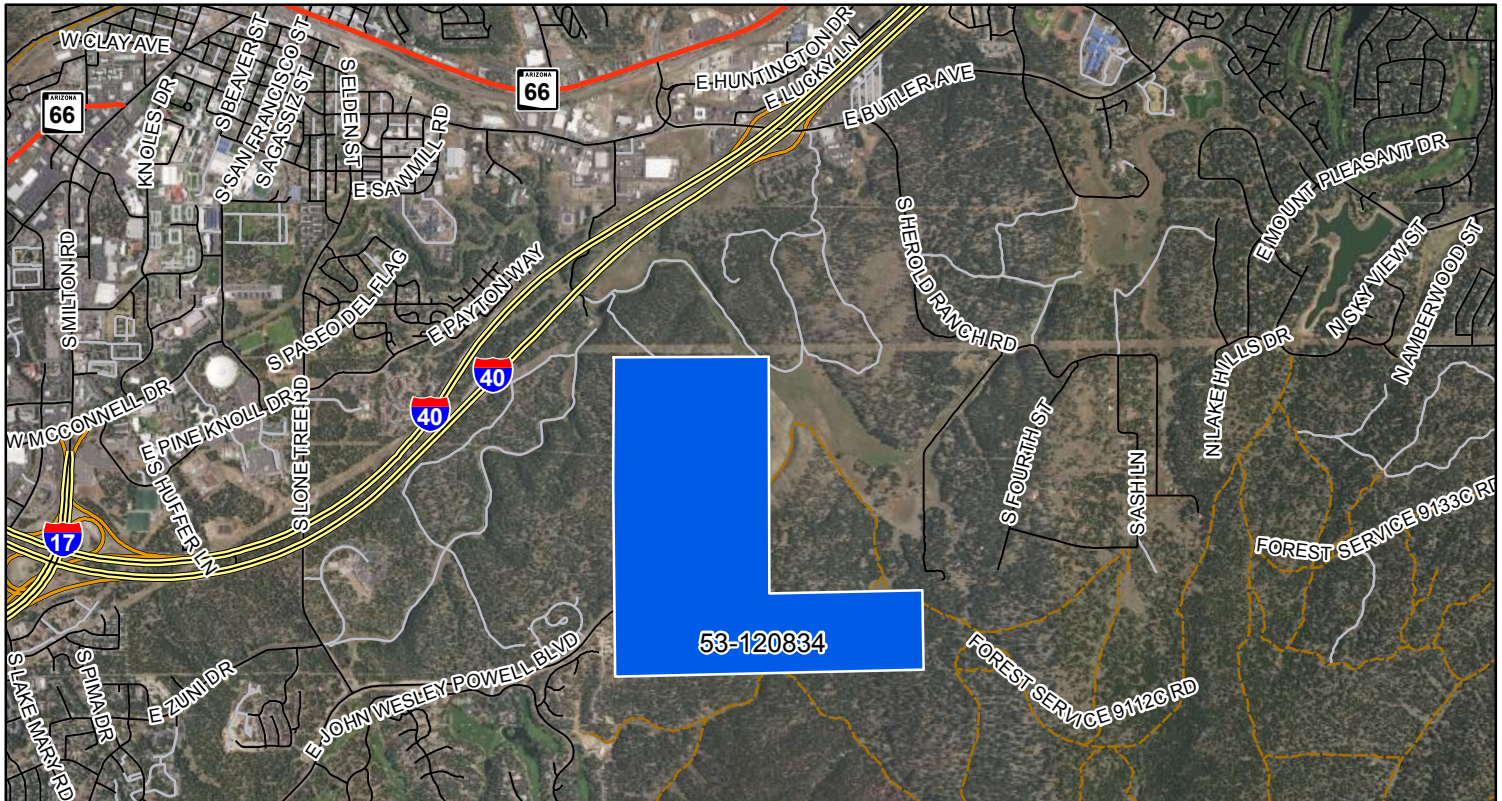
CITY FILE NO. 03-96025

ENGINEERING DIVISION

Date:  
12/19/96



**AVAILABLE FOR SALE**  
**South of I-40 and East of John Wesley Powell Blvd.**



**Application No.:** 53-120834  
**Auction Location:** The Coconino County Courthouse  
 200 North San Francisco Street  
 Flagstaff, Arizona  
**Auction Date:** October 22, 2020  
**Minimum Bid:** \$10,536,000.00  
**Acreage:** 405.360 (more or less)

FOR ADDITIONAL INFORMATION CONTACT:  
**Joe Charles, Administrator (602) 542-3000**

**DISCLAIMER:** This information is designed for general overview purposes only. Unless otherwise stated, all figures and depictions are approximate. Prospective bidders should review all information in the State Land Department's records relating to the property and seek technical or legal advice as needed, to assure the understanding of all legal descriptions, plat maps, surveys, and other documents relevant to the property. Informational marketing CDs may be available upon request. For more information, please contact ASLD Sales and Commercial Leasing Section at (602) 542-3000 or visit us online at [www.AzLand.gov](http://www.AzLand.gov).



**ARIZONA STATE LAND DEPARTMENT  
1616 WEST ADAMS STREET  
PHOENIX, ARIZONA 85007**

**PUBLIC AUCTION SALE NO. 53-120834**

Pursuant to A.R.S. Title 37, notice is hereby given that the State of Arizona through its Arizona State Land Department ("ASLD"), will sell at Public Auction to the highest and best bidder at 11:00 a.m. on Thursday, October 22, 2020, at the west front steps of the Coconino County Courthouse, 200 North San Francisco Street, Flagstaff, Arizona, trust lands situated in Coconino County to wit:

---

**TOWNSHIP 21 NORTH, RANGE 7 EAST, G&SRM, COCONINO COUNTY, ARIZONA**

---

PARCEL: W2; S2SE SECTION 26, CONTAINING 405.360 ACRES, MORE OR LESS.

LOCATION: SOUTH OF I-40 AND EAST OF JOHN WESLEY POWELL BLVD.,  
FLAGSTAFF, ARIZONA

**BENEFICIARY: UNIVERSITY OF ARIZONA (ACT 2/18/1881)**

**PROPERTY INFORMATION:**

(A) The complete legal description of Land Sale No. 53-120834 (the "Sale Parcel") is available in its respective file.

(B) The Sale Parcel has been appraised at \$10,536,000.00 ("Appraised Value").

(C) There are no reimbursable improvements on the Sale Parcel.

(D) The complete file associated with the above-described Sale Parcel is open to public inspection at the ASLD, 1616 West Adams Street, Phoenix, Arizona, from 8:00 a.m. to 4:30 p.m., exclusive of holidays and weekends. Please direct any questions regarding this Public Auction to the Real Estate Division of ASLD at (602) 542-3000. This auction notice is available on the ASLD's web site at [www.azland.gov](http://www.azland.gov).

**BIDDING INFORMATION:**

(A) Prior to the date of auction, a prospective bidder shall perform his/her own due diligence including, without limitation, researching the records of local jurisdictions, all ASLD files pertinent to the auction and Sale Parcel including, without limitation, ASLD File No. 53-120834, and files of all other public agencies regarding the Sale Parcel.

(B) On the date of auction, a prospective bidder, or a representative of a prospective bidder other than the registered broker/salesperson, if any, shall attend and bid on behalf of a prospective bidder.

(C) Prior to the start of bidding, a prospective bidder shall sign an affidavit agreeing that: they have undertaken due diligence in preparation for the auction; they are purchasing the Sale Parcel solely upon the basis of their own due diligence and investigation of the Sale Parcel and not on the basis of any representation, express or implied, written or oral, made by ASLD or its agents or

employees, except as set forth in writing herein; their representative is authorized to bid and bind the bidder; and they are purchasing the Sale Parcel AS IS.

**(D)** Prior to the start of bidding, a prospective bidder must show ASLD's representative a **Cashier's Check** made payable to "Arizona State Land Department" in the amount specified under Terms of Sale Paragraph (F) below. If the prospective bidder is not the applicant, the amount of Cashier's Check shall be \$1,424,454.00. If the prospective bidder is the applicant, the amount of Cashier's Check shall be \$1,369,680.00.

**(E)** A prospective bidder who has complied with Paragraphs (A) through (D) above shall be deemed a "Registered Bidder" and may bid at the auction. ASLD shall only consider bids by Registered Bidders.

**(F)** The bidding will begin at the Appraised Value of \$10,536,000.00. A bid for less than the Appraised Value of the Sale Parcel will not be considered. Additional bidding must be made in minimum increments of \$100,000.00. Bidding will be conducted orally.

**(G)** The time of sale shall be deemed to be the time of declaration of the highest and best bid (the "Time of Sale"). A Registered Bidder whose bid is declared the highest and best bid shall be deemed the "Successful Bidder". The amount of the highest and best bid shall be deemed the "Sale Price".

**(H)** To comply with A.R.S. § 37-240(B), ASLD shall require that the Successful Bidder must be authorized to transact business in the State of Arizona no later than ten (10) business days after the date of the auction.

**(I)** Pursuant to A.R.S. § 37-241(C), in the event of forfeiture by the Successful Bidder, the ASLD Commissioner may declare that the bid placed before the final bid accepted is the highest bid, and that bidder has five (5) days after notification by ASLD to pay by cashier's check all amounts due under Terms of Sale Paragraph (F) below.

**(J)** Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the ADA Coordinator at (602) 542-2629. Requests should be made as early as possible to allow time to arrange the accommodation.

#### **TERMS OF SALE:**

**(A)** The Sale Parcel shall be purchased in an "AS-IS" condition "WITH ALL FAULTS", with no representation or warranty being made by ASLD of any type or nature. ASLD makes no warranty as to the following: (a) the physical condition or any other aspect of the Sale Parcel, including, but not limited to, the uses to which the Sale Parcel may be put, the ability to construct additional improvements or modify existing improvements on any portion of the Sale Parcel or the ability to obtain building permits for any portion of the Sale Parcel, the conformity of the Sale Parcel to past, current or future applicable landscaping, parking, zoning or building code requirements, the existence of soil instability, past soil repairs, soil additions or conditions of soil fill, susceptibility to landslides, sufficiency of undershoring, water retention characteristics of the Sale Parcel, drainage onto or off of the Sale Parcel, the location of the Sale Parcel either wholly or partially in a flood plain or a flood hazard boundary or similar area, or any other matter affecting the stability or integrity of the Sale Parcel or any improvements constituting the Sale Parcel; or (b) the sufficiency of the Sale Parcel for purchaser's purposes or as to its continued operating conditions

or usefulness. All implied warranties, including, without limitation, **WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE**, are hereby expressly disclaimed.

**(B)** The Sale Parcel is sold subject to existing reservations, easements and rights of way.

**(C)** ASLD does not represent or warrant that access exists over lands which may intervene respectively between the Sale Parcel and the nearest public roadway.

**(D)** Pursuant to A.R.S. § 37-231, the State of Arizona or its predecessor in title, reserve and retain all rights and all forms of access to all oil, gas, minerals, hydrocarbon substances and gaseous substances or any other material which is essential to the production of fissionable materials as provided by the rules and regulations of ASLD and the laws of Arizona.

**(E)** Immediately following the Time of Sale, the Successful Bidder must sign an affidavit which states without limitation that he/she is the Successful Bidder and the amount of the Sale Price.

**(F)** Immediately following the Time of Sale, the Successful Bidder shall pay the following to ASLD by a cashier's check:

- 1) 10% of the Appraised Value of the Sale Parcel, which is \$1,053,600.00;
- 2) A Selling and Administrative Fee of 3% of the Appraised Value of the Sale Parcel, which is \$316,080.00;
- 3) Estimated Reimbursable Legal Advertising Costs, which are \$5,000.00;
- 4) Reimbursable Appraisal Fee, which is \$3,750.00; and
- 5) Reimbursable Costs and Expenses, which are \$46,024.00.

The total amount due at the Time of Sale is \$1,424,454.00.

**(G)** Immediately following the Time of Sale, the Successful Bidder shall notify ASLD which of the following financial terms the Successful Bidder elects:

- 1) "The Patent Option", which requires within thirty (30) days after the date of auction payment of the following:
  - a) The full balance of the Sale Price;
  - b) A Selling and Administrative Fee of 3% of the Sale Price, less the amount paid under Terms of Sale Paragraph (F)(2) above;
  - c) The actual Legal Advertising Costs, less the amount paid under Terms of Sale Paragraph (F)(3) above; and
  - d) A Patent Fee of \$200.00; OR
- 2) "The Certificate of Purchase Option", which requires:
  - a) Within thirty (30) days after the date of auction payment of: (i) a Certificate of Purchase Fee of \$1,000.00; (ii) payment of an additional amount, if any, which, when added to the amount paid under Paragraph (F)(1) above, equals 10% of the Sale Price to be allocated to the principal; (iii) payment of a Selling and Administrative Fee of 3% of the Sale Price, less the amount paid under Terms of Sale Paragraph (F)(2) above; and (iv) the actual Legal Advertising Costs, less the amount paid under Terms of Sale Paragraph (F)(3) above;
  - b) Pay the balance of the amounts due for the Sale Parcel in annual installments, as defined under (c) below, with simple interest, which begins to accrue on the date of auction until paid in full at a fixed rate equal to the greater of (i) the United States Prime

Rate as published in the *Wall Street Journal* on the day of auction, plus 2.00% or (ii) 6.75% [By way of example, if the foregoing rate were calculated as of July 27, 2020, the rate would equal the greater of: (i) the United States Prime Rate of 3.25%, plus 2.00% (5.25%) or (ii) 6.75%].

c) The Successful Bidder must pay:

- (1) Within one (a) year after the date of auction—
  - (a) The first interest only annual installment on the remaining balance of the Sale Price; and
- (2) Within two (2) years after the date of auction—
  - (a) The second interest only annual installment on the remaining balance of the Sale Price; and
- (3) Within three (3) years after the date of auction—
  - (a) The third interest only annual installment on the remaining balance of the Sale Price; and
- (4) Within four (4) years after the date of auction—
  - (a) The fourth interest only annual installment on the remaining balance of the Sale Price; and
- (5) Within five (5) years after the date of auction—
  - (a) The fifth interest only annual installment on the remaining balance of the Sale Price; and
- (6) Within six (6) years after the date of auction—
  - (a) The sixth interest only annual installment on the remaining balance of the Sale Price; and
- (7) Within seven (7) years after the date of auction—
  - (a) The remaining principal and interest due on the remaining balance of the Sale Price;
  - (b) A Patent Fee of \$200.00.

The Successful Bidder may discharge the entire debt at any time, within seven (7) years after the auction date, per A.R.S. § 37-241(G), by paying the remaining balance of the Sale Price for the Sale Parcel, with interest thereon.

**(H)** The ASLD Commissioner has determined, pursuant to A.R.S. § 37-251(B), that: no more than three (3) partial patents will be allowed for this transaction; the first (1<sup>st</sup>) partial patent must be taken within thirty (30) months of the date of auction, and shall not be less than one hundred twenty-five (125) acres in size; the second (2<sup>nd</sup>) partial patent must be taken within sixty (60) months of the date of auction, and shall not be less than one hundred twenty-five (125) acres in size (in addition to the first partial patent); the third (3<sup>rd</sup>) partial patent shall not be less than one hundred (100) acres in size (in addition to the first and second partial patent); and a principal and interest payment shall be required for each partial patent.

**(I)** The Commissioner has determined that no portion of the down payment, meaning the amounts paid toward the Sale Price in Terms of Sale (F) and (G)(2) above, shall be applied towards the release payment for a partial patent.

**(J)** Until the remaining balance of the Sale Price for the Sale Parcel, with interest thereon, is paid in full, the Successful Bidder who elects the Certificate of Purchase Option under Terms of Sale Paragraph (G)(2) above shall not, without prior written approval of ASLD in its sole discretion:

- 1) Construct any improvements (as that term is defined in A.R.S. § 37-101) on the Sale Parcel;
- 2) Disturb any soil on the Sale Parcel; or

3) Deposit any fill material on the Sale Parcel.

If a partial patent is issued by the Department for a portion of the Sale Parcel, these conditions shall not apply to the patented area.

(K) When and if a Certificate of Purchase or a Patent has been issued to the Successful Bidder by ASLD, a Broker Commission shall be paid from the Selling and Administrative Fee collected by ASLD pursuant to A.R.S. § 37-107(B)(1) to a broker otherwise eligible to receive a commission under A.A.C. R12-5-413. **The Broker Commission shall be \$100,000.00.** Any portion of the Selling and Administrative Fee collected in excess of a brokerage commission paid shall be collected and retained by ASLD.

(L) If the Successful Bidder fails to complete all payments as stated in this auction notice, the Successful Bidder shall forfeit all amounts paid, which amounts shall be deemed rent for the Sale Parcel pursuant to A.R.S. § 37-241(C)(1).

**ADDITIONAL CONDITION(S):**

The Patent for the Sale Parcel shall include the following conditions and restrictions:

There may be Register Eligible Site or Sites located within the subject property, which could include information significant in this state's history, architecture, archaeology, or culture and may meet eligibility criteria, which the Arizona State Parks Board has established for listing on the Arizona Register of Historic Places, or which meet eligibility criteria for listing on the National Register of Historic Places. If ground-disturbing activities will or may impact one or more Register Eligible Site or Sites, patentee shall consult with the State Historic Preservation Office and otherwise take such actions as are necessary to avoid, preserve, protect, or mitigate impacts on the Register Eligible Site or Sites. In the event that avoidance, preservation and protection of the Register Eligible Site or Sites cannot be accomplished, patentee shall ensure a Data Recovery Plan is developed in consultation with and acceptable to, the Arizona State Museum and the State Historic Preservation Office, or their successor agencies, and the Data Recovery is implemented and completed prior to the Register Eligible Site or Sites being affected. The artifacts and records recovered from the subject property shall be curated according to the Arizona State Museum Conservation and Curation Standards as established in rules implementing the Arizona Antiquities Act.

If human remains are encountered during ground-disturbing activities, all work must immediately cease within 30.48 meters (100 feet) of the discovery and the area must be secured. The Arizona State Museum must be notified of the discovery. All discoveries will be treated in accordance with Arizona Revised Statutes (A.R.S. § 41-844 and A.R.S. § 41-865) and work must not resume in this area without authorization from the Arizona State Museum.

These conditions shall run with the subject property, and be binding on the patentee's heirs, successors, and assigns.

**BROKER INFORMATION:**

In the event a prospective bidder is represented by a licensed Arizona Real Estate Broker or Salesperson seeking a broker commission pursuant to A.R.S. § 37-132(B)(2), it is the responsibility of both the prospective bidder and the designated broker to register with ASLD no later than three (3) business days prior to the date of auction. Registration must be submitted on the ASLD's Broker Registration/Bidder Certification form in accordance with A.A.C. R12-5-413. Original signatures of the Designated Broker, Salesperson, and Potential Bidder must all appear on one form.

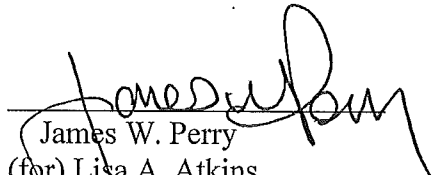
Facsimile copies will not be accepted by ASLD. The broker or salesperson of the Successful Bidder who has so registered with ASLD for this Auction will be required to sign an affidavit that the broker or salesperson is licensed pursuant to A.R.S. § 32-2101, et. seq., identifies his/her client as the Successful Bidder, attests the broker or salesperson has no other affiliation with the Successful Bidder other than as a procuring broker or salesperson, and that the broker or salesperson actually procured the Successful Bidder for this Auction. **Broker Registration forms will not be accepted by ASLD for Public Auction No. 53-120834 after 5:00 p.m. on Monday, October 19, 2020.**

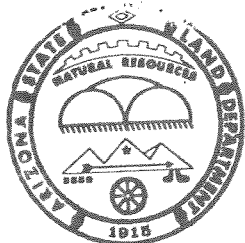
**GENERAL INFORMATION:**

ASLD may cancel this auction in whole or in part at any time prior to the acceptance of a final bid.

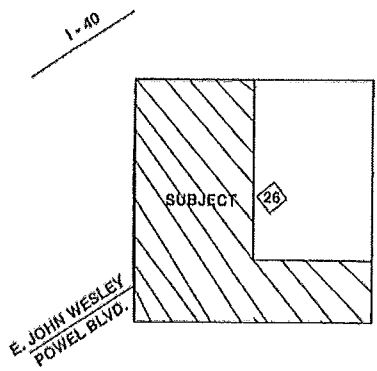
A protest to this sale must be filed within 30 days after the first day of publication of this announcement and in accordance with A.R.S. § 37-301.

**THE TERMS AND CONDITIONS CONTAINED WITHIN THIS AUCTION NOTICE SHALL SURVIVE THE DELIVERY OF THE CERTIFICATE OF PURCHASE AND PATENT FOR THE SALE PARCEL.**

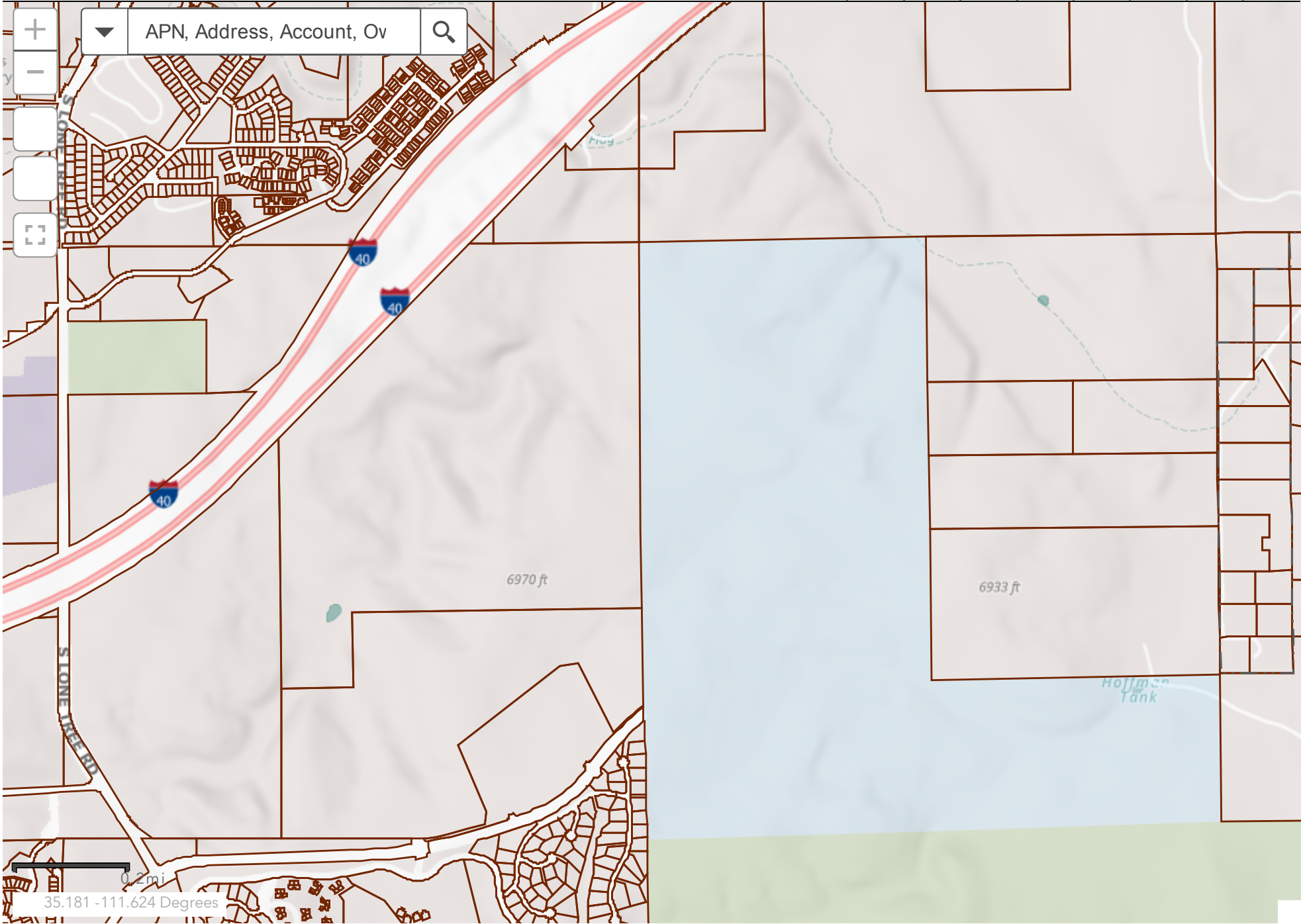
  
James W. Perry  
(for) Lisa A. Atkins  
State Land Commissioner

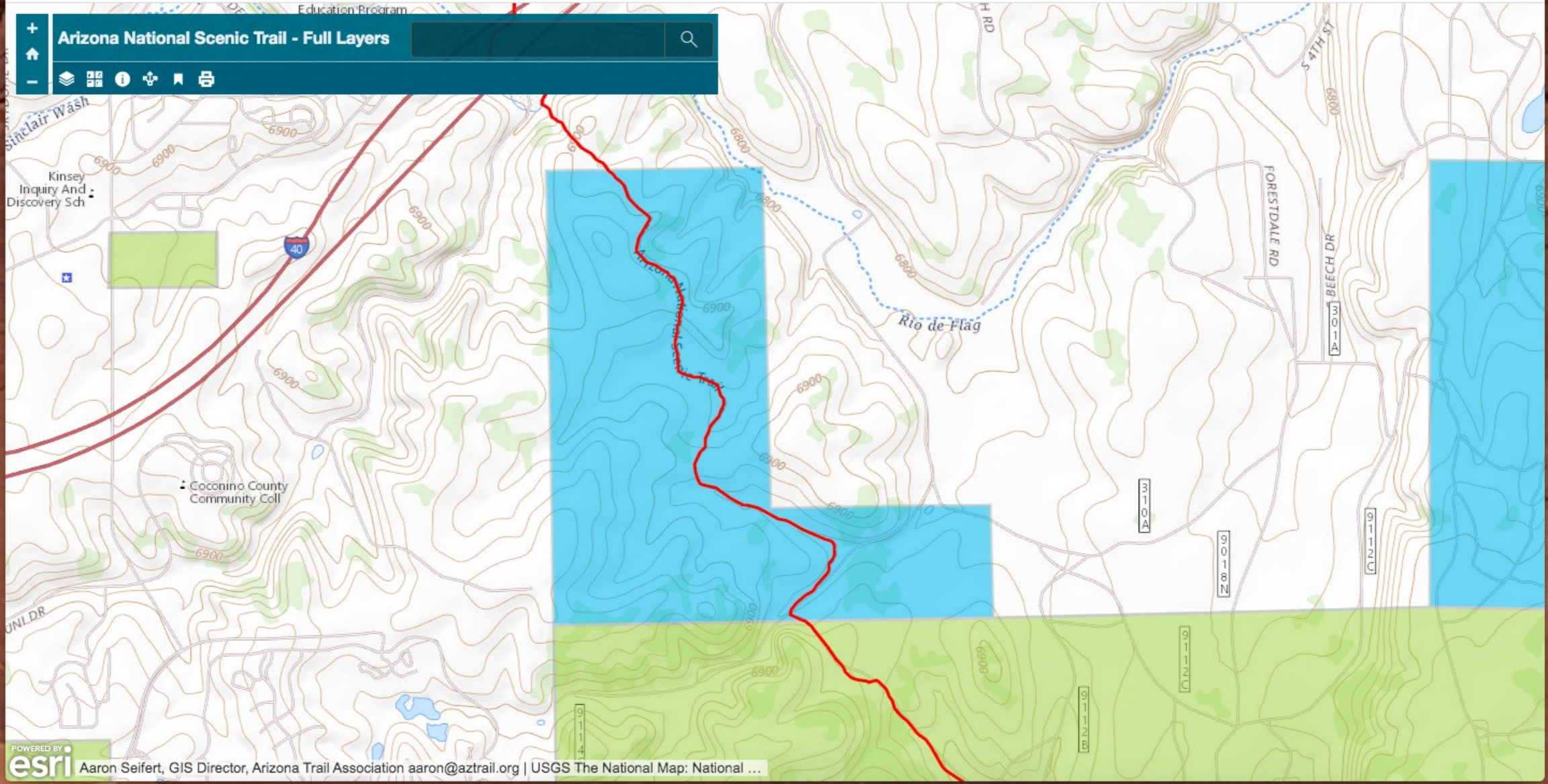


7/31/2020  
Date



**Disclaimer:** This map is designed for general overview purposes only. Unless otherwise stated all depictions are approximate. Prospective bidders should review all information in ASLD's records relating to the Sale Parcel and seek technical or legal advice as needed to assure the understanding of all legal descriptions, plat maps, surveys, and other documents relevant to the Sale Parcel. Contact ASLD, Real Estate Division at (602) 542-3000 for additional information.

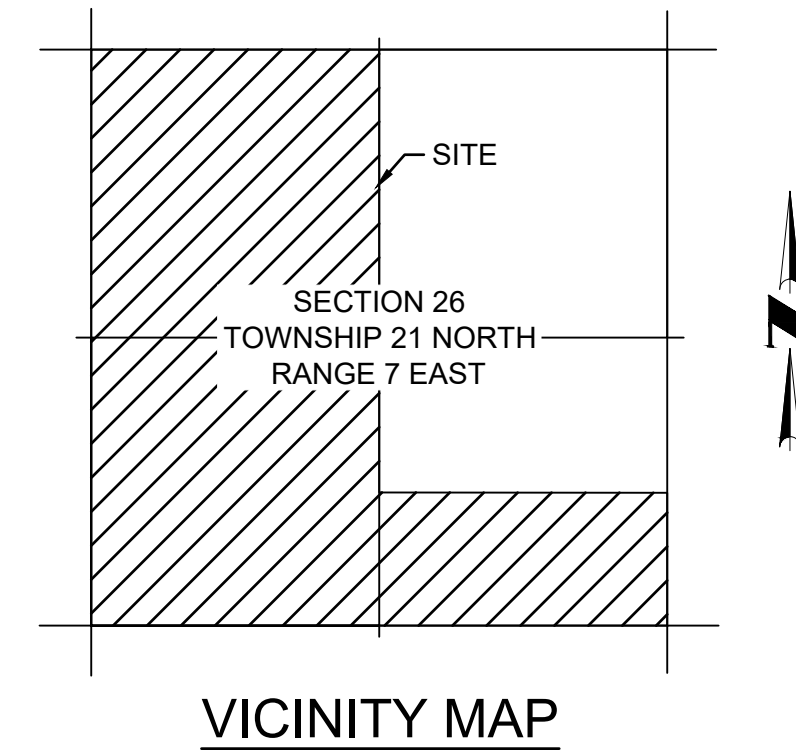




POWERED BY esri Aaron Seifert, GIS Director, Arizona Trail Association aaron@aztrail.org | USGS The National Map: National ...

