

## REVISED SUMMARY

9/24/07

### Pima County Conservation Acquisition Commission Meeting

Manning House  
Thursday, September 13, 2007  
2:00 p.m.

#### MOTIONS

**MOTION:** Commissioner Prouty moved, seconded by Commissioner Pettis to approve the August 23, 2007 meeting summary. Motion approved 7-0 (Commissioner Marshall not present; Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Pettis moved, seconded by Commissioner Prouty to modify Pima County's Cultural Resources 2008 Bond request to reflect the modification of Steam Pump Ranch to \$2 million, Ft. Lowell Park to \$4 million, and Ranch houses funding to \$2 million. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Sheridan moved, seconded by Commissioner Wilson to approve Pima County's 2008 Cultural Resources Bond request, totaling \$38.6 million. Motion approved 7-1 (Commissioner Hare voted no; Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Sheridan moved, seconded by Commissioner Hare to approve staff's recommendation and include the Beckelman, Mickesell Trust, and Barker Revocable Trust properties in Arivaca, in the 2008 Conservation Acquisition Bond program under Habitat Protection Priorities. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Wilson moved, seconded by Commissioner Prouty to approve staff's recommendation to include the remaining API State Trust lands that are currently not identified under a conservation acquisition program in the 2008 Conservation Acquisition program under Community Open Space, as requested by the Coalition for Sonoran Desert Protection. These lands are located in the Tortolita Alluvial Fan, north of Tangerine Road and east of I-10. The motion also includes the Marana Mound site. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Hare moved, seconded by Commissioner Sheridan to approve staff's recommendation to include both the 286-acre Oracle Ridge Ventures property and the U Circle Ranch property, located 10 miles southwest of San Manuel and 1 mile east of the Control Road in the Catalina Mountains, in the 2008 Conservation Acquisition Bond program under Habitat Protection Priorities. Motion approved 7-0 (Commissioner Marian abstained; Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Pettis moved, seconded by Commissioner Sheridan to support staff's recommendation of requesting a public auction of Tumamoc Hill and applying for Growing Smarter Funds. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

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**MOTION:** Commissioner Hare moved, seconded by Commissioner Wilson to amend the 1997 Bond program, project SD-05 Tortolita Mountain Park, to include the 22-acre Cortaro Farms Land property, located on the southeast corner of Cortaro Farms Road and Camino de Oeste, and to begin due diligence. Motion approved 6-0 (Commissioner Pettis abstained and Commissioner Prouty left meeting prior to vote; Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Marian moved, seconded by Commissioner Sheridan to amend the 1997 Bond program, project SD-05 Tortolita Mountain Park, to include the 86 parcels identified through a meeting with U.S. Fish and Wildlife Service, County staff, and various interested parties, totaling 1,360 acres, to allow for flexibility in acquisitions in the Northwest.. These parcels were already included in the 2008 Bond program at the June 2007 Commission meeting. Motion approved 7-0 (Commissioner Prouty left meeting prior to vote; Commissioners Corey, Shattuck and Johnson absent).

**MOTION:** Commissioner Wilson moved, seconded by Commissioner Pettis to accept the semi-annual bond program report for the end of Fiscal Year 2006/2007 on the conservation portions of the 1997 and 2004 bond programs. Motion approved 6-0 (Commissioner Sheridan not present and Commissioner Prouty left meeting prior to vote; Commissioners Corey, Shattuck and Johnson absent).

### **DIRECTION TO STAFF**

- The Commission asked staff to include the open space applications in the Commissioners' packets.
- The Commission asked staff to come back to the next Commission meeting with an update on the five State Trust land properties reclassified for conservation under the API program after the scheduled meeting with the Attorney General's Office.
- The Commission asked staff to circulate dates for meetings in 2008.

### **SUMMARY OF MEETING**

The following is a summary of the September 23, 2007 meeting. Audiotapes of the meeting are available upon request.

1. Roll Call

The Commission meeting began at 2:10 pm.

Commissioners Present

Helen Wilson  
Bill Roe, Chairman  
Chuck Pettis  
Tom Sheridan  
Tim Prouty  
Rob Marshall  
Trevor Hare  
Jim Marian

Commissioners Absent

Jan Johnson, Vice-Chair  
Wanda Shattuck  
Les Corey

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### 2. Executive Session

None.

### 3. Approval for the August 23, 2007 Meeting Summary

**MOTION:** Commissioner Prouty moved, seconded by Commissioner Pettis to approve the August 23, 2007 meeting summary. Motion approved 7-0 (Commissioner Marshall not present: Commissioners Corey, Shattuck and Johnson absent).

