

HABITAT CONSERVATION PLAN
Technical Advisory Committee
April 4, 2006. 9:00 – 11:00 am
U.S. Fish and Wildlife Service Conference Room
201 North Bonita
Tucson, Arizona 85745-3612

MEETING SUMMARY

Attendees: Rich Glinski, Guy McPherson, Ann Phillips, Linwood Smith, Cathy Crawford (Arizona Game and Fish Department), Mima Falk (U.S. Fish and Wildlife Service), Ralph Marra (Tucson Water Department), Lori Anderson (Coalition for Sonoran Desert Protection), Phil Rosen (University of Arizona), Jennifer Becker (Pima County Flood Control District), Michael Wyneken (City of Tucson – Planning), Leslie Liberti (City of Tucson – City Manager’s Office), Jessica Lee (SWCA)

1) Update on Recent SAC Meetings/Upcoming Meetings

a. Recent/Scheduled SAC Meetings:

- **April 19, 3-5 pm, @ AGFD.**

b. Scheduled TAC Meetings:

- **April 18, 9-11 am, @ AGFD.**
- **First and Third Tuesdays, 9:00 – 11:00 am @ AGFD.**

Leslie noted that the Stakeholder Advisory Committee (SAC) had not met since March 15, thus there was no update to provide to the TAC. She explained that the SAC would be discussing HCP outreach at their next meeting on April 19. She noted that SAC members have expressed concern about the best way to present the Preliminary Draft HCP to the general public, and that a suggestion was given to perhaps focus on specific stakeholder groups first.

2) Old Business

a. Meeting Minutes – March 7, 2006

Leslie asked the TAC if they had any comments or concerns with the meeting minutes. Ralph noted that he had emailed his comments out to the group. Leslie asked if everyone felt comfortable with his suggested edits. The TAC approved the meeting minutes.

b. Santa Cruz River Planning Sub-Area: Existing conditions, other planning efforts, and discussion (Continued)

Leslie explained that she hopes that the TAC can start identifying locations along the Santa Cruz River corridor that contain decent habitat for the eight species of concern in the HCP. The preliminary status of the U.S. Army Corps of Engineers (USACE) restoration plans do not provide sufficient detail, thus the TAC decided at a previous meeting to look at the planning sub-area in more detail, independent of the restoration

projects. The idea is to identify: (1) areas with habitat value; (2) areas that could be enhanced; and (3) areas with little existing habitat that could be restored that would be included in recommendations to USACE for their restoration efforts. She further noted that evaluating the planning sub-area with these three categories in mind would help tie the restoration efforts to the HCP. She said that the other goal for the TAC is to devise interim development guidelines for the Santa Cruz River corridor that would be put into effect before the HCP is finalized and approved.

Leslie introduced Phil Rosen (University of Arizona) and Jennifer Becker (Pima County Regional Flood Control District) and noted that they were invited to attend the meeting because of their familiarity with the Santa Cruz River and the USACE restoration projects.

The TAC spent the remainder of the meeting reviewing the Hillshade models and 2005 aerials of the southern portion of the Santa Cruz River planning sub-area. Leslie noted that the locations of burrowing owls/burrows, reclaimed water systems, and storm-water discharge points are all indicated on the Hillshade models. She indicated that the TAC should try to identify unique habitat areas that may contain species of interest that might not occur elsewhere in the planning area.

Phil noted that amphibians are found in the San Xavier sand and gravel pit south of Los Reales Road. He suggested that the amphibians should be recovered for a summer or two before any alterations would occur in the pit, and then be reintroduced after such action occurred. He also noted a small area on the east side of the river, south of Valencia Road, where he has found amphibians. He noted that these areas contain the second-best amphibian habitat in the planning sub-area, the West Branch containing the best habitat. He said that these species require temporary water to be present. Leslie made notes directly onto the maps. Jennifer noted that activities within the sand and gravel pit have ceased, and that the operators were only washing gravel recently, but stopped approximately two years ago. Phil said that he believes the site has generally been abandoned for 5-15 years. He noted two spadefoot toad species that were present. Mima asked how these species got there. Phil said that these species are native to the river channel and that he believes the water source is from localized rainwater run-off. Ralph noted that there used to be significant groundwater pumping on that site. He suggested that since the area currently has cattails and willows, it might be an area with a more shallow water source. He estimated depth to groundwater in this area is likely to be significant, but that there may be some seeps in the area due to sub-surface fracturing or perching. Jennifer said that she heard that the sand and gravel operator bottomed out in the pit on clay layers. Phil noted that the San Xavier amphibian populations might be able to recolonize this area if it was extremely altered, however, he suggested releasing the amphibians to the Ajo Retention Basin if Arizona Game and Fish Department (AGFD) would permit it. The longer water stays on the property, the more established predator species become. Mima asked if any bullfrogs have been observed in the area. Phil said that he personally has not seen any, but if the sources of perennial water were increased, it would be likely that bullfrogs from nearby areas might invade the area. He explained that a few bullfrogs have migrated into the West Branch, thus it is assumed that there must be populations in Kennedy Park, Avra Valley, and within the Santa Cruz River near the Roger Road and Marana Sewage Treatment Facilities.