# FLAGSTAFF 400 A.L.T.A./N.S.P.S. LAND TITLE SURVEY

A PORTION OF LAND LOCATED IN SECTION 26,  
TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN,  
COCONINO COUNTY, ARIZONA



VICINITY MAP

### NOTES

THIS SURVEY IS BASED ON A REPORT OF TITLE INSURANCE BY PIONEER TITLE AGENCY, INC. ORDER NO. 90301060 DATED NOVEMBER 19, 2019

THE PROPERTY IS SUBJECT TO THE FOLLOWING, ACCORDING TO SCHEDULE B OF SAID COMMITMENT:

1. RIGHT-OF-WAY NO. 16-103723 AS DISCLOSED BY THE RECORDS OF THE STATE LAND OFFICE RECORDED OCTOBER 30, 1998 AS DOCKET 2165, PAGE 974 GRANTED TO THE CITY OF FLAGSTAFF FOR A PUBLIC TRAIL. (AFFECTS THE SURVEYED PARCEL - MAPPED HEREON)
2. APPLICATION NO. 53-120834 ISSUED BY THE STATE OF ARIZONA ON MAY 18, 2019 TO SWANIE SACCENTE. (AFFECTS THE SURVEYED PARCEL - BLANKET EFFECT - NOT MAPPABLE)
3. THE RIGHT OF ENTRY RESERVED TO THE STATE OF ARIZONA AND ITS LESSEES IN CONNECTION WITH THE MINERAL ESTATE AND THE PRODUCTION OF OIL AND GAS AS SET FORTH IN ARIZONA REVISED STATUTES. (AFFECTS THE SURVEYED PARCEL - BLANKET EFFECT - NOT MAPPABLE)
4. THE EFFECT OF ORDINANCE BY THE CITY OF FLAGSTAFF RECORDED IN DOCKET 2060, PAGE 978 CONCERNING AN AIRPORT INFLUENCE AREA. (AFFECTS THE SURVEYED PARCEL - BLANKET EFFECT - NOT MAPPABLE)

PURSUANT TO TABLE "A", ITEM 1, MONUMENTS HAVE BEEN PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY EXISTING MONUMENTS OR WITNESSES IN CLOSE PROXIMITY TO THE CORNER.

PURSUANT TO TABLE "A", ITEM 2, NO PROPERTY ADDRESS IS AVAILABLE FOR THE SURVEYED PARCEL.

PURSUANT TO TABLE "A", ITEM 3, FLOOD ZONE INFORMATION IS SHOWN IN THE FLOOD ZONE CERTIFICATION.

PURSUANT TO TABLE "A", ITEM 4, PARCEL AREAS ARE SHOWN AT THE END OF THE LEGAL DESCRIPTION.

PURSUANT TO TABLE "A", ITEM 8, SUBSTANTIAL FEATURES OBSERVED IN THE FIELD ARE SHOWN ON THE PLAT OF SURVEY.

PURSUANT TO TABLE "A", ITEM 11, NO PHYSICAL LOCATION OF UNDERGROUND UTILITIES WAS PERFORMED IN THE FIELD IN CONJUNCTION WITH THIS SURVEY. UTILITIES SHOWN ARE A COMPILATION OF FIELD LOCATED SURFACE EVIDENCE AND UNDERGROUND UTILITY LINE LOCATIONS FROM THE BEST AVAILABLE SOURCES, INCLUDING BLUESTAKE MARKINGS AS LOCATED IN THE FIELD AND MAPS AS SUPPLIED BY UTILITY PROVIDERS. NOT ALL MAPS WERE AVAILABLE AS OF THE DATE OF THIS SURVEY.

PURSUANT TO TABLE "A", ITEM 13, NAMES OF ADJOINING OWNERS OF SUBDIVIDED LANDS ACCORDING TO CURRENT TAX RECORDS ARE SHOWN ON THE PLAT OF SURVEY.

PURSUANT TO TABLE "A", ITEM 16, THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

PURSUANT TO TABLE "A", ITEM 17, THERE IS NO INFORMATION AVAILABLE CONCERNING ANY CHANGES IN STREET RIGHT OF WAY LINES, EITHER COMPLETED OR PROPOSED. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

ADJOINING RIGHTS-OF-WAY ARE MAPPED PER INFORMATION FROM THE COCONINO COUNTY ASSESSOR UNLESS NOTED OTHERWISE.

BEARINGS, DISTANCES AND CURVE DATA NOT SPECIFIED AS RECORD OR MEASURED REPRESENT CVL FIELD MEASURED DATA.

SOURCES USED IN THE PREPARATION OF THIS SURVEY INCLUDE:  
GENERAL LAND OFFICE PLAT NO 922 (GLO)  
03537718, COCONINO COUNTY RECORDS

### LEGAL DESCRIPTION

THE WEST HALF AND THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA;

EXCEPT ALL OIL GAS AND OTHER HYDROCARBON SUBSTANCES, HELIUM OR OTHER SUBSTANCES OF A GASEOUS NATURE, GEOTHERMAL RESOURCES, COAL METAL MINERALS, FOSSILS, FERTILIZED OF EVERY NAME AND DESCRIPTION AND EXCEPT ALL URANIUM, THORIUM OR ANY OTHER MINERALS WHICH MAY BE ESSENTIAL TO PRODUCTION OF FISSIONABLE MATERIAL AS RESERVED IN ARIZONA REVISED STATUTES.

CONTAINING 17,657,310 SQUARE FEET OR 405.356 ACRES, MORE OR LESS

### FLOOD ZONE CERTIFICATION

THIS IS TO CERTIFY THAT THIS PROPERTY IS LOCATED WITHIN THE UNSHADED ZONE "X" FLOOD HAZARD AREA PER FIRM MAP PANEL NUMBERS 04005C-6817 G AND 04005C-6836 G, BOTH DATED SEPTEMBER 3, 2010, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

ZONE "X" AS DEFINED BY FEMA IS:  
AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOOD PLAIN.

### BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY IS GRID NORTH, ACCORDING TO DIRECT OBSERVATION ON ARIZONA STATE PLANE COORDINATES, CENTRAL ZONE.

### CERTIFICATION

TO SYMMETRY COMPANIES, LLC;  
THE STATE OF ARIZONA; AND  
PIONEER TITLE AGENCY, INC.:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 11, 13, 16 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 02/21/2020.

DATE OF PLAT OR MAP: 02/28/2020

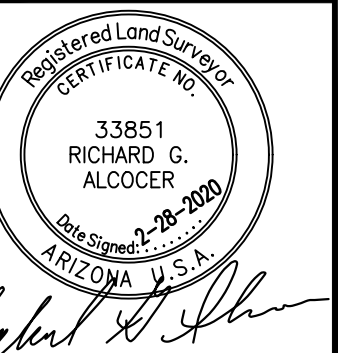
RICHARD G. ALCOCER  
REGISTRATION NUMBER 33851  
4550 N. 12TH STREET  
PHOENIX, ARIZONA 85014  
(602)-264-6831  
CVLSURVEY@CVLCI.COM



DATE  
 REVISION  
 NO.  
**Coe & Van Loo Consultants, Inc.**

A.L.T.A. / N.S.P.S. LAND TITLE SURVEY

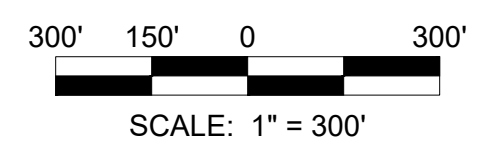
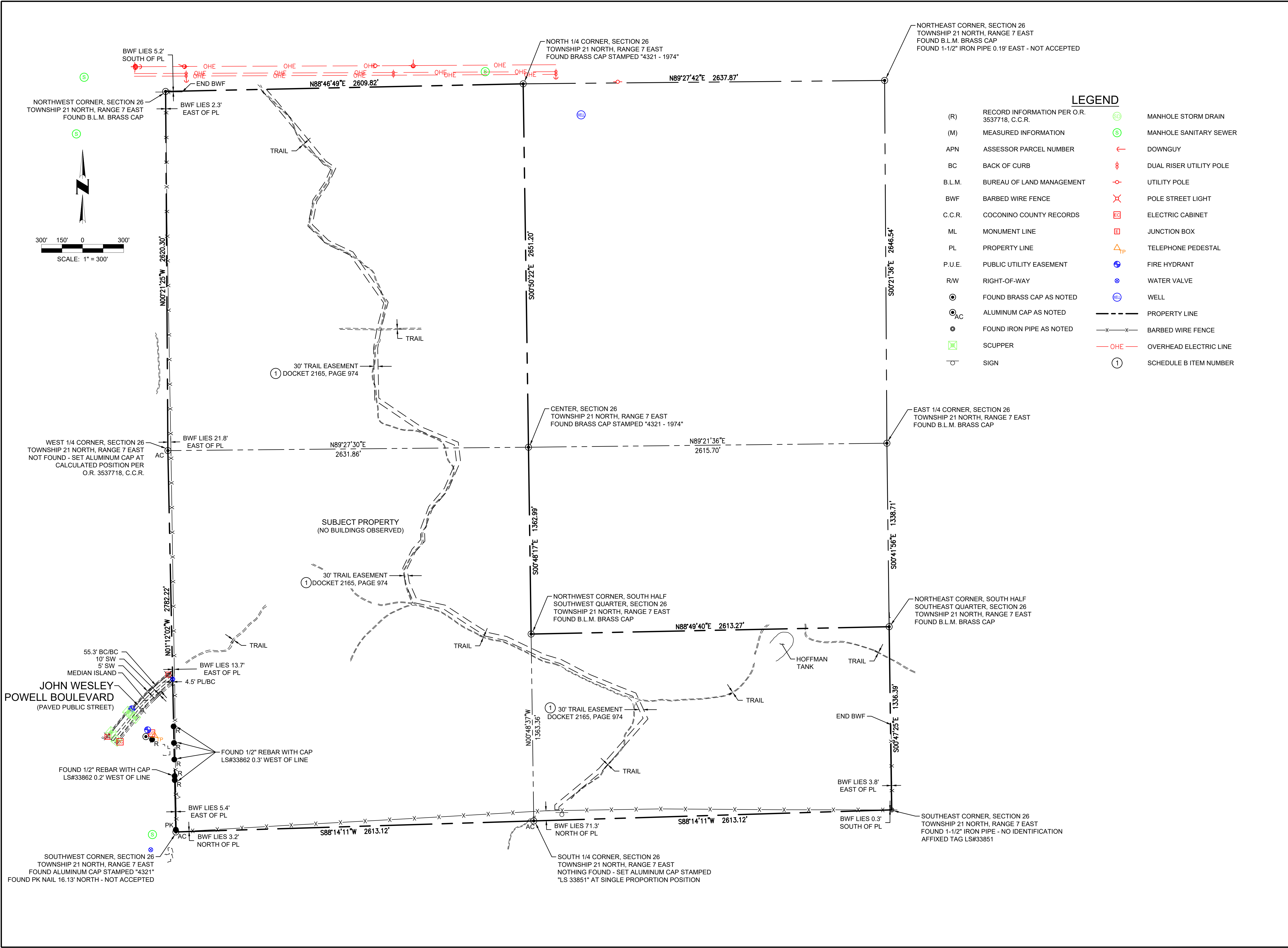
**FLAGSTAFF 400**  
 FLAGSTAFF, ARIZONA



1 SHEET  
OF 2

CVL Contact: M. RUSSO  
CVL Project #: 01-03143-01

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**LEGEND**

- |                 |   |       |                         |
|-----------------|---|-------|-------------------------|
| (R)             | RECORD INFORMATION PER O.R. 3537718, C.C.R. | ⊙     | MANHOLE STORM DRAIN     |
| (M)             | MEASURED INFORMATION                        | ⊙     | MANHOLE SANITARY SEWER  |
| APN             | ASSESSOR PARCEL NUMBER                      | ↑     | DOWNGUY                 |
| BC              | BACK OF CURB                                | ⊕     | DUAL RISER UTILITY POLE |
| B.L.M.          | BUREAU OF LAND MANAGEMENT                   | ⊕     | UTILITY POLE            |
| BWF             | BARBED WIRE FENCE                           | ⊕     | POLE STREET LIGHT       |
| C.C.R.          | COCONINO COUNTY RECORDS                     | ⊕     | ELECTRIC CABINET        |
| ML              | MONUMENT LINE                               | ⊕     | JUNCTION BOX            |
| PL              | PROPERTY LINE                               | ⊕     | TELEPHONE PEDESTAL      |
| P.U.E.          | PUBLIC UTILITY EASEMENT                     | ⊕     | FIRE HYDRANT            |
| R/W             | RIGHT-OF-WAY                                | ⊕     | WATER VALVE             |
| ⊙               | FOUND BRASS CAP AS NOTED                    | ⊕     | WELL                    |
| ⊙ <sub>AC</sub> | ALUMINUM CAP AS NOTED                       | ---   | PROPERTY LINE           |
| ⊙               | FOUND IRON PIPE AS NOTED                    | -x-x- | BARBED WIRE FENCE       |
| ⊕               | SCUPPER                                     | -OHE- | OVERHEAD ELECTRIC LINE  |
| ⊕               | SIGN  | ①     | SCHEDULE B ITEM NUMBER  |

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# PHASE I ENVIRONMENTAL SITE ASSESSMENT

**L-SHAPED STATE LAND TRUST- 400 ACRES**

Flagstaff, Arizona  
WT Job No. 2589JE321

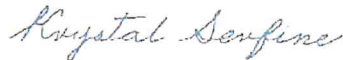
**PREPARED FOR:**

Coe & Van Loo Consultants, Inc.  
4550 North 12<sup>th</sup> Street  
Phoenix, Arizona 85014  
Attn: Mr. Curt Johnson

And

Arizona State Land Department  
1616 West Adams  
Phoenix, Arizona 85007

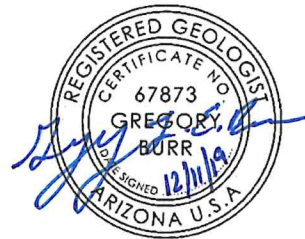
December 10, 2019



Krystal Serfine  
Environmental Scientist



Susan B. Kaleta  
Environmental Project Manager



Reviewed By: Gregory L. E. Burr, R.G.  
Geotechnical Project Manager



December 10, 2019

Coe & Van Loo Consultants, Inc.  
4550 North 12th Street  
Phoenix, Arizona 85014

And

Arizona State Land Department  
1616 West Adams  
Phoenix, Arizona 85007

Attn: Mr. Curt Johnson

Re: Phase I Environmental Site Assessment  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona

WT Job No. 2589JE321

Western Technologies Inc. has completed this Phase I Environmental Site Assessment of 400 acres of an L-Shaped State Land Trust in Flagstaff, Arizona. The results of our assessment, significant findings and conclusions are presented in the enclosed report.

This report completes the agreed scope of services. If you have any questions or if we may be of further assistance to you, please do not hesitate to contact us. Thank you for allowing us to provide these services.

Sincerely,

**WESTERN TECHNOLOGIES INC.**



Susan B. Kaleta  
Environmental Project Manager

Copies to: Addressee (1)

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## EXECUTIVE SUMMARY

Western Technologies Inc. (WT) completed a Phase I Environmental Site Assessment (ESA) of 400 acres of an L-Shaped State Land Trust in Flagstaff, Arizona. The purpose of this ESA was to identify to the extent feasible, pursuant to the processes described herein, recognized environmental conditions (RECs), in connection with the Property.

The Property was undeveloped, forested land that included rural biking and hiking trails. The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank, a surface water basin, was within the southeastern portion of the Property. WT did not identify indications of RECs during the reconnaissance.

A few discarded items were encountered near Corner 6 of the Property including aluminum cans, plastic bags, and plastic containers. Based on the small amount of items and types of items encountered, the discarded materials were not considered RECs in connection to the Property. However, removal and proper disposal would be recommended.

Property location was in a rural residential area of Flagstaff. The sites adjoining the Property consisted of undeveloped, forested land and a residential home to the north, undeveloped, forested land to the south and east, and undeveloped, forested land and residential homes to the west. WT did not identify indications of RECs in connection with the current use of the adjoining sites.

The earliest standard historical source reviewed for this ESA was an aerial photo dated 1964, which showed the Property as vacant, native land with what appeared to be a few rural trails throughout the Property and a power line on the northern edge of the Property, matching its current footprint. The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank, a surface water basin, was within the southeastern portion of the Property. The intervals between standard historical sources reviewed for this exceeded 5 years, therefore data failure occurred while attempting to document historical uses back to 1940 or the first developed use, although based on its history as vacant land, WT did not identify indications of RECs in connection with the historical uses of the Property.

WT obtained and reviewed a commercial database report of standard federal United States Environmental Protection Agency (USEPA) and state Arizona Department of Environmental Quality (ADEQ) databases from Environmental Risk Information Services. The database findings did not identify the Property or sites in the searched USEPA or ADEQ databases. The Navajo Depot Activity on the Interstate 40 was listed on the Unplottable Summary. WT did not identify this site as a REC in connection with the Property. WT did not identify indications of RECs or vapor migration conditions in connection with the regulatory agency records reviews.

WT performed this ESA in general agreement with the scope and limitations of ASTM E 1527-13 of 400 acres of an L-Shaped State Land Trust in Flagstaff, Arizona. This assessment has revealed no evidence of RECs currently in connection with the Property, and WT makes no recommendations for further assessment at this time. If additional information becomes available or known that may suggest the presence of recognized environmental conditions currently in connection with the Property, contact this firm for potential recommendations.

## 1.0 INTRODUCTION

This report presents the results of a Phase I Environmental Site Assessment (ESA) of 400 acres of an L-Shaped State Land Trust in Flagstaff, Arizona ("the Property"). The cadastral description of the Property relative to the U.S. Public Land Survey System is generally within a portion of the Section 26, Township 21 North, Range 7 East of the Gila and Salt River Baseline and Meridian in Coconino County, Arizona. Figure 1 in Appendix A shows the location of the Property.

### 1.1 Project Authorization

Western Technologies Inc. (WT) was authorized by Mr. Curt Johnson of Coe & Van Loo Consultants, Inc. to perform this ESA according to WT Contract No. 2589PE231, on November 7, 2019.

### 1.2 User Reliance

WT prepared this ESA for Coe & Van Loo Consultants, Inc. and Arizona State Land Department. This ESA may not be utilized or relied upon by any other person or entity without the express written consent of WT and the completion of the User's responsibilities as described in ASTM E 1527-13 and the All Appropriate Inquiries Rule (AAI Rule).

### 1.3 Environmental Professionals Statement

I, Susan B. Kaleta, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR § 312.10. I have the specific qualifications, based on education, training, and experience, to assess a property of the nature, history, and setting of the Property. I have developed and performed the all appropriate inquiries in general conformance with the standards and practices set forth in 40 CFR Part 312.

Ms. Krystal Serfine conducted the site reconnaissance, interviews and records reviews under the supervision and responsible charge of Ms. Kaleta. The final review of the written report was conducted by Mr. Gregory L. E. Burr, R.G. and the formulation of opinions regarding Recognized Environmental Conditions (RECs) was performed by Ms. Kaleta.

### 1.4 Purpose

The purpose of this ESA was to identify, to the extent feasible pursuant to the processes described herein, recognized environmental conditions (RECs) in connection with the Property. According to the ASTM E1527-13, RECs are "the presence or likely presence of any hazardous substances or petroleum products on, in, or at the Property: (1) due to a release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not RECs." WT used its judgment to identify migration pathways and RECs.

## **1.5 Scope of Services**

The scope of services generally followed the applicable provisions of the Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E1527-13) and the scope and limitations in our contract for this project, and consisted of a reconnaissance of the Property, interviews, a review of physical setting information, reviews of historical use research, reviews of standard Federal and State databases and local records, file reviews (if deemed necessary by the environmental professional), and preparation of this report.

## **2.0 PROPERTY AND AREA INFORMATION**

The reconnaissance of the Property was performed by Ms. Krystal Serfine on November 16, 2019. The reconnaissance was performed by walking the Property. No limiting conditions were encountered during the reconnaissance of the Property. Figure 2 in Appendix A depicts general features observed on the Property. Photographs taken during the reconnaissance of the Property are included in Appendix B.

### **2.1 Current Property Use and Occupancy**

The Property consisted of approximately 400 acres of undeveloped, forested land.

### **2.2 Property Improvements and Features**

The Property was undeveloped, forested land that included rural biking and hiking trails. The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank was within the southeastern portion of the Property.

### **2.3 Utilities**

The Property area was vacant, forested land, therefore there are no utility providers for the Property.

### **2.4 Current Adjoining Property Use and Description**

The area of the Property was within a rural residential area of Flagstaff. The sites adjoining the Property consist of the following:

- north was undeveloped, forested land and a residential home;
- south was undeveloped, forested land;
- east was undeveloped, forested land; and

- west was undeveloped, forested land and residential homes

Based on WT's observations during the reconnaissance, WT did not identify evidence of potential RECs on the Property resulting from activities on the adjoining sites.

## 2.5 Physical Setting Sources

Topographic maps from the United States Geological Survey (USGS) and hydrogeologic reports from the Arizona Department of Water Resources (ADWR) were reviewed as standard physical setting sources of information about the Property and surrounding area. The physical setting information represents a general indication of topographic and hydrogeologic conditions that may reflect pathways for the migration of hazardous substances and petroleum products onto or away from the Property. However, this regionally-based information may not accurately describe current site-specific physical setting conditions.

The local topography is hilly to mountainous terrain with gentle to steep slopes. Regional topography consists of the San Francisco Peaks volcanic field. The Property has an approximate elevation of 6,860 feet above Mean Sea Level (MSL). The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank, a surface water basin, was within the southeastern portion of the Property.

Based on water resource information (McGavock, et. al., 1986), the Property is situated along the southern margin of the Little Colorado River Plateau Physiographic Province, within the hydrologic regime designated as the Little Colorado River Basin.

The Property is within the San Francisco Volcanic Field, the second largest volcanic field in North America. The field became active approximately 5 million years ago, the most recent eruption occurring approximately 1,100 years ago at Sunset Crater (Newhall, et. al., 1987). Sedimentary rocks underlying the volcanic terrain include, in descending order, the Moenkopi Formation, the Kaibab Formation, the Coconino Sandstone and the Supai Group.

The Coconino Sandstone and sandy units of the underlying Supai Group represent the major regional aquifer for the Property. Based on groundwater potentiometric contours in the area of the Property (McGavock et. al., 1986; Appel and Bills, 1979), depth to the regional aquifer on the Property is estimated at between 1,200 and 1,300 feet below ground surface (bgs). This depth is the stratigraphic position of the Coconino Sandstone aquifer.

Direction of groundwater flow in the Coconino Sandstone aquifer is reported to be to the northeast, off the northeast flank of the Mormon Mountain anticline. The anticline is a subsurface dome structure, which serves to divide groundwater flow direction. There may be shallower perched groundwater tables with differing groundwater flow direction, following local topography.

### **3.0 RECONNAISSANCE FOR KNOWN AND SUSPECT RECS**

This section provides information about potential sources of known and suspect RECs in connection with the Property.

#### **3.1 Potential Polychlorinated Biphenyl (PCB) Sources**

Electrical transformers, capacitors, and possibly hydraulic equipment including elevators, are potential sources of PCBs.

None of these potential PCB sources were found during the reconnaissance.

#### **3.2 Aboveground Storage Tanks (ASTs)**

ASTs consist of portable fuel tanks on construction sites, portable fertilizer tanks in agricultural fields, process tanks in industrial applications, large bulk storage tanks at distribution facilities, storage tanks for the dispensing of fuel and lubricants and for the collection of liquid waste materials, and as integral fuel tanks to back-up power generators.

No ASTs or surface indications of former ASTs were noted during the reconnaissance.

#### **3.3 Underground Storage Tanks (USTs)**

Surface indications of existing or former USTs includes pump islands, fill ports, vent pipes, vapor monitoring wells, inventory monitoring equipment, asphalt patches over former tank pits or fuel lines, and remedial systems.

None of the listed surface indications of existing or former USTs was noted during the reconnaissance.

#### **3.4 Hazardous Substances, Petroleum Products, and Containers**

At the time of the reconnaissance, WT did not observe indications of the usage, storage, or disposal of hazardous substances or petroleum products in connection with current Property uses. WT did not observe the presence of containers, including drums, pails, bags, bins, silos, or pressurized cylinders, holding hazardous or unknown substances or petroleum products.

#### **3.5 Solid Waste Indicators**

Indications of solid waste storage or disposal include dumpsters, roll-off containers, waste piles, uncontrolled disposal of trash, demolition debris, construction debris, or vegetation, wildcat dumping, tires, litter, unusual mounding or depressions, fill or suspected fill from unknown sources, and debris commingled in disturbed surface areas.

A few discarded items were encountered near Corner 6 of the Property including aluminum cans, plastic bags, and plastic containers. Based on the small amount of items and types of items encountered, the discarded materials were not considered RECs in connection to the Property. However, removal and proper disposal would be recommended.

### **3.6 Wastewater, Stormwater, and Other Liquid Discharges**

Wastewater discharges include existing or former surface impoundments, oil/water separators, sumps, catch basins, injection wells, drywells receiving non-storm water related discharges, wastewater treatment systems, septic systems including tanks, leach fields, and seepage pits, exterior pipe discharges, pits, ponds, and lagoons.

Indications of the listed wastewater discharges were not seen on the Property during the reconnaissance.

A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank, a surface water basin, was within the southeastern portion of the Property.

Indications of spills or releases of liquid phase materials consist of odors, pools of liquid, stains, corrosion or discoloration on floors, pavement or the ground surface, sheens on water, and stressed vegetation.

No surface indications of the listed liquid waste indicators were observed on the Property during the reconnaissance.

### **3.7 Air Emission Control Equipment**

Air emission control equipment can include laboratory hoods, exterior vent stacks, incinerators, chimneys, bag houses, cyclones, and paint booths and result in the generation of used products or materials consisting of hazardous substances or petroleum products.

No indications of air emission control equipment were noted on the Property during the reconnaissance.

### **3.8 Existing or Former Wells**

Wells can be identified through the presence of well casings extending above the ground surface, turbines or pumps, a water storage tank, pressure tank, or water distribution piping, or traffic-rated covers over monitoring wells. Water produced from wells can be utilized for irrigation, public distribution, personal consumption, or environmental or hydrological monitoring or remediation.

No indications of groundwater wells were observed on the Property during the reconnaissance.

## 4.0 INTERVIEWS

This section summarizes information from interviews conducted as part of this ESA. Questionnaires completed by interviewees and other correspondence are presented in Appendix C.

### 4.1 Interviews with the User of this Report

Mr. James Adams with Symmetry Companies, representing the User completed and returned WT's User Questionnaire on November 2, 2019. Mr. Adams specified that a search of recorded land title records did not identify environmental liens filed or recorded against the Property under federal, tribal state, or local law. He mentioned that he did not have specialized knowledge or experience relative to the Property. He specified that this ESA was being conducted in order to satisfy seller's requirements.

Mr. Adams provided Title Records for the Property, as well as an Appraisal Summary for the Property. The appraisal document was conducted by CBRE and was dated September 12, 2019. Based on the CBRE appraisal, the "as is" market value was based on the assumptions that there is no known archeological significance found on the subject site, that there is no known geological significance found on the subject site, that there are no known environmental risks or hazardous conditions found on the subject site, and that there is legal access to the Property. The Property value was concluded to be at market value.

The User was not aware of environmental clean-up liens, engineering controls, institutional controls, or land use restrictions, or of litigation or administrative actions regarding environmental laws. They were not aware of commonly known or reasonably ascertainable information about the Property and they did not identify special knowledge about the Property, the surrounding area, or the type of business occurring on the Property, based on their personal and professional experience.

Mr. Bruce Campbell, the trustee of the land, who is with the Arizona State Land Department completed and returned WT's User Questionnaire on November 26, 2019. Mr. Campbell specified that a search of recorded land title records did not identify environmental liens filed or recorded against the Property under federal, tribal state, or local law. He mentioned that he did not have specialized knowledge or experience relative to the Property. He was not aware of commonly known or reasonably ascertainable information about the Property. The User was not aware of environmental clean-up liens, engineering controls, institutional controls, or land use restrictions, or of litigation or administrative actions regarding environmental laws.

### 4.2 Interviews with the Property Owner, Current Operators, or Occupants

Mr. Bruce Campbell, the trustee of the land, who is with the Arizona State Land Department completed WT's Owner/Key Site Manager Questionnaire on November 26, 2019. He has been familiar with the Property for 19 years. Mr. Campbell mentioned that there were not ASTs, USTs, hazardous chemicals, stained soils, in-ground hydraulic lifts, septic systems, or

wells on the Property. He also noted that he was unaware of prior ESAs completed for the Property. He was unable to identify prior owners and/or occupants for the Property.

#### **4.3 Interviews with Past Owners, Operators, or Occupants**

WT was unable to interview prior owners or occupants of the Property since there were no records pertaining to prior ownership of the Property, although based on its historic use as vacant, State Trust Land, it should not impede WT's ability to interpret RECs in connection with the Property.

#### **4.4 Interviews with Others**

WT contacted the Summit Fire District Station #31 regarding records for the Property, although at the time of completion of this report, no response had been obtained.

### **5.0 HISTORICAL RECORDS INFORMATION**

The objective of consulting historical sources was to develop a history of obvious uses of the Property back to 1940, or to the first developed use of the Property, whichever is earlier, unless a data failure occurred. The earliest standard historical source reviewed for this ESA was an aerial photo dated 1964, which showed the Property as vacant, native land with what appeared to be a few rural trails throughout the Property and a power line on the northern edge of the Property, matching its current footprint. The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank was within the southeastern portion of the Property. The intervals between standard historical sources reviewed for this exceeded 5 years, therefore data failure occurred while attempting to document historical uses back to 1940 or the first developed use, although based on its history as vacant land, this should not impede WT's ability to interpret RECs.

