

04/10/09

**Pima County Conservation Acquisition Commission
Meeting**

**Tucson Association of Realtors
Thursday, April 9, 2009
2:00 p.m.**

MOTIONS

MOTION: Mr. Pettis moved, seconded by Mr. Marshall, to support the County's purchase of Phase 1 of the Marley Ranch, including options on the latter two phases, and the Foundation and Homestead conservation easements, and to recommend this to the Board. Motion approved 9-0.

DIRECTION TO STAFF

Identify who owns the railroad spur under I-10 at Avra Valley Road.

SUMMARY OF MEETING

The following is a summary of the April 9, 2009 meeting.

1. Roll Call

The Commission meeting began at 2:05 pm.

Commissioners Present

Trevor Hare
Jan Johnson, Vice Chair
Rob Marshall
James Marian
Chuck Pettis
Tim Prouty
Bill Roe, Chairman
Wanda Shattuck (arrived at 2:30pm)
Tom Sheridan

Commissioners Absent

Les Corey
Helen Wilson

2. Approval of February 12, 2009 and March 12, 2009 Meeting Summaries

MOTION: Mr. Marshall moved, seconded by Mr. Pettis, to approve the February 12, 2009 meeting summary. Motion approved 8-0.

MOTION: Mr. Marian moved, seconded by Ms. Johnson, to approve the March 12, 2009 meeting summary. Motion approved 8-0.

3. Update on 1997/2004 Conservation Bond Program Expenditures

Nicole Fyffe summarized the bond funds remaining:

2004 bond program overall: \$47.2 million
2004 Community Open Space: \$18.2 million
2004 Habitat Protection Priorities: \$16.8 million
2004 Jurisdictional: \$12.1 million
1997: \$3.1 million

4. Proposed Acquisition of the Marley Ranch

Chairman Roe began this item by reflecting back on what has been accomplished over the 5 years since voters approved the program in May 2004, and emphasizing how important the acquisition of the Marley Ranch is to this overall effort.

Nicole Fyffe described the proposed acquisition to the Commission, and Commissioners asked clarifying questions.

General Description of Proposed Acquisition:

- Ranch totals 115,000 acres
- Location relative to other County/Federal reserves
- 600 acres not in Pima County, not part of agreements
- All land eligible for purchase in 2004 bond program – HPP
- 3-phase proposal over 5 years since County unable to fund full purchase today
- Ranch management agreement

Phase 1 \$20 million:

- 6,337 acres in fee western portion of the ranch – most biologically valuable area
- Deed restrictions on 40-acre well sites totaling 300 acres
- Temporary conservation easement on 1,692 acres they are retaining in Pima
- Options to purchase phases 2, and 3 – County does not have to exercise options

Phase 2 \$40 million – option expires 2012:

- 6,638 acres in fee
- Deed restrictions on 40-acre well sites totaling 200 acres

Phase 3 \$40 million – option expires 2014:

- 11,056 acres in fee
- All the well sites held out in phases 1 and 2
- State grazing leases on 85,892 acres
- Federal grazing permits on 2,762 acres of BLM land
- Permanent conservation easement on 1,692 acres they are retaining

Conservation Easements:

- Foundation lands (1,080 acres) versus homestead family lands (611 acres)
- Foundation lands – CE allows 5 homes
- Homestead family lands allows 15 homes within building envelope around existing HQ (Seco CE comparable # homes)
- Both allow ranching, farming, educational, recreational and research related uses (see 3.1 and 3.2), which if they involve construction must be approved by the County first as not impacting important resources

Kerry Baldwin discussed the biological importance of this acquisition, along with management concerns and objectives. Mr. Hare offered his assistance through the Sky Island Alliance, to work with Game and Fish to reduce road densities on the ranch. Mr. Hare also asked about fire management.

Linda Mayro provided a recent ownership history for the ranch, as well as details of human occupation of this area since 3500 B.C. Mr. Sheridan asked if the Marley Ranch includes the Cerro Colorado mine complex. Linda responded that the mine complex was on the County's Rancho Seco to the south. Ms. Johnson asked about the Trincheras culture.

Nicole Fyffe summarized a new section in the report - Purchase Price and Appraisal History. Mr. Prouty thanked staff for the additional attention to this issue.