Leslie noted that the sand and gravel pit area is mostly privately held, except for a small portion that is owned by Pima County. Ann noted that the biological recommendations for the sand and gravel pit might fall into the TAC interim developments guidelines. She suggested that the TAC should also consider land ownership as they evaluate the planning sub-area. Jennifer noted that the TAC should still identify areas on private land that should be saved. Leslie noted that the developer who is interested in this piece of land is proposing residential and commercial development. Jennifer noted that there is no bank protection in this area. Phil noted that for amphibians, it would be good to allow this area to have a more natural flood plain so that there could be occasional bank overflow. Phil also noted that this area would be a valuable purchase for Pima County or the City. Ralph noted that over-bank flooding might pose a potential problem with mosquitoes. Jennifer explained that at the Kino site, Pima County suspects that mosquito populations generally came from nearby neighborhoods, and not from the retention basin, which are managed and monitored for mosquito control. Phil noted that he has been working with mosquito control in areas like these and that tadpole shrimp and spadefoot toads eat mosquitoes.

Jennifer noted that Pima County discussed with the developer the request to leave the area near Santa Clara Wash undeveloped, that with the Paseo de las Iglesias restoration project it has been suggested to use this area for water harvesting and restoration. Rich suggested marking this area as needing interim “developing guidelines” so the discussion could move on. Ann suggested looking at each area as if it were both public and private, so that the TAC could create a list of what is desired for each area. Leslie noted that the TAC should indeed look at both private and public lands, because not all of the lands may be held by the City of Tucson in the future. For example, the Barclay development is getting City land in exchange for providing improvements. Ann noted that the San Xavier sand and gravel pit does have biological functions now. Phil stressed that this area should be considered, in his mind, to be the highest priority to purchase and that any development would likely take away its current habitat value, because the pit would be filled in.

Ann suggested saving any hydriparian/mesoriarian areas that are greater than 5 acres of continuous land. She also noted that the vegetation in this area indicates that, hydrologically, something is going on in the subsurface, and thus should be evaluated closer. She suggested developing a set of principles to guide the TAC when evaluating the planning sub-area, which should include focusing on any place where vegetation currently exists. Mima asked who the zoning authority is for this development. Leslie said that the City is responsible, and noted that the Santa Cruz River does not have Environmental Resource Zone (ERZ) or Watercourse Amenities, Safety and Habitat (WASH) designations. Jennifer noted that the artificial channel south of the sand and gravel pit carries a substantial amount of water during rain events. She also noted an El Paso Natural Gas (EPNG) pipeline that crosses south of the pit, and suggested that the presence of the pipeline would provide a development buffer and could have restoration enhancement potential.

Mima asked about the jurisdictional authority within the river. Jennifer noted that the City has authority. In a few reaches, Pima County has installed bank protection, and in those reached the County retains management responsibilities. She added that private developers can construct their own bank protection, and then the future maintenance is typically turned over to the County or City. Leslie noted that City Development Services and Transportation Departments review any proposals that may affect floodways. Leslie

said that it is often in the rezoning stage where the City could strike a compromise with the developers. Leslie said that the City could require developers to stay out of ERZ and WASH protected washes and the area within the erosion hazard setback zone. She said that in some cases, this zone extends far into the property. Thus, unless bank protection is constructed, it would push development further from the bank of the river. Ann asked if there was any way to take draconian-type measures in making it difficult for developer interest in the San Xavier sand and gravel pit, so that the owner would opt to sell the land to Pima County. Leslie explained that it depends on political pressure, for example, whether a Council Member or the City Manager would side with the developer. Jennifer noted that the developer never clarified where soil would come from to fill the pit. She noted that perhaps the developer is anticipating using soil removed during the construction of bank protection as part of the Paseo de las Iglesias restoration project. Leslie suggested including this site in the planned field trips in May.

