

Pima County Conservation Acquisition Commission Meeting

MEETING MINUTES

**Pima County Natural Resources, Parks and Recreation Building
3500 West River Road
Thursday, September 13, 2012
2:00 p.m.**

MOTIONS

MOTION: Commissioner Pettis moved, seconded by Commissioner Johnson to approve the March 22, 2012 meeting minutes. Motion approved 7-0 (Commissioners Hare, Marian, Smith and Sheridan absent).

MOTION: Commissioner Prouty moved, seconded by Commissioner Pettis to accept the End of Year bond update report for fiscal year 2011/2012. Motion approved 7-0 (Commissioners Hare, Marian, Smith and Sheridan absent).

MOTION: Commissioner Pettis moved, seconded by Commissioner Corey to recommend the addition of Painted Hills to the 2004 Jurisdictional Open Space bond projects OS1.15 Agua Caliente and Brawley Wash, OS1.16 36th Street Corridor and Valencia, and OS1.17 Habitat at 36th and Kino, and to add an additional implementation period to each, contingent upon the City of Tucson's Mayor and Council acting to recommend the amendment. Motion approved 7-0 (Commissioners Hare, Marian, Smith and Sheridan absent).

SUMMARY OF MEETING

1. Roll Call

The Commission meeting began at 2:15 p.m.

Commissioners Present

Les Corey
Helen Gardner
Jan Johnson, Vice-Chair
Rob Marshall
Chuck Pettis
Tim Prouty
Bill Roe, Chairman

Commissioners Absent

Trevor Hare
James Marian
Corey Smith
Tom Sheridan

2. Executive Session

None.

Chairman Roe took a moment to address the Commission members and the public in memory of Wanda Shattuck, a past Commission member, who recently passed away. The County Administrator said a few words on his experiences with Ms. Shattuck and her

tireless efforts to protect this community's quality of life. Chairman Roe followed with a few more words on Ms. Shattuck's past work and contributions.

3. Approval of the March 22, 2012 Meeting Minutes

MOTION: Commissioner Pettis moved, seconded by Commissioner Johnson to approve the March 22, 2012 meeting minutes. Motion approved 7-0 (Commissioners Hare, Marian, Smith and Sheridan absent).

4. Update on Audit of Pima County's General Obligation Bond Programs

The County Administrator thanked the Commission for all of their work and commitment to the program and community. Chairman of the Board of Supervisors, Ramon Valadez also addressed the Commission and commended them on their work on the bond program. Larry Hecker, Chairman of the Bond Advisory Committee was also present, and updated the Commission on the progress of the State imposed audit of the County's 1997, 2004 and 2006 General Obligation Bond Programs. Mr. Hecker mentioned that the audit was a colossal waste of taxpayer's money, given the measures of transparency the County has instituted. He said that legislators he met with were amazed at the process in place in the County. There is no other County with the same standards or committees. Mr. Huckelberry said that one of the recommendations of the audit should be that other jurisdictions impose the same level of review and process. This should be viewed as a model for the State, and it should be recommended to the Auditor General that this model should be adopted for every taxing district. The auditors have been very appreciative of the County's responsiveness and cooperation.

Commissioner Prouty asked if this was the first audit of this nature, to which Mr. Huckelberry responded yes. He further added that the auditors were surprised that the County's debt was so short-term compared to other jurisdictions. The draft audit report should be completed by December, with the final report completed in February 2013. The Commission members complimented Supervisor Valadez, Mr. Huckelberry and Mr. Hecker for their work.

5. 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 \$234,000 earmarked for the Tortolita Mountain Park Expansion. Under the 2004 Conservation Acquisition Bond program, there are funds remaining for the Towns of Oro Valley, Sahuarita, and City of Tucson. Funds remaining for the Towns of Oro Valley and Sahuarita are being used for acquisition of State Trust land. Funds remaining for the City of Tucson are being reserved for Painted Hills. There is currently \$6.6 million remaining under Jurisdictional Open Space.

