



**Town of Marana Habitat Conservation Plan
Stakeholder Working Group
Thursday, September 13, 2007, 1-3pm
Marana Operations Center, 5100 W. Ina Rd.**

MEETING MINUTES

Attendees: Sherry Barrett, Scott Richardson, Sean Sullivan, Scott Hughes, Thrac Paulette, Jennifer Christelman, Lori Woods, and Colby Henley.

Unable to attend: Liz Petterson, Kent Taylor, Matt Clark, Jason Meininger, Larry Kreis, Gerry Perry, Nancy Ellis, Christina McVie, Mike Zipprich, Kevin Kish, Paul Popelka, David Mehl, Gilbert Davidson, Jaimie Galayda, Gary Abrams, Diana Freshwater, Sarah More.

1. Approval of August 30, 2007 minutes

Minutes approved as presented.

2. Member Introductions

Jennifer introduced two new members of the SWG: Scott Hughes with AZ Rock Products Association and Thrac Paulette representing SAHBA.

3. Updates

Technical Biology Team (TBT)

The TBT's September 5th meeting included a presentation by Brian Powell, the Ecological Monitoring Coordinator with Pima County Natural Resources, Parks and Recreation. For Pima County, the cost to monitor population parameters for all 36 species would be cost prohibitive, so the County is taking a different approach from other HCPs across the country. Pima County is proposing to monitor only a subset of species and focus on monitoring landscape parameters as evidence of biodiversity. Pima County's approach is different partly because other HCPs' monitoring approaches have either not had adequate funding to support monitoring or their monitoring approaches simply didn't provide the needed information. While it utilized the best available science, this approach of monitoring landscape/biodiversity parameters is less concrete and may leave gaps in species information, and because no other HCP has used this approach, the challenge for Pima County is to convince the USFWS that it will be adequate in providing the necessary information.

Pima County has completed just Phase I of their monitoring plan (conceptual foundation, initial parameter list) and recently received a federal grant to work on Phase II (evaluation and refinement of parameter list). Phase III will develop detailed protocols and mechanisms for data collection and analysis. The County would like to work cooperatively with other jurisdictions and agencies in the further development of the plan to take advantage of possible efficiencies of scale and to provide the most ecologically meaningful information. Ideally, the County's approach will provide a modular framework where the Town, or any jurisdiction/agency, could adopt a suite of elements to implement and provide data to the larger monitoring community. Sherry also pointed out that beyond local jurisdictions, the County's monitoring approach follows that of the National Park Service and is likely to be expanded to other federal agencies. One possibility discussed by the TBT was for the Town to provide leadership on certain components, such as with species whose key habitat is within the Town (e.g. Tucson shovel-nosed snake, CFPO, and riparian species).

LLNB Studies

Scott reported that LLNB are starting to be reported at hummingbird feeders and two bats on the east side of Tucson have been fitted with transmitters. One was in the vicinity of Redington Pass and Agua Caliente Canyon, and the signal was lost due to poor road access. The other one, transmitted last week near Colossal Cave, was not successful due to some problem with the transmitter (short range, damage, etc.). The westernmost report of LLNB in the area this year has been in the River and Oracle area. The general consensus among monitors is that there are fewer bats hitting the feeders this year than last.

Upcoming Meeting Schedule

The September 27th meeting will include an update on the latest species conservation measures. Draft Chapters 1 & 2 will also be provided for review and feedback. Jennifer reminded the group that the main review period for the entire document will begin after Oct 31st.

Jennifer mentioned a schedule conflict for some SWG members with the November 8 and December 13 afternoon meetings. There is a potential these will be moved to the morning.

General Plan

The Draft General Plan update (with maps) is currently out on the Town's website for public review. Sean asked that Jennifer send an electronic version of the General Plan with tracked changes showing the edits/modifications to the previous plan.

4. Funding

The group reviewed the potential funding mechanisms discussed at the April 26th SWG meeting (Impact Fees, Mitigation Fees, Development Agreements, General Funds, Sales Tax, Voter-Approved Bonds, State Legislative Actions, Direct Congressional Appropriations, Transfer Of Development Rights, Federal Grants). The group then identified the following funding needs for the HCP: Acquisition, BOMAs, CFPO Augmentation Support, Education Program, Town Staff for Management/Oversight, and Monitoring.

