

Pima County Conservation Acquisition Commission Meeting

**Tucson Association of Realtors
Thursday, March 12, 2009
2:00 p.m.**

MOTIONS

MOTION: Commissioner Prouty moved, seconded by Commissioner Marshall to continue to negotiate expeditiously on the Joshua and Caleb property, located on the southeast corner of Lambert Lane and Thornydale Road. Motion approved 7-0 (Commissioners Corey, Marian, Shattuck and Wilson absent).

MOTION: Commissioner Hare moved, seconded by Commissioner Pettis to accept staff's recommendation to take no further action on the Verde Creek Ranch property at this time, but keep this property on the list in case funding should become available. Motion approved 7-0 (Commissioners Corey, Marian, Shattuck and Wilson absent).

MOTION: Commissioner Prouty moved, seconded by Commissioner Johnson to take no further action on the Dailey property, located along Agua Verde Creek and east of the county-owned Poteet property. Motion approved 7-0 (Commissioners Corey, Marian, Shattuck and Wilson absent).

DIRECTION TO STAFF

Meet with the City of Tucson to discuss possible use of 2004 Jurisdictional monies for the Valencia Site and Boa Sorte property acquisitions.

Provide meeting dates for the rest of the year.

SUMMARY OF MEETING

The following is a summary of the March 12, 2009 meeting.

1. Roll Call

The Commission meeting began at 2:05 pm.

Commissioners Present

Trevor Hare
Jan Johnson, Vice Chair
Rob Marshall
Chuck Pettis (arrived 2:15pm)
Tim Prouty
Bill Roe, Chairman
Tom Sheridan

Commissioners Absent

Les Corey
James Marian
Wanda Shattuck
Helen Wilson

2. Discussion on Future Conservation Opportunities

Nicole Fyffe reviewed the list of properties the County is currently negotiating on. The 1100-acre Boa Sorte property along the Brawley Wash, which was on the non-active list,

and the 50-acre Hartman/Cortaro property, located west of Arthur Pack Park along Hardy Wash, were added to the current list of properties. The representatives for the Boa Sorte property recently made a more reasonable sale offer, while the Hartman/Cortaro property is proposed as part of the Empirita and Bloom sale.

Ms. Fyffe gave a visual presentation of the remaining pots of money:

- 1) 1997 - \$3.1 million (currently reserved in 4 projects: Tumamoc Hill, Tortolita Mountain Park, Tucson Mountain Park and Los Morteros. County spent Cultural Resources bond funds on Tumamoc, so the open space Tumamoc funds are available for other projects. It is unlikely the funds remaining in the Los Morteros project will be needed, and therefore they are also available for other properties. Both would require bond ordinance amendments if spent elsewhere.)
- 2) 2004 Community Open Space - \$18.2 million
- 3) 2004 Habitat Protection Priorities - \$16.8 million
- 4) 2004 Jurisdictional - \$12.1 million

In Bond Ordinance language, Jurisdictional monies cannot be spent on non-jurisdictional properties without the respective city or town's approval. Community Open Space (COSP) monies can be used for Habitat Protection Priorities (HPP) acquisitions, but not vice versa.

(Commissioner Pettis arrived 2:15pm)

All together \$35 million in bond funds are remaining. Ms. Fyffe demonstrated how properties on the active list could impact the four pots of monies:

1997 – If the County purchased Dos Picos, Tumamoc Hill, and the Hartman/Cortaro property with 1997 bond funds, approximately \$500,000 would remain.

Jurisdictional - If the County purchased the Kino and 36th Street property (Tucson), Valencia Site (Tucson), and the Tortolita Mountain Park/Arroyo Grande area (Oro Valley) with Jurisdictional funds, approximately \$7.6 million would be left. This assumes City of Tucson support for amending 36th Street Corridor project to permit the purchase of the Valencia Site, and Town of Oro Valley support for amending the Kelly Ranch project to permit the purchase of the Tortolita Mountain Park/Arroyo Grande. It was noted that Wanda Shattuck was active in the Kelly Ranch development issue, and should be consulted directly regarding the proposal to amend this project to spend the monies elsewhere.