### 4. Update on 1997/2004 Conservation Bond Program Expenditures

Nicole Fyffe reported that \$91.5 million remains in the 2004 Open Space Bond program. Non acquisitions costs remain around 1.7 percent. For the 1997 Open Space Bond program, \$3.3 million remains.

### 5 Proposed 2008 Cultural Resources Bond Project List

Linda Mayro provided a brief recap of the meeting in August. The Commission and speakers in the audience expressed support for the County's proposed projects, totaling \$38.6 million, which includes the other jurisdictions' requests with the exception of the City of Tucson. The Commission also requested Ms. Mayro work with the City of Tucson on their list of projects and to come back with a single consolidated list of projects, not exceeding \$50 million.

Ms. Mayor further reported that staff met with the City of Tucson and worked with them on what were eligible projects. Ms. Mayro recommended that the Commission approve the County's proposed list of projects as presented to the Commission in August.

Commissioner Pettis requested for a modification to the County's list for Steam Pump Ranch to be reduced to \$2 million, to increase Adkins Steel project to \$4 million, and to increase amount to Ranch houses to \$2 million. Commissioner Prouty seconded Commissioner Pettis' motion.

Ms Mayro had no objection to the motion, but asked that funding increase be for all of the Fort Lowell Park sites and not just for the Adkins Steel property. Commissioner Pettis agreed.

**MOTION:** Commissioner Pettis moved, seconded by Commissioner Prouty to modify Pima County's Cultural Resources 2008 Bond request to reflect the modification of Steam Pump Ranch to \$2 million, Ft. Lowell Park to \$4 million, and Ranch houses funding to \$2 million. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

Marty McCune, Preservation Officer for the City of Tucson, reported that they had discussions with the County and have also met with the City Manager. They were still developing their own list and were not prepared to discuss it today. They requested that this item be postponed until the October hearing for materials to be ready for mail out.

### Speakers

Ryan Howell spoke in support of the Tanque Verde and Kolb project.

Jesus Arvizu spoke in support of Cocoraque Butte, as the owner.

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Susan Baron spoke in support of Los Morteros.

Marcela Gutierrez spoke in support of the Vail Area Historic Sites Rehabilitation.

Carmen Mayer spoke in support of the Vail Area Historic Sites Rehabilitation.

Elizabeth Webb spoke in support of the Vail Area Historic Sites Rehabilitation and asked that the Commission not prolong their vote on the County's projects list, given all of the efforts that went into developing the proposal.

Fred Mayer spoke in support of the Vail Area Historic Sites Rehabilitation.

Rosie Mayer spoke in support of the Vail Area Historic Sites Rehabilitation.

J.J. Lambe spoke in support of the Vail Area Historic Sites Rehabilitation on behalf of Francisco Bejarano.

**MOTION:** Commissioner Sheridan moved, seconded by Commissioner Wilson to approve Pima County's 2008 Cultural Resources Bond request, totaling \$38.6 million. Motion approved 7-1 (Commissioner Hare voted no; Commissioners Corey, Shattuck and Johnson absent).

### 6. Proposed 2008 Open Space Bond Program Additions

#### A. Arivaca Watershed Education Taskforce proposed parcels with associated water rights

Julia Fonseca reported that further analysis of the four properties submitted for inclusion in the 2008 Bond program by the Arivaca Watershed Education Taskforce (AWET), determined that three of the properties had associated grandfathered irrigation water rights. Staff recommends that the Beckelman, Mickesell Trust, and Barker Revocable trust properties be added to the 2008 Bond program under Habitat Protection Priorities.

Nicole Fyffe followed up by stating that staff also met with AWET regarding their request to add all properties around this area for Purchase of Development Rights. Staff suggested to them that they work with land trusts or explore developing their own land trust to hold donated conservation easements. Ms. Fyffe also provided information on the County's new Transfer of Development Rights program, but did indicate that this area is not identified as a sending area yet. Staff did not recommend that other properties in this area be added to the 2008 Bond program for purchase of development rights.

**MOTION:** Commissioner Sheridan moved, seconded by Commissioner Hare to approve staff's recommendation and include the Beckelman, Mickesell Trust, and Barker Revocable Trust properties in Arivaca, in the 2008 Conservation Acquisition Bond program under Habitat Protection Priorities. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

#### B. Additional State Trust Lands in the Northwest – North of Tangerine Road

Diana Durazo reported that the County received a letter from the Coalition for Sonoran Desert Protection requesting that the Commission include the remaining API State Trust land not currently identified under a conservation acquisition

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program. These lands are located in the Tortolita Alluvial Fan and total approximately 4,292 acres. Staff recommends approval under Community Open Space, and also recommends the inclusion of the adjacent Marana Mounds site in the 2008 Bond program.