Parcel acquisition was then discussed in the context of the upcoming 2008 Bond Election. A total of 55 parcels, some within the Town Limits, have been identified for open space acquisition under the proposed 2008 Bond. While the Town can't issue bonds, its residents' taxes do contribute to county bond programs, The Town was encouraged to actively campaign for the purchase of parcels within the Town so the Town will be working with Pima County and the USFWS regarding credits for the acquisitions under the HCP. Unfortunately, acquisition of parcels in or near the Town has been difficult due to the high cost of land in the area. It was also suggested that the Town minimize upzoning of desirable parcels to encourage selling for open space. Town staff currently assists Pima County in acquisitions by providing due diligence review of parcels and may be able to encourage acquisition of parcels in the Town by offering staff time to contact landowners regarding voluntary selling.

Sean mentioned that Pima County's Conservation Acquisition Commission (CAC) is considering a number of parcels along the CAP canal previously targeted for reclassification under the Arizona Preserve Initiative (API), but not included in the 2004 bond election, for inclusion in the 2008 proposed bond. Cheryl stated that the Arizona State Lands Department isn't likely to approve new API applications, but it may consider old applications if funding is already identified. Sean said another item before the CAC is a Pima County application for the purchase of development rights from State Lands for the Tortolita Mountain park expansion (6 Sections east of the existing park). The Town

could also submit a similar application for purchase of development rights on State Lands north of Tangerine within the Town Limits. Another opportunity is for the Town to prepare a letter of support for Pima County HCP acquisition for the 4 parcels within the Town. This will solidify the Town's position on prioritizing these parcels for inclusion in the 2008 bond and ultimate acquisition for Town HCP credit.

Sean is working on a map of the low-zoned private parcels east of I-10 and south of Tangerine Road that have been identified as potential for acquisition. Sean will send the SWG a PDF map of the planning area of the 55 parcels identified for the 2008 parcels, the existing Marana preserves, and the former API parcels.

While the CAC has already identified all the parcels for potential acquisition, the next step will be for the bond committee to make a final decision on what is actually included in the 2008 Bond election. The Town could also have influence with the bond committee in pushing for conservation acquisition. The Town could also identify which parcels are priorities for the Town's HCP. The bond committee will begin meeting once per month starting in September through early 2008. Jennifer will contact Pima County regarding the Town's participation in this process.

The SWG then discussed which funding mechanisms were most feasible given the Town's needs and legal constraints. Bonds are legally not an option for the Town. Sales taxes are already high and increases are not politically feasible. Impact fees are possible, but already perceived as high within some areas of the Town. Some SWG members also felt it wouldn't be fair to charge an impact fee on landowners who would also be required to set aside large areas of their parcels. The group discussed the different approaches of spreading the costs equally across all residents versus connecting fees only to those impacts within modeled species habitat. There may be some backlash against fees for activities in areas with no modeled habitat and reduced incentive for voluntary inclusion. No fees in areas with high set aside requirements (east of I-10) would need to be offset with higher fees west of I-10. But there was also a caution against making fees in the farmlands too high and creating incentives to build in more ecologically sensitive areas. There was some question as to the regulatory authority for the Town to use impact fees, so Jennifer will contact the Town Attorney to get clarification.

General funds are typically not encouraged as the primary source of funding, as these are usually reduced during economic downturns. While federal funds can't be used to implement an HCP, the USFWS does offer funding for acquisition of lands to supplement and HCP, but these would be credited toward the HCP.

Another option suggested was a 'bed tax' on hotel rooms. This mechanism is already being used for the Dove Mountain resort to fund the existing Tortolita Preserve lease. This could similarly be applied to hotels along I-10 for overall conservation needs. Jennifer will also explore the regulatory authority for the Town to use this option. Additional options include a real estate transaction fee and committing to preservation Town-owned open space parcels.

Based on the discussion, the options to be advanced include impact fees (indexed to inflation), bed tax, real estate transaction fees, committing Town-owned open space, and partnering with Pima County for partial credit for bond acquisitions.

5. General Announcement

Scott mentioned that the Arizona State Mine Inspector does have a requirement for a reclamation plan for all mines opened since 1997. The plan also has to provide a funding assurance to implement the plan. This would apply to sand and gravel operations within the Santa Cruz River. It does not require closed mine operations to fill in their pits, but it does require natural landscaping to be replaced.

6. Adjourn

Meeting adjourned at 3 pm.

ACTION ITEMS

1. Town Staff

- Send an electronic version of the General Plan with tracked changes showing the edits/modifications to the previous plan to Sean Sullivan.
- Contact Pima County regarding the Town's participation in the CAC and 2008 bonding process. Consider sending a letter of support for parcel acquisition and identifying parcels within the Town.
- Contact the Town Attorney to get clarification on impact fees, bed taxes, and real estate transaction fees.

2. Sean Sullivan

- Send map of parcels identified for acquisition.

NEXT MEETING: Sept 27th, 1:00-3:00 pm, Marana Operations Center.