COSP/HPP - If the County purchased the Boa Sorte, Clyne Ranch, Empirita/Bloom/Hartman-Cortaro, Joshua and Caleb, Marley Ranch Phase I, and Robles Pass and Trails End State Trust land parcels, this pot would be approximately \$11 million short. Without Boa Sorte, it would be approximately \$4 million short. There are not enough bond funds to purchase all of these properties.

Ms. Fyffe asked for input on the applications submitted to the State Land Department. Staff recommended not moving forward at this time on the Tucson Mountain Park Robles Pass and Trails End State Trust land properties, given the shortage in funding. The Valencia Site is more threatened and timely and since the Valencia site is within the City of Tucson, staff could also ask the City for support in re-allocating City Jurisdictional funds to the Valencia Site.

Commissioner Sheridan expressed that the Marley Ranch acquisition is the highest priority citing its critical role in both the Altar Wash and Santa Cruz River subareas.

Commissioner Marshall noted that the main goals in enhancing the existing preserve system were for adjacency to existing conserved lands and creating corridors. The Marley Ranch, Empirita, Clyne and Arroyo Grande stand out as clear priorities.

Commissioners Prouty and Johnson agreed with these as priorities.

Commissioner Hare said the Boa Sorte property is an important piece in the Brawley Wash and asked for more information on City of Tucson lands and in that area, what is adjacent to the property and its developability.

Sean Sullivan with the Coalition for Sonoran Desert protection pointed out that Tucson Water may need more mitigation land and should consider using their Jurisdictional funds for acquisition of Boa Sorte, given that the Tucson Water impacts will be in the Avra Valley area.

The Commission agreed with this suggestion and asked staff to meet with the City about using their Jurisdictional monies for both the Boa Sorte and Valencia Site properties.

Carolyn Campbell addressed the Commission on the Joshua and Caleb property, located on the southeast corner of Lambert Lane and Thornydale Road. Ms. Campbell said the process failed this owner, and the County should strive to improve the process. Ms. Campbell stated that she felt that the County Administrator had not been proactive on this property. She also stated that her understanding was that the property was not in foreclosure, but instead being refinanced.

Nicole Fyffe said the Tortolita Mountains subarea has been the toughest and most expensive. Ms. Fyffe pointed out that the County did not agree with the July appraisal received on the Joshua and Caleb property. In addition, the property is in fact going through foreclosure proceedings. Me. Fyffe stated that she felt that staff has brought all information on this property forward, and will continue to do so.

3. 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 4:20pm.

The Commission noted staff's update.

MOTION: Commissioner Prouty moved, seconded by Commissioner Marshall to continue to negotiate expeditiously on the Joshua and Caleb property, located on the southeast corner of Lambert Lane and Thornydale Road. Motion approved 7-0 (Commissioners Corey, Marian, Shattuck and Wilson absent).

The Commission asked staff to continue working on the properties as listed under item 3, anticipating that the Marley Ranch acquisition may be heard at the April meeting. As such, the Marley Ranch takes precedence.

4. Approval of the February 12, 2009 Meeting Summary

Approval was postponed until the next meeting. Corrections should be forwarded to Diana Durazo.

5. Update on the 1997/2004 Conservation Bond Program Expenditures

This information was already presented under item 3.

6. New Applications

A. Verde Creek Ranch – Southeast Corridor Project Areas: Secondary Priority Private

Diana Durazo reported that the County received an application for the sale of Verde Creek Ranch, located north of Cienega Creek Natural Preserve along Agua Verde Creek. The ranch is approximately 265 acres of deeded land, of which 40 acres to be retained for the 8,500 acres of Forest land under Federal grazing permits to be retained by the owner, and 2,918 acres of State grazing leases. Ms. Durazo noted that of the 265 acres of deeded land, 117 acres are eligible for acquisition under the bond program as Secondary Priority Private Habitat Protection Priorities. Ninety percent of the State grazing leases are identified as Highest Priority State Habitat Protection Priorities. The property contains both Biological Core and Important Riparian areas, and intermittent buffered streams with shallow ground water conditions. Between all of the parcels, about 1.75 miles of Agua Verde Creek runs through the properties. The applicant is asking for \$1.2 million or \$5,333 per acre.