**MOTION:** Commissioner Wilson moved, seconded by Commissioner Prouty to approve staff's recommendation to include the remaining API State Trust lands that are currently not identified under a conservation acquisition program in the 2008 Conservation Acquisition program under Community Open Space, as requested by the Coalition for Sonoran Desert Protection. These lands are located in the Tortolita Alluvial Fan, north of Tangerine Road and east of I-10. The motion also includes the Marana Mound site. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

### C. Oracle Ridge Ventures Property in the Santa Catalina Mountains

Commissioner Marian declared a conflict of interest.

Diana Durazo reported that the County received an application for the 286-acre Oracle Ridge Ventures property, located 10 miles southwest of San Manuel and 1 mile east of the Control Road in the Catalinas. This property is not eligible for acquisition under the 2004 Bond program. Ms. Durazo also noted that Mr. Goff may be interested in selling the U Circle Ranch parcels adjacent to the Oracle Ridge Ventures parcels. Staff recommends adding both the Oracle Ridge Ventures property and the U Circle Ranch property to the 2008 Bond program under Habitat Protection Priorities.

**MOTION:** Commissioner Hare moved, seconded by Commissioner Sheridan to approve staff's recommendation to include both the 286-acre Oracle Ridge Ventures property and the U Circle Ranch property, located 10 miles southwest of San Manuel and 1 mile east of the Control Road in the Catalina Mountains, in the 2008 Conservation Acquisition Bond program under Habitat Protection Priorities. Motion approved 7-0 (Commissioner Marian abstained; Commissioners Corey, Shattuck and Johnson absent).

The Commission asked staff to include the open space applications in the Commissioners' packets.

### 7. 1997 Open Space Bond Program – Remaining 1997 Bond Funds of \$3.3 Million and Potential Bond Ordinance Amendments

#### A. Application to Purchase Tumamoc Hill and Possible Ordinance Amendments

Nicole Fyffe reported that there is \$3.3 million remaining in the 1997 Open Space Bond program, \$1.4 million of which is allocated to Tumamoc Hill. The County is still committed to acquiring Tumamoc Hill. Current Federal exchange legislation no longer includes condemnation of Tumamoc Hill. Ms. Fyffe pointed out that the State Land Department does not feel that the use of density transfers within the City of Tucson is legally possible. Staff was also informed that the City of Phoenix will go to auction for 900 acres for \$90 million, and will be asking for a \$45 million Growing Smarter fund match. Other cities will also be applying for these same funds in the near future.

Ms. Fyffe reported that the County would like to move forward with public auction of Tumamoc Hill.

Commissioners Prouty and Pettis briefly discussed the market's current decline and indicated this may be a good time for this.

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### Speakers

Mercy Valencia, with the University of Arizona, spoke in support of the acquisition of Tumamoc Hill.

Letter was read on behalf of Michael Rosenzweig in support of the acquisition of Tumamoc Hill.

Staff requested the Commission's support in moving forward.

**MOTION:** Commissioner Pettis moved, seconded by Commissioner Sheridan to support staff's recommendation of requesting a public auction of Tumamoc Hill and applying for Growing Smarter Funds. Motion approved 8-0 (Commissioners Corey, Shattuck and Johnson absent).

### B. Cortaro Farms Land Property – 22-acre Property in the Northwest

Nicole Fyffe reported that the County received an application for the 22-acre Cortaro Farms Land property, located at the southeast corner of Cortaro Farms Road and Camino de Oeste. It is not eligible under either the 1997 or 2004 Bond programs. The applicant is asking for \$78,000 an acre, but they are willing to negotiate. Based on past recommendations made by the STAT subcommittee with regard to Northwest properties, staff does not recommend amending the 1997 Bond program to acquire this property.

Sherry Ruther provided a detailed explanation of why staff does not support this acquisition.

Carolyn Campbell, with the Coalition for Sonoran Desert Protection, spoke in support of this acquisition.

Sherry Ruther also provided a brief update on the status of pygmy owls and release sites. Ms. Ruther reported that there are currently no owls in the Northwest. The Arizona Game and Fish's Augmentation Plan is in its initial stages and definitive points have not been reached. Habitat models will be run over a variety of sites in southeastern Arizona, which also includes the Northwest. The current draft lists all potential sites, including the pros and cons associated with each.

Kurt Stinson, broker and part owner of the 22-acre property, addressed the Commission regarding a current offer from a church to buy this parcel, but the owners are willing to hold off on selling to the church depending on the outcome of the Commission's vote.

**MOTION:** Commissioner Hare moved, seconded by Commissioner Wilson to amend the 1997 Bond program, project SD-05 Tortolita Mountain Park, to include the 22-acre Cortaro Farms Land property, located on the southeast corner of Cortaro Farms Road and Camino de Oeste, and to begin due diligence. Motion approved 6-0 (Commissioner Pettis abstained and Commissioner Prouty left meeting prior to vote; Commissioners Corey, Shattuck and Johnson absent).