#### **5.1 Property Tax Files**

WT used the Coconino Parcel Viewer web application in order to view the Property area, which provided information that stated that the Property was owned by the State Trust.

#### **5.2 Land Title Records**

WT was unable to acquire land title records from the Coconino County Assessor's office or City Recorder's office, although as mentioned previously, the Property was owned by the State Trust.

### **5.3 Zoning/Land Use Records**

The City of Flagstaff GIS Zoning Map was contacted for information about zoning and land use classifications for the Property and surrounding area. According to City of Flagstaff, the Property is within a zoning designation of RR, which allows for rural residential.

### **5.4 Local Street Directories**

Local street directories are annual publications that list the names of telephone service recipients by address. The information contained in local street directories may be useful in determining the type of facility or business that operated at a particular address in a given year. As the Property is not addressed, a review of local street directories was not possible.

### **5.5 Building Inspection Records**

WT contacted the City of Flagstaff Recorder's Office regarding records for the Property and was informed that we should contact the Coconino County Community Development office since the Property did not have an address or parcel number. WT contacted the Coconino County Community Development office and was informed that they did not have records pertaining to the Property. Supporting correspondence is shown in Appendix C.

### **5.6 Fire Insurance Maps**

Fire Insurance maps were produced by private fire insurance map companies and depicted physical features and developments on land. These maps typically cover older sections of metropolitan areas. WT searched the online Library of Congress Sanborn Maps collection and found that they did not cover the Property area.

### **5.7 Topographic Maps and Atlases**

Topographic maps were reviewed for evidence of prior land uses or structures on or adjacent to the Property.

Historical topographic maps available from NETR Online with dates ranging from 1965 to 2014 were reviewed. The 1965 to 2014 maps depicted elevations, major bodies of water and major roadways. The Hoffman Tank surface water basin was near the fourth corner of the Property. The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property.

### **5.8 Aerial Photography**

Aerial photographs from HistoricAerials.com and Google Earth were used to evaluate past uses and relevant characteristics of the Property and adjoining land. Copies of selected historical aerial photographs are presented in Appendix D. A total of 12 aerial photographs with dates ranging from 1964 to 2019 were reviewed.

### ***Property***

The 1964 and forward photographs depicted the Property as vacant, native land with what appeared to be a few rural trails throughout the Property and a power line on the northern edge of the Property, matching its current footprint. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank surface water basin was within the southeastern portion of the Property.

### ***Surrounding Area***

The 1964 to 1981 photograph showed the adjacent sites as vacant, native land with what appeared to be a few rural roads west of the Property. The 2003 to 2005 photographs showed the adjacent sites in similar condition as the 1981 photograph, with the addition of a road and residential area being constructed west of the Property. The 2007 to 2019 photographs showed the adjacent sites in similar condition as the 2005 photograph, with the addition of more residential homes and landscaping for a golf course, matching its current footprint. The Rio de Flag was to the north and east of the Property.

## **6.0 ENVIRONMENTAL RECORDS REVIEW**

WT obtained a commercial database report from Environmental Risk Information Services (ERIS) that included information extracted from regulatory databases and lists kept by the United States Environmental Protection Agency (USEPA) and the Arizona Department of Environmental Quality (ADEQ). A copy of the database report with descriptions and release dates of the searched databases, and maps showing locations relative to the Property, is presented in Appendix E. WT also contacted local agency representatives concerning additional records information pertaining to the Property.

### **6.1 Federal USEPA Records Results**

The Federal records maintained by the USEPA included: the National Priorities List (NPL); the Superfund Enterprise Management System (SEMS); No Further Remedial Action Planned (NFRAP) sites; Resource Conservation Recovery Act (RCRA) database of hazardous waste generators; RCRA Treatment Storage Disposal Facilities; RCRA Corrective Action Sites (CORRACTS); federally registered engineering or administrative controls; federal brownfields sites; and the Emergency Response Notification System (ERNS) Database.

The database findings did not identify the Property or sites within the designated ASTM minimum search distances in the searched Federal USEPA databases.

### **6.2 Arizona ADEQ Records Results**

The Arizona records maintained by the ADEQ included: the Water Quality Assurance Revolving Fund (WQARF) Registry List; the Arizona Superfund Program List (ASPL); the historic Arizona CERCLA Information Data System (ACIDS); the Registered UST Database; the Leaking USTs (LUST) List; the Brownfields/Voluntary Remediation Program (VRP) List, the

Database of Voluntary Environmental Mitigation Use Restrictions (VEMURs) and Declarations of Environmental Use Restriction (DEURs); lists of Solid Waste Facilities; and the Hazardous Materials Response Incidents (HAZMAT) List.

The database findings did not identify the Property or sites within the designated ASTM minimum search distances in the searched ADEQ databases.

### **6.3 Additional Records Reviews**

The ERIS database reported a list of three unplottable sites, which are records that could not be mapped due to various reasons, including limited geographic information. These sites did not appear to be adjacent to the Property, therefore no RECs were associated with these sites.

WT conducted a search for engineering and administrative controls recorded in the VEMUR/DEUR database but did not identify an environmental land use restriction for the Property.

WT utilized the ADEQ MEGASEARCH tool to review the online records center database, UST and LUST databases, solid waste and facilities databases, waste and solid waste programs databases, waste water facilities database, water quality applications/permits/stormwater database, water quality monitoring database, surface water database, air permit compliance database, Superfund remediation database, voluntary remediation database, state assurance fund database, hazardous waste accounts and manifests databases, special waste manifests database, and drywell registration records. No records were found for the Property address and zip code, or previous known addresses for the Property.

WT searched the ADWR online database for registered groundwater wells on the Property and Property vicinity. The search did not identify wells registered to the Property or in the vicinity of the Property. A copy of the ADWR well map is provided in Appendix F.

## **7.0 SUMMARY OF ASSESSMENT**

### **7.1 Findings**

This section presents our opinion regarding the probable impact to the Property from known or suspect RECs which may include current RECs, historical RECs, controlled RECs, or de minimis conditions that were identifiable from the records reviews, interviews, and site reconnaissance.

The Property was undeveloped, forested land that included rural biking and hiking trails. The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank, a surface water basin, was within the

southeastern portion of the Property. WT did not identify indications of RECs during the reconnaissance.

A few discarded items were encountered near Corner 6 of the Property including aluminum cans, plastic bags, and plastic containers. Based on the small amount of items and types of items encountered, the discarded materials were not considered RECs in connection to the Property. However, removal and proper disposal would be recommended.

Property location was in a rural residential area of Flagstaff. The sites adjoining the Property consisted of undeveloped, forested land and a residential home to the north, undeveloped, forested land to the south and east, and undeveloped, forested land and residential homes to the west. WT did not identify indications of RECs in connection with the current use of the adjoining sites.

The earliest standard historical source reviewed for this ESA was an aerial photo dated 1964, which showed the Property as vacant, native land with what appeared to be a few rural trails throughout the Property and a power line on the northern edge of the Property, matching its current footprint. The Arizona National Scenic Trail transects the Property. A portion of the Rio de Flag was in the northeast corner of the Property. Hoffman Tank, a surface water basin, was within the southeastern portion of the Property. The intervals between standard historical sources reviewed for this exceeded 5 years, therefore data failure occurred while attempting to document historical uses back to 1940 or the first developed use, although based on its history as vacant land, WT did not identify indications of RECs in connection with the historical uses of the Property.

WT obtained and reviewed a commercial database report of standard federal USEPA and state ADEQ databases from Environmental Risk Information Services. The database findings did not identify the Property or sites in the searched USEPA or ADEQ databases. The Navajo Depot Activity on the Interstate 40 was listed on the Unplottable Summary. WT did not identify this site as a REC or vapor migration conditions in connection with the Property. WT did not identify indications of RECs in connection with the regulatory agency records reviews.

## **7.2 Conclusions and Recommendations**

WT performed this ESA in general agreement with the scope and limitations of ASTM E 1527-13 of 400 acres of an L-Shaped State Land Trust in Flagstaff, Arizona. This assessment has revealed no evidence of RECs currently in connection with the Property, and WT makes no recommendations for further assessment at this time.

If additional information becomes available or known that may suggest the presence of recognized environmental conditions currently in connection with the Property, contact this firm for potential recommendations.

## 8.0 LIMITATIONS

WT has performed its services in accordance with its contract with the Client, utilizing the degree of skill and care practiced by firms providing similar services in the locality of the Property. No other warranty or representation, either express or implied, is made. Not every property warrants the same level of assessment. The level of inquiry for this assessment was guided by factors including the type of property subject to assessment, the expertise and risk tolerance of the user, reasonable limits on time and cost as specified in our contract, and the ability to obtain information that was reasonably ascertainable and practically reviewable. There is a point at which the cost of information obtained or the time required to gather it outweighs the likely usefulness of the information and such cost and delay may, in fact, be a material detriment to the orderly completion of transactions.

Our review of third party information was limited as set forth in the discussion presented herein and was based on our actual knowledge of the information as presented. All results and opinions contained in third party information, including public records, are the sole responsibility of the entity producing the information. An evaluation of the completeness, accuracy, or appropriateness of the test methods or procedures employed by others was outside the scope of this ESA.

This assessment was limited to the identification of conditions likely to indicate RECs in connection with the Property, according to the definitions, scope and limitations contained in ASTM E 1527-13. No environmental site assessment can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. The performance of an assessment according to ASTM E 1527-13 is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with a property, recognizing reasonable limits of time and cost. Therefore, if none are identified as a result of this assessment, such a conclusion should not be construed as a guaranteed absence of RECs.

The “User” or “Users” identified by ASTM E 1527-13, including the addressee, any third parties acknowledged in writing by WT, and recipients of reliance letters, are obligated to conduct the “Additional Inquiries” identified in 40 CFR §312.22 and ASTM E 1527-13 independently of the Environmental Professional. These Additional Inquiries include searches for environmental clean-up liens, an assessment of the User’s specialized knowledge or experience, an assessment of the relationship of the purchase price to fair market value, and an assessment of commonly known or reasonably ascertainable information about the property.

Nothing in this ESA, nor in our contract, subsequent correspondence, or reliance letters, shall relieve a User of this report from post-acquisition “Continuing Obligations” as required by CERCLA.

## 9.0 REFERENCES

### 9.1 Contacts

Mr. Bradley Lawry, Coconino County Community Development, [blawry@coconino.az.gov](mailto:blawry@coconino.az.gov),  
500 N Fort Valley Rd # 1, Flagstaff, AZ 86001.

Mr. Bruce Campbell, Trustee, Arizona State Land Department, [bcampbell@azland.gov](mailto:bcampbell@azland.gov).

Mr. Curt Johnson, Coe & Van Loo Consultants, [cjohnson@cvici.com](mailto:cjohnson@cvici.com).

Mr. James Adams, representative of Symmetry Companies, (602) 505-4262.

Ms. Larysa Feyti, City of Flagstaff Recorder's Office, (928) 213-2066.

NAU Cline Library, 1001 S Knoles Drive, Flagstaff, AZ 86011, (928) 523-2173.

Summit Fire District Station #31, 6425 N Cosnino Rd, Flagstaff, AZ 86004, (928) 526-0344.

## 9.2 **Reports and Publications**

Arizona Department of Environmental Quality (ADEQ), MEGASEARCH database, <http://megasearch.azdeq.gov/megasearch>.

Arizona Department of Water Resources, Well Registry Interactive Map, [www.gisweb.azwater.gov/WellRegistry](http://www.gisweb.azwater.gov/WellRegistry).

Environmental Risk Information Services (ERIS), Database Report, Order No. 20191108042, November 11, 2019.

Google Earth aerial photographs dated 1997, 2003, 2005, 2010, 2013, 2017, and 2019.

Library of Congress Sanborn Map Collection, <https://www.loc.gov/collections/sanborn-maps>.

NETR Online provided historical aerial photographs dated 1964, 1980, 1981, 2007, and 2015.

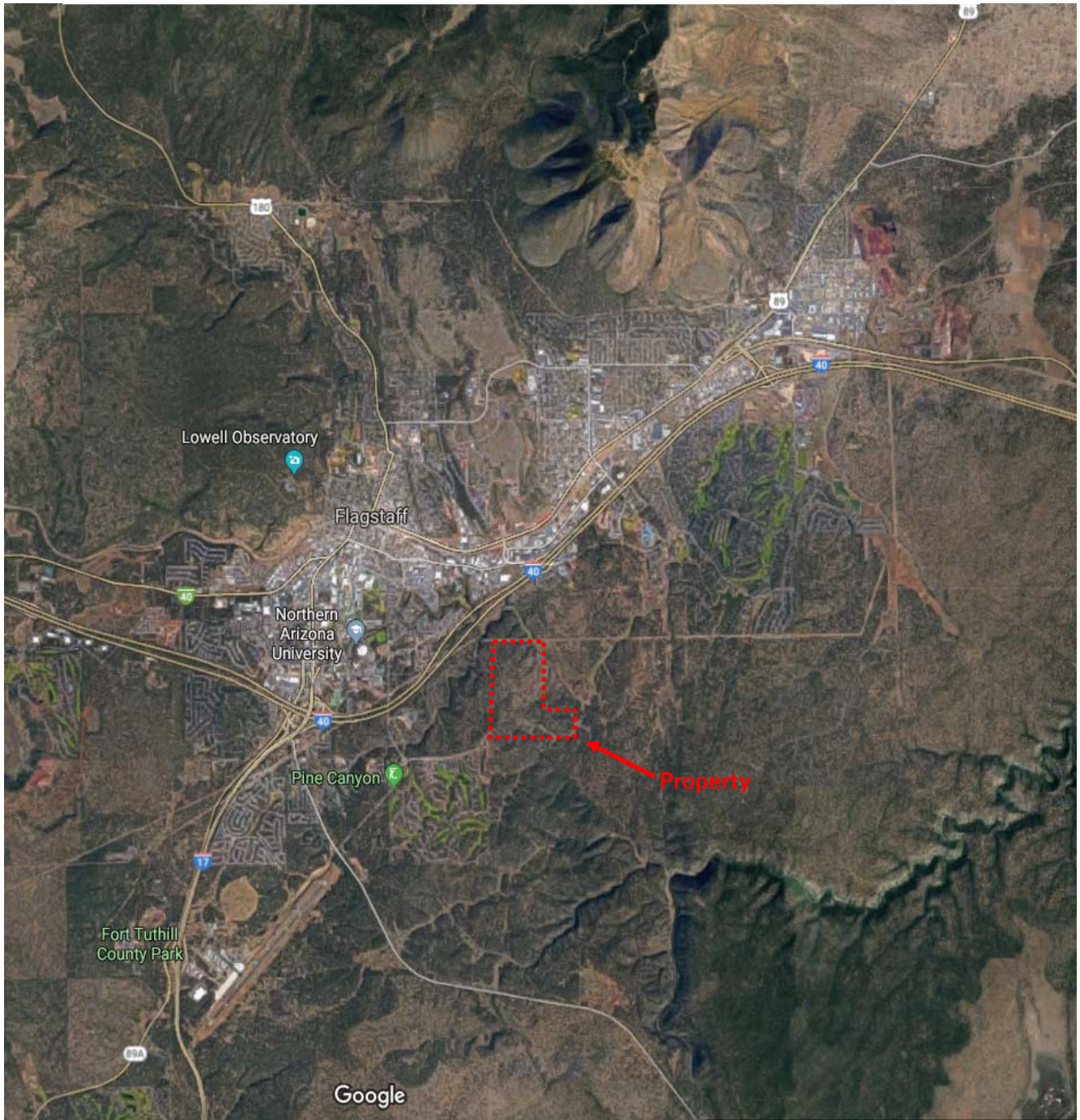
NETR Online provided topographic maps dated 1965, 1970, 1976, 1983, 1986 and 2014.

Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM Designation: E 1527 - 13. American Society for Testing and Materials (ASTM); West Conshohocken, Pennsylvania; November 2013.

The United States Code of Federal Regulations, Title 40, Part 312, Standards and Practices for All Appropriate Inquiries, November 1, 2005.

## APPENDIX A FIGURES

Figure 1 – Vicinity Diagram  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona



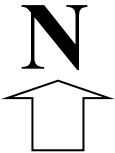
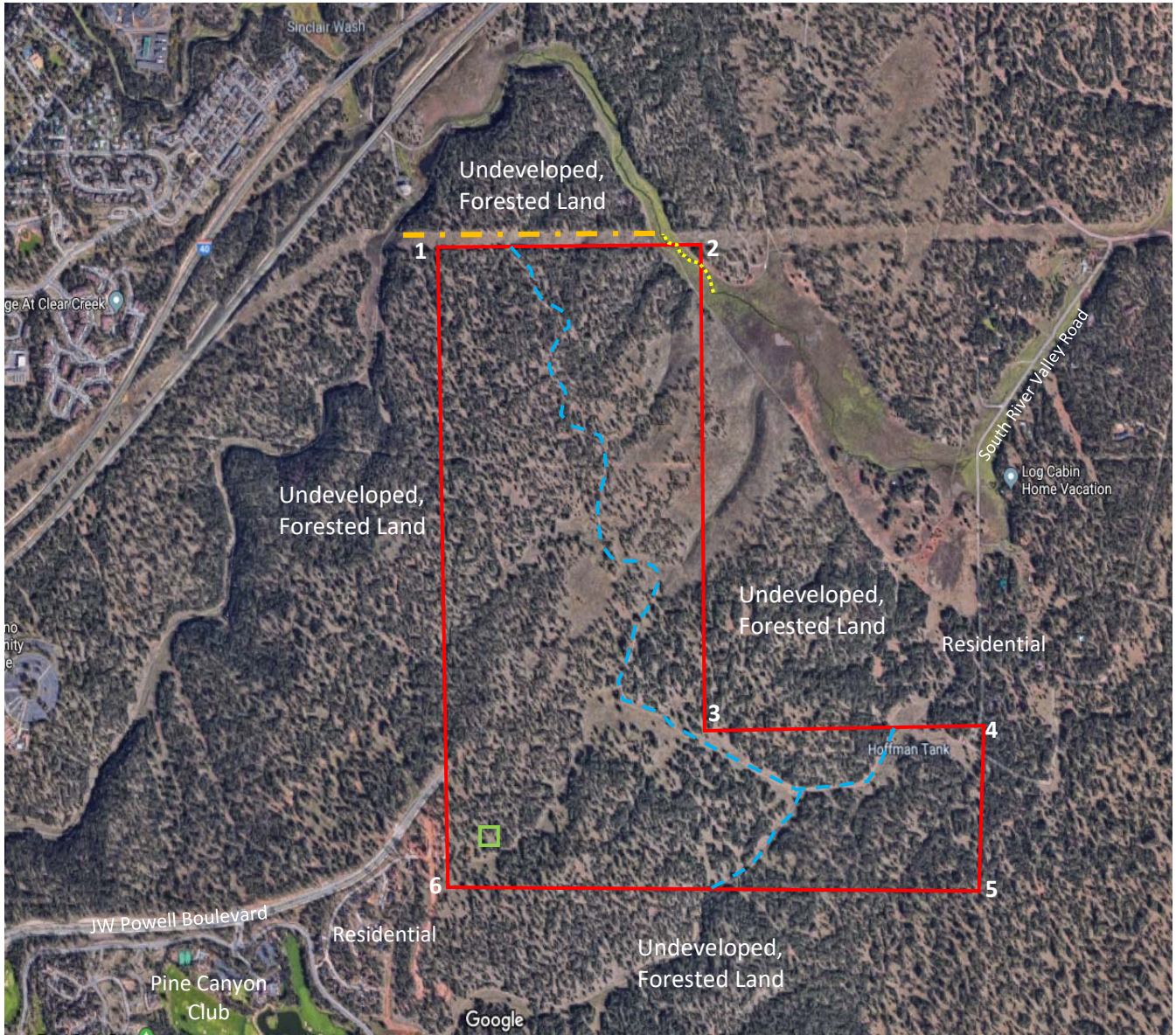
 Not to Scale	Coe and Van Loo Consultants, Inc.	
	Phase I Environmental Site Assessment	
	<b>Western Technologies Inc.</b>	
	Job No. 2589JE321	Date: December 9, 2019

Figure 2 – Property Diagram  
 L-Shaped State Land Trust- 400 Acres  
 Flagstaff, Arizona



LEGEND	
	Property Outline
	Arizona Trail
	Sinclair Wash
	Power Lines
	Discarded Trash Items

 Not to Scale	Coe and Van Loo Consultants, Inc.	
	Phase I Environmental Site Assessment	
	<b>Western Technologies Inc.</b>	
	Job No. 2589JE321	Date: December 9, 2019

**APPENDIX B  
PHOTOGRAPHIC LOG**



# PHOTOGRAPHIC LOG

## L-Shaped State Land Trust – 400 Acres Flagstaff, Arizona

WT Job No.: 2589JE321

November 16, 2019



**Picture 1 - View looking south from west entrance on JW Powell Boulevard**



**Picture 2 - View looking north from west entrance on JW Powell Boulevard**



**Picture 3 - West-adjacent view from west entrance on JW Powell Boulevard**



**Picture 4 - View looking east from near center of Property**



**Picture 5 - View looking along northern edge from Corner 3 of Property**



**Picture 6 - View looking along eastern edge from Corner 3 of Property**



# PHOTOGRAPHIC LOG

## L-Shaped State Land Trust – 400 Acres Flagstaff, Arizona

WT Job No.: 2589JE321

November 16, 2019



Picture 7 - Fence near Corner 4 of the Property, along northern edge



Picture 8 - Fence along Corner 4, along northeast corner



Picture 9 - View looking southeast from west entrance on JW Powell Boulevard



Picture 10 - One of multiple tree-cut piles on the Property, shown near Corner 4



Picture 11 - View looking along southern edge from Corner 4 of Property



Picture 12 - View looking along western edge from Corner 4 of Property



# PHOTOGRAPHIC LOG

## L-Shaped State Land Trust – 400 Acres Flagstaff, Arizona

WT Job No.: 2589JE321

November 16, 2019



Picture 13 - North-adjacent site from Corner 4 of Property, showing a residential home



Picture 14 - Tree burn pile remains shown near Corner 5 on Property



Picture 15 - View looking along western edge from Corner 5 of Property



Picture 16 - View looking along northern edge from Corner 5 of Property



Picture 17 - East-adjacent site from Corner 5 of Property, showing forested land



Picture 18 - South-adjacent site from Corner 5 of Property, showing forested land



# PHOTOGRAPHIC LOG

## L-Shaped State Land Trust – 400 Acres Flagstaff, Arizona

WT Job No.: 2589JE321

November 16, 2019



**Picture 19 - Viewing the Sinclair Wash near Corner 2 of the Property**



**Picture 20 - View looking along western edge from Corner 2 of Property**



**Picture 21 - View looking along southern edge from Corner 2 of Property**



**Picture 22 - East-adjacent site from Corner 2 of Property, showing forested land**



**Picture 23 - North-adjacent site from Corner 2 of Property, showing forested land**



**Picture 24 - Powerlines along northern edge of Property from Corner 2 to Corner 1**



# PHOTOGRAPHIC LOG

## L-Shaped State Land Trust – 400 Acres Flagstaff, Arizona

WT Job No.: 2589JE321

November 16, 2019



**Picture 25 - View looking along eastern edge from Corner 1 of Property**



**Picture 26 - View looking along southern edge from Corner 1 of Property**



**Picture 27 - North-adjacent site from Corner 1 of Property, showing forested land**



**Picture 28 - West-adjacent site from Corner 1 of Property, showing forested land and power lines**



**Picture 29 - View looking north from near center of Property**



**Picture 30 - View looking south from near center of Property**



# PHOTOGRAPHIC LOG

## L-Shaped State Land Trust – 400 Acres Flagstaff, Arizona

WT Job No.: 2589JE321

November 16, 2019



Picture 31 - View looking east from near center of Property



Picture 32 - View looking west from near center of Property



Picture 33 - View looking along northern edge from Corner 6 of Property



Picture 34 - View looking along eastern edge from Corner 6 of Property



Picture 35 - South-adjacent site from Corner 6 of Property, showing forested land



Picture 36 - West-adjacent site from Corner 6 of Property, showing forested land



# PHOTOGRAPHIC LOG

## L-Shaped State Land Trust – 400 Acres Flagstaff, Arizona

WT Job No.: 2589JE321

November 16, 2019



**Picture 37 - South-adjacent residential home from Corner 6 of Property**



**Picture 38 - Various discarded waste items near Corner 6 of the Property**



**Picture 39 - West-adjacent residential home near corner 6 of Property, along western edge**



**Picture 40 - West-adjacent building materials near corner 6 of Property, along western edge**



**Picture 41 - Water valve located west, outside of west entrance on JW Powell Boulevard**



**Picture 42 - View looking east from west entrance on JW Powell Boulevard**

**APPENDIX C**  
**QUESTIONNAIRES AND CORRESPONDENCE**

**PHASE I ENVIRONMENTAL SITE ASSESSMENT  
USER QUESTIONNAIRE PER ASTM E1527-13  
WT Job No.**

Western Technologies Inc. requests your assistance to identify and assemble information described by the *User Responsibilities* criteria of the ASTM standard. The *User* is defined as a purchaser, potential tenant, owner, lender or property manager, or other party seeking to use the assessment report. For all "Yes" answers, please provide copies, references, or additional information on an attached sheet.

Your Name: James Adams (User/Rep.) Tel: 602-525-4262  
 User's Name: Symmetry Companies (Potential Purchaser)  
 Property Name: Flagstaff 400  
 Property Address: T2UN, RTE, Sec. 26 City: Flagstaff State: AZ

Has a search made you aware of any environmental clean-up liens against the Property that are filed or recorded under federal, tribal, state, or local law? (40 CFR 312.26). Circle  
Yes  No

Are you aware of any Activity and Use Restrictions, recorded in land title records or in registries or publicly available lists, applicable to the Property, including Engineering Controls, Institutional Controls or Land Use Restrictions, that are applicable to or run with the Property? (40 CFR 312.26(b)(6,7)). Title Report as Provided Circle  
Yes  No

Do you have any specialized knowledge or experience relating to the Property, surrounding areas, or adjoining properties, or with the types of activities and processes conducted at the Property, surrounding areas, or adjoining properties? (40 CFR 312.28)? Circle  
Yes  No

Does the purchase price being paid for the Property reasonably reflect the fair market value of the Property? (40 CFR 312.29(a)) Appraisal Summary Attached Circle  
Yes  No

If not, have you considered whether the differential in price could be attributed to the presence or possible presence of contamination from hazardous substances or petroleum products? (40 CFR 312.29(b)) N.A. Circle  
Yes  No

Are you aware of commonly known or reasonably ascertainable information about the Property or surrounding area (e.g. past uses, water quality problems, environmental compliance issues, or permit violations), that might be obtained from current or former owners or operators, local officials, or local members of the public, that might suggest a release or threatened release of hazardous substances or petroleum products on, at, or in the Property? (40 CFR 312.30) Circle  
Yes  No

Do you know of any pending, threatened, or past litigation or administrative action relevant to hazardous substances or petroleum products on, in, or from the Property? (ASTM E1527-05, Sec. 10.9) Circle  
Yes  No

Do you know of any notices or other correspondence from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products? (ASTM E1527-05, Sec. 10.9) Circle  
Yes  No

In addition to one of the requirements to satisfy a potential Landowner Liability Protection claim under the Comprehensive Environmental Response, Compensation, and Liability Act, what is your reason for performing this study? (ASTM E1527-05, Sec. 6.7)

	Circle		Circle
Lender's Requirements	Yes <input type="radio"/> No <input checked="" type="radio"/>	Insurance Requirements	Yes <input type="radio"/> No <input checked="" type="radio"/>
Planning/Zoning Requirements	Yes <input type="radio"/> No <input checked="" type="radio"/>	Baseline Review	Yes <input type="radio"/> No <input checked="" type="radio"/>
Other: <u>Seller Requirement</u>	Yes <input checked="" type="radio"/> No <input type="radio"/>	Business Operations Planning	Yes <input type="radio"/> No <input checked="" type="radio"/>

Do you know of any of the following types of helpful documents about the Property and can you provide copies to WT before the site inspection? (ASTM E1527-05, Sec. 10.8)

	Circle		Circle
Environmental site assessment reports	Yes <input type="radio"/> No <input checked="" type="radio"/>	NPDES Permits	Yes <input type="radio"/> No <input checked="" type="radio"/>
Environmental compliance audit reports	Yes <input type="radio"/> No <input checked="" type="radio"/>	Wastewater Permits	Yes <input type="radio"/> No <input checked="" type="radio"/>
Underground Injection Permits	Yes <input type="radio"/> No <input checked="" type="radio"/>	Solid Waste Permits	Yes <input type="radio"/> No <input checked="" type="radio"/>
Hazardous Waste Generator Notices	Yes <input type="radio"/> No <input checked="" type="radio"/>	Air Emissions Permits	Yes <input type="radio"/> No <input checked="" type="radio"/>
Community Right-To-Know Plan	Yes <input type="radio"/> No <input checked="" type="radio"/>	UST Registrations	Yes <input type="radio"/> No <input checked="" type="radio"/>
Environmental Management Plan	Yes <input type="radio"/> No <input checked="" type="radio"/>	AST Registrations	Yes <input type="radio"/> No <input checked="" type="radio"/>
Hydrogeologic Reports	Yes <input type="radio"/> No <input checked="" type="radio"/>	Material Safety Data Sheets	Yes <input type="radio"/> No <input checked="" type="radio"/>
Geotechnical Reports	Yes <input type="radio"/> No <input checked="" type="radio"/>	Safety Plans	Yes <input type="radio"/> No <input checked="" type="radio"/>
SARA Title III/Form R Reports	Yes <input type="radio"/> No <input checked="" type="radio"/>	Spill Control Countermeasures Plan	Yes <input type="radio"/> No <input checked="" type="radio"/>
Risk Assessments	Yes <input type="radio"/> No <input checked="" type="radio"/>	Notices of Violations	Yes <input type="radio"/> No <input checked="" type="radio"/>
Chain-of-Title Records	Yes <input type="radio"/> No <input checked="" type="radio"/>	Institutional/Engineering Controls	Yes <input type="radio"/> No <input checked="" type="radio"/>

Signature: [Signature] Date: 11.02.19

September 12, 2019

Mark Fast, MAI  
Appraisal Section Manager  
ARIZONA STATE LAND DEPARTMENT  
1616 West Adams Street  
Phoenix Arizona 85007

Re: **An appraisal of 400 gross acres of undeveloped land located south of Interstate 40, between John Wesley Powell Boulevard and River Valley Road, Flagstaff, Arizona (ASLD Application No. 53-120834, Symmetry Development Company, Inc.)**

Dear Mr. Fast:

At your request and authorization, CBRE, Inc. has prepared an appraisal of the market value of the referenced property. Our analysis is presented in the following Appraisal Report.

