

**Pima County Conservation Acquisition Commission  
Meeting**

**Manning House  
Thursday, May 8, 2008  
2:00 p.m.**

**MOTIONS**

**MOTION:** Commissioner Johnson moved, seconded by Commissioner Marshall to approve the February 14, 2008 study session meeting summary. Motion approved 7-0 (Commissioners Hare, Pettis, Prouty and Wilson were absent).

**MOTION:** Commissioner Marshall moved, seconded by Commissioner Corey to approve the acquisition of the 290-acre Cochie Canyon property, located south of the county line and west of Tortolita Mountain Park, for \$2.9 million or \$10,000 an acre. The property is a Habitat Protection Priority highest priority private parcel in the Tortolita Mountain subarea. Motion approved 7-0 (Commissioners Hare, Pettis, Prouty and Wilson were absent).

**MOTION:** Commissioner Johnson moved, seconded by Commissioner Marshall to begin due diligence on the 20-acre Habitat at 36<sup>th</sup> and Kino property, located on the southeast corner of 36<sup>th</sup> Street and Kino Boulevard and identified as Jurisdictional Open Space for the City of Tucson. The applicant is asking for \$1 million. Motion approved 7-0 (Commissioners Hare, Pettis, Prouty and Wilson were absent).

**DIRECTION TO STAFF**

A presentation will be scheduled for the Commission on the Transportation Initiative.

**SUMMARY OF MEETING**

The following is a summary of the May 8, 2008 meeting. Audiotapes of the meeting are available upon request.

1. Roll Call

The Commission meeting began at 2:25 pm.

Commissioners Present

Les Corey  
Jim Marian  
Jan Johnson, Vice Chair  
Rob Marshall  
Tom Sheridan  
Bill Roe, Chair  
Wanda Shattuck

Commissioners Absent

Trevor Hare  
Chuck Pettis  
Tim Prouty  
Helen Wilson

2. Executive Session

None.

3. Approval of the February 14, 2008 Study Session Meeting Summary

**MOTION:** Commissioner Johnson moved, seconded by Commissioner Marshall to approve the February 14, 2008 study session meeting summary. Motion approved 7-0 (Commissioners Hare, Pettis, Prouty and Wilson were absent).

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

Nicole Fyffe reported that \$73.7 million has been expended under the 2004 acquisition Bond program, leaving approximately \$90.5 million, or 55% of the total authorization. Ms. Fyffe summarized the remaining balances of \$18.2 million, or 49% for Community Open Space, \$13.7 million, or 92% for Jurisdictional Open Space, and \$59.2 million, or 52% for Habitat Protection Priorities. For the 1997 Bond program, there are \$3.2 million remaining for Tumamoc Hill and the northwest.

5. Update on Conservation of State Trust Land on Tumamoc Hill

- *Status of applications to the State Land Department for auction of 320 acres and Arizona State Parks for Growing Smarter matching funds.*

Diana Durazo provided the commission an update on the timeline for both applications submitted to ASLD and Arizona State Parks. The due date of the submittal of the application for Growing Smarter matching fund monies is May 30, 2008. The Tumamoc Hill appraisal should be completed by early June and ready for submittal to State Parks by early August. Arizona State Parks will award grant monies in September 2008. Nicole Fyffe stated that Pima County will request that ASLD push back the public auction from early November to after the November election, so that we will know the results of the State Trust land reform initiative.

- *Discussion on 200 acres north of the 320 acres.*  
(Discussed after Federal legislation update)

Nicole Fyffe said that the County did not seek to have the 200 acres reclassified due to the University of Arizona being the beneficiary, and the property being closed to any applications by the Governor in 1990. The 200 acres are included in the State Trust Land Reform Initiative.

David Jacobs, attorney for ASLD, discussed current legislation that can give the University of Arizona discretion over their holdings as beneficiaries, which would include the 200 acres (HB2459).

- *Update on the Federal legislation to conserve the 320 acres on Tumamoc Hill*

Nicole Fyffe reported that the 320 acres of State Trust land the County is currently seeking to acquire could also be part of the Las Cienegas Exchange through the Federal legislation introduced by Congressman Grijalva. Consideration is being given to removing the condemnation clause, and instead making the exchange dependent on the successful conservation of Tumamoc Hill. However, the County would still need to pursue funds to be able to purchase the property.