6. Accept 1997/2004 End of Fiscal Year Bond Program Report

Twice a year, the Commission is tasked with reviewing and accepting the bond program update reports. Nicole Fyffe presented the overall brochure and map depicting all projects. Materials are available online and on cd. The Commission received the open space portion of the report for review and approval.

MOTION: Commissioner Prouty moved, seconded by Commissioner Pettis to accept the End of Year bond update report for fiscal year 2011/2012. Motion approved 7-0 (Commissioners Hare, Marian, Smith and Sheridan absent).

7. Proposed amendment to the 2004 Bond Ordinance to add Painted Hills Property to OS1.15 Agua Caliente and Brawley Wash, OS1.16 36th Street Corridor and Valencia, and OS1.17 Habitat at 36th and Kino – Jurisdictional Open Space; City of Tucson

The City of Tucson has funds remaining in three different project areas. The County purchased the Belvedere, Jacob's Trust, Habitat for Humanity, Mission and 36th and Valencia properties under OS1.16. The County purchased three properties under OS1.15 and the Kino and 36th Street property under OS1.17. There is approximately \$100,000 left in OS1.17. The City would like to reserve the remaining funds in these three projects totaling \$3.5 million towards the conservation of Painted Hills. This ordinance amendment would just make the property eligible. The Coalition for Sonoran Desert Protection and the Tucson Mountains Association submitted letters of support.

Ed Verberg, with the Community Water Coalition, spoke in strong support of this bond ordinance amendment. Staff noted that this amendment would also extend the implementation periods to 2014.

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8. Re-appointments to the Commission - Update

Nicole Fyffe reported that only two Commissioners were not on the same schedule through the year 2020. Commissioners Marian and Smith were appointed later than the others. All other Commissioners were reappointed through 2020.

9. General Updates

A. Proposed Development Activities on Bond Parcels: Sherry Ruther said there are no new proposals going through the County's development review process at this time. She provided an updated spreadsheet on past proposals.

B. Catalina/Tortolita Wildlife Corridor:

- State Trust land application to acquire land to expand Tortolita Mountain Park and conserve wildlife corridor: All due diligence has been completed, with an estimated auction date of late November or early December. The Arizona State Parks Conservation Acquisition Board unanimously recommended that the County's Growing Smarter matching grant application be approved. The Arizona State Parks Board will hold their final approval hearing on September 20, 2012 in Phoenix. It is our understanding that there will be about \$16 million remaining in Growing Smarter matching funds after this cycle. The County would like to move forward on a Phase II acquisition that builds upon what we are currently trying to acquire. We

have contacted the Town of Oro Valley for input on the County's draft Phase II acquisition configuration within the Town's Arroyo Grande Plan Area.

- Status of efforts to acquire former Catalina Detention Center land and adjacent 240 acres: Discussions with the Arizona State Land Department (ASLD) have stalled on these two properties. ASLD price expectations are far beyond what the County feels would be appropriate. The County will contact ASLD in six months to see if the status has changed.
 - ADOT/RTA wildlife crossing project: More funding was needed for this project and a request was submitted to the RTA Board for additional monies. The RTA Board did not approve the additional funding, and asked that staff go back and work with land owners that have expressed concern about the fencing. Discussions with property owners of Innovation Park are ongoing.
 - Kelly Ranch – Desert Springs Oro Valley General Plan Amendment: The Town of Oro Valley is considering a request to amend their General Plan for the Desert Springs project. They will be having a public meeting next Thursday.
 - Arroyo Grande: Nothing more to add.
- C. Avra Valley-Interstate 10 Tucson-Tortolita Mountain Wildlife Corridor: Staff and Carolyn Campbell met to see what steps were still needed to move this project forward. It was agreed that a feasibility study may be necessary and could be funded using funds from the Willow Ridge mitigation fund. Staff will work with Ms. Campbell and other stakeholders like Marana to develop a scope of work for the study.
- D. State Trust land conservation efforts within the Town of Sahuarita: The Arizona State Land Department (ASLD) is in ongoing discussions with the Town of Sahuarita regarding land uses on State Trust land along the Santa Cruz River south of Nogales Highway and north of Duval Road. At the time, ASLD had decided to hold the County's pre-application for acquisition of 310 acres with the Santa Cruz River floodway and floodplain until their discussions were resolved. ASLD recently informed the County that they will separate the processes and accept the pre-application for review. This proposed acquisition will use funds from the 2004 Conservation Bond Program under Jurisdictional Open Space monies for the Town and Wastewater funds. If acquired, this acquisition will complete the Town of Sahuarita's bond project.
- E. Marley Ranch: Nothing new to add.
- F. Recent offers to sell to the County: People have continued to contact the County about selling their land, but there is no more open space bond funding available for these purchases. If the property has water or is floodprone, they are forwarded to the Regional Flood Control District (RFCD), since the RFCD has bond funds remaining and has an annual tax levy. This past fiscal year there were several acquisitions made by the RFCD in the Brawley Wash and along the Pantano. There have also been a few donations made to the County. Currently, the owners of the M Diamond Ranch in the San Pedro Valley are in discussions to sell a portion of their property to Oracle Ridge Mine, who would then in turn donate the property to the County for mitigation purposes. The Flood Control District would purchase a portion of the property.