The subject property involves 400 gross acres of undeveloped land located south of Interstate 40, between John Wesley Powell Boulevard and River Valley Road, in Flagstaff, Arizona. The appraised property is currently owned by the Arizona State Land Department (State Trust Land). The subject site is located adjacent to the northeast of the upscale master planned community of Pine Canyon. The owner and developer of Pine Canyon is proposing to develop the subject site into a residential subdivision over the next six to 10 years. The site is zoned for rural residential use by the city of Flagstaff, while the Flagstaff Growth Map designates the property for suburban residential (moderately dense single-family housing), and suburban activity centers (which would include commercial and/or high density residential development). The subject property is more fully described, legally and physically, within the enclosed report.

The purpose of this appraisal is to develop an opinion of the "as is" market value of the fee simple interest in the subject property. The appraised property was inspected on August 16, 2019, which represents the effective date of value. The intended use of this report is to assist the Arizona State Land Department in its disposition and-or leasing decisions. The appraisal will assist in the establishment of the minimum bid price for a State Trust land auction. The intended user is the **Arizona State Land Department**. Use by any other user is strictly prohibited. Notably, however, upon its acceptance by the State Land Commissioner, this appraisal may be used in connection with the marketing of the property and will be made available to the general public.

The "as is" market value is based on the following extraordinary assumptions: 1) there is no known archaeological significance found on the subject site; 2) there is no known geological significance found on the subject site; 3) there are no known environmental risks or hazardous conditions found on the subject site; and 4) there is legal access to the property.

An ALTA Survey pertaining to the subject site was not available for review. Based on preliminary information provided by the Arizona State Land Department, the subject site encompasses a

gross land area of 400 acres. Therefore, the "as is" market value is based upon a gross land of 400 acres.

Based on information provided by the applicant, all necessary utilities and services are available to the boundary of the property. Therefore, the "as is" market value is based upon the extraordinary assumption all necessary utilities and services are available to the boundary or near the boundary of the property.

The use of these extraordinary assumptions might have affected the assignment results.

Based on the analysis contained in this report, the "as is" market value of the fee simple interest in the subject property is summarized below.

<b>"AS IS" MARKET VALUE CONCLUSION</b>			
Valuation Scenario	Interest Appraised	Date of Value	Value Conclusion
"As Is" Market Value	Fee Simple Estate	August 16, 2019	<b>\$9,300,000</b>

Compiled by CBRE

The above value conclusion equates to \$23,250 per gross acre.

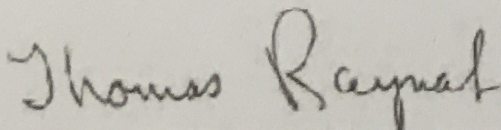
The following appraisal sets forth the most pertinent data gathered, the techniques employed, and the reasoning leading to the opinion of value. The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with: the guidelines and recommendations set forth in the Uniform Standards of Professional Appraisal Practice (effective date of January 1, 2018); the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute; and the appraisal policies and procedures of the Arizona State Land Department (revised March 2018).

The intended use and user of our report are specifically identified in our report as agreed upon in our contract for services and/or reliance language found in the report. No other use or user of the report is permitted by any other party for any other purpose. Dissemination of this report by any party to non-client, non-intended users does not extend reliance to any other party and CBRE will not be responsible for unauthorized use of the report, its conclusions or contents used partially or in its entirety.

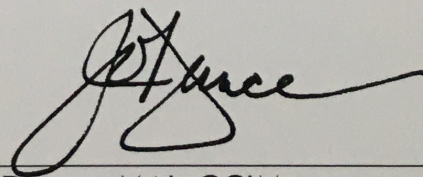
It has been a pleasure to assist you in this assignment. If you have any questions concerning the analysis, or if CBRE can be of further service, please contact us.

Respectfully submitted,

CBRE - VALUATION & ADVISORY SERVICES



Thomas Raynak, MAI  
Director  
Appraiser Certified General  
Real Estate Appraiser No. 30413



Jo Dance, MAI, CCIM  
Managing Director  
Appraiser Certified General  
Real Estate Appraiser No. 30249

PHASE I ENVIRONMENTAL SITE ASSESSMENT  
 USER QUESTIONNAIRE PER ASTM E1527-13  
 WT Job No.

Western Technologies Inc. requests your assistance to identify and assemble information described by the *User Responsibilities* criteria of the ASTM standard. The *User* is defined as a purchaser, potential tenant, owner, lender or property manager, or other party seeking to use the assessment report. For all "Yes" answers, please provide copies, references, or additional information on an attached sheet.

Your Name: Bruce Campbell Tel: 602-542-2578  
 User's Name: \_\_\_\_\_  
 Property Name: 400 Acre L-shaped parcel  
 Property Address: T21N, R7E, Sec. 26 City: Flagstaff State: AZ

Has a search made you aware of any environmental clean-up liens against the Property that are filed or recorded under federal, tribal, state, or local law? (40 CFR 312.26) Circle  
Yes  No

Are you aware of any Activity and Use Restrictions, recorded in land title records or in registries or publicly available lists, applicable to the Property, including Engineering Controls, Institutional Controls or Land Use Restrictions, that are applicable to or run with the Property? (40 CFR 312.26(b)(6,7)). Yes  No

Do you have any specialized knowledge or experience relating to the Property, surrounding areas, or adjoining properties, or with the types of activities and processes conducted at the Property, surrounding areas, or adjoining properties? (40 CFR 312.28)? Yes  No

Does the purchase price being paid for the Property reasonably reflect the fair market value of the Property? (40 CFR 312.29(a)) ~~Yes~~ No N/A

If not, have you considered whether the differential in price could be attributed to the presence or possible presence of contamination from hazardous substances or petroleum products? (40 CFR 312.29(b)) ~~Yes~~ No N/A

Are you aware of commonly known or reasonably ascertainable information about the Property or surrounding area (e.g. past uses, water quality problems, environmental compliance issues, or permit violations), that might be obtained from current or former owners or operators, local officials, or local members of the public, that might suggest a release or threatened release of hazardous substances or petroleum products on, at, or in the Property? (40 CFR 312.30) Yes  No

Do you know of any pending, threatened, or past litigation or administrative action relevant to hazardous substances or petroleum products on, in, or from the Property? (ASTM E1527-05, Sec. 10.9) Yes  No

Do you know of any notices or other correspondence from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products? (ASTM E1527-05, Sec. 10.9) Yes  No

In addition to one of the requirements to satisfy a potential Landowner Liability Protection claim under the Comprehensive Environmental Response, Compensation, and Liability Act, what is your reason for performing this study? (ASTM E1527-05, Sec. 6.7)

	Circle			Circle	
Lender's Requirements	Yes	No	Insurance Requirements	Yes	No
Planning/Zoning Requirements	Yes	No	Baseline Review	Yes	No
Other: _____	Yes	No	Business Operations Planning	Yes	No

Do you know of any of the following types of helpful documents about the Property and can you provide copies to WT before the site inspection? (ASTM E1527-05, Sec. 10.8)

	Circle			Circle	
Environmental site assessment reports	Yes	No	NPDES Permits	Yes	No
Environmental compliance audit reports	Yes	No	Wastewater Permits	Yes	No
Underground Injection Permits	Yes	No	Solid Waste Permits	Yes	No
Hazardous Waste Generator Notices	Yes	No	Air Emissions Permits	Yes	No
Community Right-To-Know Plan	Yes	No	UST Registrations	Yes	No
Environmental Management Plan	Yes	No	AST Registrations	Yes	No
Hydrogeologic Reports	Yes	No	Material Safety Data Sheets	Yes	No
Geotechnical Reports	Yes	No	Safety Plans	Yes	No
SARA Title III/Form R Reports	Yes	No	Spill Control Countermeasures Plan	Yes	No
Risk Assessments	Yes	No	Notices of Violations	Yes	No
Chain-of-Title Records	Yes	No	Institutional/Engineering Controls	Yes	No

Signature:  Date: 11/26/2019

WESTERN TECHNOLOGIES INC.  
PHASE I ENVIRONMENTAL SITE ASSESSMENT  
PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE  
WT Job No. \_\_\_\_\_

**PROPERTY INFORMATION**

Address: T21N, R7E, Section 26 City: Flagstaff State: AZ

Parcel Nos: \_\_\_\_\_

Major Cross Streets: \_\_\_\_\_

Current Occupants: \_\_\_\_\_

Current Activities: \_\_\_\_\_

**OWNER / OCCUPANT / KEY SITE MANAGER INFORMATION**

Name: Bruce Campbell Years Familiar w/Property: 19

Business Affiliation: Arizona State Land Department

Address: 1616 W. Adams Street City: Phoenix State: AZ

Tel: 602-542-2578 Fax: \_\_\_\_\_ E-Mail: bcampbell@azland.gov

Relationship to the Property (please check all that apply):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> <u>Owner</u>                    | <input type="checkbox"/> <u>Occupant</u> | <input type="checkbox"/> <u>Key Site Manager</u> |
| <input type="checkbox"/> Individual Owner                | <input type="checkbox"/> Owner Occupant  | <input type="checkbox"/> Property Manager        |
| <input type="checkbox"/> Corporation                     | <input type="checkbox"/> Sole Occupant   | <input type="checkbox"/> Facilities Manager      |
| <input type="checkbox"/> Partnership                     | <input type="checkbox"/> Major Occupant  | <input type="checkbox"/> Maintenance Director    |
| <input checked="" type="checkbox"/> <u>Trust/Trustee</u> |  | <input type="checkbox"/> Plant Supervisor        |
| <input type="checkbox"/> Owner's Broker                  |  | <input type="checkbox"/> Leasing Agent           |

**UTILITY INFORMATION**

1. Please list the service providers for the following utilities:

Electric: \_\_\_\_\_ Gas: \_\_\_\_\_

Water: \_\_\_\_\_ Sewer: \_\_\_\_\_

Solid Waste: \_\_\_\_\_

2. What is the method of heating for buildings on the Property? N/A

3. What is the method of cooling for buildings on the Property? N/A

**WESTERN TECHNOLOGIES INC.**  
**PHASE I ENVIRONMENTAL SITE ASSESSMENT**  
**PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE**  
WT Job No. \_\_\_\_\_

**STORAGE TANKS**

4.    Y  N Unk    Are there any aboveground storage tanks (ASTs) currently located on the Property? If yes explain. \_\_\_\_\_  
\_\_\_\_\_
5.    Y  N Unk    Are you aware of any past ASTs located on the Property? If yes explain. \_\_\_\_\_  
\_\_\_\_\_
6.    Y  N Unk    Are there any underground storage tanks (USTs) currently located on the Property? If yes explain. \_\_\_\_\_  
\_\_\_\_\_
7.    Y  N Unk    Are you aware of any past USTs located on the Property? If yes explain. \_\_\_\_\_  
\_\_\_\_\_

**HAZARDOUS SUBSTANCES, PETROLEUM PRODUCTS, AND CONTAINERS**

8.    Y  N Unk    Are there any containers of hazardous chemicals currently stored or used on the Property? If yes explain. \_\_\_\_\_  
\_\_\_\_\_
9.    Y  N Unk    Are you aware of past uses of hazardous chemicals on the Property? If yes explain. \_\_\_\_\_
9.    Y  N Unk    Have you observed or are you aware of stained soils on the Property? If yes explain. \_\_\_\_\_
10.   Y  N Unk    Do you know of any current or previous in-ground hydraulic lifts on the Property? If yes, has hydraulic oil ever been added to the lifts? Are service records available for the lifts? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11.   Y  N Unk    Have pesticides ever been mixed, stored, or applied on the Property? If yes, were applications made by hand, by truck, or by aerial spraying? If yes explain. \_\_\_\_\_

**WESTERN TECHNOLOGIES INC.  
PHASE I ENVIRONMENTAL SITE ASSESSMENT  
PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE  
WT Job No. \_\_\_\_\_**

**SOLID WASTE**

12. Y N  Unk Are you aware of or do you have any prior knowledge of buried debris on the Property or that the Property has been used as a landfill or for other waste handling activities?  
If yes explain. \_\_\_\_\_
13. Y N  Unk Do you know if soil from an unknown source, construction debris, demolition debris, or landscaping debris was placed on the Property?  
If yes explain. \_\_\_\_\_
14. Y N  Unk Do you know if used tires were ever discarded on the Property?  
If yes explain. \_\_\_\_\_
15. Y N  Unk Are you aware of any former stock ponds, wastewater ponds, silage pits, or other excavations that have been filled on the Property?  
If yes explain. \_\_\_\_\_

**WASTEWATER AND LIQUID DISCHARGES**

16. Y  N Unk Are you aware of or do you have any prior knowledge of pits, ponds or lagoons for waste treatment or disposal on the Property?  
If yes explain. \_\_\_\_\_
17. Y  N Unk Are you aware of any current or past wastewater interceptors, sand filters, sumps, or clarifiers on the Property?  
If yes explain. \_\_\_\_\_
18. Y  N Unk Are there any current or past septic systems located on the Property?  
If yes explain. \_\_\_\_\_

**STORMWATER AND DRAINAGE PROVISIONS**

19. Y  N Unk Are there any dry wells located on the Property? Do you know if they are registered with the state agency? If so, can you provide copies of the registration records? \_\_\_\_\_  
\_\_\_\_\_
20. Y  N Unk Are there any existing or former water wells located on the Property? Were the wells used for irrigation, domestic supply, or monitoring? Are the wells registered with the appropriate water resources agency?  
If yes, explain. \_\_\_\_\_

WESTERN TECHNOLOGIES INC.  
PHASE I ENVIRONMENTAL SITE ASSESSMENT  
PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE  
WT Job No. \_\_\_\_\_

**CURRENT/PREVIOUS ENVIRONMENTAL INVESTIGATION OR REGULATORY ACTION**

21. Y  N Unk Are you aware of any previous environmental inspections, environmental investigations, environmental site assessments, environmental violations, pending law suits or administrative actions, or environmental liens relating to the Property, or to current or past owners, occupants, or facilities which were on the Property?  
If yes, explain. \_\_\_\_\_  
\_\_\_\_\_

**AVAILABILITY OF HELPFUL ENVIRONMENTAL DOCUMENTS**

22. Do you know of any of the following types of helpful documents about the Property and can you provide copies to WT before the site inspection?

<u>Yes</u>	<input checked="" type="radio"/> <u>No</u>	<u>Yes</u>	<input checked="" type="radio"/> <u>No</u>
Prior environmental assessment reports		NPDES Permits	
Environmental audit reports		Wastewater Permits	
Hazardous Waste Generator Notices		Air Emissions Permits	
Community Right-To-Know Plan		UST Registrations	
Environmental Management Plan		AST Registrations	
Hydrogeologic Reports		Material Safety Data Sheets	
Geotechnical Reports		Safety Plans	
SARA Title III/Form R Reports		Spill Prevention Control/ Countermeasures Plan	
Title Records		Waste Oil Disposal Records	
Hazardous Waste Manifests		Drywell Registration Records	
Water Well Records			

**PRIOR SITE USES AND OCCUPANTS**

23. Y  N Unk Can you identify any prior occupants on the Property? If yes, please list their business names, dates of occupancy, contact person, and contact information, if available: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

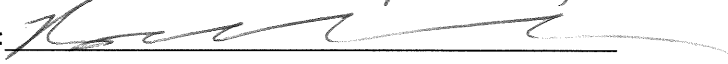
24. Y  N Unk If you own the Property, can you identify the immediate prior owner or other prior owners? If yes, please list names and contact information, if available: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WESTERN TECHNOLOGIES INC.  
PHASE I ENVIRONMENTAL SITE ASSESSMENT  
PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE  
WT Job No. \_\_\_\_\_

**ADDITIONAL COMMENTS**

25. Please feel free to make any additional comments: None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURE**

Printed Name: Bruce Campbell  
Company/Title: Environmental Specialist, Arizona State Land Dept.  
Signature:   
Date Completed: 11/26/2019



Krystal Serfine &lt;k.serfine@wt-us.com&gt;

---

## Vacant State Trust Land Records

---

**Larysa Feyti** <Larysa.Feyti@flagstaffaz.gov>  
To: Krystal Serfine <k.serfine@wt-us.com>

Tue, Nov 12, 2019 at 5:32 PM

Hi Krystal,

I would check with the County on this one. If you come up with an address and it falls within City limits, I would be happy to check on it. Hope that helps.

Best,

Larysa Feyti

Records Coordinator

City of Flagstaff

258-513-5000

[Larysa.Feyti@flagstaffaz.gov](mailto:Larysa.Feyti@flagstaffaz.gov)



[Quoted text hidden]



Krystal Serfine <k.serfine@wt-us.com>

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## Vacant Parcel of Land in Flagstaff- Records

---

**Lawry, Bradley** <blawry@coconino.az.gov>

Fri, Nov 15, 2019 at 3:36 PM

To: Krystal Serfine <k.serfine@wt-us.com>

Cc: "Davis, Rachel" <rdavis@coconino.az.gov>, "Schwartz, Zachary" <zschwartz@coconino.az.gov>

Hello Krystal,

Yes, this is state trust land. This would not have a parcel number. I do not believe we would have records on this piece of land. I've CC'ed a couple of our planners to verify if we would.

Thank you,

**Bradley Lawry**

**Permit Technician**

**Community Development**

**2500 N. Fort Valley Rd bldg. 1**

**Phone#: 928-679-8857**

**E-mail: [blawry@coconino.az.gov](mailto:blawry@coconino.az.gov)**

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**APPENDIX D  
HISTORICAL RECORDS**



APN, Address, Account, Ov



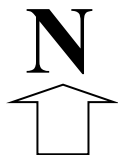
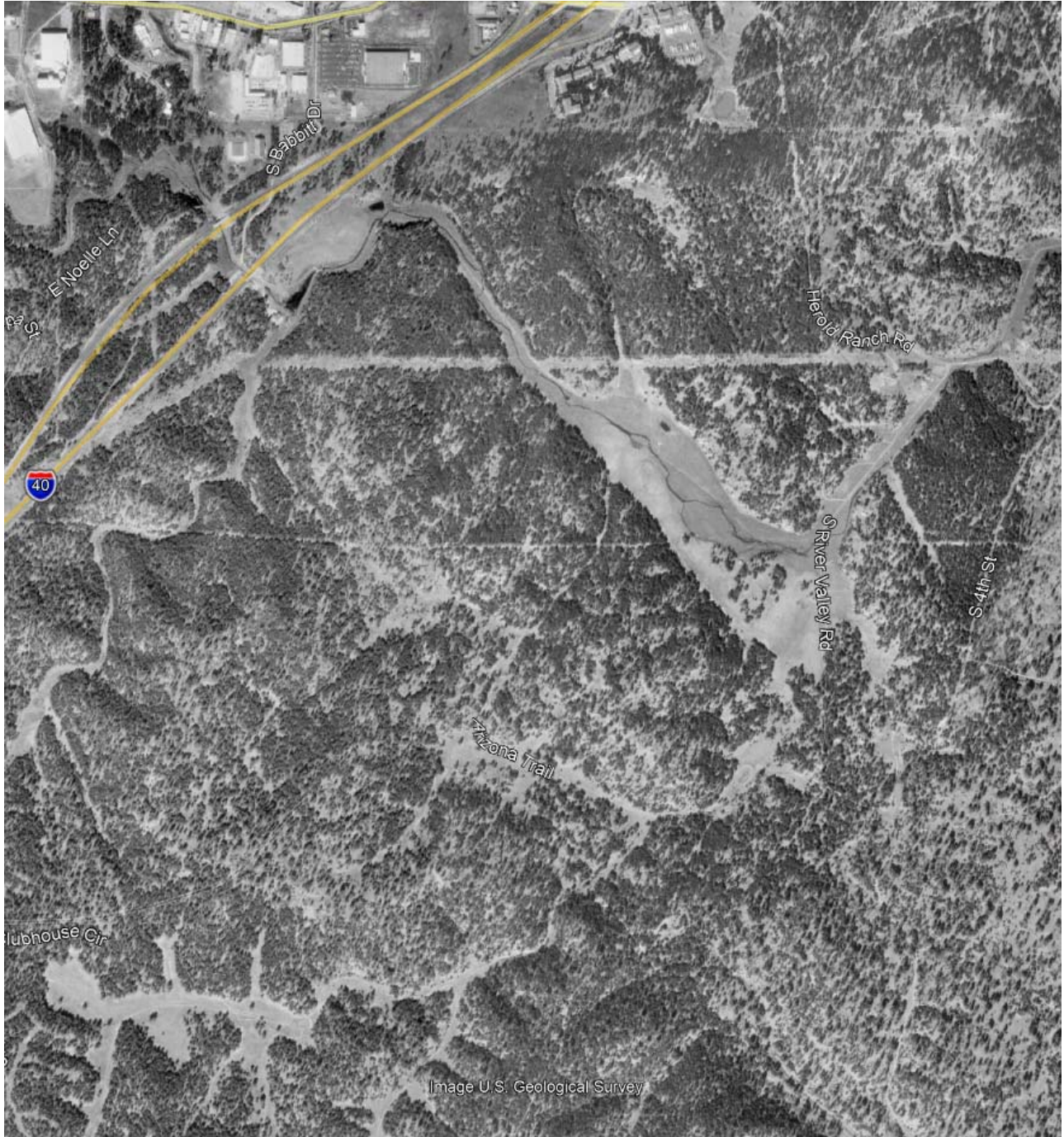
**Legend**

- CG-10,000
- CH-10,000
- MP-20,000
- M-2-6,000
- M-1-10,000
- MHP
- MR
- OS
- P
- PC
- PS
- PRD
- RC
- RMH
- Other

**Land Ownership**

- National Forest
- Arizona Game and Fish
- Arizona State Parks
- Bureau of Land Management
- Bureau of Reclamation
- Military Reservation
- National Park
- National Monument
- National Recreation Area
- Private
- State Trust
- Indian Reservation

Google Earth Aerial 1997  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona



Not to Scale

Coe and Van Loo Consultants, Inc.

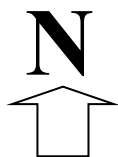
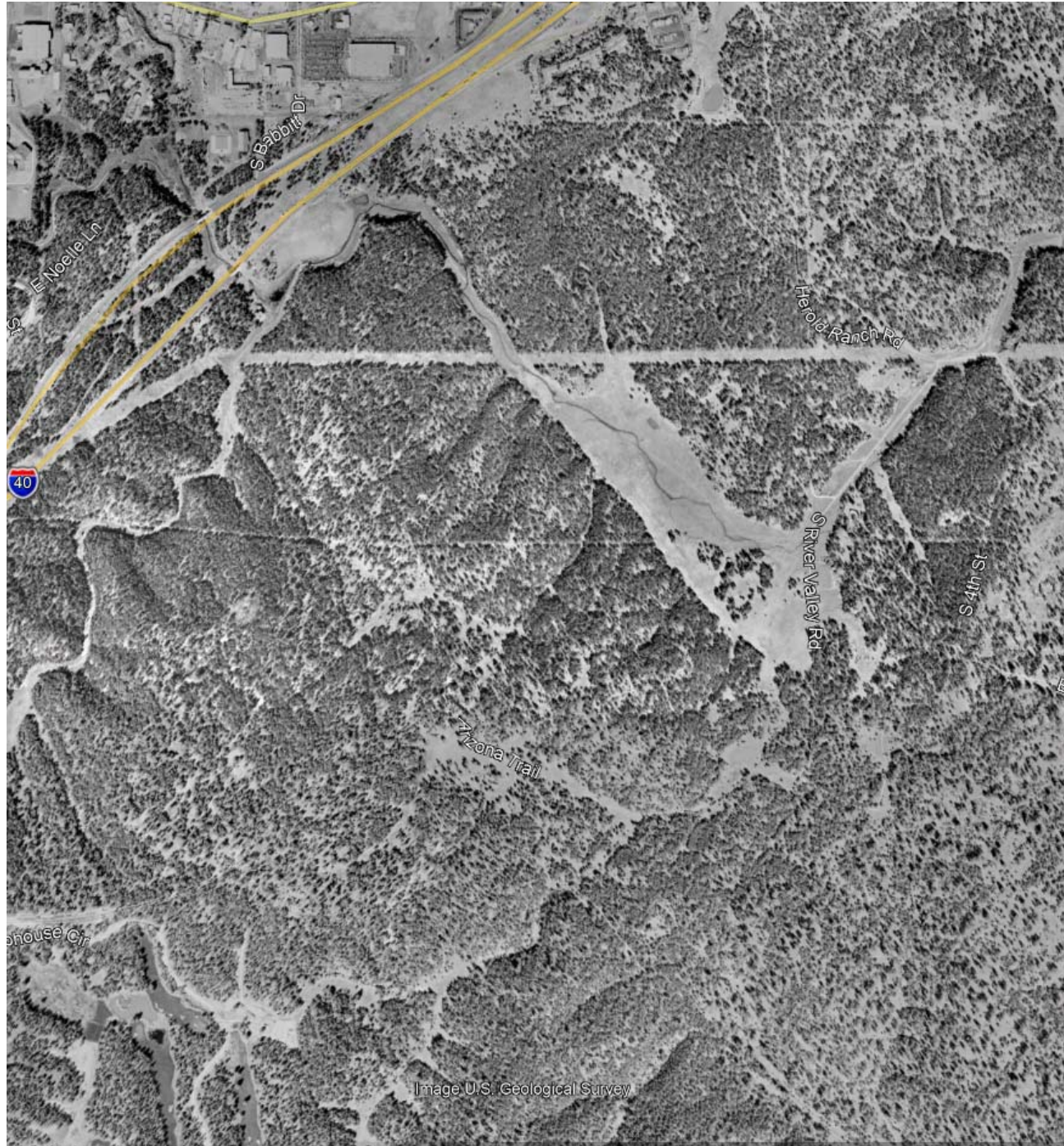
Phase I Environmental Site Assessment

**Western Technologies Inc.**

Job No. 2589JE231

Date: November 11, 2019

Google Earth Aerial 2003  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona



Not to Scale

Coe and Van Loo Consultants, Inc.

