

Pima County Conservation Acquisition Commission Meeting

MEETING MINUTES

**Pima County Natural Resources, Parks and Recreation Building
3500 West River Road
Thursday, December 8, 2011
2:00 p.m.**

MOTIONS

MOTION: Commissioner Smith moved, seconded by Commissioner Johnson to approve the September 8, 2011 meeting minutes. Motion approved 9-0 (Commissioners Hare and Prouty absent).

MOTION: Commissioner Sheridan moved, seconded by Commissioner Marshall to support the proposed amendments to the two Marley Ranch option agreements, extending the option periods, releasing land and decreasing the option prices. Motion approved 10-0 (Commissioner Hare absent).

DIRECTION TO STAFF

Commission requested that staff prepare information on the status and terms of County-held State grazing leases.

Commission requested an update on Tucson Electric Power and Union Pacific's roles in the Avra Valley Interstate 10 wildlife corridor connection.

SUMMARY OF MEETING

1. Roll Call

The Commission meeting began at 2:10 p.m.

Commissioners Present

Les Corey
Helen Gardner
Jan Johnson, Vice-Chair
Rob Marshall
Chuck Pettis
Tim Prouty (arrived at 2:15pm)
Bill Roe, Chairman
Corey Smith
James Marian
Tom Sheridan

Commissioners Absent

Trevor Hare

2. Executive Session

None.

3. Approval of the September 8, 2011 Meeting Minutes

MOTION: Commissioner Smith moved, seconded by Commissioner Johnson to approve the September 8, 2011 meeting minutes. Motion approved 9-0 (Commissioners Hare and Prouty absent).

4. Update on 1997/2004 Conservation Bond Program Expenditures

Nicole Fyffe reported that there have been no changes to the 1997 Open Space Bond program, with a remaining balance of \$230,000 earmarked for the Tortolita area. There was a significant expenditure in the 2004 Conservation Acquisition bond program. The County acquired the 36th and Kino property for \$750,000. The remaining balance in the 2004 bond program \$6.6 million.

5. Amendments to the Marley Ranch Option Agreements

Nicole Fyffe explained that the County acquired the first phase of the Marley Ranch, which included 6,000 acres in fee, in 2009, along with two options to purchase the remainder of the ranch in two more phases by 2012 and 2014. The remaining two options as negotiated at that time are for a cost of \$40 million each. Ms. Fyffe said that the County has been working on a possible 2012 Bond package, but due to current economic conditions, a bond may have to be pushed back to 2013. In the meantime, Freeport McMoRan, owner of the Sierrita Mine in Green Valley, has been pursuing mitigation lands for their sulfate plume. They are seeking to acquire State Trust land at auction, which the lands identified by Freeport impact State lands held by Caterpillar Inc., and Marley Cattle Co. Caterpillar needs to acquire additional State land to replace the land that will be lost by Freeport's acquisition, with some of that acreage being within the Marley lease lands. Freeport's State application includes State land within the Marley Ranch lease lands. Marley Cattle has reached agreements with both Caterpillar for continued use of the land and Freeport for the direct purchase of some fee land. Amendments to the option agreements to allow for the negotiations to proceed include:

- Extend the option periods to December 2015 and 2017.
- Reduction in acreage: option 1 would exclude the 690 acres Freeport negotiated with Marley for direct purchase, and the option 2 property would exclude the 1,593 acres of fee land negotiated with Marley for direct purchase, plus 5,840 acres of State grazing lease land that Freeport is pursuing to acquire from the State at auction for their mitigation plan
- Reduction in option prices

The Commission expressed interest in having a discussion on the County's long-term plans for County-held State leases.

MOTION: Commissioner Sheridan moved, seconded by Commissioner Marshall to support the proposed amendments to the two Marley Ranch option agreements, extending the option periods, releasing land and decreasing the option prices. Motion approved 10-0 (Commissioner Hare absent).