Kerry Baldwin explained that this ranch was part of the larger Day Ranch at one time. The State leases to the south adjoin the County-owned McKenzie property and could potentially be integrated into the ranch rotational system as one possible management strategy.

Ms. Durazo also noted that staff approached the Regional Flood Control District on this property, and they expressed interest in the far west private parcel, but due to lack of funding, they would not be able to pursue acquisition. Given the competing priority acquisitions the County is working on with limited funding, but recognizing the importance of the resources associated with the riparian areas found on the property, staff recommends that this property should be considered a priority if any of the properties the County is currently negotiating fall through.

MOTION: Commissioner Hare moved, seconded by Commissioner Pettis to accept staff's recommendation to take no further action on the Verde Creek Ranch property at this time, but keep this property on the list in case funding should become available. Motion approved 7-0 (Commissioners Corey, Marian, Shattuck and Wilson absent).

Commissioner Hare said this property is important and should be considered if money becomes available.

Kerry Baldwin let the Commission know that he is also looking into possible grant funding for properties like this.

B. Dailey Property – Southeast Corridor Project Area: Secondary Priority Private

Diana Durazo reported that the County received an application for the sale of approximately 80 acres along Agua Verde Creek, south of the Coronado National Forest and east of the County-owned Poteet property. The Dailey property totals 119 acres, but the applicant expressed interest in only selling the 80 acres to the north, which contains the wash and several tributaries. The property is zoned RH, which is one unit per 4.13 acres, and contains mapped riparian areas associated with Agua Verde Creek. The property contains both Biological Core and Important Riparian areas, with buffered intermittent streams and shallow groundwater. The applicant is asking for \$480,000 or \$6,000 per acre. Ms. Durazo noted that staff approached the Regional Flood Control District on this property, but did not express interest citing location and lack of adjacency to other conserved lands. Given competing priority acquisitions and their associated resources the County is currently working on, staff recommends taking no further action on the Dailey property.

MOTION: Commissioner Prouty moved, seconded by Commissioner Johnson to take no further action on the Dailey property, located along Agua Verde Creek and east of the county-owned Poteet property. Motion approved 7-0 (Commissioners Corey, Marian, Shattuck and Wilson absent).

7. Updates

- Proposed Development Activities on Bond Parcels: No new activity.
- Arroyo Grande Conceptual Land Use Plan – No update.
- Habitat at 36th and Kino Property – Already discussed under item 3.
- Boa Sorte Property (Brawley Wash): Already discussed under item 3.
- Tumamoc Hill: On February 23, 2009, the County was the successful bidder at auction for the acquisition of the 320 acres of State Trust land on Tumamoc Hill. The County is still finalizing documents with both State Parks for the grant funds and the City of Tucson for conveyance of the landfill.
- Bloom Property: Already discussed under item 3.
- Los Morteros: No update.
- Avra/I-10 Wildlife Connection (TEP, Cascada, Union Pacific, ADOT): Sean Sullivan reported that Sky Island Alliance, the Coalition and the County are pulling together all relevant parties to develop a work plan to make the connections and improvements necessary along this corridor. There will be a meeting on March 30th where next steps should be outlined.
- 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 March 20th at Randolph Golf Course, Copper Room, from 8 to 11am. The agenda will cover survey results, timing of a bond election, and possibly prioritization of project lists.

8. Next Commission Meeting

The next Conservation Acquisition Commission meeting is scheduled for April 9, 2009 at 2:00 p.m. at the Tucson Association of Realtors, small conference room.

Commissioner Roe requested that meeting dates for the rest of the year be circulated.

9. Call to the Public

No speakers.

10. Adjournment

Meeting adjourned at 4:45 p.m.

Future Meeting Dates:

April 9, 2009	Tucson Association of Realtors
May 14, 2009	Tucson Association of Realtors
June 11, 2009	Tucson Association of Realtors
July 9, 2009	Tucson Association of Realtors