Phase I Environmental Site Assessment

**Western Technologies Inc.**

Job No. 2589JE231

Date: November 11, 2019

Google Earth Aerial 2005  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona

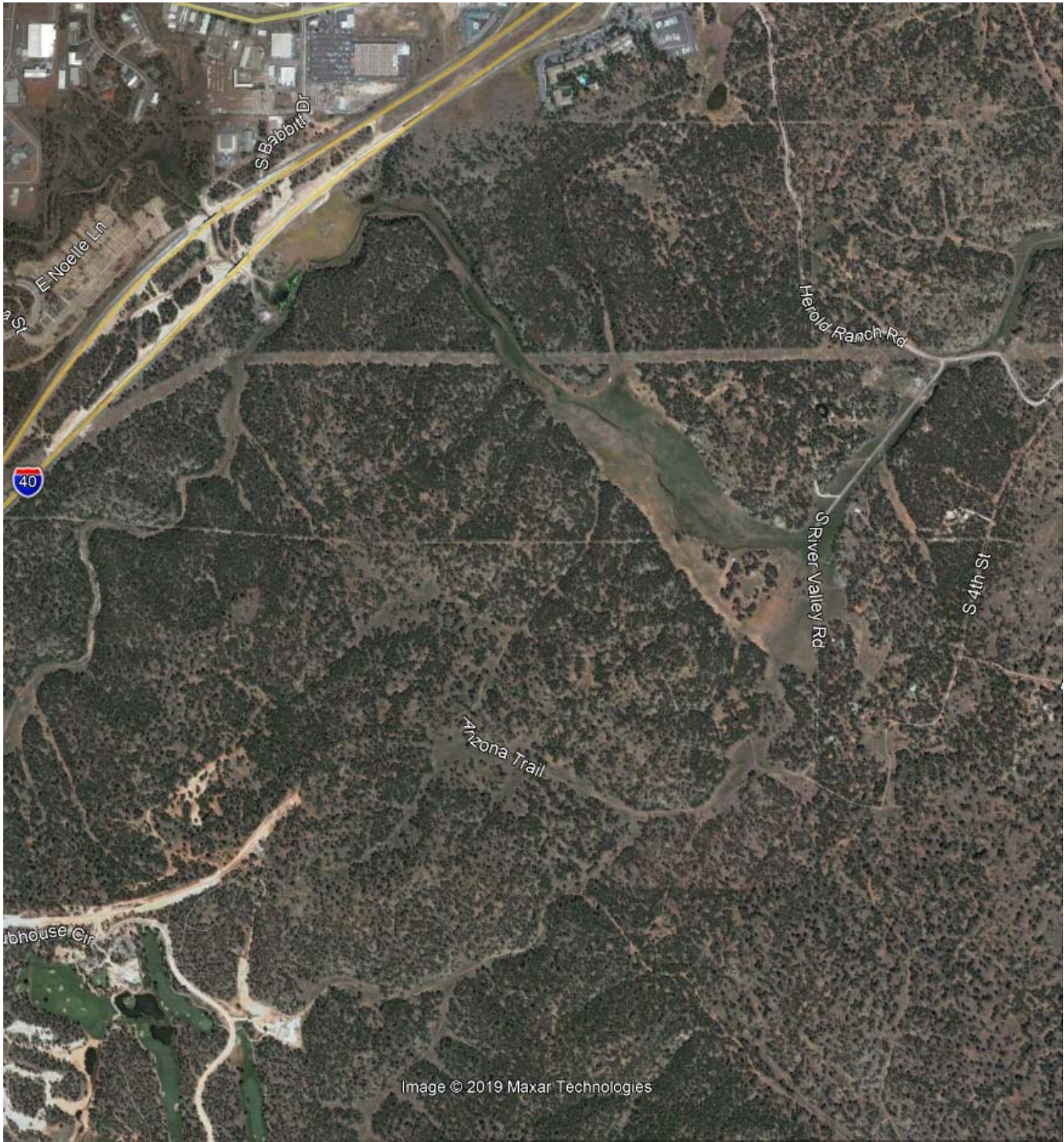


Image © 2019 Maxar Technologies



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Phase I Environmental Site Assessment

**Western Technologies Inc.**

Job No. 2589JE231

Date: November 11, 2019

Google Earth Aerial 2010  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona

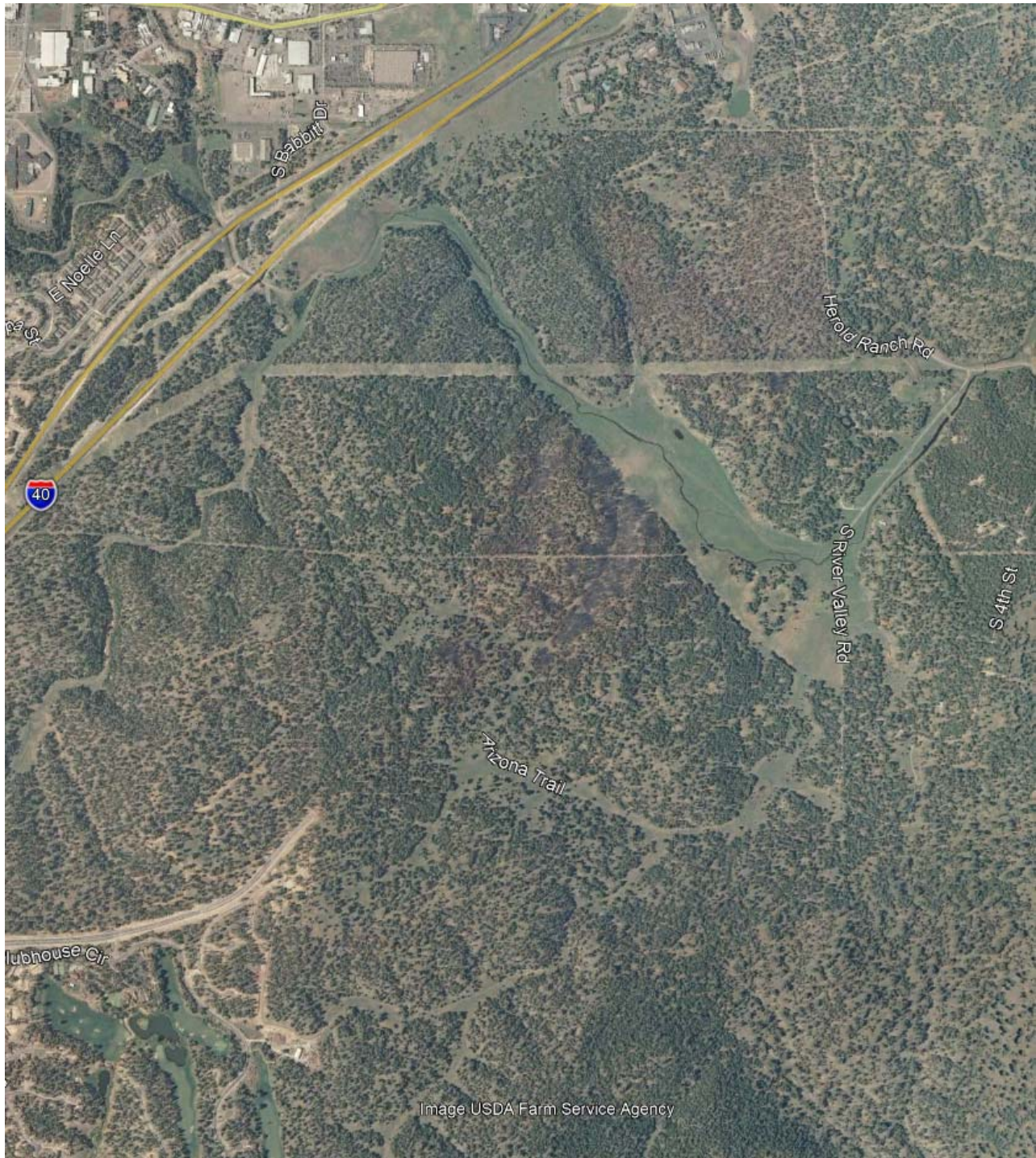
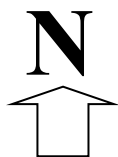


Image USDA Farm Service Agency



Not to Scale

Coe and Van Loo Consultants, Inc.

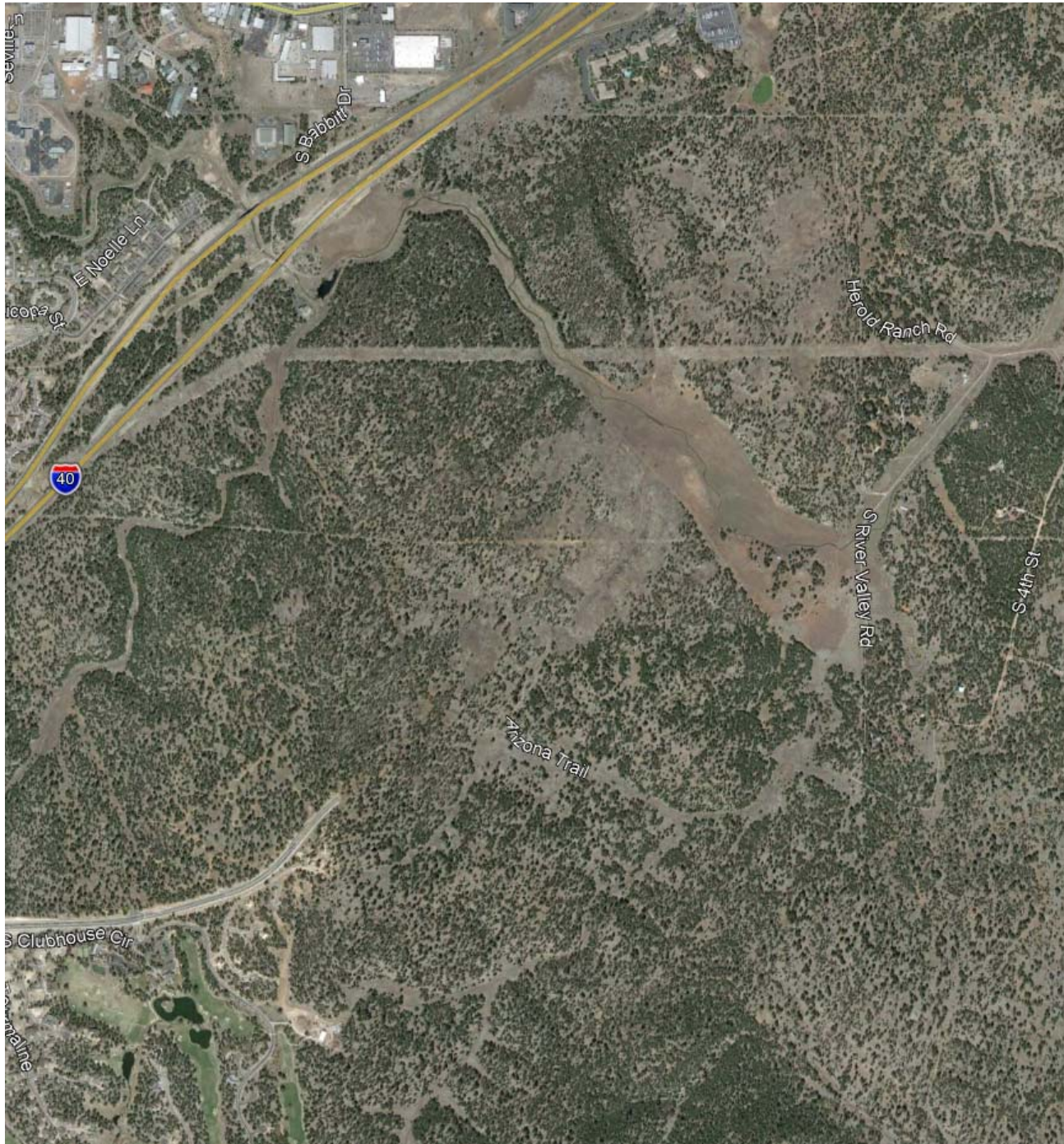
Phase I Environmental Site Assessment

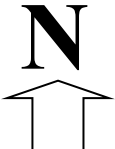
**Western Technologies Inc.**

Job No. 2589JE231

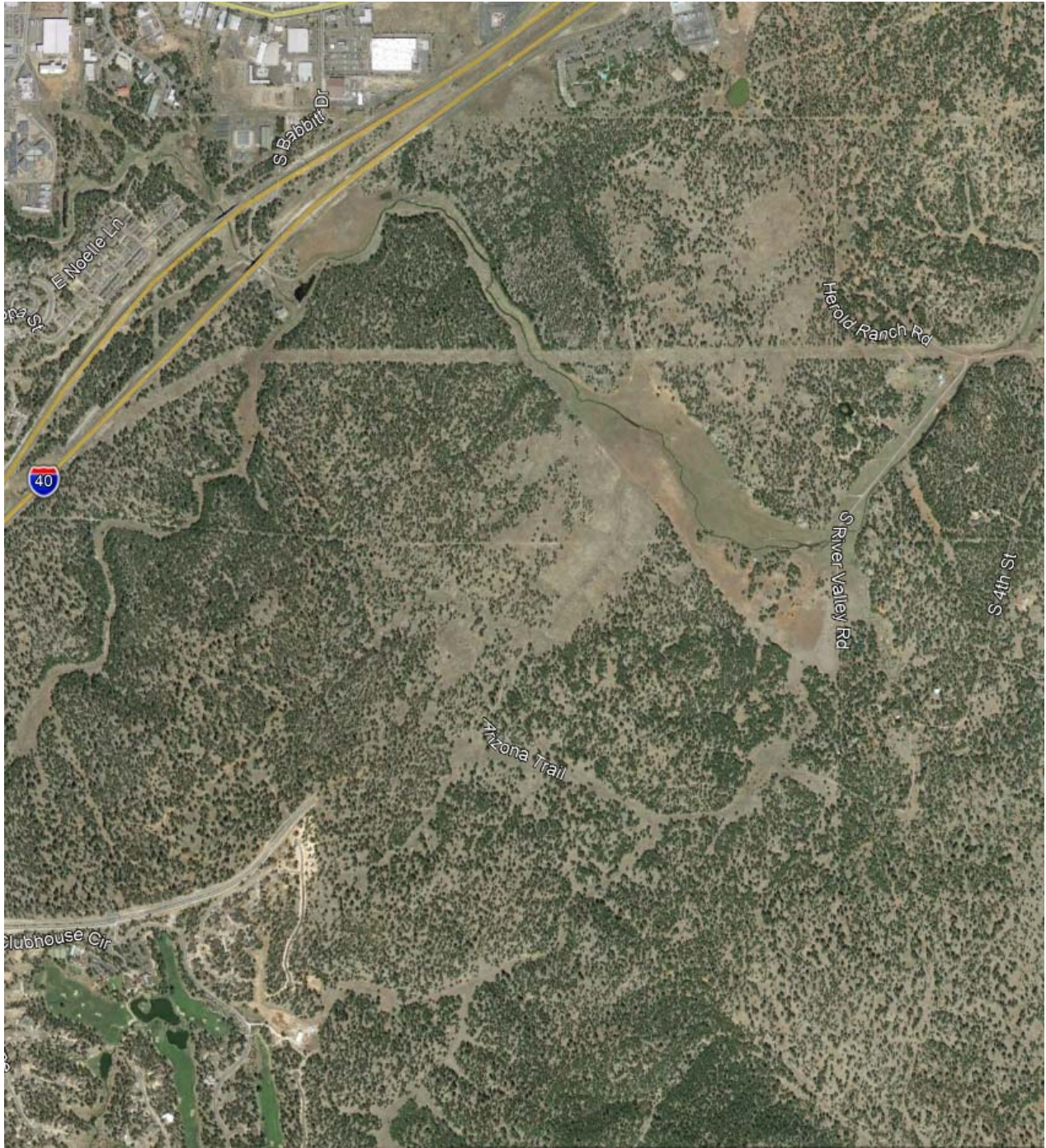
Date: November 11, 2019


Google Earth Aerial 2013  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona



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	Phase I Environmental Site Assessment	
	<b>Western Technologies Inc.</b>	
	Job No. 2589JE231	Date: November 11, 2019

Google Earth Aerial 2017  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona



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	Phase I Environmental Site Assessment	
	<b>Western Technologies Inc.</b>	
	Job No. 2589JE231	Date: November 11, 2019

Google Earth Aerial 2019  
L-Shaped State Land Trust- 400 Acres  
Flagstaff, Arizona

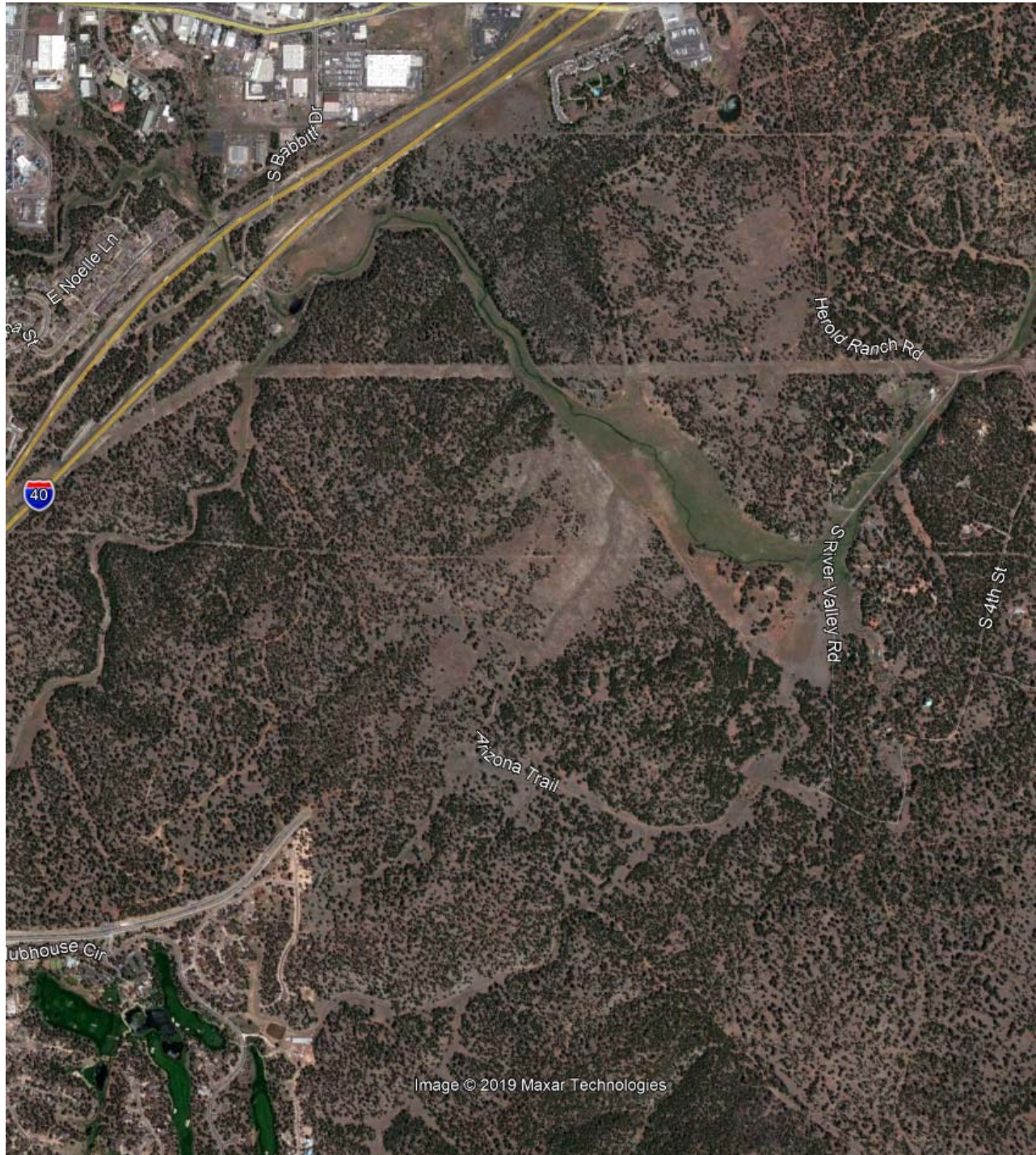
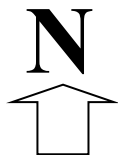


Image © 2019 Maxar Technologies



Not to Scale

Coe and Van Loo Consultants, Inc.

Phase I Environmental Site Assessment

**Western Technologies Inc.**

Job No. 2589JE231

Date: November 11, 2019

**APPENDIX E  
DATABASE REPORT**



# DATABASE REPORT

**Project Property:** *2589JE321  
E J. W. Powell Blvd  
Flagstaff AZ*

**Project No:**

**Report Type:** *Database Report*

**Order No:** *20191108042*

**Requested by:** *Western Technologies, Inc.*

**Date Completed:** *November 11, 2019*

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## **Notice: IMPORTANT LIMITATIONS and YOUR LIABILITY**

**Reliance on information in Report:** This report DOES NOT replace a full Phase I Environmental Site Assessment but is solely intended to be used as database review of environmental records.

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# Executive Summary

## Property Information:

**Project Property:** 2589JE321  
E J. W. Powell Blvd Flagstaff AZ

**Project No:**

**Coordinates:**

**Latitude:** 35.173032  
**Longitude:** -111.624407  
**UTM Northing:** 3,892,410.35  
**UTM Easting:** 443,141.66  
**UTM Zone:** UTM Zone 12S

**Elevation:** 6,860 FT

## Order Information:

**Order No:** 20191108042  
**Date Requested:** November 8, 2019  
**Requested by:** Western Technologies, Inc.  
**Report Type:** Database Report

## Historicals/Products:

**ERIS Xplorer** [ERIS Xplorer](#)  
**Excel Add-On** Excel Add-On

# Executive Summary: Report Summary

Database	Searched	Search Radius	Project Property	Within 0.12mi	.125mi to 0.25mi	0.25mi to 0.50mi	0.50mi to 1.00mi	Total
<b><u>Standard Environmental Records</u></b>								
<b>Federal</b>								
NPL	Y	1	0	0	0	0	0	0
PROPOSED NPL	Y	1	0	0	0	0	0	0
DELETED NPL	Y	.5	0	0	0	0	-	0
SEMS	Y	.5	0	0	0	0	-	0
ODI	Y	.5	0	0	0	0	-	0
SEMS ARCHIVE	Y	.5	0	0	0	0	-	0
CERCLIS	Y	.5	0	0	0	0	-	0
IODI	Y	.5	0	0	0	0	-	0
CERCLIS NFRAP	Y	.5	0	0	0	0	-	0
CERCLIS LIENS	Y	PO	0	-	-	-	-	0
RCRA CORRACTS	Y	1	0	0	0	0	0	0
RCRA TSD	Y	.5	0	0	0	0	-	0
RCRA LQG	Y	.25	0	0	0	-	-	0
RCRA SQG	Y	.25	0	0	0	-	-	0
RCRA CESQG	Y	.25	0	0	0	-	-	0
RCRA NON GEN	Y	.25	0	0	0	-	-	0
FED ENG	Y	.5	0	0	0	0	-	0
FED INST	Y	.5	0	0	0	0	-	0
ERNS 1982 TO 1986	Y	PO	0	-	-	-	-	0
ERNS 1987 TO 1989	Y	PO	0	-	-	-	-	0
ERNS	Y	PO	0	-	-	-	-	0
FED BROWNFIELDS	Y	.5	0	0	0	0	-	0
FEMA UST	Y	.25	0	0	0	-	-	0
REFN	Y	.25	0	0	0	-	-	0
BULK TERMINAL	Y	.25	0	0	0	-	-	0
SEMS LIEN	Y	PO	0	-	-	-	-	0
SUPERFUND ROD	Y	1	0	0	0	0	0	0

Database	Searched	Search Radius	Project Property	Within 0.12mi	.125mi to 0.25mi	0.25mi to 0.50mi	0.50mi to 1.00mi	Total
<b>State</b>								
DELISTED SUPERFUND	Y	1	0	0	0	0	0	0
SHWS	Y	1	0	0	0	0	0	0
SWF/LF	Y	.5	0	0	0	0	-	0
LUST	Y	.5	0	0	0	0	-	0
DELISTED LUST	Y	.5	0	0	0	0	-	0
AST	Y	.25	0	0	0	-	-	0
UST	Y	.25	0	0	0	-	-	0
DELISTED TANKS	Y	.25	0	0	0	-	-	0
AUL	Y	.5	0	0	0	0	-	0
AZURITE	Y	.5	0	0	0	0	-	0
VCP	Y	.5	0	0	0	0	-	0
BROWNFIELDS	Y	.5	0	0	0	0	-	0
WQARF	Y	1	0	0	0	0	0	0
AST2	Y	.25	0	0	0	-	-	0
<b>Tribal</b>								
INDIAN LUST	Y	.5	0	0	0	0	-	0
INDIAN UST	Y	.25	0	0	0	-	-	0
DELISTED ILST	Y	.5	0	0	0	0	-	0
DELISTED IUST	Y	.25	0	0	0	-	-	0
<b>County</b>	<b>No County standard environmental record sources available for this State.</b>							
<b><u>Additional Environmental Records</u></b>								
<b>Federal</b>								
PFAS NPL	Y	.5	0	0	0	0	-	0
FINDS/FRS	Y	PO	0	-	-	-	-	0
TRIS	Y	PO	0	-	-	-	-	0
PFAS TRI	Y	.5	0	0	0	0	-	0
HMIRS	Y	.125	0	0	-	-	-	0
NCDL	Y	.125	0	0	-	-	-	0
TSCA	Y	.125	0	0	-	-	-	0
HIST TSCA	Y	.125	0	0	-	-	-	0
FTTS ADMIN	Y	PO	0	-	-	-	-	0
FTTS INSP	Y	PO	0	-	-	-	-	0
PRP	Y	PO	0	-	-	-	-	0
SCRD DRYCLEANER	Y	.5	0	0	0	0	-	0
ICIS	Y	PO	0	-	-	-	-	0
FED DRYCLEANERS	Y	.25	0	0	0	-	-	0
DELISTED FED DRY	Y	.25	0	0	0	-	-	0

Database	Searched	Search Radius	Project Property	Within 0.12mi	.125mi to 0.25mi	0.25mi to 0.50mi	0.50mi to 1.00mi	Total
FUDS	Y	1	0	0	0	0	0	0
MLTS	Y	PO	0	-	-	-	-	0
HIST MLTS	Y	PO	0	-	-	-	-	0
MINES	Y	.25	0	0	0	-	-	0
ALT FUELS	Y	.25	0	0	0	-	-	0
SSTS	Y	.25	0	0	0	-	-	0
PCB	Y	.5	0	0	0	0	-	0

**State**

SPILLS	Y	.125	0	0	-	-	-	0
DRYCLEANERS	Y	.25	0	0	0	-	-	0
PFAS	Y	.5	0	0	0	0	-	0
AIR PERMITS	Y	.25	0	0	0	-	-	0
DRYWELLS	Y	.125	0	0	-	-	-	0
DRUG LAB REMEDIATION	Y	.125	0	0	-	-	-	0
CDL	Y	.125	0	0	-	-	-	0
TIER 2	Y	.125	0	0	-	-	-	0

**Tribal**

*No Tribal additional environmental record sources available for this State.*

**County**

*No County additional environmental record sources available for this State.*

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**Total:** 0 0 0 0 0 0 0

\* PO – Property Only

\* 'Property and adjoining properties' database search radii are set at 0.25 miles.

## Executive Summary: Site Report Summary - Project Property

<i>Map Key</i>	<i>DB</i>	<i>Company/Site Name</i>	<i>Address</i>	<i>Direction</i>	<i>Distance (mi/ft)</i>	<i>Elev Diff (ft)</i>	<i>Page Number</i>
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No records found in the selected databases for the project property.

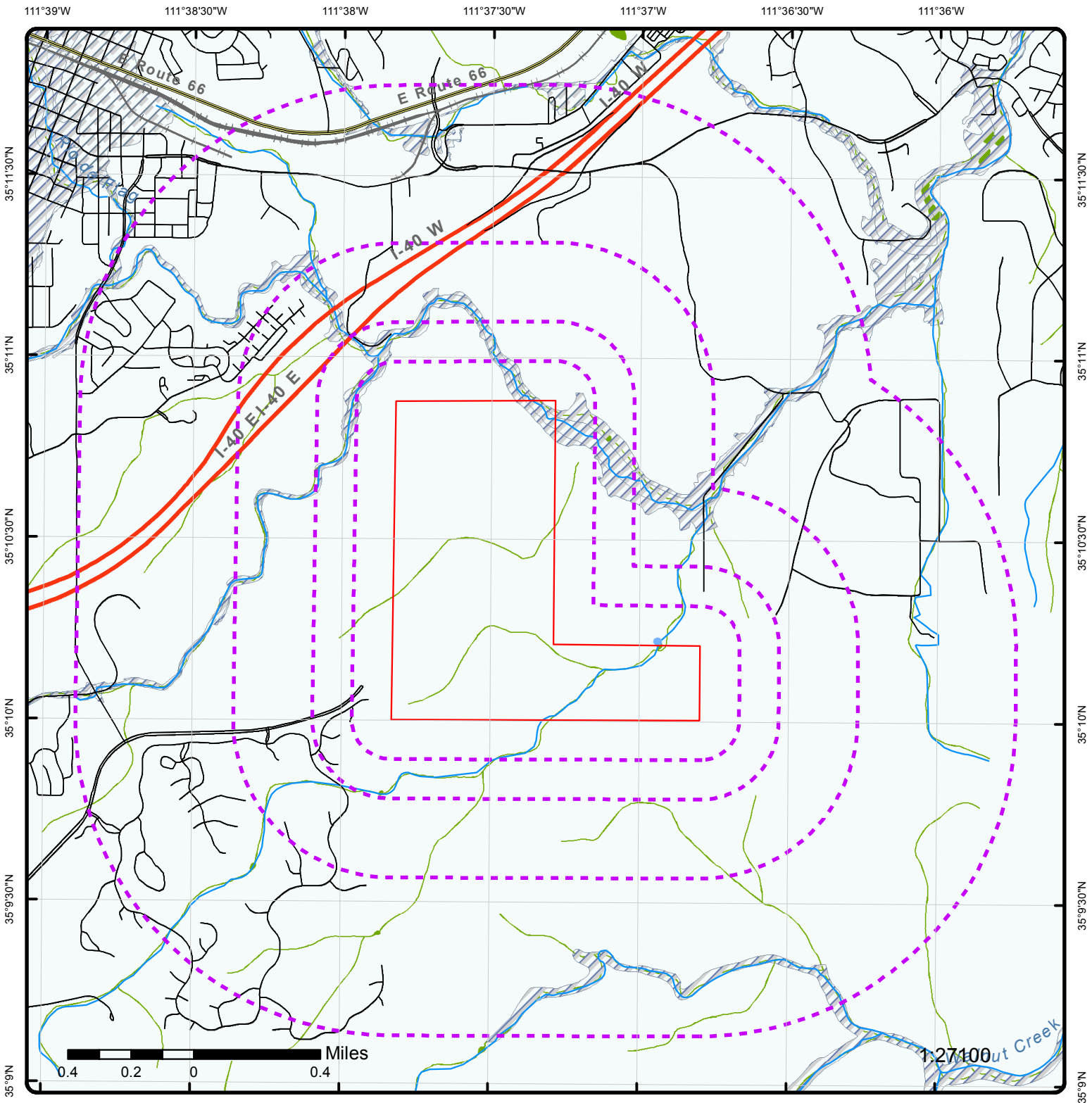
## Executive Summary: Site Report Summary - Surrounding Properties

<i>Map Key</i>	<i>DB</i>	<i>Company/Site Name</i>	<i>Address</i>	<i>Direction</i>	<i>Distance (mi/ft)</i>	<i>Elev Diff (ft)</i>	<i>Page Number</i>
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No records found in the selected databases for the surrounding properties.

## Executive Summary: Summary by Data Source

No records found in the selected databases for the project property or surrounding properties.