Jennifer noted that, according to preliminary Paseo de las Iglesias restoration project plans, almost no piece of vacant land immediately adjacent to the river is left untouched. The only areas that would not be altered are the mesquite bosque across from Pima College and along the West Branch. She noted that there are other areas that should be protected, for example, the burrowing owl habitat south of Dakota Wash and the area near Airport Wash. Phil noted that an important point is to protect enough area to maintain a viable landscape and populations. Mima voiced concern that the TAC does not know enough information about the planning sub-area at this point to really make valuable recommendations on which areas to save. Rich agreed. Phil noted that there is remnant habitat in places that could be managed and monitored and that planning could try to connect them to larger pieces of land, but that all of these areas need restoration work. He explained that the area near the Interstates 10 and 19 interchange has residual habitat value, and pointed out the Tucson Water TARP Treatment facility near there. He also noted land near Julian Wash that could be considered to have value. He circled all of these areas on the ortho map. Jennifer suggested that if Pima County is not able to purchase the San Xavier sand and gravel pit, that the County would attempt to acquire land elsewhere.

Ralph noted that an old landfill exists in this area, and that VOCs have been detected. He also said that subsurface soils information is available for this area because Tucson Water conducted soil borings in this area about 15 years ago when looking for potential recharge areas along the east bank near the Ryland Landfill.

When asked what the odds were that the Paseo de las Iglesias restoration project would be funded, Jennifer said that she is not sure. She noted that if the Paseo de las Iglesias restoration project does not happen, Pima County has approximately \$16 million in bond funds available to do 20-year flood level bank protection for the Ajo Highway to 29th Street section of the river. Ann suggested that the TAC members evaluate the planning sub-area and devise suggestions, assuming that the Paseo de las Iglesias restoration project would not get funded. She then listed a set of principles that she came up with that perhaps the TAC should use when evaluating land; (1) Identify existing faunal and floral species; (2) Create the most useful, cheapest action to maintain its habitat value; (3) Identify new water sources; (4) Preserve the sinuosity of the river when possible; (5) Manage invasive plants. She noted that bank stabilization could be constructed 100 feet back from the river channel, thus the streambed could be left alone to fluctuate.

Ann mentioned that there is a Water Protection Fund grant coming up that might have funds for a local, grassroots approach to manage the river. She stressed that it would be wiser to use local jurisdiction money to clean up the landfill and to do nice landscaping along the Santa Cruz River Park, but to keep the majority of the restoration efforts low-cost. Phil said that the natural function of the river is so destructive that the existing habitat within the channel is of poor quality. Phil explained that if we want to keep this area as open space, that first it would need to be changed, and secondly it would require a lot of maintenance. He noted that the natural functions of the river have long since been lost because the former floodplain was a mile wide. Jennifer noted that the TAC needs to keep in mind what people want in general, or it would be politically difficult to keep the open space. She explained that the funding obligations for the Paseo de las Iglesias restoration project require USACE to cover two-thirds of the projected budget of \$92 million; that leaves \$30 million dollars for the local jurisdictions to pay. She said that the value of the public land along this section of the river is approximately \$26 million; so the local cash contribution would be \$4 million. She noted that USACE's restoration is a managed, not self-sustaining, approach, and is also quite costly. Phil said that he would like to see the plan modified to take advantage of the floodwaters and to use rainwater wisely, then supplement the area with the USACE "manicured" approach. Jennifer agreed, saying that she would like to see irrigation used only at seasonally appropriate times. She noted that the Paseo de las Iglesias restoration project also includes the Santa Cruz River Park. She suggested looking at the Ajo Retention Basin.

Ann stressed that she is interested in making decisions that would affect the river now, unlike the decisions that have been going on for years. She noted that we could start doing low-tech efforts now, such as the removal of invasive species. Jennifer noted that Pima County has taken action to save large trees along the West Branch using irrigation.