- G. Rosemont Mine: The County continues to actively comment. Augusta Resources submitted an amended feasibility study. Staff are still trying to determine how it will impact the EIS submitted. Rosemont continues to state that the Forest Service and Corps will make a decision on the Final EIS by December.
- H. Saguaro National Park Boundary Adjustment Act H.R. 715: On May 25, 2011, this bill was reintroduced as H.R. 1990. On June 8, 2011, it was referred to the Subcommittee on National Parks, Forests and Public Lands. Additionally, the Sonoran Institute and National Parks and Conservation Association are hosting a workshop to assemble experts to discuss conservation values and prioritize lands adjacent to or near the Park in the Rincon Creek watershed. The purpose is to help decision-makers when evaluating future Park expansion efforts.
- I. SunZia Transmission Line Project: The Bureau of Land Management released the Draft EIS in May for comments. The preferred alternative is sub route 4C2c, which crosses the northeastern corner of Pima County, crossing through the County's A-7 Ranch and the corner of Six Bar Ranch. Pima County submitted comments on August 22nd, adamantly opposed to the preferred alternative.
- J. Sasabe Lateral Project: El Paso Gas, now Kinder Morgan, is proposing to install 60 miles of a 36 inch diameter natural gas pipeline in the Altar Valley. It would link El Paso's existing South Mainline system near Tucson to the US/Mexico border near the town of Sasabe. El Paso is looking at two proposed routes. The West route is through private and State land west of the Buenos Aires National Wildlife Refuge (BANWR). The East route is along the highway right of way across the BANWR. The EIS would be prepared by the Federal Energy Regulatory Commission. County lands that would be impacted include Diamond Bell Ranch, King 98 Ranch, Buckelew Farms and Flood Control properties. The County is currently working on comments.
- K. BLM Solar EIS: The Final EIS was released on July 24, 2012. The U.S. Department of Interior, Bureau of Land Management (BLM) and U.S. Department of Energy are co-lead agencies in preparing the Programmatic EIS. The preferred alternative was the hybrid model that incorporated Solar Energy Zones and Variance area, which identified BLM lands that would be suitable for utility-scale solar energy development projects. It is estimated that Record of Decision will be made by the end of 2012.
- L. Future Bond Election Update: (heard out of sequence after agenda item 4) The County Administrator said that a future bond election depends on the outcome of the audit. He feels that a bond election could occur as soon as November 2013, with emphasis placed on economic development. This could then be followed by a general bond election which would include parks, libraries, and such in November 2014 perhaps. The next Bond Advisory Committee meeting will be on September 21, 2012, at 8:00 a.m. at the County Abrams Public Health Building.

10. Next Commission Meeting

The Commission may need to meet if an acquisition agreement can be reached on the Painted Hills property. If not, the Commission will not need to meet until 6 months from now to meet oversight obligations.

11. Call to the Public

Nicole Fyffe recognized the Arizona Land and Water Trust for their role in bringing the M Diamond Ranch to the County.

12. Adjournment

The meeting adjourned at 3:50 p.m.

DRAFT