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# MEMORANDUM

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Date: April 9, 2013

To: The Honorable Chairman and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to read "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Paseo de las Iglesias Wildlife and Habitat Conservation Contract with the Arizona Board of Regents**

Recent headlines in the *Arizona Daily Star* could have been construed to call into question the County's expenditure for biological conservation efforts for the Paseo de las Iglesias Wildlife project being implemented by our Regional Flood Control District (RFCD).

It is important to note these actions and the expenditure of public funds in the amounts required are consistent with and required to comply with state and federal laws for biological and cultural resources. The evaluations and protective measures taken are requirements of Section 404 of the Clean Water Act (CWA) and the permitting of the RFCD project by the U.S. Army Corps of Engineers.

The attached April 4, 2013 memorandum from RFCD Director Suzanne Shields describes in more detail the benefits of this component of the overall RFCD project. The expenditure being made by the County would not be necessary if the Antiquities Act, CWA and Endangered Species Act could be repealed. Such is unlikely; hence, the project expenditure required to comply with federal laws, as well as state antiquity laws.

The project is a good investment in a multipurpose project that protects the urban area from flooding and erosion damages along the Santa Cruz River. It also protects and retains the archeological, historical and biological resources that are important to the open space within the urban area.

CHH/dph

Attachment

c: John Bernal, Deputy County Administrator for Public Works  
Suzanne Shields, Director, Regional Flood Control District



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# MEMORANDUM

Director's Office  
Regional Flood Control District

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*UPM*

DATE: April 4, 2013

TO: C. H. Huckelberry  
County Administrator

FROM: *Suzanne Shields*  
Suzanne Shields, P.E.  
Director

SUBJECT: **Paseo de las Iglesias Phase One Project – Wildlife and Habitat Conservation Contract**

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Questions have been raised concerning the need for the wildlife and habitat contract that was awarded by the Board of Supervisors on April 2, 2013. This memorandum explains the purpose and why the contract was necessary for this project.

As required by state and federal law, all proposed construction project sites must be evaluated for biological resources and cultural resources. The biological evaluation is a key component of the Clean Water Act Section 404 Permit process for any work along major watercourses. Additionally, projects must meet environmental requirements for the Endangered Species Act. Providing environmental enhancement and restoration with the project allowed for compliance with federal law.

This contract is a five-year contract averaging \$57,000 which will allow Pima County to address:

- Arizona Game and Fish Special Status Species.
- Species covered by Tucson's Habitat Conservation Plan.
- Species covered by Pima County's Sonoran Desert Conservation Plan.

### **Project Background**

The multi-purpose Paseo de las Iglesias Phase One project is based on an Ecosystem Restoration Feasibility Study done in partnership with the U.S. Army Corps of Engineers. This study documented and analyzed flood control risks, existing biological resources, and project needs and benefits.

Based on the study, a core section along the Santa Cruz River from Ajo Way to 29<sup>th</sup> Street was chosen for potential construction of flood control, passive recreation, and ecosystem restoration due to its unparalleled open space, public recreation opportunities, and natural resources within the heart of urban Tucson.

The project design includes erosion protection along the face of the Ryland Landfill and 6,800 linear feet soil cement bank protection on the Santa Cruz River. Pedestrian and equestrian trail connectivity includes closing a 1.5 mile gap between Ajo Way and 29<sup>th</sup> Street along the Juan Bautista de Anza National Historic Trail and providing the connection between the Santa Cruz River and Julian Wash portions of the popular urban Loop trail. Ecosystem restoration was the impetus for this project and therefore remains a key project element. Vegetation and habitat improvements include plantings and seeding of native vegetation supported partially or entirely by surface water harvesting. Improvements also include the enhancement of the best native amphibian breeding site in central Tucson.

C. H. Huckelberry, County Administrator

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**Native Wildlife Species Assessments**

Environmental assessments of the area identified the presence of Arizona Department of Game and Fish Special Status species including lowland leopard frogs and the Great Plains narrow-mouth toad. Sonoran Desert Conservation Plan Priority Vulnerable Species in or adjacent to the area include Bell's vireo, rufous winged sparrow, Abert's towhee, and giant spotted whiptail lizard. Other locally imperiled or rare species in the project area include the regal horned lizard, Mexican spadefoot, and the western burrowing owl which is a City of Tucson Habitat Conservation Plan species. Study results recommended habitat improvements to re-establish biodiversity of these and other native birds, amphibians, and reptiles. Species collection and post-construction re-introduction and re-establishment are supported by environmental regulatory agencies such as the U.S. Army Corps of Engineers and the Arizona Game & Fish Department. Protection of unique urban species like the regal horned lizard is supported by both environmental organizations and individuals who often attend and voice their desires at our project planning meetings.

**Wildlife and Habitat Conservation Contract Efforts**

This contracted wildlife and habitat conservation work will address a wide variety of species that reside, breed, forage, and migrate through the project area. Several species are identified specifically in the contract as those species that are regionally declining, yet the project area harbors the best viable urban populations of these species. These species, including the regal horned lizard and Great Plains narrow-mouth toad, will reap long-term habitat benefits from the constructed project and should be preserved as feasible through the construction efforts.

This effort will protect numerous local urban native species whose numbers are in decline and enhance habitat necessary for their preservation. The wildlife protection work has multiple inter-related purposes: (1) salvage animals for re-introduction post construction, (2) maximize habitat quality, (3) re-establish self-sustaining, abundant populations of many animal species using salvaged animals from the site and possibly other disturbed sites, (4) minimize undesirable species, including non-native and potential disease vectors, (5) monitor results of project activities to document outcomes, (6) develop scientific information related to management and ecology of urban wildlife biodiversity, and (7) help inform the public about urban biodiversity as a recreational and educational amenity. This multi-faceted wildlife protection work will span five years with an average annual cost of \$57,000.

The work will be done by Dr. Phil Rosen, an internationally recognized herpetological conservation biologist with the specialized biological knowledge and unique local ecological experience required to develop and carry out this kind of work. Dr. Rosen estimates that 10,000 to 100,000 amphibians and reptiles will be saved over a 10-year period by the contracted efforts.

Please let me know if you have any questions.

SS/aj

- c: John Bernal, Deputy County Administrator – Public Works
- Rafael Payan, Director – Natural Resources, Parks and Recreation
- Chris Cawein, Deputy Director – Regional Flood Control District
- Bill Zimmerman, Deputy Director – Regional Flood Control District
- Tom Helfrich, Division Manager – Water Resources Division
- Deirdre Brosnihan, P.E., Project Manager – Water Resources Division
- Jennifer Becker, Principal Hydrologist – Water Resources Division