Leslie noted that there are many things going on with the river, but asked the TAC to bring the discussion back to concerns directly related to the HCP. She posed the following questions to the TAC: (1) Would there be any concern for ESA "take" issues if development were to occur along the Santa Cruz River? (2) What development guidelines are appropriate, either on an interim basis prior to the approval of an HCP or ensure environmental sensitivity of projects in place of HCP if it is not warranted? (3) What guidelines should be recommended to USACE and the local sponsors of the restoration projects to ensure the end result is consistent with the HCP and maximizes the habitat value for local species? (4) What species would need to be covered under Safe Harbor Agreements (SHA) or Candidate Conservation Agreements (CCA) if the restoration does occur?. She noted that the erosion zone is 500 feet back from the bank and that it would be less if there were bank protection.

Leslie stressed that if the federal restoration projects are going to be implemented, the TAC needs to provide detailed recommendations to USACE and the local sponsors. Rich said that he does not think there are any "take" concerns within the planning sub-area, and that his main concern would be providing connectivity for the HCP species. If restoration were planned correctly, then connectivity would be improved. Mima noted that because there are currently no "take" issues, there are no mitigation requirements. She said that the concern now should be potential future "take" of listed species that move into the river area as a result of the restoration efforts. However, she said that she thinks that large-scale restoration might not have direct relevance to the HCP. She noted that the river is very channelized, and extremely active and destructive when flowing. Due to the restriction of the floodplain, the river is going to continue to degrade and

scour. Leslie agrees that SHA/CCA discussions should be linked to authorization and engineering of specific projects.

Rich emphasized that the TAC might be one of the only groups currently, and even into the near future, to take such a large-scale view with the greatest detail of the Santa Cruz River corridor. Jennifer noted that the City Economic Development Department plans were to push development, and she believes that the Barclay development is one of those projects. She suggested that the TAC should also look into other areas that the department has future plans for, including any Tucson Water projects.

3) New Business

- a. *None*

4) Call to the Public

No members of the public spoke up.

5) Next Steps/ Future Meetings

Leslie passed out the TAC meeting schedule for the rest of the year. She explained that since there are no “take” issues to discuss, at the next meeting the discussion should shift to identifying interim development guidelines for along the Santa Cruz River. She said that it would be good to identify areas to include in the May fieldtrips. Mima noted that the San Xavier restoration project was partially funded through the Partners for Fish and Wildlife grant, thus the TAC should be able to access the site.

Leslie noted that the TAC could not officially start talking about the expanded HCP planning area until the IGA is in place, hopefully in a few weeks. She noted that SWCA would be putting together initial species lists and suggestions for possible habitat modeling, and that the City would be providing the maps. Leslie noted that the City would provide a list of Capital Improvement Projects (CIP) in June, so that the TAC could see if any of these projects would need to be included in the expanded planning area. She noted that, according to the schedule, the TAC would then switch back to Avra Valley discussions in July to begin finalizing the HCP for that planning sub-area.

Leslie handed out copies of Mike Ingraldi’s proposed scope of work, “Baseline residue of organochlorine insecticides within Burrowing Owls nesting in Avra Valley and Does the herbicide Roundup bioaccumulate within the tissues of burrowing Owls?” Leslie noted the proposed budget, and said that the TAC would have to decide how best to spend the research funding. Cathy noted that AGFD might not be able to do the actual fieldwork, due to the agency’s relationship to the HCP grant. She said that she would look into it further. The TAC requested to see Travis Bean’s proposal for the buffelgrass monitoring project and Marc Baker’s proposal for additional cacti surveys in the expanded planning area for their next meeting so that they could discuss how to best spend the money.

Leslie noted that portions of a Partners for Fish and Wildlife grant might get shifted to help pay for buffelgrass eradication on Tumamoc Hill and A Mountain since it cannot pay

for City staff time. Jennifer noted that there have been volunteer efforts to remove buffelgrass along the river between Ajo Highway and 29th Street. Leslie pointed out that Harold Maxwell (Tucson Water) noted that there is a 10-day window between when buffelgrass greens up and when it would need to be sprayed with herbicide. She said that this time window gives AGFD personnel time to go out and look for burrowing owls before the area is sprayed. She noted that, according to Ingraldi's proposal, burrowing owl eggs would need to be collected in April, so the TAC would need to decide how to spend research funding soon.

The next TAC meeting is April 18, 9-11am at AGFD. The next SAC meeting is April 19, 3-5pm, at AGFD.