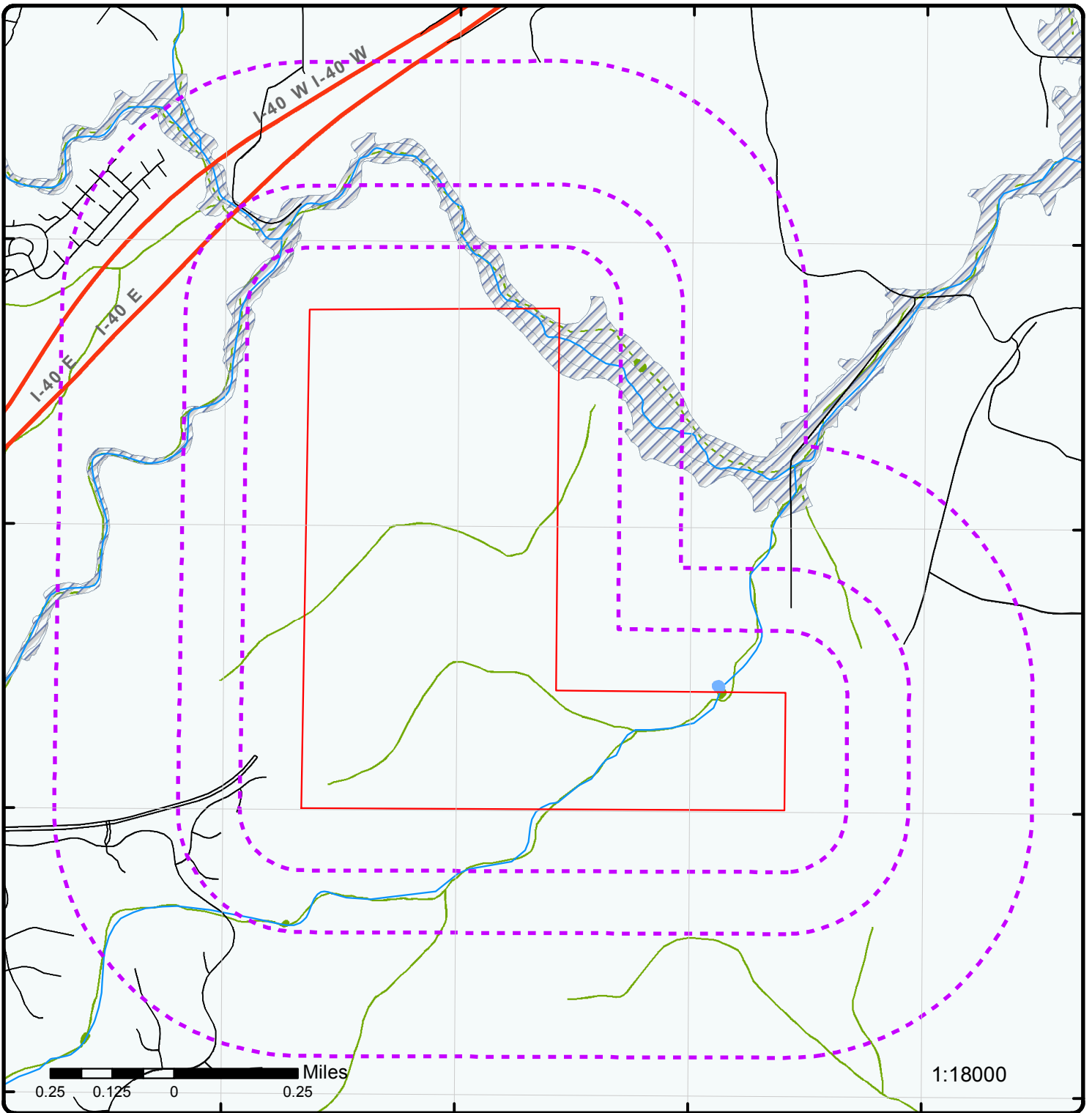
### Map : 1 Mile Radius

Order No: 20191108042

Address: E J. W. Powell Blvd, Flagstaff, AZ



Project Property	Rails	State Boundary	FWS Special Designation Areas
Buffer Outline	Major Highways	National Priority List Sites	State Brownfield Sites
Eris Sites with Higher Elevation	Major Highways Ramps	National Wetland	State Brownfield Areas
Eris Sites with Same Elevation	Major Roads	Indian Reserve Land	State Superfund Areas:Dept. of Defense
Eris Sites with Lower Elevation	Major Roads Ramps	Historic Fill	State Superfund Areas:NPL
Eris Sites with Unknown Elevation	Secondary Roads	100 Year Flood Zone	WQARF Areas
County Boundary	Secondary Roads Ramps	500 Year Flood Zone	Federal Lands: Dept. of Defense (owned/administered areas)
	Local Roads and Ramps		



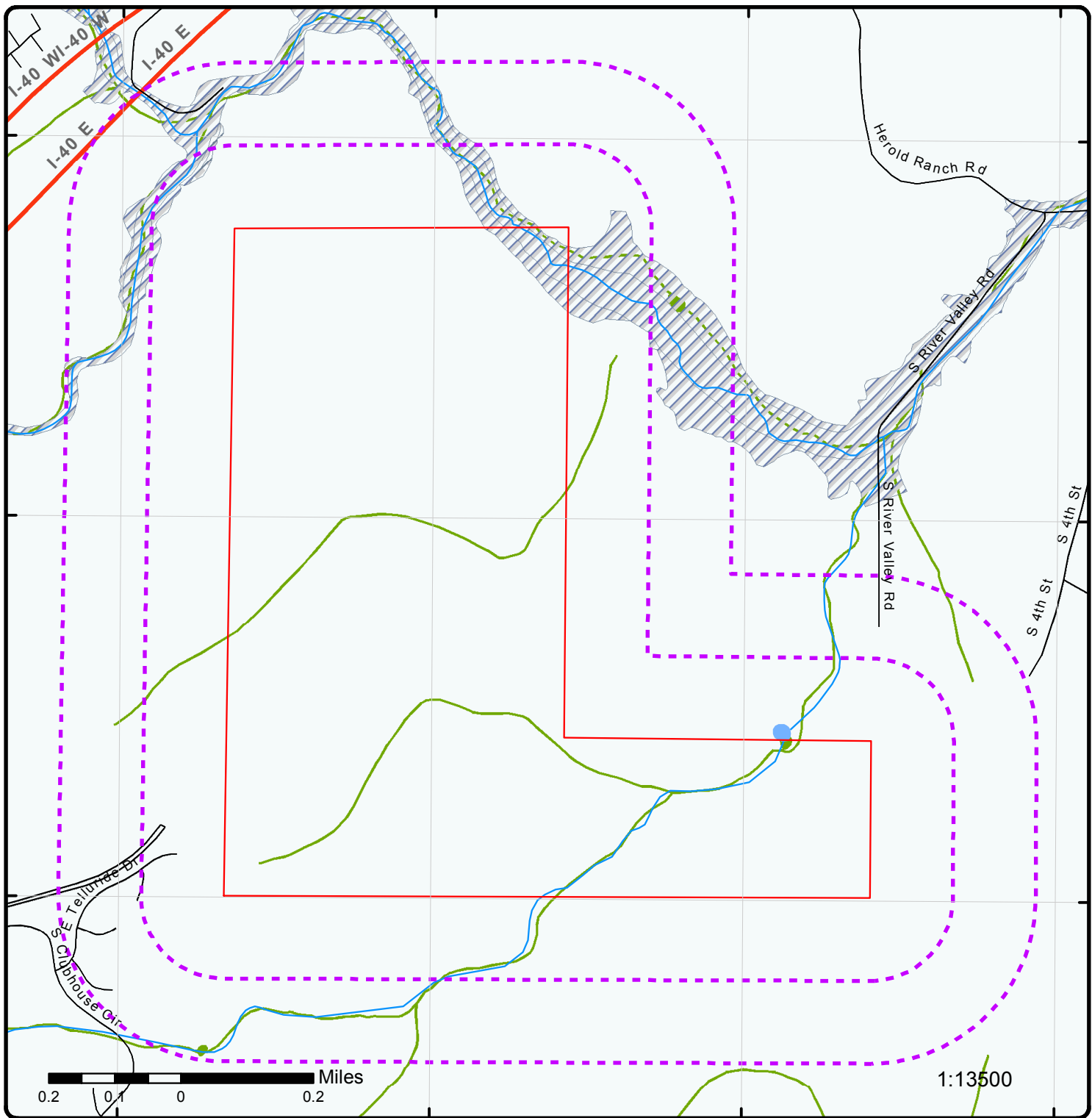
### Map : 0.5 Mile Radius

Order No: 20191108042

Address: E J. W. Powell Blvd, Flagstaff, AZ



Project Property	Rails	State Boundary	FWS Special Designation Areas
<b>Buffer Outline</b>	Major Highways	National Priority List Sites	State Brownfield Sites
Eris Sites with Higher Elevation	Major Highways Ramps	National Wetland	State Brownfield Areas
Eris Sites with Same Elevation	Major Roads	Indian Reserve Land	State Superfund Areas:Dept. of Defense
Eris Sites with Lower Elevation	Major Roads Ramps	Historic Fill	State Superfund Areas:NPL
Eris Sites with Unknown Elevation	Secondary Roads	100 Year Flood Zone	WQARF Areas
County Boundary	Secondary Roads Ramps	500 Year Flood Zone	Federal Lands: Dept. of Defense (owned/administered areas)
	Local Roads and Ramps		



### Map : 0.25 Mile Radius

Order No: 20191108042  
Address: E J. W. Powell Blvd, Flagstaff, AZ



Project Property	Rails	State Boundary	FWS Special Designation Areas
Buffer Outline	Major Highways	National Priority List Sites	State Brownfield Sites
Eris Sites with Higher Elevation	Major Highways Ramps	National Wetland	State Brownfield Areas
Eris Sites with Same Elevation	Major Roads	Indian Reserve Land	State Superfund Areas:Dept. of Defense
Eris Sites with Lower Elevation	Major Roads Ramps	Historic Fill	State Superfund Areas:NPL
Eris Sites with Unknown Elevation	Secondary Roads	100 Year Flood Zone	WQARF Areas
County Boundary	Secondary Roads Ramps	500 Year Flood Zone	Federal Lands: Dept. of Defense (owned/administered areas)
	Local Roads and Ramps		

111°37'30"W

111°37'W

35°11'N

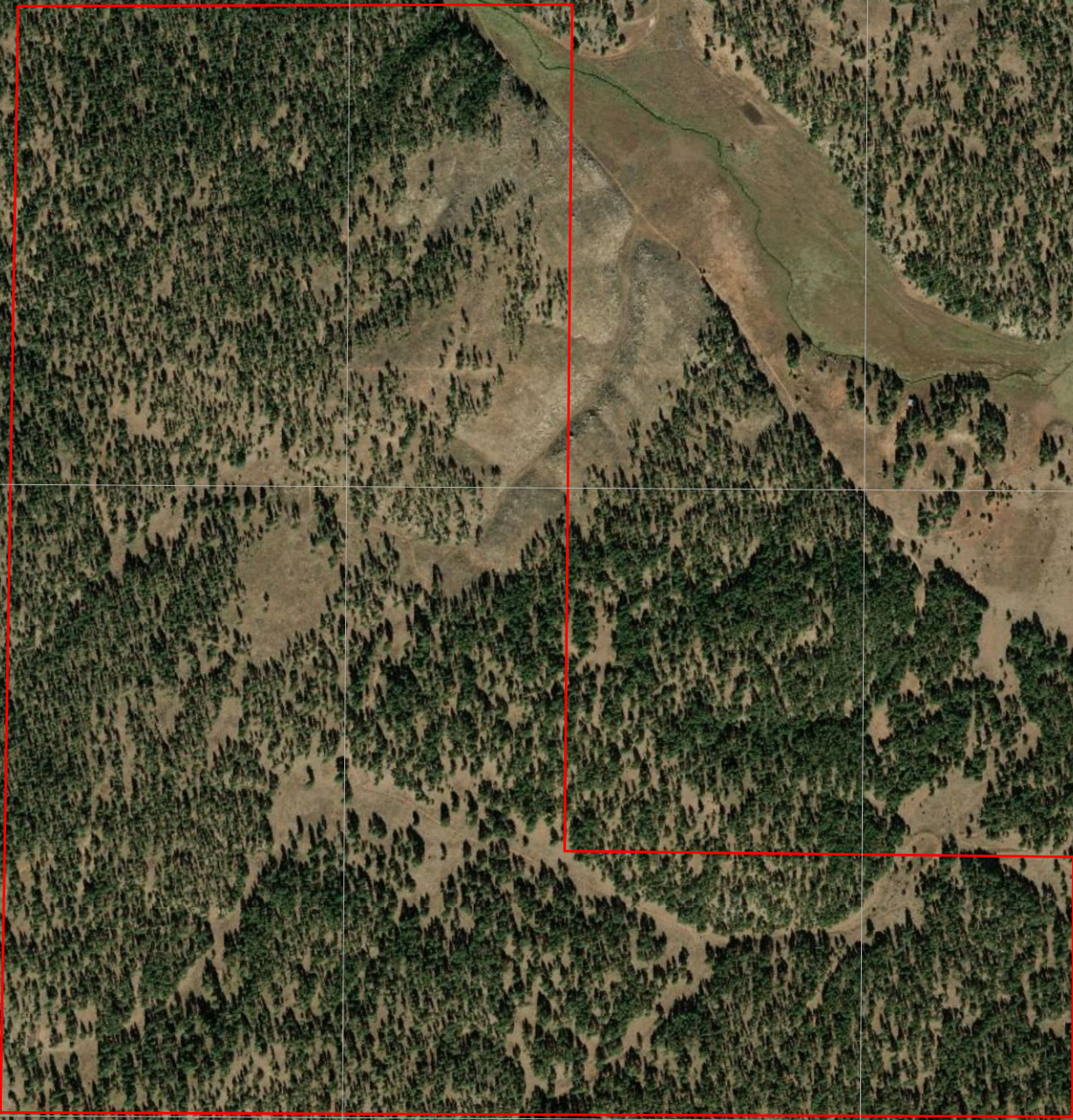
35°11'N

35°10'30"N

35°10'30"N

35°10'N

35°10'N



1:9700  
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# Aerial (2018)

Address: E J. W. Powell Blvd, Flagstaff, AZ

Source: ESRI World Imagery

Order No: 20191108042

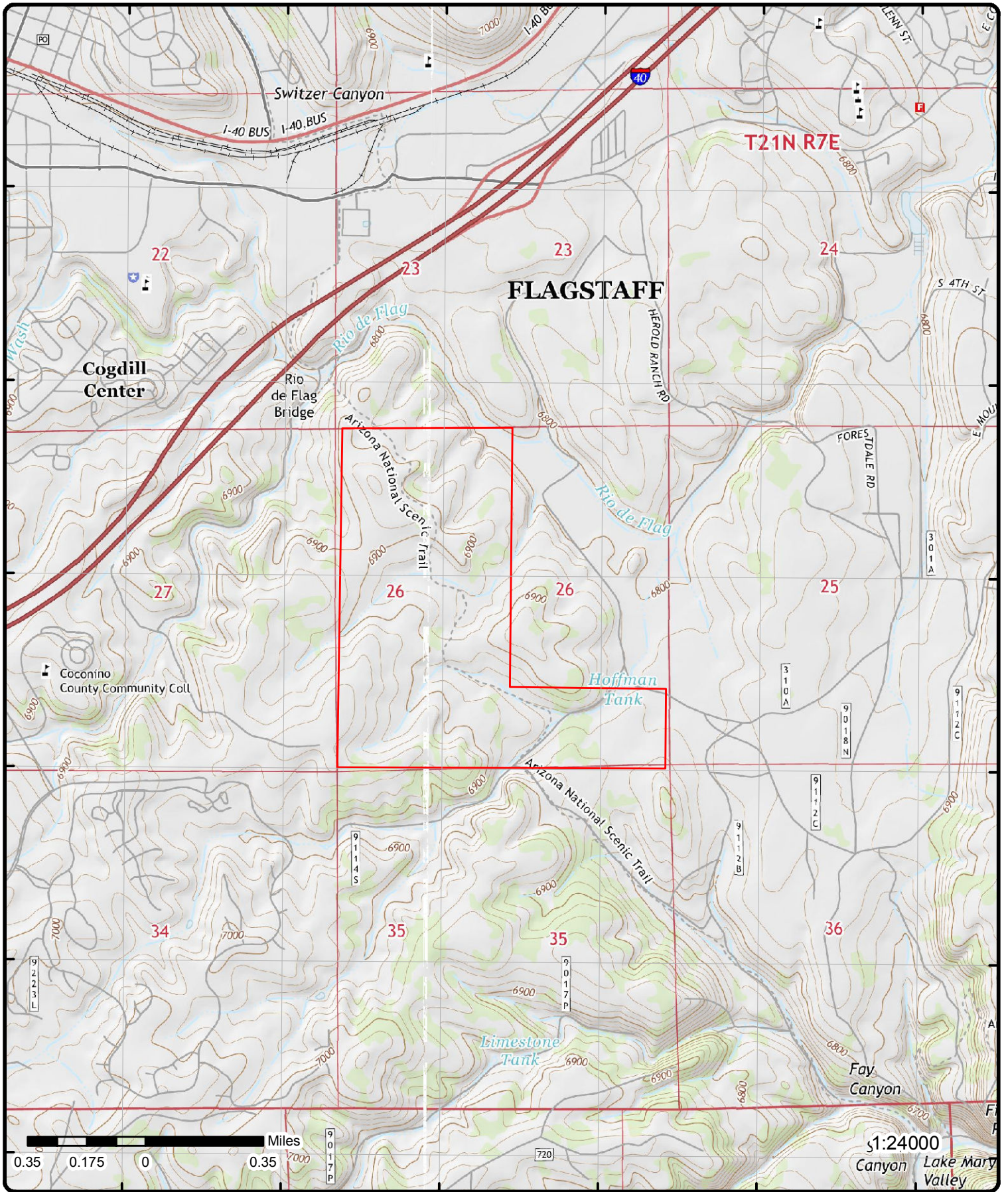


© ERIS Information Inc.

111°38'30"W 111°38'W 111°37'30"W 111°37'W 111°36'30"W 111°36'W

35°11'30"N  
35°11'N  
35°10'30"N  
35°10'N  
35°9'30"N  
35°9'N

35°11'30"N  
35°11'N  
35°10'30"N  
35°10'N  
35°9'30"N  
35°9'N



# Topographic Map (2014)

Address: E J. W. Powell Blvd, Flagstaff, AZ

Quadrangle(s): Flagstaff West,AZ; Flagstaff East,AZ;

Source: USGS Topographic Map

Order No: 20191108042



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# Detail Report

<i>Map Key</i>	<i>Number of Records</i>	<i>Direction</i>	<i>Distance (mi/ft)</i>	<i>Elev/Diff (ft)</i>	<i>Site</i>	<i>DB</i>
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No records found in the selected databases for the project property or surrounding properties.

# Unplottable Summary

Total: 3 Unplottable sites

DB	Company Name/Site Name	Address	City	Zip	ERIS ID
CERCLIS	NAVAJO DEPOT ACTIVITY	I-40 <i>Site EPA ID: AZ7213820635</i>	FLAGSTAFF AZ	86001	805431229
CERCLIS NFRAP	NAVAJO DEPOT ACTIVITY	I-40 <i>Site EPA ID: AZ7213820635</i>	FLAGSTAFF AZ	86001	805491610
SEMS ARCHIVE	NAVAJO DEPOT ACTIVITY	I-40 <i>EPA ID: AZ7213820635</i>	FLAGSTAFF AZ	86001	828881735

# Unplottable Report

**Site:** NAVAJO DEPOT ACTIVITY  
I-40 FLAGSTAFF AZ 86001

CERCLIS

<b>Site ID:</b>	0900889	<b>RNPL Status Code:</b>	N
<b>Site EPA ID:</b>	AZ7213820635	<b>NPL Status:</b>	Not on the NPL
<b>Site Street Address 2:</b>		<b>RFED Facility Code:</b>	Y
<b>Site County Name:</b>	COCONINO	<b>RFED Facility Desc:</b>	Federal Facility
<b>Site FIPS Code:</b>	04005	<b>USGS Hydro Unit No.:</b>	15020015
<b>Region Code:</b>	09	<b>Site Cong. Dist. Code:</b>	03
<b>Site SMSA No.:</b>		<b>ROT Desc:</b>	Federally Owned
<b>Site Prim. Latitude:</b>	35D11M36S	<b>FR NPL Update No.:</b>	
<b>Site Prim. Longitude:</b>	111D39M06S	<b>RFRA Code:</b>	
<b>Lat Long Source:</b>			
<b>RNON NPL Status Desc:</b>	NFRAP-Site does not qualify for the NPL based on existing information		

## CERCLIS Assess History

<b>OU ID:</b>	00	<b>RALT Short Name:</b>	EPA In-House
<b>Act Code ID:</b>	001	<b>Act Start Date:</b>	
<b>RAT Code:</b>	VS	<b>Act Complete Date:</b>	9/20/1993 00:00:00
<b>RAT Short Name:</b>	ARCH SITE	<b>AGT Order No.:</b>	1500
<b>RAT Name:</b>	ARCHIVE SITE	<b>SH OU:</b>	
<b>RAT Hist. Only Flag:</b>		<b>SH Code:</b>	
<b>RAT NSI Indicator:</b>	B	<b>SH Seq:</b>	
<b>RAT Level:</b>	1	<b>SH Start Date:</b>	
<b>RAT DEF OU:</b>	00	<b>SH Complete Date:</b>	
<b>RFBS Code:</b>		<b>SH Lead:</b>	
<b>SPA Code:</b>	13		
<b>RAT Def:</b>	The decision is made that no further activity is planned at the site.		
<b>Site Desc:</b>			
<b>Site Alias:</b>			

## CERCLIS Assess History

<b>OU ID:</b>	00	<b>RALT Short Name:</b>	Fed Fac
<b>Act Code ID:</b>	002	<b>Act Start Date:</b>	
<b>RAT Code:</b>	SI	<b>Act Complete Date:</b>	9/20/1993 00:00:00
<b>RAT Short Name:</b>	SI	<b>AGT Order No.:</b>	160
<b>RAT Name:</b>	SITE INSPECTION	<b>SH OU:</b>	
<b>RAT Hist. Only Flag:</b>		<b>SH Code:</b>	
<b>RAT NSI Indicator:</b>	B	<b>SH Seq:</b>	
<b>RAT Level:</b>	1	<b>SH Start Date:</b>	
<b>RAT DEF OU:</b>	00	<b>SH Complete Date:</b>	
<b>RFBS Code:</b>	P	<b>SH Lead:</b>	
<b>SPA Code:</b>	13		
<b>RAT Def:</b>	The process of collecting site data and samples to characterize the severity of the hazard for the hazard ranking score and/or enforcement support.		
<b>Site Desc:</b>			
<b>Site Alias:</b>			

## CERCLIS Assess History

<b>OU ID:</b>	00	<b>RALT Short Name:</b>	Fed Fac
<b>Act Code ID:</b>	001	<b>Act Start Date:</b>	
<b>RAT Code:</b>	DS	<b>Act Complete Date:</b>	8/1/1980 00:00:00
<b>RAT Short Name:</b>	DISCVRY	<b>AGT Order No.:</b>	10
<b>RAT Name:</b>	DISCOVERY	<b>SH OU:</b>	
<b>RAT Hist. Only Flag:</b>		<b>SH Code:</b>	
<b>RAT NSI Indicator:</b>	B	<b>SH Seq:</b>	

**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:**  
**SPA Code:** 13  
**RAT Def:**

**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**

The process by which a potential hazardous waste site is brought to the attention of the EPA. The process can occur through the use of several mechanisms such as a phone call or referral by another government agency.

**Site Desc:**  
**Site Alias:**

**CERCLIS Assess History**

**OU ID:** 00  
**Act Code ID:**  
**RAT Code:**  
**RAT Short Name:**  
**RAT Name:**  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:**  
**RAT Level:**  
**RAT DEF OU:**  
**RFBS Code:**  
**SPA Code:**  
**RAT Def:**  
**Site Desc:**

**RALT Short Name:**  
**Act Start Date:**  
**Act Complete Date:**  
**AGT Order No.:** 0  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**

No description available

**Site Alias:** NATIONAL GUARD CAMP NAVAJO,1002 HALE DR I 40 EXIT 185,FLAGSTAFF,AZ,93943 ;NAVAJO ARMY DEPOT,,,AZ,;

**CERCLIS Assess History**

**OU ID:** 00  
**Act Code ID:** 001  
**RAT Code:** SI  
**RAT Short Name:** SI  
**RAT Name:** SITE INSPECTION  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:** P  
**SPA Code:** 13  
**RAT Def:**

**RALT Short Name:** Fed Fac  
**Act Start Date:**  
**Act Complete Date:** 4/1/1982 00:00:00  
**AGT Order No.:** 160  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**

The process of collecting site data and samples to characterize the severity of the hazard for the hazard ranking score and/or enforcement support.

**Site Desc:**  
**Site Alias:**

**CERCLIS Assess History**

**OU ID:** 00  
**Act Code ID:** 001  
**RAT Code:** HR  
**RAT Short Name:** HAZRANK  
**RAT Name:** HAZARD RANKING SYSTEM PACKAGE  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:** P  
**SPA Code:** 13  
**RAT Def:**

**RALT Short Name:** Fed Fac  
**Act Start Date:**  
**Act Complete Date:** 5/1/1988 00:00:00  
**AGT Order No.:** 190  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**

A numeric estimate of the relative severity of a hazardous substance release or potential release based on: (1) the relative potential of substances to cause hazardous situations; (2) the likelihood and rate at which the substances may affect human and environmental receptors; and (3) the severity and magnitude of potential effects. The score is computed using the hazard ranking system (HRS).

**Site Desc:**  
**Site Alias:**

**CERCLIS Assess History**

**OU ID:** 00  
**Act Code ID:** 001  
**RAT Code:** PA  
**RAT Short Name:** PA  
**RAT Name:** PRELIMINARY ASSESSMENT  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:** P  
**SPA Code:** 13  
**RAT Def:**

**RALT Short Name:** Fed Fac  
**Act Start Date:**  
**Act Complete Date:** 1/1/1983 00:00:00  
**AGT Order No.:** 130  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**

Collection of diverse existing information about the source and nature of the site hazard. It is EPA policy to complete the preliminary assessment within one year of site discovery.

**Site Desc:**  
**Site Alias:**

**Site:** **NAVAJO DEPOT ACTIVITY**  
**I-40 FLAGSTAFF AZ 86001**

CERCLIS NFRAP

**Site ID:** 900889  
**Site EPA ID:** AZ7213820635  
**Site Parent ID:**  
**Site County Name:** COCONINO  
**Parent Site Name:**

**Site FIPS Code:** 4005  
**Region Code:** 9  
**Site Cong. Dist. Code:** 3  
**Federal Facility:**

**CERCLIS-NFRAP Assess History**

**OU ID:** 0  
**Act Code ID:** 1  
**RAT Code:** HR  
**RAT Short Name:** HAZRANK  
**RAT Name:** HAZARD RANKING SYSTEM PACKAGE  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:** P  
**SPA Code:** 13  
**RALT Short Name:** Fed Fac  
**RAT Def:**

**Act Start Date:**  
**Act Complete Date:** 5/1/1988  
**AGT Order No.:** 190  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**  
**SH Qual:**  
**RAQ Act. Qual Short:**  
**RNPL Status Code:** N

A numeric estimate of the relative severity of a hazardous substance release or potential release based on: (1) the relative potential of substances to cause hazardous situations; (2) the likelihood and rate at which the substances may affect human and environmental receptors; and (3) the severity and magnitude of potential effects. The score is computed using the hazard ranking system (HRS).

**RNON NPL Status Desc:**

NFRAP-Site does not qualify for the NPL based on existing information

**CERCLIS-NFRAP Assess History**

**OU ID:** 0  
**Act Code ID:** 1  
**RAT Code:** SI  
**RAT Short Name:** SI  
**RAT Name:** SITE INSPECTION  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:** P  
**SPA Code:** 13  
**RALT Short Name:** Fed Fac  
**RAT Def:**

**Act Start Date:**  
**Act Complete Date:** 4/1/1982  
**AGT Order No.:** 160  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**  
**SH Qual:**  
**RAQ Act. Qual Short:** NFRAP  
**RNPL Status Code:** N

The process of collecting site data and samples to characterize the severity of the hazard for the hazard ranking score and/or enforcement support.

**RNON NPL Status Desc:**

NFRAP-Site does not qualify for the NPL based on existing information

**CERCLIS-NFRAP Assess History**

**OU ID:** 0  
**Act Code ID:** 1  
**RAT Code:** VS

**Act Start Date:**  
**Act Complete Date:** 9/20/1993  
**AGT Order No.:** 1500

**RAT Short Name:** ARCH SITE  
**RAT Name:** ARCHIVE SITE  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:**  
**SPA Code:** 13  
**RALT Short Name:** EPA In-House  
**RAT Def:** The decision is made that no further activity is planned at the site.  
**RNON NPL Status Desc:** NFRAP-Site does not qualify for the NPL based on existing information

**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**  
**SH Qual:**  
**RAQ Act. Qual Short:**  
**RNPL Status Code:** N

**CERCLIS-NFRAP Assess History**

**OU ID:** 0  
**Act Code ID:** 1  
**RAT Code:** DS  
**RAT Short Name:** DISCVRY  
**RAT Name:** DISCOVERY  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:**  
**SPA Code:** 13  
**RALT Short Name:** Fed Fac  
**RAT Def:** The process by which a potential hazardous waste site is brought to the attention of the EPA. The process can occur through the use of several mechanisms such as a phone call or referral by another government agency.  
**RNON NPL Status Desc:** NFRAP-Site does not qualify for the NPL based on existing information

**Act Start Date:**  
**Act Complete Date:** 8/1/1980  
**AGT Order No.:** 10  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**  
**SH Qual:**  
**RAQ Act. Qual Short:**  
**RNPL Status Code:** N

**CERCLIS-NFRAP Assess History**

**OU ID:** 0  
**Act Code ID:** 2  
**RAT Code:** SI  
**RAT Short Name:** SI  
**RAT Name:** SITE INSPECTION  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:** P  
**SPA Code:** 13  
**RALT Short Name:** Fed Fac  
**RAT Def:** The process of collecting site data and samples to characterize the severity of the hazard for the hazard ranking score and/or enforcement support.  
**RNON NPL Status Desc:** NFRAP-Site does not qualify for the NPL based on existing information

**Act Start Date:**  
**Act Complete Date:** 9/20/1993  
**AGT Order No.:** 160  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**  
**SH Qual:**  
**RAQ Act. Qual Short:** NFRAP  
**RNPL Status Code:** N

**CERCLIS-NFRAP Assess History**

**OU ID:** 0  
**Act Code ID:** 1  
**RAT Code:** PA  
**RAT Short Name:** PA  
**RAT Name:** PRELIMINARY ASSESSMENT  
**RAT Hist. Only Flag:**  
**RAT NSI Indicator:** B  
**RAT Level:** 1  
**RAT DEF OU:** 00  
**RFBS Code:** P  
**SPA Code:** 13  
**RALT Short Name:** Fed Fac  
**RAT Def:** Collection of diverse existing information about the source and nature of the site hazard. It is EPA policy to complete the preliminary assessment within one year of site discovery.  
**RNON NPL Status Desc:** NFRAP-Site does not qualify for the NPL based on existing information

**Act Start Date:**  
**Act Complete Date:** 1/1/1983  
**AGT Order No.:** 130  
**SH OU:**  
**SH Code:**  
**SH Seq:**  
**SH Start Date:**  
**SH Complete Date:**  
**SH Lead:**  
**SH Qual:**  
**RAQ Act. Qual Short:** Low priority  
**RNPL Status Code:** N

**Site:** NAVAJO DEPOT ACTIVITY  
 I-40 FLAGSTAFF AZ 86001

SEMS ARCHIVE

<b>Site ID:</b>	0900889	<b>FIPS Code:</b>	04005
<b>EPA ID:</b>	AZ7213820635	<b>Cong District:</b>	03
<b>NPL:</b>	Not on the NPL	<b>Region:</b>	09
<b>Federal Facility:</b>	Yes	<b>County:</b>	COCONINO
<b>Non NPL Status:</b>	NFRAP-Site does not qualify for the NPL based on existing information		

**Action Information**

<b>Operable Units:</b>	00	<b>Start Actual:</b>	
<b>Action Code:</b>	SI	<b>Finish Actual:</b>	09/20/1993
<b>Action Name:</b>	SI	<b>Qual:</b>	N
<b>SEQ:</b>	2	<b>Curr Action Lead:</b>	Fed Fac
<b>Operable Units:</b>	00	<b>Start Actual:</b>	
<b>Action Code:</b>	HR	<b>Finish Actual:</b>	05/01/1988
<b>Action Name:</b>	HAZRANK	<b>Qual:</b>	
<b>SEQ:</b>	1	<b>Curr Action Lead:</b>	Fed Fac
<b>Operable Units:</b>	00	<b>Start Actual:</b>	
<b>Action Code:</b>	PA	<b>Finish Actual:</b>	01/01/1983
<b>Action Name:</b>	PA	<b>Qual:</b>	L
<b>SEQ:</b>	1	<b>Curr Action Lead:</b>	Fed Fac
<b>Operable Units:</b>	00	<b>Start Actual:</b>	08/01/1980
<b>Action Code:</b>	DS	<b>Finish Actual:</b>	08/01/1980
<b>Action Name:</b>	DISCVRY	<b>Qual:</b>	
<b>SEQ:</b>	1	<b>Curr Action Lead:</b>	Fed Fac
<b>Operable Units:</b>	00	<b>Start Actual:</b>	
<b>Action Code:</b>	SI	<b>Finish Actual:</b>	04/01/1982
<b>Action Name:</b>	SI	<b>Qual:</b>	N
<b>SEQ:</b>	1	<b>Curr Action Lead:</b>	Fed Fac
<b>Operable Units:</b>	00	<b>Start Actual:</b>	
<b>Action Code:</b>	VS	<b>Finish Actual:</b>	09/20/1993
<b>Action Name:</b>	ARCH SITE	<b>Qual:</b>	
<b>SEQ:</b>	1	<b>Curr Action Lead:</b>	EPA Perf In-Hse

# Appendix: Database Descriptions

Environmental Risk Information Services (ERIS) can search the following databases. The extent of historical information varies with each database and current information is determined by what is publicly available to ERIS at the time of update. ERIS updates databases as set out in ASTM Standard E1527-13, Section 8.1.8 Sources of Standard Source Information:

"Government information from nongovernmental sources may be considered current if the source updates the information at least every 90 days, or, for information that is updated less frequently than quarterly by the government agency, within 90 days of the date the government agency makes the information available to the public."

