



United States Department of the Interior

NATIONAL PARK SERVICE
Intermountain Region
12795 West Alameda Parkway
Lakewood, CO 80228



IN REPLY REFER TO:
L1425(IMLR)

April 29, 2010

Arizona State Parks
The Honorable Janice K. Brewer
Governor of Arizona
1700 West Washington Street
Phoenix, Arizona 85007

Dear Governor Brewer:

The National Park Service (NPS) and the State of Arizona have a long history of cooperation to provide recreational opportunities within the state. Under the Land and Water Conservation Fund (LWCF) state grant program, since 1965, Arizona has received \$58 million in Federal financial assistance to aid in the acquisition and development of numerous local, county, and state parks.

We are aware that Arizona's projected \$1.6 billion deficit for fiscal year (FY) 2011 is forcing you and the Arizona State Parks Board to make difficult decisions about cutting agency operations including closing state parks. The NPS has closely monitored your situation directing particular attention to the 11 Arizona state parks which have received LWCF financial assistance. We understand that all are proposed for closure by no later than June 3, 2010.

The purpose of this letter is to alert you that the closure of any state park or historic site that has received LWCF assistance would be viewed by the NPS as being in noncompliance with Federal requirements. Noncompliance will jeopardize LWCF funding and reimbursements and potentially impact other Federal grants programs. Initially, LWCF sanctions will limit Arizona's participation by withholding funding for any new state-sponsored projects from the unobligated balance of the State's FY 2009 and 2010 apportionment, and suspending any further reimbursements for previously approved state-sponsored projects.

The State's commitment under the LWCF program is reflected in each grant agreement it executes with the NPS, in which it agrees to preserve, protect, and increase the quality and quantity of public outdoor recreation facilities and resources, consistent with the LWCF Act (Public Law 88-578, as amended). Further, the State also provides assurances to its ability to operate and maintain the facilities acquired or developed with LWCF assistance, in that (1) it shall not convert any LWCF-assisted areas to other than public outdoor recreation use without the approval of the Secretary of the Interior as set forth in Section 6(f)(3) of the LWCF Act, and (2) such areas shall be operated, maintained, and available for public outdoor recreation use in perpetuity. These compliance responsibilities are specified in the Code of Federal Regulations (CFR) at 36 CFR Part 59.

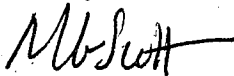
The NPS considers the LWCF program an important extension of our core mission, and will work with you to protect the public's recreation estate in these challenging times. We believe the public

has no less need for recreational opportunities and access to public open space in times of economic hardship. Rather, the need for recreational opportunities is greater now, not only due to leaner economic times but also because of the increasing personal, community, and environmental health issues associated with more sedentary lifestyles and lack of contact with nature.

The NPS is committed to working with you and the Arizona State Parks Board as you deliberate budget cuts and state park closures and service reductions. Often, measures can be taken short of total park closures which will allow a State to remain in LWCF compliance and at the same time provide as much flexibility as possible to deal with funding shortfalls. We are certainly willing to explore these options with you and state park officials. Early coordination and identification of mutually acceptable cost reduction measures for LWCF-assisted sites have benefited other States. We believe this coordination will ensure the successful continuation of our long-standing partnership. Most importantly, this will assure the continued availability of public outdoor recreation facilities and resources to the recreating public.

Please do not hesitate to contact us. Additional questions that you or your staff might have should be directed to Bob Anderson, Chief, Recreation Grants Division, at (402) 661-1540 or by e-mail at Bob_L_Anderson@nps.gov.

Sincerely,



Mary Gibson Scott
Acting Regional Director
Intermountain Region

cc:

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