9. General Updates

- Proposed Development Activities on Bond Parcels: Nothing new to report.
- Habitat at 36th and Kino: The County closed on the 20-acre property on November 16th. The County will work to secure the property and work with the neighbors on compatible proposed uses for the property.
- State Trust land application to acquired land to expand Tortolita Mountain Park: The County submitted an application to the State Land Department at the end of September. Due diligence will be done through May 2012. The County will apply for Growing Smarter matching funds from Arizona State parks the summer of 2012. Grants will be awarded September 2012, with possible State land auction in December 2012.
- Robson and State Trust land conservation efforts within the Town of Sahuarita: The County withdrew offer to Robson after not receiving any communication from Robson regarding our offer. Regarding the County's proposal to the State to purchase land along the Santa Cruz River adjacent to the County's Green Valley Wastewater Reclamation Facility, the State will be meeting to discuss our proposal. This acquisition would involve buffer land around the treatment facility, land for the Anza Trail, and land within the Santa Cruz River and floodplain. Funding sources will involve open space bond funds, Flood Control District funds, and Wastewater funds.
- Avra Valley – Interstate 10 Tucson-Tortolita Mountain connection: Through a development agreement, there is a ten year option to acquire 3 acres in this area. Funds have been generated through the Willow Ridge Development roof top fees. The County is working on due diligence now. Possibly no more than \$100,000 for the 3-acre property. Carolyn Campbell reported that the Cascada development set aside 200 acres for conservation as part of their development. There is a proposed highway improvement from I-10 to Tangerine. A meeting recently included discussion on including wildlife crossing infrastructure into the design. The Commission requested an update on Tucson Electric Power and Union Pacific's activities towards this wildlife corridor.
- Saguaro National Park Boundary Adjustment Act H.R. 715: Nothing new to report.
- Catalina/Tortolita Connection: The Catalina Detention Facility has closed its doors and the kids are no longer at the site. There is still some staff on site until the lease ends this June. A site tour was conducted to see if there is a potential benefit for the County to acquire. Most buildings are unusable, but there could be other uses by the County. The property would also afford land for the corridor. There have only been preliminary discussions, and the County is interested in purchasing in fee not lease.
- Rosemont Mine: The draft EIS was released and comments are due on January 18, 2012. The County has a large number of staff reviewing the draft now. Tucson Electric Power has applied to the Arizona Corporation Commission for a line that would serve Rosemont mine. Hearings will be all next week. County will also comment in the Corps of Engineers 404 permit application, with comments due on January 5, 2012.
- SunZia Transmission Line Project: The draft EIS release has been pushed back to January.
- BLM Solar EIS: BLM announced that the Department of Interior will prepare a targeted supplement to the Draft Programmatic EIS based on the public comments received. BLM expects release of the supplemental in the fall of 2011. BLM has released the supplemental EIS for comments.

- Future Bond Election Update: There is a possibility the Committee may recommend deferring the election to 2013. Transportation improvements in and around the airport authority, Raytheon, UA tech park and other employment centers are being reviewed for possible inclusion in a future bond election. This would be above and beyond the currently tentatively approved package.

The Chairman requested that Kelly Ranch be added to the Updates section, as well as an assessment on the County-held State grazing leases as discussed earlier in the meeting.

10. Next Commission Meeting

The Bond Advisory Committee will have their oversight committee meeting on March 30, 2012. The Conservation Acquisition Commission would need to be scheduled before then. Dates will be sent out to Commission members.

11. Call to the Public

No one spoke.

Commissioner Marshall asked for additional copies of the Open Space report.

Kerry Baldwin announced that the County was producing booklets on various destinations in Pima County through a Game and Fish Heritage grant. Three major locations were done: Tucson Mountain Park, Agua Caliente Park and Cienega Creek Natural Preserve. Free copies will be provided to the public for a time, after which, a nominal fee will be charged.

Commissioner Prouty asked that as part of the County's State leases assessment, he would like information on the terms with the State Land Department and ranchers.

12. Adjournment

The meeting adjourned at 3:20 p.m.