6. Buenos Aires National Wildlife Refuge State Trust Land Inholding

Nicole Fyffe discussed the 400-acre State Trust land inholding within the boundaries of the Buenos Aires National Wildlife Refuge and ASLD's position on not considering purchase of development rights on this property. This leaves public auction as the only alternative for acquisition of this parcel.

The Commission decided to include this property on the list of reporting updates, but to not pursue acquisition at this time.

7. Presentation on the 2008 State Trust Land Reform Initiative – Conserving Arizona's Land and Water

Carolyn Campbell presented the current language of the proposed State Trust Land Reform initiative, which was worked on collaboratively by the Nature Conservancy, the Governor and the education community. Ms. Campbell explained that 570,000 acres of State Trust lands are mapped throughout Arizona as permanent for protection. These lands cannot be developed and leases will still be valid. The lands mapped as permanent can also be acquired at conservation value. The initiative would make API constitutionally legal. If the initiative is approved by voters in November, it would still require legislation by the State Legislature and amendment of the State Enabling Act by Congress.

8. Laos Property – Altar Valley Subarea

Diana Durazo reported that the County received an application for the sale of 108 acres located south of the County's Madera Highlands property and north of the Buenos Aires National Wildlife Refuge's northern boundary. Ms. Durazo said it is identified as a Habitat Protection Priority highest priority private property and would complete the connection and consolidate holdings in the northern boundary expansion area of Buenos Aires National Wildlife Refuge, with the exception of the State Trust land inholding (discussed earlier). The applicant is asking for \$3,000 per acre or \$324,000. Given the parcel's biological values and pertinent location, and the Commissioner's past desire to consolidate holdings in this area, staff began due diligence.

Kerry Baldwin added that the property is part of the Altar Wash complex and would provide great opportunities for restoration. The property also provides prime habitat for Pima Pineapple Cactus. A survey is now being conducted.

9. Cochie Canyon Property – Tortolita Mountains Subarea

Diana Durazo reported that the County now has a signed acquisition agreement for the purchase of the 290-acre Cochie Canyon property, located south of the County line and west of Tortolita Mountain Park, for \$2.9 million or \$10,000 per acre. Ms. Durazo said the property is a Habitat Protection Priority highest priority private parcel and is also adjacent to State Trust lands identified in the State Trust Land Reform Initiative as permanent for conservation, which connect to Tortolita Mountain Park. Staff recommended approval.

Kerry Baldwin explained the diversity of riparian habitat as well developed and the management issues for this property.

The Commission had a brief discussion on the appraisal and current market condition.

**MOTION:** Commissioner Marshall moved, seconded by Commissioner Corey to approve the acquisition of the 290-acre Cochie Canyon property, located south of the county line and west of Tortolita Mountain Park, for \$2.9 million or \$10,000 an acre. The property is a Habitat Protection Priority highest priority private parcel in the Tortolita Mountain subarea. Motion approved 7-0 (Commissioners Hare, Pettis, Prouty and Wilson were absent).

10. Joshua and Caleb LLC Property – Tortolita Mountains Subarea

Diana Durazo reported that Pima County received an application for the sale of 116 acres identified as highest priority private Habitat Protection Priority at the southeast corner of Lambert Lane and Thornydale Road. Ms. Durazo noted that the owners withdrew this property from the County's rezoning process in March 2008, citing lack of market support for small lot or cluster development. The County understands that the owners paid a total of \$4.71 million for the property through two separate acquisitions in 2005 and 2006. The applicant is asking for \$8,125,000 or \$69,000 per acre. Ms. Durazo said the County Administrator informed the applicant that a preliminary valuation estimate placed the value closer to \$43,000 per acre. Staff has already begun due diligence.

The Commission discussed the asking price as being too high and supported staff in continuing due diligence.