- Seller's appraisal \$6500/ac (June 2008)
- Ours \$3,500/ac (Sept 2008)
- Ours updated in Feb 2009 \$2,800/ac
- Second County appraisal March 2009 \$2,950/ac
- Entire ranch since phases not finalized until recently
- \$20million includes \$18 million for land and \$2 million for options and restrictions
- \$18 million for land = \$2,840/ac (compares favorably to 2 recent appraisals)
- \$2 million for options and restrictions – appraisers consulted considered reasonable
- Reasonable per acre average compared to other County ranch purchases

MOTION: Mr. Pettis moved, seconded by Mr. Marshall, to support the County's purchase of Phase 1 of the Marley Ranch, including options on the latter two phases, and the Foundation and Homestead conservation easements, and to recommend this to the Board. Motion approved 9-0.

5. Discussion and Action on Future Conservation Opportunities

A memorandum was provided to the Commission prior to this meeting summarizing the Commission and County actions on future possible County property acquisitions. Nicole Fyffe provided the following priorities for the Commission's consideration and noted that the Commission needs to discuss further the issue of Northwest priorities:

Priorities for County Bond Funding in 1997, 2004 HPP/COSP Categories (\$18.1 million remaining)

- Clyne Ranch
- Dos Picos
- Empirita/Bloom/Hartman-Cortaro

Priorities for County Bond Funding In Jurisdictional Category (\$12.1 million remaining)

- Boa Sorte
- Kino at 36th Street
- Tortolita Mountain Park/Arroyo Grande
- Valencia Site

Ms. Fyffe noted that there is in fact sufficient funding to purchase the properties under both priority groups. Staff will be meeting with the City of Tucson on April 16 to discuss the possible reallocation of County bond funds allocated to the City for Boa and Valencia Site. Staff should be ready to bring acquisition agreements and reports for the Clyne,

Dos Picos, and Empirita/Bloom/Hartman-Cortaro properties to the Commission for approval over the next two to three months.

Chairman Roe asked that land along the San Pedro River be added to the priority list for 1997, 2004 HPP/COSP categories, and that only a small amount may be needed.

Trevor Hare requested to review biological assessment for the Empirita/Bloom/Hartman-Cortaro properties. These reviews should be completed soon.

Ms. Fyffe reported that the County Administrator did write to the owner of the Joshua and Caleb property immediately after the Commission meeting reiterating the County's offer. This was in response to the owner's offer which was more than twice the County's offer. We have not had another response from the owner.

Mr. Hare stated that he felt staff did not follow the Commission's direction in executive session regarding the Joshua and Caleb property. Ms. Fyffe disagreed and asked that this be discussed in an executive session today.

Ms. Fyffe reported talking to the owner of the Stonehaven property (78 acres located along Tangerine Road just east of Interstate 10). The owner confirmed that the County's offer of \$3.6 million in 2007 was a fair offer. He did not agree that the value has since dropped and is asking \$3.5 million. A recent County appraisal in the area came back at about half this value. Ms. Fyffe sent a letter to the owner after the telephone conversation confirming the conversation and suggesting the owner contact the County again if they are willing to reduce their asking price.

6. Avra Valley 1-10 Corridor Presentation

Carolyn Campbell and Sean Sullivan provided a visual presentation that was given to a group of stakeholders recently regarding conservation opportunities in the Avra Valley I-10 wildlife corridor. The presentation included maps of conserved and non-conserved land in the corridor, and artist renditions of improvements to and over the Interstate for the crossing of wildlife. Ms. Campbell also provided a written summary of the meeting. The Chairman asked that the issue of who owns the railroad spur be added to the next agenda.

7. Updates

- Proposed Development Activities on Bond Parcels: No new activity.
- Arroyo Grande Conceptual Land Use Plan: No update.
- Tumamoc Hill: The County received the grant from State Parks, and made the final payment. The deed for the property is due to the County in June.
- Los Morteros: No update.
- Saguaro National Park Boundary Adjustment Act H.R. 715: A hearing was held and the bill will be scheduled for a future mark up session.
- Catalina/Tortolita Connection: No update.
- Rosemont Mine: No update.
- 2009 Bond Election Update: The next Bond Advisory Committee meeting will be held on May 1, 2009 at Randolph Golf Course, Copper Room, from 8:00 a.m. to 11:00 a.m. The Bond Committee recommended the election date for a GO bond election be pushed back to 2010. The Bond Committee is reconsidering their earlier recommendation for a 2009 sewer revenue bond election, and may recommend it also be pushed back to 2010. Carolyn Campbell spoke in support of pushing it back to 2010.

8. Next Commission Meeting

The next Conservation Acquisition Commission meeting is scheduled for May 14, 2009 at 2:00 p.m. at the Tucson Association of Realtors, small conference room.

9. Call to the Public

No speakers.

10. Executive Session

Pursuant to A.R.S. 38-431.03(A)(7), for discussion of negotiations regarding properties the County is currently working on.

Regular meeting resumed at 4:45 p.m. and was then adjourned.