## Standard Environmental Record Sources

### Federal

#### National Priority List:

NPL

National Priorities List (Superfund)-NPL: EPA's (United States Environmental Protection Agency) list of the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action under the Superfund program. The NPL, which EPA is required to update at least once a year, is based primarily on the score a site receives from EPA's Hazard Ranking System. A site must be on the NPL to receive money from the Superfund Trust Fund for remedial action.

**Government Publication Date: Aug 20, 2019**

#### National Priority List - Proposed:

PROPOSED NPL

Includes sites proposed (by the EPA, the state, or concerned citizens) for addition to the NPL due to contamination by hazardous waste and identified by the Environmental Protection Agency (EPA) as a candidate for cleanup because it poses a risk to human health and/or the environment.

**Government Publication Date: Aug 20, 2019**

#### Deleted NPL:

DELETED NPL

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

**Government Publication Date: Aug 20, 2019**

#### SEMS List 8R Active Site Inventory:

SEMS

The Superfund Program has deployed the Superfund Enterprise Management System (SEMS), which integrates multiple legacy systems into a comprehensive tracking and reporting tool. This inventory contains active sites evaluated by the Superfund program that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The Active Site Inventory Report displays site and location information at active SEMS sites. An active site is one at which site assessment, removal, remedial, enforcement, cost recovery, or oversight activities are being planned or conducted.

**Government Publication Date: Aug 20, 2019**

#### Inventory of Open Dumps, June 1985:

ODI

The Resource Conservation and Recovery Act (RCRA) provides for publication of an inventory of open dumps. The Act defines "open dumps" as facilities which do not comply with EPA's "Criteria for Classification of Solid Waste Disposal Facilities and Practices" (40 CFR 257).

**Government Publication Date: Jun 1985**

#### SEMS List 8R Archive Sites:

SEMS ARCHIVE

The Superfund Enterprise Management System (SEMS) Archived Site Inventory displays site and location information at sites archived from SEMS. An archived site is one at which EPA has determined that assessment has been completed and no further remedial action is planned under the Superfund program at this time.

**Government Publication Date: Aug 20, 2019**

**CERCLIS:**

Superfund is a program administered by the United States Environmental Protection Agency (EPA) to locate, investigate, and clean up the worst hazardous waste sites throughout the United States. CERCLIS is a database of potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The EPA administers the Superfund program in cooperation with individual states and tribal governments; this database is made available by the EPA.

**Government Publication Date: Oct 25, 2013**

**EPA Report on the Status of Open Dumps on Indian Lands:**

IODI

Public Law 103-399, The Indian Lands Open Dump Cleanup Act of 1994, enacted October 22, 1994, identified congressional concerns that solid waste open dump sites located on American Indian or Alaska Native (AI/AN) lands threaten the health and safety of residents of those lands and contiguous areas. The purpose of the Act is to identify the location of open dumps on Indian lands, assess the relative health and environment hazards posed by those sites, and provide financial and technical assistance to Indian tribal governments to close such dumps in compliance with Federal standards and regulations or standards promulgated by Indian Tribal governments or Alaska Native entities.

**Government Publication Date: Dec 31, 1998**

**CERCLIS - No Further Remedial Action Planned:**

CERCLIS NFRAP

An archived site is one at which EPA has determined that assessment has been completed and no further remedial action is planned under the Superfund program at this time. The Archive designation means that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

**Government Publication Date: Oct 25, 2013**

**CERCLIS Liens:**

CERCLIS LIENS

A Federal Superfund lien exists at any property where EPA has incurred Superfund costs to address contamination ("Superfund site") and has provided notice of liability to the property owner. A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. This database is made available by the United States Environmental Protection Agency (EPA).

**Government Publication Date: Jan 30, 2014**

**RCRA CORRACTS-Corrective Action:**

RCRA CORRACTS

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. At these sites, the Corrective Action Program ensures that cleanups occur. EPA and state regulators work with facilities and communities to design remedies based on the contamination, geology, and anticipated use unique to each site.

**Government Publication Date: Aug 26, 2019**

**RCRA non-CORRACTS TSD Facilities:**

RCRA TSD

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. This database includes Non-Corrective Action sites listed as treatment, storage and/or disposal facilities of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA).

**Government Publication Date: Aug 26, 2019**

**RCRA Generator List:**

RCRA LQG

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Large Quantity Generators (LQGs) generate 1,000 kilograms per month or more of hazardous waste or more than one kilogram per month of acutely hazardous waste.

**Government Publication Date: Aug 26, 2019**

**RCRA Small Quantity Generators List:**

RCRA SQG

RCRA Info is the EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Small Quantity Generators (SQGs) generate more than 100 kilograms, but less than 1,000 kilograms, of hazardous waste per month.

**Government Publication Date: Aug 26, 2019**

**RCRA Conditionally Exempt and Very Small Quantity Generators List:**

[RCRA CESQG](#)

RCRA Info is the EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Conditionally Exempt and Very Small Quantity Generators (VSQG and CESQG) generate 100 kilograms or less per month of hazardous waste, or one kilogram or less per month of acutely hazardous waste. Additionally, VSQG and CESQG may not accumulate more than 1,000 kilograms of hazardous waste at any time.

**Government Publication Date: Aug 26, 2019**

**RCRA Non-Generators:**

[RCRA NON GEN](#)

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Non-Generators do not presently generate hazardous waste.

**Government Publication Date: Aug 26, 2019**

**Federal Engineering Controls-ECs:**

[FED ENG](#)

Engineering controls (ECs) encompass a variety of engineered and constructed physical barriers (e.g., soil capping, sub-surface venting systems, mitigation barriers, fences) to contain and/or prevent exposure to contamination on a property. This database is made available by the United States Environmental Protection Agency (EPA).

**Government Publication Date: Jun 11, 2019**

**Federal Institutional Controls- ICs:**

[FED INST](#)

Institutional controls are non-engineered instruments, such as administrative and legal controls, that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy. Although it is EPA's (United States Environmental Protection Agency) expectation that treatment or engineering controls will be used to address principal threat wastes and that groundwater will be returned to its beneficial use whenever practicable, ICs play an important role in site remedies because they reduce exposure to contamination by limiting land or resource use and guide human behavior at a site.

**Government Publication Date: Jun 11, 2019**

**Emergency Response Notification System:**

[ERNS 1982 TO 1986](#)

Database of oil and hazardous substances spill reports controlled by the National Response Center. The primary function of the National Response Center is to serve as the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories.

**Government Publication Date: 1982-1986**

**Emergency Response Notification System:**

[ERNS 1987 TO 1989](#)

Database of oil and hazardous substances spill reports controlled by the National Response Center. The primary function of the National Response Center is to serve as the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories.

**Government Publication Date: 1987-1989**

**Emergency Response Notification System:**

[ERNS](#)

Database of oil and hazardous substances spill reports controlled by the National Response Center. The primary function of the National Response Center is to serve as the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories. This database is made available by the United States Environmental Protection Agency (EPA).

**Government Publication Date: Mar 21, 2019**

**The Assessment, Cleanup and Redevelopment Exchange System (ACRES) Brownfield Database:**

[FED BROWNFIELDS](#)

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off greenspaces and working lands. This database is made available by the United States Environmental Protection Agency (EPA).

**Government Publication Date: Sep 3, 2019**

**FEMA Underground Storage Tank Listing:**

[FEMA UST](#)

The Federal Emergency Management Agency (FEMA) of the Department of Homeland Security maintains a list of FEMA owned underground storage tanks.

**Government Publication Date: Dec 31, 2017**

**Petroleum Refineries:**

REFN

List of petroleum refineries from the U.S. Energy Information Administration (EIA) Refinery Capacity Report. Includes operating and idle petroleum refineries (including new refineries under construction) and refineries shut down during the previous year located in the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and other U.S. possessions. Survey locations adjusted using public data.

**Government Publication Date: Oct 8, 2019**

**Petroleum Product and Crude Oil Rail Terminals:**

BULK TERMINAL

List of petroleum product and crude oil rail terminals made available by the U.S. Energy Information Administration (EIA). Includes operable bulk petroleum product terminals located in the 50 States and the District of Columbia with a total bulk shell storage capacity of 50,000 barrels or more, and/or the ability to receive volumes from tanker, barge, or pipeline; also rail terminals handling the loading and unloading of crude oil that were active between 2017 and 2018. Petroleum product terminals comes from the EIA-815 Bulk Terminal and Blender Report, which includes working, shell in operation, and shell idle for several major product groupings. Survey locations adjusted using public data.

**Government Publication Date: Jan 18, 2019**

**LIEN on Property:**

SEMS LIEN

The EPA Superfund Enterprise Management System (SEMS) provides LIEN information on properties under the EPA Superfund Program.

**Government Publication Date: Aug 20, 2019**

**Superfund Decision Documents:**

SUPERFUND ROD

This database contains a listing of decision documents for Superfund sites. Decision documents serve to provide the reasoning for the choice of (or) changes to a Superfund Site cleanup plan. The decision documents include Records of Decision (ROD), ROD Amendments, Explanations of Significant Differences (ESD), along with other associated memos and files. This information is maintained and made available by the US EPA (Environmental Protection Agency).

**Government Publication Date: Aug 20, 2019**

**State**

**Delisted WQARF, Superfund, DOD:**

DELISTED SUPERFUND

List of sites which once appeared, but have since been removed from either the WQARF Registry, Superfund Sites, Department of Defense Sites, or Superfund Alternative Sites.

**Government Publication Date: Jul 3, 2019**

**Waste Program Remedial Projects - Superfund & DOD:**

SHWS

The Arizona Department of Environmental Quality (ADEQ) Waste Programs Division investigates, manages, and oversees remediation of soil and groundwater contaminated with hazardous substances. List of sites overseen by the Remedial Projects Section and/or Federal programs, including Federal DOD and Superfund sites.

**Government Publication Date: Jul 3, 2019**

**Directory of Solid Waste Facilities:**

SWF/LF

A list of Solid Waste Facilities and Landfill sites in the State of Arizona. This list is made available by Arizona Department of Environmental Quality, Waste Programs Division, Solid Waste Management.

**Government Publication Date: Jan 23, 2019**

**Leaking Underground Storage Tanks:**

LUST

A list of Leaking Underground Storage Tanks (LUST) sites in the state of Arizona. This list is made available by Arizona Department of Environment Quality.

**Government Publication Date: Aug 30, 2019**

**Delisted Leaking Underground Storage Tanks:**

DELISTED LUST

This database contains a list of closed leaking storage tank sites that were removed from the Arizona Department of Environment Quality.

**Government Publication Date: Aug 30, 2019**

**Aboveground Storage Tanks:**

AST

List of aboveground fuel storage tanks (ASTs) made available by the State Fire Marshal's Office. This list is of installed ASTs and does not include any AST permitted and inspected by any City, Town, County, or Fire District. This is not a complete list of storage systems in use in the State of Arizona; ASTs may have been installed and used without adequate permission from the State Fire Marshal's Office. The absence of a property from the State Fire Marshal records as a permitted tank is not proof that an AST for hazardous materials was never installed or used at a given address.

**Government Publication Date: Sep 29, 2015**

**Underground Storage Tanks List:**

[UST](#)

A list of Underground Storage Tank sites registered with the Arizona Department of Environmental Quality (ADEQ) Waste Program Division. This list is made available by ADEQ.

**Government Publication Date: Aug 30, 2019**

**Delisted Storage Tanks List:**

[DELISTED TANKS](#)

This database contains a list of storage tank sites that were removed from the Arizona Department of Environmental Quality (ADEQ) Waste Program Division.

**Government Publication Date: Aug 30, 2019**

**Environmental Use Restriction Sites List:**

[AUL](#)

List of sites in the Arizona Department of Environmental Quality (ADEQ)'s Remediation and DEUR Tracking System (RDT) with either a Declaration of Environmental Use Restriction (DEUR) or a Voluntary Environmental Mitigation Use Restriction (VEMUR). A DEUR is a restrictive land use covenant that is required when a property owner elects to use an institutional (i.e., administrative) control or engineering (i.e., physical) control as a means to meet remediation goals. The DEUR runs with and burdens the land, and requires maintenance of any institutional or engineering controls. A VEMUR is a restrictive land use covenant that, prior to July 18, 2000, was required when a property owner elected to remediate the property to non-residential uses. Effective July 18, 2000, the DEUR replaced the VEMUR as a restrictive use covenant.

**Government Publication Date: Sep 24, 2019**

**Azurite Database:**

[AZURITE](#)

List of sites from the Arizona Department of Environmental Quality (ADEQ) Remediation and DEUR Tracking System where the owner has elected to remediate the property without the use of an institutional or engineering control.

**Government Publication Date: Jul 24, 2018**

**Voluntary Remediation Program:**

[VCP](#)

A list of sites registered in Voluntary Remediation Program (VRP). This list is made available by Arizona Department of Environment Quality (ADEQ). Through ADEQ's VRP, property owners, prospective purchasers and other interested parties investigate or clean up a contaminated site in cooperation with ADEQ.

**Government Publication Date: Feb 8, 2019**

**Brownfields Tracking System:**

[BROWNFIELDS](#)

A list of brownfield sites in the State of Arizona, made available by Arizona Department of Environmental Quality. Brownfields are abandoned or underutilized properties where the reuse is complicated by actual or perceived environmental contamination.

**Government Publication Date: Feb 8, 2019**

**Water Quality Assurance Revolving Fund Sites (WQARF):**

[WQARF](#)

The Arizona Department of Environmental Quality (ADEQ) Water Quality Assurance Revolving Fund (WQARF) program supports the ADEQ in identifying, prioritizing, assessing, and resolving the threat of contaminated soil and groundwater sites in the state. This list of sites includes those on the WQARF Registry, sites removed from the WQARF Registry, and sites requiring remediation under the WQARF Emergency Response.

**Government Publication Date: Jul 3, 2019**

**Exemption Certificate Renewals:**

[AST2](#)

The Exemption Certificate Renewals data lists applicants that have renewed their tank certificates that will never expire from the penny underground storage tank tax. This is provided by Arizona Department of Environmental Quality.

**Government Publication Date: Jun 5, 2019**

**Tribal**

**Leaking Underground Storage Tanks (LUSTs) on Indian Lands:**

[INDIAN LUST](#)

LUSTs on Tribal/Indian Lands in Region 9, which includes Arizona.

**Government Publication Date: Dec 31, 2017**

**Underground Storage Tanks (USTs) on Indian Lands:**

[INDIAN UST](#)

USTs on Tribal/Indian Lands in Region 9, which includes Arizona.

Government Publication Date: Dec 31, 2017

**Delisted Tribal Leaking Storage Tanks:**

DELISTED ILST

Leaking Underground Storage Tank facilities which have been removed from the Regional Tribal LUST lists made available by the EPA.

Government Publication Date: Apr 11, 2019

**Delisted Tribal Underground Storage Tanks:**

DELISTED IUST

Underground Storage Tank facilities which have been removed from the Regional Tribal UST lists made available by the EPA.

Government Publication Date: Apr 11, 2019

**County**

**No County standard environmental record sources available for this State.**

**Additional Environmental Record Sources**

**Federal**

**PFOA/PFOS Contaminated Sites:**

PFAS NPL

List of sites where PFOA or PFOS contaminants have been found in drinking water or soil. Made available by the Federal Environmental Protection Agency (EPA).

Government Publication Date: Nov 15, 2018

**Facility Registry Service/Facility Index:**

FINDS/FRS

The US Environmental Protection Agency (EPA)'s Facility Registry System (FRS) is a centrally managed database that identifies facilities, sites or places subject to environmental regulations or of environmental interest. FRS creates high-quality, accurate, and authoritative facility identification records through rigorous verification and management procedures that incorporate information from program national systems, state master facility records, data collected from EPA's Central Data Exchange registrations and data management personnel.

Government Publication Date: Aug 12, 2019

**Toxics Release Inventory (TRI) Program:**

TRIS

The EPA's Toxics Release Inventory (TRI) is a database containing data on disposal or other releases of over 650 toxic chemicals from thousands of U.S. facilities and information about how facilities manage those chemicals through recycling, energy recovery, and treatment. One of TRI's primary purposes is to inform communities about toxic chemical releases to the environment.

Government Publication Date: Dec 31, 2017

**Perfluorinated Alkyl Substances (PFAS) Releases:**

PFAS TRI

List of Toxics Release Inventory (TRI) facilities at which the reported chemical is a Per- or polyfluorinated alkyl substance (PFAS) included in the Environmental Protection Agency (EPA)'s consolidated PFAS Master List of PFAS Substances. The EPA's Toxics Release Inventory (TRI) is a database containing data on disposal or other releases of over 650 toxic chemicals from thousands of U.S. facilities and information about how facilities manage those chemicals through recycling, energy recovery, and treatment.

Government Publication Date: Dec 31, 2017

**Hazardous Materials Information Reporting System:**

HMIRS

US DOT - Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) Incidents Reports Database taken from Hazmat Intelligence Portal, U.S. Department of Transportation.

Government Publication Date: Jan 8, 2019

**National Clandestine Drug Labs:**

NCDL

The U.S. Department of Justice ("the Department") provides this data as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy.

Government Publication Date: Sep 26, 2019

**Toxic Substances Control Act:**

TSCA

The Environmental Protection Agency (EPA) is amending the Toxic Substances Control Act (TSCA) section 8(a) Inventory Update Reporting (IUR) rule and changing its name to the Chemical Data Reporting (CDR) rule.

The CDR enables EPA to collect and publish information on the manufacturing, processing, and use of commercial chemical substances and mixtures (referred to hereafter as chemical substances) on the TSCA Chemical Substance Inventory (TSCA Inventory). This includes current information on chemical substance production volumes, manufacturing sites, and how the chemical substances are used. This information helps the Agency determine whether people or the environment are potentially exposed to reported chemical substances. EPA publishes submitted CDR data that is not Confidential Business Information (CBI).

**Government Publication Date: Jun 30, 2017**

**Hist TSCA:**

[HIST TSCA](#)

The Environmental Protection Agency (EPA) is amending the Toxic Substances Control Act (TSCA) section 8(a) Inventory Update Reporting (IUR) rule and changing its name to the Chemical Data Reporting (CDR) rule.

The 2006 IUR data summary report includes information about chemicals manufactured or imported in quantities of 25,000 pounds or more at a single site during calendar year 2005. In addition to the basic manufacturing information collected in previous reporting cycles, the 2006 cycle is the first time EPA collected information to characterize exposure during manufacturing, processing and use of organic chemicals. The 2006 cycle also is the first time manufacturers of inorganic chemicals were required to report basic manufacturing information.

**Government Publication Date: Dec 31, 2006**

**FTTS Administrative Case Listing:**

[FTTS ADMIN](#)

An administrative case listing from the Federal Insecticide, Fungicide, & Rodenticide Act (FIFRA) and Toxic Substances Control Act (TSCA), together known as FTTS. This database was obtained from the Environmental Protection Agency's (EPA) National Compliance Database (NCDB). The FTTS and NCDB was shut down in 2006.

**Government Publication Date: Jan 19, 2007**

**FTTS Inspection Case Listing:**

[FTTS INSP](#)

An inspection case listing from the Federal Insecticide, Fungicide, & Rodenticide Act (FIFRA) and Toxic Substances Control Act (TSCA), together known as FTTS. This database was obtained from the Environmental Protection Agency's (EPA) National Compliance Database (NCDB). The FTTS and NCDB was shut down in 2006.

**Government Publication Date: Jan 19, 2007**

**Potentially Responsible Parties List:**

[PRP](#)

Early in the cleanup process, the Environmental Protection Agency (EPA) conducts a search to find the potentially responsible parties (PRPs). EPA looks for evidence to determine liability by matching wastes found at the site with parties that may have contributed wastes to the site.

**Government Publication Date: Aug 20, 2019**

**State Coalition for Remediation of Drycleaners Listing:**

[SCRD DRYCLEANER](#)

The State Coalition for Remediation of Drycleaners (SCRD) was established in 1998, with support from the U.S. Environmental Protection Agency (EPA) Office of Superfund Remediation and Technology Innovation. Coalition members are states with mandated programs and funding for drycleaner site remediation. Current members are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

**Government Publication Date: Nov 08, 2017**

**Integrated Compliance Information System (ICIS):**

[ICIS](#)

The Integrated Compliance Information System (ICIS) is a system that provides information for the Federal Enforcement and Compliance (FE&C) and the National Pollutant Discharge Elimination System (NPDES) programs. The FE&C component supports the Environmental Protection Agency's (EPA) Civil Enforcement and Compliance program activities. These activities include Compliance Assistance, Compliance Monitoring and Enforcement. The NPDES program supports tracking of NPDES permits, limits, discharge monitoring data and other program reports.

**Government Publication Date: Nov 18, 2016**

**Drycleaner Facilities:**

[FED DRYCLEANERS](#)

A list of drycleaner facilities from the Integrated Compliance Information System (ICIS). The Environmental Protection Agency (EPA) tracks facilities that possess NAIC and SIC codes that classify businesses as drycleaner establishments.

**Government Publication Date: May 29, 2018**

**Delisted Drycleaner Facilities:**

[DELISTED FED DRY](#)

List of sites removed from the list of Drycleaner Facilities (sites in the EPA's Integrated Compliance Information System (ICIS) with NAIC or SIC codes identifying the business as a drycleaner establishment).

**Government Publication Date: May 29, 2018**

**Formerly Used Defense Sites:**

FUDS

Formerly Used Defense Sites (FUDS) are properties that were formerly owned by, leased to, or otherwise possessed by and under the jurisdiction of the Secretary of Defense prior to October 1986, where the Department of Defense (DoD) is responsible for an environmental restoration. This list is published by the U.S. Army Corps of Engineers.

**Government Publication Date: Oct 23, 2018**

**Material Licensing Tracking System (MLTS):**

MLTS

A list of sites that store radioactive material subject to the Nuclear Regulatory Commission (NRC) licensing requirements. This list is maintained by the NRC. As of September 2016, the NRC no longer releases location information for sites. Site locations were last received in July 2016.

**Government Publication Date: Nov 1, 2018**

**Historic Material Licensing Tracking System (MLTS) sites:**

HIST MLTS

A historic list of sites that have inactive licenses and/or removed from the Material Licensing Tracking System (MLTS). In some cases, a site is removed from the MLTS when the state becomes an "Agreement State". An Agreement State is a State that has signed an agreement with the Nuclear Regulatory Commission (NRC) authorizing the State to regulate certain uses of radioactive materials within the State.

**Government Publication Date: Jan 31, 2010**

**Mines Master Index File:**

MINES

The Master Index File (MIF) contains mine identification numbers issued by the Department of Labor Mine Safety and Health Administration (MSHA) for mines active or opened since 1971. Note that addresses may or may not correspond with the physical location of the mine itself.

**Government Publication Date: May 3, 2019**

**Alternative Fueling Stations:**

ALT FUELS

List of alternative fueling stations made available by the US Department of Energy's Office of Energy Efficiency & Renewable Energy. Includes Biodiesel stations, Ethanol (E85) stations, Liquefied Petroleum Gas (Propane) stations, Ethanol (E85) stations, Natural Gas stations, Hydrogen stations, and Electric Vehicle Supply Equipment (EVSE). The National Renewable Energy Laboratory (NREL) obtains information about new stations from trade media, Clean Cities coordinators, a Submit New Station form on the Station Locator website, and through collaborating with infrastructure equipment and fuel providers, original equipment manufacturers (OEMs), and industry groups.

**Government Publication Date: Oct 1, 2019**

**Registered Pesticide Establishments:**

SSTS

List of active EPA-registered foreign and domestic pesticide-producing and device-producing establishments based on data from the Section Seven Tracking System (SSTS). The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 7 requires that facilities producing pesticides, active ingredients, or devices be registered. The list of establishments is made available by the EPA.

**Government Publication Date: May 31, 2019**

**Polychlorinated Biphenyl (PCB) Notifiers:**

PCB

Facilities included in the national list of facilities that have notified the United States Environmental Protection Agency (EPA) of Polychlorinated Biphenyl (PCB) activities. Any company or person storing, transporting or disposing of PCBs or conducting PCB research and development must notify the EPA and receive an identification number.

**Government Publication Date: Mar 20, 2019**

**State**

**Hazardous Material Logbook/Spills:**

SPILLS

Hazardous Material Incident Logbook database made available by Arizona Department of Environmental Quality (ADEQ). This database is updated through November 15, 2001; after that date, reports were registered with the National Response Center.

**Government Publication Date: Nov 15, 2001**

**Dry Cleaning Facilities:**

DRYCLEANERS

A list of drycleaner facilities in Arizona made available by the Department of Environmental Quality (ADEQ). ADEQ last updated the data in 2006 and no further updates are planned.

**Government Publication Date: Dec 31, 2006**

**Per- and Polyfluoroalkyl Substances (PFAS):**

PFAS

The Arizona Department of Environmental Quality (ADEQ) Waste Programs Division investigates, manages, and oversees remediation of soil and groundwater contaminated with hazardous substances. List of sites overseen by the Remedial Projects Section and/or Federal programs, including Federal DOD and Superfund sites, where the contaminant or potential contaminant of concern is a Per- or polyfluorinated alkyl substances (PFAS).

**Government Publication Date: Jul 9, 2019**

**Air Permits Major/Minor Sources:**

**AIR PERMITS**

A list of Arizona operating air permits major and minor sources. A "major" source is any source that has the potential to emit 100 tons per year of any criteria air pollutant and if it has the potential to emit 10 tons per year of any single Hazardous Air Pollutant or 25 tons per year of any combination of Hazardous Air Pollutants. This list is provided by the Department of Environmental Quality.

**Government Publication Date: Dec 11, 2018**

**Drywell Database:**

**DRYWELLS**

The Drywell database contains information regarding drywells in Arizona. This database is maintained by the Arizona Department of Environmental Quality (ADEQ).

**Government Publication Date: Jul 15, 2019**

**Drug Labs Remediation:**

**DRUG LAB REMEDIATION**

Arizona State Board of Technical Registration maintains a list of drug lab remediation. This is a list of seized drug laboratory sites or sites where drug manufacturing chemicals were seized. Remediated sites are removed from this list when the Board receives clean up notification from a certified clean up firm.

**Government Publication Date: Sep 03, 2013**

**Clandestine Drug Labs:**

**CDL**

A list of unremediated seized clandestine drug laboratory sites or sites where drug manufacturing chemicals were seized. This list is made available by Arizona State Board of Technical Registration.

**Government Publication Date: Jan 22, 2019**

**Tier 2 Chemical Inventory Reporting:**

**TIER 2**

List of facilities that report to the Arizona Emergency Response Commission (AZSERC) for Tier II Chemical Inventory Reporting. AZSERC is tasked with the implementation of the Emergency Planning and Community Right to Know Act (EPCRA) in Arizona. As of 2016, the Arizona Emergency Response Commission (AZSERC) is overseen by Arizona Department of Environmental Quality (ADEQ).

**Government Publication Date: Dec 31, 2018**

**Tribal**

**No Tribal additional environmental record sources available for this State.**

**County**

**No County additional environmental record sources available for this State.**

# Definitions

**Database Descriptions:** This section provides a detailed explanation for each database including: source, information available, time coverage, and acronyms used. They are listed in alphabetic order.

