



Board of Supervisors Memorandum

December 1, 2020

**Board of Supervisors Policy C. 3.20
Protection and Management of County Conservation Lands**

Background

Since establishing Tucson Mountain Park in 1929, Pima County has made significant investments into protecting this region's natural and cultural heritage. Pima County voters have consistently supported these investments, repeatedly approving open space bond funding to acquire land for the protection of natural areas, biological and cultural resources, and rangelands. These bonds have enabled fee title acquisitions from willing sellers, supplemented by donations from willing owners, and acquisition of less-than-fee interests such as conservation easements and leases.

The purpose of the attached *Conservation Lands Policy* is to acknowledge and safeguard this investment of public funds by ensuring the maintenance and protection of the intrinsic values of properties acquired for the purpose of preserving their natural, biological, riparian, and cultural resources. These intrinsic values include:

- Meeting the biological goal of the Sonoran Desert Conservation Plan and preserving the Sonoran Desert ecosystem;
- Maintaining regional, national, and international continuity of ecosystems, biological diversity and cultural heritage;
- Mitigating for impacts permitted under the County's Endangered Species Act Section 10 permit;
- Protecting floodplains and riparian habitat areas;
- Maintaining natural hydrologic and hydraulic stream flow processes;
- Facilitating groundwater recharge;
- Preserving archaeological, cultural, and historic resources;
- Protecting farm and ranch lands;
- Providing outdoor recreation opportunities for residents and visitors;
- Conserving scenic views; and
- Supporting ecotourism and economic opportunities based on natural and cultural areas;

The policy applies to what are termed "County Conservation Lands," which fall into two general categories:

1. Certain lands Pima County owns in fee or holds a less-than-fee interest, and the property interest is held and managed specifically for the purpose of preserving the open space natural area character and the natural, biological, and cultural resources found on those properties; and
2. Certain lands the Pima County Regional Flood Control owns in fee or holds a less-than-fee interest, and the property interest is held and managed specifically for the purpose of preserving the open space, natural area character, and the natural, biological, and cultural resources found on those properties, and the property interest

The Honorable Chairman and Members, Pima County Board of Supervisors
Re: **Board of Supervisors Policy C. 3.20 Protection and Management of County
Conservation Lands**
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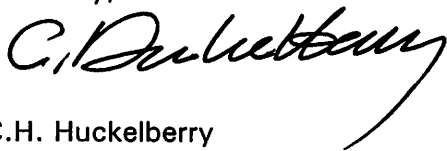
is held and managed specifically in accordance with Pima County Code Title 16 Floodplain Management, which states: " The highest and best use of regulatory floodplains within the County is for maintenance of natural hydrologic and hydraulic stream flow processes, with consideration for groundwater recharge, aesthetics, natural open space, recreation areas, and flora, fauna, and other wildlife habitat resources."

The policy requires the responsible departments to work collaboratively to manage County Conservation Lands, maintain an accurate inventory of these lands, and periodically evaluate individual properties to determine if specific protections are needed to safeguard their intrinsic natural and cultural values for which they were acquired. It further directs the County Administrator to develop an administrative procedure that addresses the development and maintenance of an inventory of County Conservation Lands and interdepartmental coordination procedures as necessary.

Recommendation

It is recommended that the Board approve Policy C. 3.20 "Protection and Management of County Conservation Lands" to acknowledge and safeguard Pima County's investment in preserving natural areas for the benefit of the public and to ensure the maintenance and protection of the intrinsic values of properties acquired for the purposes of preserving their natural, biological, and cultural resources.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/mp – November 16, 2020

c: Carmine DeBonis Jr., Deputy County Administrator for Public Works
Yves Khawam, Ph.D., Assistant County Administrator for Public Works
Linda Mayo, Director, Office of Sustainability and Conservation

**PIMA COUNTY, ARIZONA
BOARD OF SUPERVISORS POLICY**

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PURPOSE:

This policy requires the County to maintain an accurate inventory of *County Conservation Lands* and to protect the public's investment in the acquisition of these lands by maintaining and protecting the non-monetary, intrinsic values of properties acquired as open space for purposes of preserving the natural, biological, and cultural resources of these lands.

DEFINITIONS:

County Conservation Lands are lands that:

- 1) Pima County owns in fee or holds a less-than-fee interest, and the property interest is held and managed specifically for the purpose of preserving the open space, natural area character, and the natural, biological, and cultural resources found on those properties; and
- 2) the Pima County Regional Flood Control District owns in fee or holds a less-than-fee interest in certain lands held and managed specifically for the purpose of preserving the open space, natural area character, and the natural, biological, and cultural resources found on those properties, and the property interest is held and managed specifically in accordance with Pima County Code Title 16 Floodplain Management, which states: "The highest and best use of regulatory floodplains within the County is for maintenance of natural hydrologic and hydraulic stream flow processes, with consideration for groundwater recharge, aesthetics, natural open space, recreation areas, and flora, fauna, and other wildlife habitat resources."

Less-than-fee-interest refers to a property interest that is less than full ownership of all the legal rights associated with a property, such as a conservation easement, restrictive covenant, or lease.

BACKGROUND:

Pima County voters have repeatedly approved open space bond funding to acquire land for the protection of natural areas, biological and cultural resources, and ranchlands. These bonds have enabled fee title acquisitions from willing sellers; supplemented by donations from willing owners and acquisition of less-than-fee interests. Bond funds have protected large rural properties such as A-7 Ranch, as well as urban areas such as portions of Tumamoc Hill. Funds for the acquisition of certain flood-prone lands have resulted in conservation of riparian areas such as Cienega Creek Preserve. Collectively, the intrinsic, non-monetary natural and cultural values of these *County Conservation Lands* significantly contribute to implementation of the County's ground-breaking Sonoran Desert Conservation Plan (SDCP). These values include:

- Maintaining regional, national, and international continuity of ecosystems, biological diversity and cultural heritage;
- Mitigating for impacts permitted under the County's Endangered Species Act Section 10 permit;
- Protecting floodplains and riparian habitat areas;

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- Maintaining natural hydrologic and hydraulic stream flow processes;
- Facilitating groundwater recharge;
- Preserving archaeological, cultural, and historic resources;
- Protecting farm and ranch lands;
- Providing outdoor recreation opportunities for residents and visitors;
- Conserving scenic views; and
- Supporting ecotourism and economic opportunities dependent on natural and cultural areas.

POLICY:

It is Pima County's policy that the responsible departments will work collaboratively to protect and otherwise maintain and manage the intrinsic and non-monetary values of *County Conservation Lands*. *County Conservation Lands* shall be managed in accordance with rules, policies, regulations, procedures, and guidance established by applicable federal, state and county laws, including applicable conservation easements and other property-specific agreements adopted by the Board of Supervisors and/or Flood Control District Board of Directors that govern the protection of natural and cultural resources.

Individual *County Conservation Land* properties will be periodically evaluated to determine whether, or if, specific protections are necessary to protect the property's intrinsic values.

An inventory of *County Conservation Lands* will be maintained in a GIS database and updated as necessary. The inventory will be available on a County website.

ADMINISTRATIVE PROCEDURE:

The County Administrator is directed to develop an Administrative Procedure that addresses the development and maintenance of an inventory of *County Conservation Lands* and interdepartmental coordination procedures as necessary.

RESPONSIBLE DEPARTMENTS:

Regional Flood Control District, the Natural Resources, Parks and Recreation Department, and the Office of Sustainability and Conservation will be responsible for the implementation of this policy, in coordination with all other County departments.

Effective Date: