

## **TOWN OF PINETOP-LAKESIDE**

### **RESOLUTION NO. 08-967**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA SUPPORTING AN AMENDMENT TO PUBLIC LAW 105-344 TO ALLOW THE PURCHASE OF THE BIG SPRINGS ENVIRONMENTAL STUDY AREA BY THE BLUE RIDGE UNIFIED SCHOOL DISTRICT.**

**WHEREAS**, the 583-acre Woodland Lake Park tract is an island of U.S. Forest Service (the “USFS”) land located within the incorporated boundaries of the Town of Pinetop-Lakeside (the “Town”), Arizona, and constitutes an important recreational and economic asset to the Town; and

**WHEREAS**, the 40-acre Big Springs Environmental Study Area (the “Big Springs ESA”) is a portion of the Woodland Lake Park tract that has been managed under USFS Special Use Permit by the Blue Ridge Unified School District (“BRUSD”) for environmental education and other activities for nearly 25 years; and

**WHEREAS**, over \$130,000 has been expended on enhancements to the Big Springs ESA in the past 25 years, including \$100,000 in just the past 3 years to improve and facilitate its use and enjoyment by BRUSD students, staff and the public as a quality environmental education facility; and

**WHEREAS**, the White Mountain Wildlife and Nature Center, Inc., a local nonprofit organization, is developing a nature center with educational facilities on Town property immediately adjacent to the Big Springs ESA in cooperation with the Town and BRUSD, enhancing the use of the Big Springs ESA as an environmental education facility by the BRUSD and the public; and

**WHEREAS**, it is the desire of the BRUSD to acquire the Big Springs ESA from the USFS pursuant to the Education Land Grant Act (“ELGA”) which provides for purchase of USFS property where the “school district seeking the conveyance will use the conveyed land for a public or publicly funded elementary or secondary school, to provide grounds or facilities related to such a school, or for both purposes;” and

**WHEREAS**, the Big Springs ESA is a “facility” that greatly supports BRUSD environmental and other education programs and activities, as well as providing educational and recreation benefit to the public, and thus should be eligible for purchase under ELGA; and

**WHEREAS**, pursuant to Public Law 105-344, enacted by Congress in 1998, any portion of the Woodland Lake Park tract can only be conveyed to the Town by the Secretary of Agriculture without further action on the part of Congress, thus precluding the purchase of the Big Springs ESA by the BRUSD under ELGA.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, supports the acquisition of the Big Springs ESA from the USFS by the BRUSD, and respectfully urges its Congressional delegation to work to amend Public Law 105-344 to provide for the purchase of Big Springs ESA by the BRUSD under the ELGA.

**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 17th day of January 2008.

**PINETOP-LAKESIDE TOWN COUNCIL**

**/s/ LUKE S. SMITH, Vice-Mayor**

**ATTEST:**

**/s/ LU ANNE FROST, Town Clerk**

**APPROVED AS TO FORM AND CONTENT:**

**/s/ JACK BARKER, Town Attorney**