**Detail Report:** This is the section of the report which provides the most detail for each individual record. Records are summarized by location, starting with the project property followed by records in closest proximity.

**Distance:** The distance value is the distance between plotted points, not necessarily the distance between the sites' boundaries. All values are an approximation.

**Direction:** The direction value is the compass direction of the site in respect to the project property and/or center point of the report.

**Elevation:** The elevation value is taken from the location at which the records for the site address have been plotted. All values are an approximation. Source: Google Elevation API.

**Executive Summary:** This portion of the report is divided into 3 sections:

'Report Summary'- Displays a chart indicating how many records fall on the project property and, within the report search radii.

'Site Report Summary'-Project Property'- This section lists all the records which fall on the project property. For more details, see the 'Detail Report' section.

'Site Report Summary-Surrounding Properties'- This section summarizes all records on adjacent properties, listing them in order of proximity from the project property. For more details, see the 'Detail Report' section.

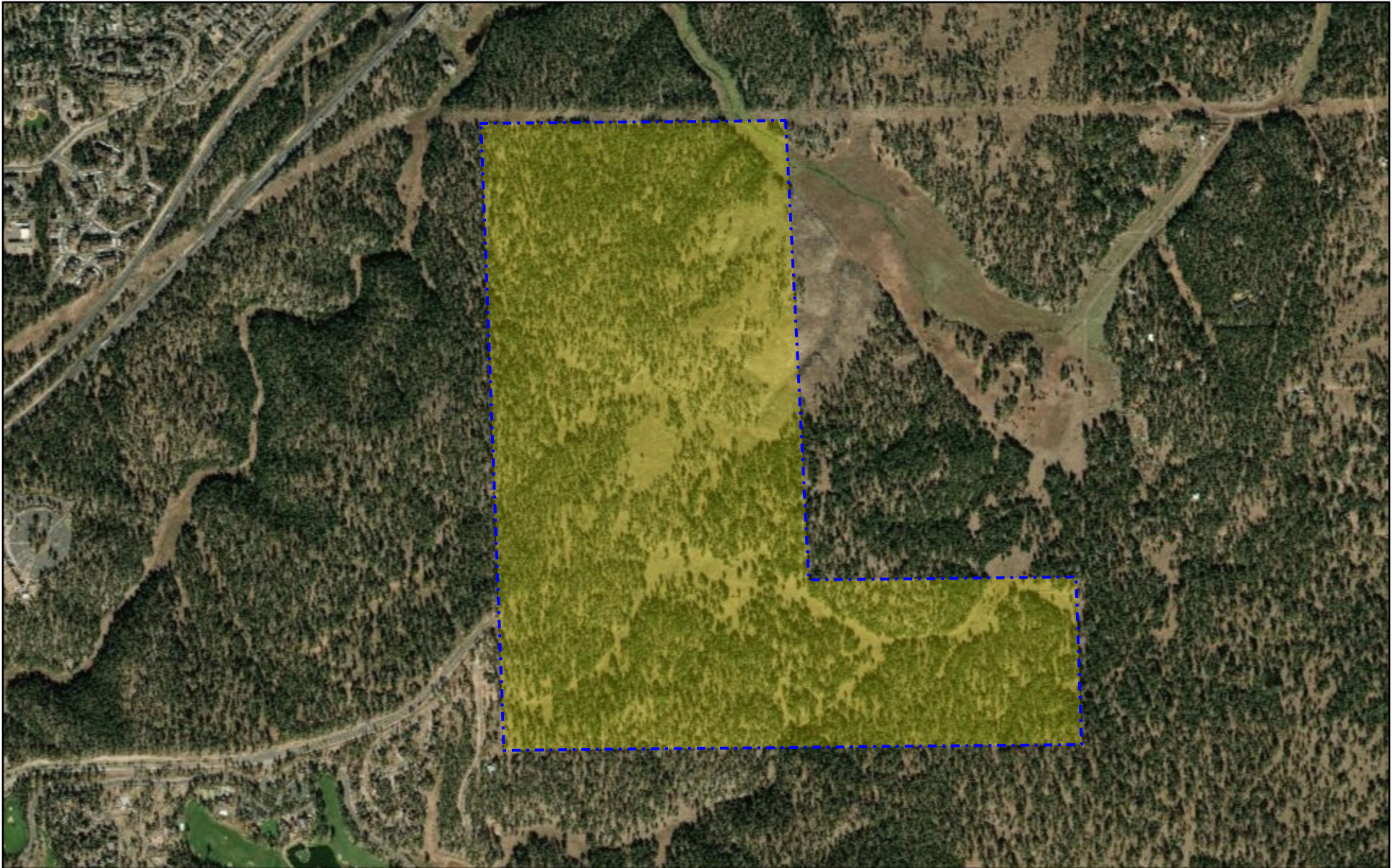
**Map Key:** The map key number is assigned according to closest proximity from the project property. Map Key numbers always start at #1. The project property will always have a map key of '1' if records are available. If there is a number in brackets beside the main number, this will indicate the number of records on that specific property. If there is no number in brackets, there is only one record for that property.

The symbol and colour used indicates 'elevation': the red inverted triangle will dictate 'ERIS Sites with Lower Elevation', the yellow triangle will dictate 'ERIS Sites with Higher Elevation' and the orange square will dictate 'ERIS Sites with Same Elevation.'

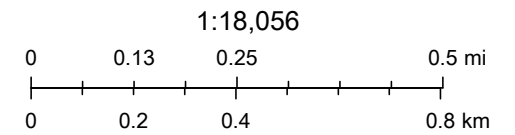
**Unplottables:** These are records that could not be mapped due to various reasons, including limited geographic information. These records may or may not be in your study area, and are included as reference.

**APPENDIX F  
LOCAL RECORDS INFORMATION**

# ADWR Wells Map



November 12, 2019



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

## CITY OF FLAGSTAFF STAFF SUMMARY REPORT

**To:** The Honorable Mayor and Council  
**From:** Dan Musselman, Deputy Police Chief  
**Date:** 08/25/2020  
**Meeting Date:** 09/08/2020



### TITLE

**Flagstaff Police Presentation to City Council**

### STAFF RECOMMENDED ACTION:

Provide the City Council with knowledge about current police practices and procedures.

### EXECUTIVE SUMMARY:

The Flagstaff Police Department strives to police consistently, correctly, constitutionally and with compassion. Racial profiling is strictly prohibited and every member of this department is required to perform his/her duties in a fair and objective manner and is responsible for prompt reporting of any suspected or known instances of bias-based policing to a supervisor; and should intervene to prevent any bias-based actions by another member.

Citizen complaints are investigated immediately, and a finding is reported within 30 days when practicable; with updates provided to the complainant. Citizen complaint data and statistics are available in the Flagstaff Police Department's Annual Report which is published each year.

The officers we hire have to pass a rigorous background process, which includes a written and physical fitness test, interviews with family, previous employers, review of social media interactions, a psychological test and polygraph examination.

Police Officers are trained, starting in the Police Academy to de-escalate incidents as quickly as possible once control has been established. Upon our initial response we are allowed and authorized to respond to resistance to gain compliance. Once compliance or custody is established, we de-escalate. Our training is continual, ongoing and constantly updated with an emphasis on preserving life and safety. Finally, we believe in community policing and outreach, we hope you find the attached information and references helpful.

### INFORMATION:

Recent events have resulted in this request by the City Council for information on how the Flagstaff Police Department operates. It was requested the Police Department provide information on policies and procedures related to racial profiling, de-escalation training, use of force, community complaints, and the police background process. Part of this dialogue at a future meeting will include discussions about alternate response models that could respond to non-violent mental health and/or public intoxicant related calls, as well as information on Public Safety Commissions. These discussions are in line with the Mission of the City of Flagstaff to protect and enhance the quality of life for all.

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**Attachments:** [Presentation](#)

# How we Police





# Discussions



- What we are doing now
  - Policy, Procedure, Statistics
- Alternate Response and Resource Models
- Public Safety Commission



# Tonight's Discussion



- Racial Profiling Policy
- De-escalation Training
- Use of Force/Choke Holds
- Community Complaints
- Background Investigations

# Racial Profiling

## *Lexipol Policy 402 – Bias-Based Policing*

- The American Civil Liberties Union (**ACLU**) defines **racial profiling** as “the discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual’s race, ethnicity, religion or national origin”.
- According to the National Institute of Justice (NIJ) “Racial profiling by law enforcement is commonly defined as a **practice that targets people for suspicion of crime based on their race, ethnicity, religion or national origin**”.



[https://www.flagstaff.az.gov/DocumentCenter/View/63480/Flagstaff\\_PD\\_Policy\\_Manual-Release-Date-04-17-20](https://www.flagstaff.az.gov/DocumentCenter/View/63480/Flagstaff_PD_Policy_Manual-Release-Date-04-17-20)



# *Bias-Based Policing Policy*



- Bias-based policing is strictly prohibited and every member of this department is required to perform his/her duties in a fair and objective manner and is responsible for prompt reporting of any suspected or known instances of bias-based policing to a supervisor; and should intervene to prevent any bias-based actions by another member.



# How do we know we are not profiling:

- Our officers address behavior, driving behavior and criminal behavior
- Arrests are based on probable cause and the elements of the crime
- Arrest numbers are not part of our performance metrics
- We allocate our limited resources to geographical areas where crime is being committed, collisions are occurring, or the public is requesting
- Appropriate discipline measures are taken when officer are not abiding by our values, mission and policy
- One or two officers leave our agency every year for policy violations
- We are not getting founded complaints



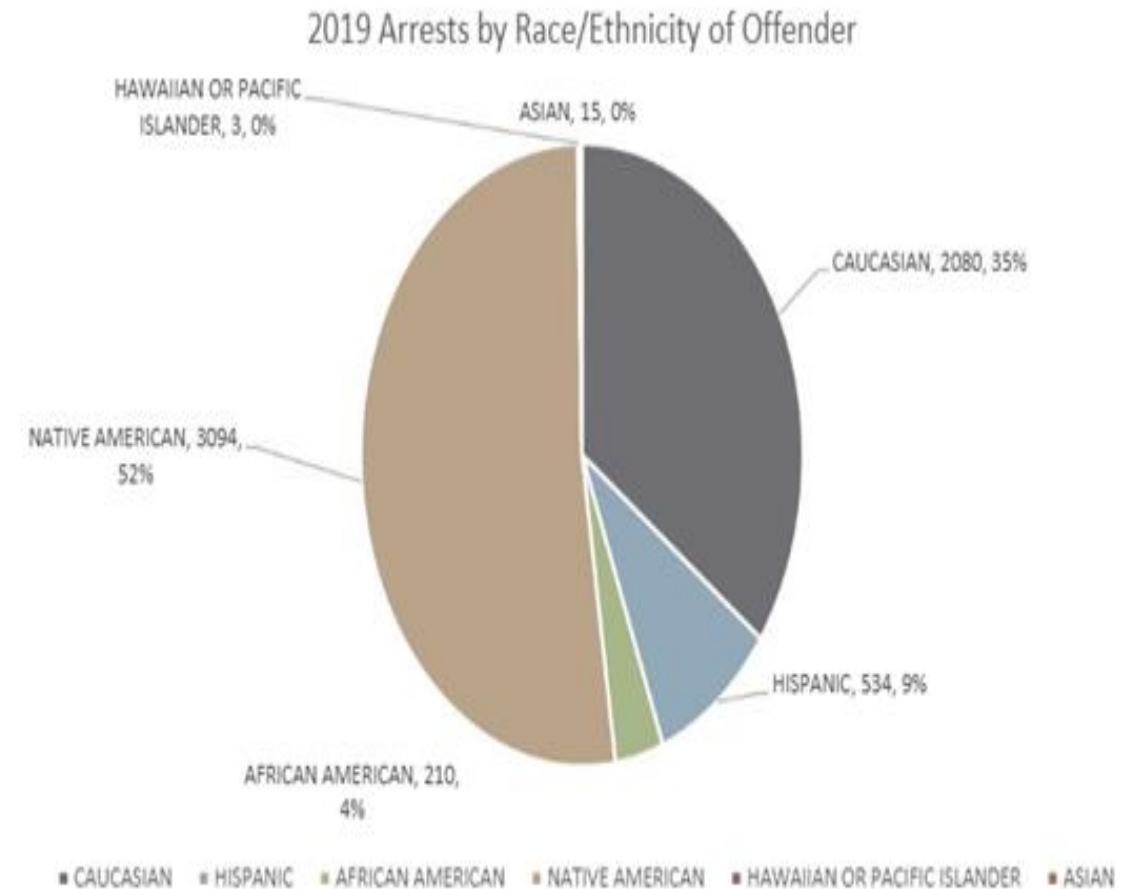
# Checks and Balances

- Body Camera Program and Audits
- Supervisory review of police reports
- Probable Cause and elements of crime must be included in the police report
- Review by prosecutors and public defenders
- Few Civil Litigation Claims
- Red Flag Warning System
- Use of force reviews by deputy chief and legal counsel



# 2019 Arrest Data

- Includes multiple arrests of same person (repeat offenders)
- Includes non-residents
- Does not include warrant arrests, those with unknown race, or those who identify with more than one race

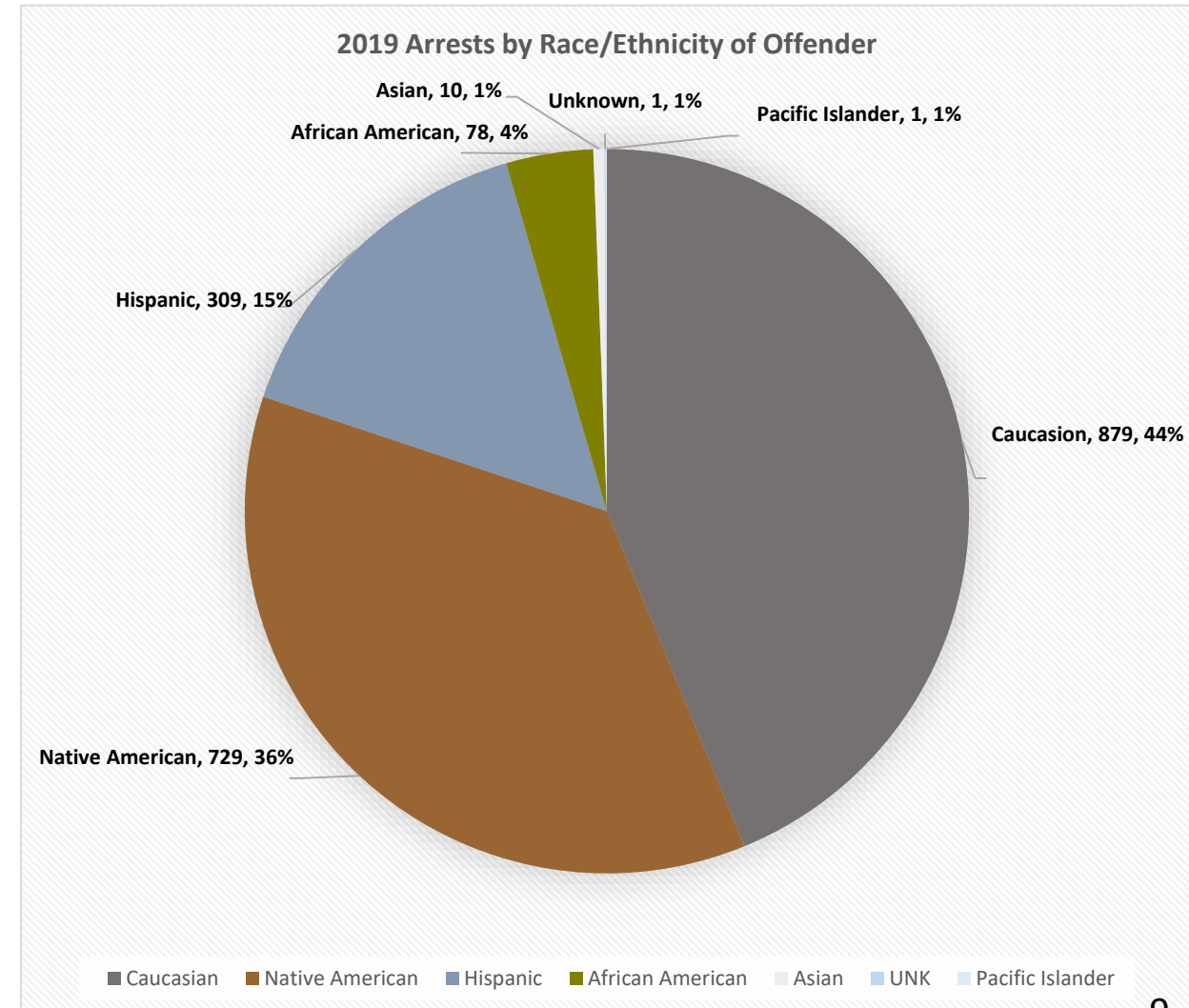




# 2019 Arrests of City Residents



- Does not include warrant arrests, non-city residents, those with a Flagstaff P.O. box or shelter address
- Does not include those with unknown race or who identify with multiple race/ethnicity



# 2019 Arrests by race



Charge	Total	Native	%	Caucasian	%	African American	%	Asian	%
DUI	381	157	42	215	56	9	2	0	0
Agg. Assault	254	146	57	97	38	10	4	1	1
Assault	603	332	56	247	41	21	2	3	1
Disorderly Conduct	761	423	56	306	40	31	4	1	0
Domestic Violence	829	423	51	381	46	20	3	5	0
Public Consumption	398	348	87	44	11	6	2	0	0
Sexual Assault	7	2	29	5	71	0	0	0	0
Shoplifting	444	242	55	172	39	28	6	2	1



# Homicide Data 2015-2019

OFFENSE	REP_DATE	ADDRESS	RACE OF SUSPECT(S)	RACE OF VICTIM	NATURE	DV
MANSLAUGHTER	20150222	5005 E MARKETPLACE DR	BLACK	NATIVE	BLUNT FORCE TO HEAD (HIT BY CAR)	N
HOMICIDE, FIRST DEGREE	20171008	951 E SAWMILL RD	WHITE	WHITE	STABBED/BLUNT FORCE TRAUMA	Y
HOMICIDE, SECOND DEGREE	20170303	2403 N IZABEL ST	HISPANIC	WHITE	GUNSHOT	N
HOMICIDE, SECOND DEGREE	20170725	202 S AGASSIZ ST	HISPANIC	WHITE	STABBED	N
HOMICIDE, SECOND DEGREE-EXT INDIFF	20170907	121 S MILTON RD	NATIVE/BLACK	NATIVE	BLUNT FORCE TO HEAD	N
HOMICIDE, SECOND DEGREE	20171102	2300 E SIXTH AVE	NATIVE	NATIVE	STABBED	N
HOMICIDE, SECOND DEGREE-EXT INDIFF	20171225	2209 E CEDAR AVE	NATIVE	NATIVE	BLUNT FORCE TO HEAD/NECK	N
HOMICIDE, FIRST DEGREE	20180228	1920 E. ARROWHEAD	HISPANIC	BLACK	GUNSHOT	N
HOMICIDE, FIRST DEGREE	20181118	1809 N SECOND ST	NATIVE	WHITE	BLUNT FORCE TO HEAD/NECK	N
MANSLAUGHTER	20190120	FS867 / LAKE MARY	HISPANIC	WHITE	BLUNT FORCE TO HEAD (HIT BY CAR DUI)	N
HOMICIDE, SECOND DEGREE	20190329	3480 E ROUTE 66	WHITE	WHITE	STABBED	

# De-Escalation Training

- Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without responding to the resistance, or with a reduced response
- De-escalation may include the use of techniques such as command presence, advisements, warnings, verbal persuasion, and tactical repositioning





# De-Escalation and Inclusion

- January 2013: Native American Cultural Awareness training by the Navajo Nation Human Rights Commission (8 hours)
  - Also presented in 2014, 2016, 2017. The trainer cancelled in 2019 and we are hoping to reschedule soon
- 2014 to Current: Crisis Intervention Team Training (32-40 hours)
  - November 2014, November 2015, December 2017 & February 2020
- 2015: What You Do Matters, Lessons from the Holocaust by the Anti-Defamation League (8 hours)
  - Twice in 2015, June 2017
- Fall of 2016: Unconscious Bias (Yvette Johnson) the Booker T. Wright Project (4-hours)
- November 2016: Defensive tactics (3 hours)
- 2016 to current: Mental Health First Aid class for officers (8 hours)
  - Multiple classes every year since 2016, currently suspended due to COVID
- 2016 to current: Response to resistance and taser- recertification (3 hours)
- January 2017: Defensive Tactics Control Holds (4 hours)
- May and June 2017: Implicit Bias, by Dr. Frederick Gooding (2 hours)



# De-Escalation Continued

- June 2017 Calming the Fire: De-escalation (2 hours)
- January 2018: Defensive Tactics and scenarios (5 hours)
- April 2018: De-escalation Training presented (2 hours)
- February 2018: Hate Crimes: Sponsored by the Navajo Nation Human Rights Commission (14 hours)
- April 2019: Defensive tactics (3 hours)
- February 2019: Search and seizure training (2 hours)
- May 2019: Frontline to the Homefront: Responding to Service Members & Veterans (3 hours)
- June 2019: Miranda Rights for Patrol (2 hours)
- July 2019: Hate Crimes and symbols for Law Enforcement by the Anti-Defamation League (2 hours)
- December 2019: Fair & Impartial Policing (Implicit Bias) Training (8 hours)
- January 2020: Fair & Impartial Policing (Implicit Bias) for community members and FPD Administration (4 hours)

# Response to Resistance

## Policy 300

- Why do we have laws?
- What happens if we don't enforce the laws?
- When an officer has probable cause to arrest how should he/she accomplish that arrest?
- What should the officer do if someone refuses to be arrested?
- Who decides how the arrest will go and if force will be necessary?

[https://www.flagstaff.az.gov/DocumentCenter/View/63480/Flagstaff\\_PD\\_Policy\\_Manual-Release-Date-04-17-20](https://www.flagstaff.az.gov/DocumentCenter/View/63480/Flagstaff_PD_Policy_Manual-Release-Date-04-17-20)





# Response to Resistance

## Levels of Resistance

- **COMPLIANT:** A person contacted by an officer who acknowledges direction or lawful orders given and offers no resistance or aggression.
- **PASSIVE RESISTANCE:** The subject is not complying with an officer's commands, is uncooperative, but is taking only minimal physical action (action not directed at officer) to prevent an officer from placing the subject in custody and taking control. **Examples:** dead weight, locking arms with another person or holding onto fixed objects.



# Response to Resistance

## Levels of Resistance continued

- **DEFENSIVE RESISTANCE:** The subject's verbal or physical actions are intended to prevent an officer from placing the subject in custody and taking control but are not directed at harming the officer. **Examples:** walking/running away, refusing to give hands.
- **ACTIVE AGGRESSION:** The subject displays the intent to harm the officer, themselves, or another person and prevent an officer from placing the subject in custody and taking control. **Examples:** Taking fighting stance, punching, kicking, attacking with weapons.
- **AGGRAVATED ACTIVE AGGRESSION:** The subject's actions are likely to result in the death or serious bodily harm to the officer, themselves, or another.



# Response to Resistance

## Levels of Force

- **Low level of force:**

- Officer presence, verbal direction, empty hand control techniques, soft and hard control techniques

- **Intermediate force:**

- Pepper Spray, Impact weapons, Taser, Less Lethal munitions, Hard empty hand techniques

- **Deadly force:**

- Firearms, carotid restraint control hold, improvised means of defense



# Response To Resistance

## Type of Resistance

- Complaint
- Passive Resistance
- Defensive Resistance
- Active Aggression
- Aggravated Active Aggression

## Type of Force Officers can use

- Officer presence, verbal commands, handcuffs, carrying person
- Impact push, pressure points, body strikes, Pepper spray (can point taser but not use)
- Baton, Taser, Head and Neck Strikes, Pepperball gun(to impact), Bean bag rounds
- Firearm, Carotid hold, improvised defense measures



# Carotid Control Hold

**The Carotid Control Technique** is a significant physical control technique designed to subdue an individual by reducing the flow of oxygenated blood to the brain by compressing the Carotid Arteries and rendering a person unconscious. This technique is **NOT A CHOKE HOLD**, which is defined as a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation, nor is the carotid hold a technique designed to gain compliance by causing pain.

**Only officers who have received training on how to properly apply the hold may use the technique.**



# Carotid Control Hold

Officers are authorized to use the hold in the following circumstances:

The subject is engaged in **aggravated active aggression** (deadly force) and deadly force would be authorized.

The officer perceives the **subject's actions are likely to result in the death or serious physical injury** to the officer, a third party, or themselves. These actions may include the use of a firearm, a blunt force object, an edged weapon or through the use of physical force.

When the subject is **actively assaulting** an officer or another person and the subject's actions are likely to result in death or serious physical injury to the officer, a third person, or themselves and other control methods have been exhausted, or the officer reasonably believes other methods would be ineffective.



# Response to Resistance

## Graham v. Conner: Objectively Reasonable Force

- United States Supreme Court decision from 1989.
- Court decided that each case is to be looked at individually on its own facts and merits.
- Set forth three factors to consider in each case:
  - The **severity** of the crime
  - Whether the suspect poses an **immediate threat** to the safety of the officer or others
  - Whether the suspect is **actively resisting arrest** or attempting to evade arrest by flight.



# Response to Resistance

## Graham V. Connor

Set forth the standards by which to consider the three factors:

“The Calculus of Reasonableness must embody allowance for the fact that police officers are often forced to make **split second judgments—in circumstances that are tense, uncertain, and rapidly evolving**—about the amount of force that is necessary in a particular situation.”

“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a *reasonable officer* on the scene, rather than with the 20/20 vision of hindsight.”



# Response to Resistance

## Duty to Intercede

Any officer present and observing another officer using **force that is clearly beyond that which is objectively reasonable under the circumstances** shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.



# Response to Resistance

## Use of Force Report Form

Officers must fill out a use of force form in the following circumstances:

- Officer has caused an injury
- Officer has used a less lethal device (Baton, Pepper Spray, Taser)
- Person complains of injury or pain (regardless if it is visible)
- Person is rendered unconscious
- Person is struck or kicked in any manner
- Officer threatens or uses Taser or Firearm



# Response to Resistance

## Review of Use of Force Forms

Form is reviewed by the following individuals to ensure that the use was within our policy:

- Sergeant who supervises the officer
- Lieutenant who supervises the squad the officer is on
- Deputy Chief
- Legal Advisor
- Sergeant Of Professional Standards Division
- All information is then entered into early warning system



# Policy 302



## Use of Force Review Boards

- May be convened when the use of force by an officer results in very serious injury or death to another.
- Chief of Police may convene Board to investigate any use of force incident.
- Made up of representatives from each division, officer's supervisor, a peer officer, certified peace officers from CCSO, DPS and NAUPD, instructor for type of weapon used, and the department Legal Advisor.



# Policy 302

## Use of Force Review Board

- Case is presented and reviewed by the board, police reports and videos provided.
- Board has authority to make inquiry and request further investigation including questioning of officer involved.
- Purpose of the Board is to determine if the actions of the officer were within the policy or outside of the policy but not to determine discipline. Majority vote is required to make a recommended finding to the Chief.
- Board also looks at policy itself to determine if the policy is best practice or needs to be modified or clarified.



# FPD Use of Force

## 2019 Statistics

- 104,615 Events for 2019
  - Arrests
  - Field Interviews
  - Traffic Stops
- Officers used force 100 times in 2019
- Officers used force in .095% of the entire contacts in 2019

# Community Complaints

## *Lexipol Policy 1020 – Personnel Complaints*

## *Flagstaff Police Department Reports & Statistics*



- Are taken in writing, by email, in person, by telephone, or online
- Complaints are investigated immediately, and reviewed through the chain of command
- A finding is reported within 30 days to the complainant
- Complaint data and statistics are available in the Flagstaff Police Department's Annual Report which is published each year

<https://www.flagstaff.az.gov/1209/FPD-Statistics-Reports>



# 2019 Community Complaints

## Citizen Complaints by Ethnic Origin of Complaint

Caucasian	34	61%
Hispanic	6	11%
African American	5	9%
Native American	7	12%
Asian	0	0%
Unknown	4	7%
Total	56	100%

## DISPOSITION OF CITIZEN COMPLAINTS

Disposition	Number	Percent
Sustained	9	16%
Partially Sustained	3	5.4%
Unfounded	36	64.2%
Exonerated	5	9%
Not Sustained	3	5.4%
Policy Failure	0	0%
Withdrawn	0	0%
Total	56	100%



# Racial Complaints by year



YEAR	TOTAL COMPLAINTS	TOTAL RACIAL DISCRIMINATION COMPLAINTS	SUSTAINED RACIAL COMPLAINTS
2019	57	7	0
2018	58	3	0
2017	47	3	0
2016	70	3	0
2015	58	4	0

# Background Investigations



- One out of 17 applicants are hired
- Must meet Arizona Peace Officer Standards and Training Board minimum requirements
- Thorough Background Process



# Background Investigations

## AZPOST Minimum Requirements

- 21 years of age
- High School Diploma or G.E.D.
- Pass a medical test
- Not have been convicted of a felony
- Not dishonorably discharged from the military
- Not previously been denied police certification with the State of AZ
- Not sold marijuana or used marijuana more than 25 times in their life
- Not used any marijuana in the past three years
- Not used a dangerous or narcotic drug more than 5 times and not within 7 years
- Take a polygraph examination
- Good driving record within the past three years



# Background Investigations

## Background Process

- Oral board interview which includes questions regarding racial profiling, community policing and ethics
- Comprehensive background interview, polygraph, psychological test, medical physical, and drug screen
- Former employers contacted
- Personal references contacted
- Driving record checked
- Criminal history, military service and social media checked
- Applicants must pass 18-20 week police academy



# Closing



The Flagstaff Police Department has made significant progressive changes over the last few years to build a better a safer, more just and more transparent future, to include:

- Body camera programs
- Early warning intervention programs for officers
- Getting a legal advisor assigned to the Police Department
- Contract with Lexipol for policy administration, updates and daily training bulletins
- Using transparency.com to share critical incidents
- Providing training on Procedural Justice, Implicit Bias and De-escalation
- Creating a Citizens Liaison Committee