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### C. Other Potential Bond Ordinance Amendments

Nicole Fyffe reported that the Coalition for Sonoran Desert Protection is supportive of amending the 1997 Bonds to add the 86 parcels that were added in the Northwest in the 2008 bond program at the June 2007 Commission meeting. This would allow for flexibility in acquisitions in this area.

**MOTION:** Commissioner Marian moved, seconded by Commissioner Sheridan to amend the 1997 Bond program, project SD-05 Tortolita Mountain Park, to include 86 parcels, totaling 1,360 acres, currently identified in the 2008 Bond proposal to allow for flexibility in acquisitions in the Northwest. Motion approved 7-0 (Commissioner Prouty left meeting prior to vote; Commissioners Corey, Shattuck and Johnson absent).

### 8. End of Fiscal Year 2006/07 Bond Program Summary

Nicole Fyffe present the semi-annual bond program report for the end of Fiscal Year 2006/2007. Staff requested that the Commission accept the report to forward to the Bond Advisory Committee.

**MOTION:** Commissioner Wilson moved, seconded by Commissioner Pettis to accept the semi-annual bond program report for the end of Fiscal Year 2006/2007 on the conservation portions of the 1997 and 2004 bond programs. Motion approved 6-0 (Commissioner Sheridan not present and Commissioner Prouty left meeting prior to vote; Commissioners Corey, Shattuck and Johnson absent).

### 9. 2004 Bond Program – Properties Reclassified for Conservation under Arizona Preserve Initiative Program (API)

Nicole Fyffe reported on a request by the Coalition for Sonoran Desert Protection to apply to the State Land Department to purchase the development rights on the property east of Tortolita Mountain Park. There is a scheduled meeting on the use of purchase of development rights with the Attorney General's Office on September 21, 2007.

The Commission asked staff to come back to the next Commission meeting with an update on the five State Trust land properties reclassified for conservation under the API program after the scheduled meeting with the Attorney General's Office.

Ms. Fyffe further explained that the timeline for auction of Tumamoc Hill would be expedited. The County would apply for Growing Smarter funds during the next application round.

### 10. Updates

- **Sneed Property:** The owner's attorney notified the County that they would pursue sale of the property to other potential buyers, but if the property still not sold, they would contact the County.
- **Stonehaven Property:** The owner sold this property, and it is now being developed in the Town of Marana under their approved rezoning conditions.
- **Lewis Property:** The owner did not return a final call from the County, and Kerry Baldwin indicated that the adjacent property owner is developing and constructing roads.
- **Boa Sorte Property:** Negotiations are ongoing.

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- Diamond Bell Ranch: The appraisal has been done and negotiations are ongoing.
- Bloom Property: No update, except to say that Diamond Ventures holds this property for a future land exchange.
- Los Morteros: No success.
- Avra/I-10 Wildlife Connection (TEP, Cascada, Union Pacific, ADOT): The County acquired the Continental Ranch Development Inc. 15-acre property in July. The Parsons property west of the underpass is currently going through the rezoning process. On the east side of I-10, Tucson Electric Power is working with the County on a conservation easement.
- Green Valley Hills: Sherry Ruther provided update.
- Las Cienegas Enhancement Act: The bill in the Senate is pushing us to act on Tumamoc Hill. The House bill has not been introduced yet.
- Resolution Copper Exchange: Senate and House bills are different. The Governor sent a letter to the delegation raising issues from her constituency.
- Catalina/Tortolita connection: No update.
- Rosemont Mine: Augusta submitted their Mining Plan of Operations. Staff reviews and comments will be submitted to the Forest Service
- Buenos Aires Inholding (PDR): The Purchase of Development Rights application is still on hold by the State Land Department.
- Davidson Canyon (PDR): It is in litigation due to mining issues.
- First United/Sopori Ranch Property: The owners have rescinded their application to the County for a comprehensive plan amendment and will focus on Santa Cruz County comprehensive plan amendment.
- Proposed Development Activities on Bond Parcels: Sherry Ruther reported on the various projects. Green Valley Hills is now being processed as a Comprehensive Plan Amendment for 540 acres, located on I-19 and Elephant Head Road.

### 11. Next Commission Meeting

The next scheduled Commission meeting will be on October 11, 2007, at 2pm, at the **Manning House**. The Commission asked staff to circulate dates for meetings in 2008.

### 11. Call to the Public

Sean Sullivan, with the Coalition for Sonoran Desert Protection

### 12. Adjournment

Meeting adjourned at 5:05 pm.