11. Habitat at 36<sup>th</sup> and Kino Blvd. – Jurisdictional Open Space, City of Tucson

Nicole Fyffe reported that the County received an application for the sale of 20 acres, located at the southeast corner of 36<sup>th</sup> Street and Kino Boulevard. The property is identified as Jurisdictional Open Space under the City of Tucson's Habitat at 36<sup>th</sup> and Kino project. The property is owned by KB Homes, and the application reflects an asking price of \$1 million. Staff recommended beginning due diligence.

**MOTION:** Commissioner Johnson moved, seconded by Commissioner Marshall to begin due diligence on the 20-acre Habitat at 36<sup>th</sup> and Kino property, located on the southeast corner of 36<sup>th</sup> Street and Kino Boulevard and identified as Jurisdictional Open Space for the City of Tucson. The applicant is asking for \$1 million. Motion approved 7-0 (Commissioners Hare, Pettis, Prouty and Wilson were absent).

12. Bellota Preservation Corporation Properties – Not eligible for acquisition under the 2004 Bond Program

Nicole Fyffe reported that Pima County received an application for the sale of 2,061 acres of the Bellota Preservation Corporation properties, located adjacent to both the County's A-7 Ranch, Six Bar Ranch, and lands owned by the Nature Conservancy along Buehman Canyon. Ms. Fyffe noted that these parcels are not eligible for acquisition under the 2004 Bond program. The property has a conservation easement over the entire property, except for two 10-acre building envelopes that have not been identified yet, held by TNC. Ms. Fyffe discussed the Commission's past consideration of this property and approval for inclusion in a future bond acquisition program. The County understands that TNC is prepared to deed to the County their 1,000-acre holding in this area if the County acquires the Bellota Preservation Corporation parcels.

Len Scheff, representative for the owner, discussed the values of this property and reasons for the Commission to seriously consider amending the ordinance to acquire the property.

The Commission discussed this opportunity to consolidate holdings in this area, but expressed hesitation in amending the ordinance for 20 acres not under the current conservation easement.

Carolyn Campbell suggested the Commission wait until after the May 23, 2008 Bond Advisory Committee meeting, where a recommendation on whether or not to hold a bond election this year will be made.

The Commission requested that this item be continued until their June 12, 2008 meeting, and asked that the County Administrator be present.

### 13. Updates

- Proposed Development Activities on Bond Parcels: Nicole Fyffe noted that Sherry Ruther provided materials for the Commission's review on development activities.
- Arroyo Grande Conceptual Land Use Plan: Nicole Fyffe reported that if the area were to be developed in Pima County, the project would have to have 68% set aside under the Conservation Lands System. The proposed project has that percentage. However, no assurances to where the open space would be designated in conjunction with development.
- Cortaro Farms Land Property (NW area): Nicole Fyffe said that the owners sold 5.6 acres to the church. The County understands that the owners are now going to go through the Comprehensive Plan amendment process for the remaining 16 acres.
- Habitat for Humanity Property (36<sup>th</sup> Street Corridor): Nicole Fyffe reported that this property will close in mid-June.
- Boa Sorte Property (Brawley Wash): No update.
- Tumamoc Hill: Already discussed today.
- Bloom Property: Nicole Fyffe reported that the 160-acre Bloom property is still in the land exchange language of the Federal legislation.
- Los Morteros: No update.
- Avra/I-10 Wildlife Connection (TEP, Cascada, Union Pacific, ADOT): Staff is now working on the development agreement.
- Las Cienegas Enhancement and Saguaro National Park Boundary Adjustment Act S1341: Already discussed today.
- Catalina/Tortolita connection: Already discussed today.
- Rosemont Mine: The formal comment period will be over July 14, 2008.
- Buenos Aires National Wildlife Refuge Inholding: Already discussed today.
- First United/Sopori Ranch Property: No update.

### 14. Next Commission Meeting

The next scheduled Commission meeting will be on June 12, 2008 at 2:00 pm at the Manning House.

15. Call to the Public

Sean Sullivan, with the Coalition for Sonoran Desert Protection, informed everyone that he had petitions for the State Trust Land Reform Initiative incase anyone wanted to sign it.

16. Adjournment

Meeting adjourned at 4:56pm.