

**Stakeholder Advisory Committee Meeting Summary**  
**October 19, 2004 1:00 – 4:00 pm**  
**City of Tucson Planning and Urban Design Conference Room**

Attendees: Sherry Barrett (USFWS), David Goldstein (Diamond Ventures), Marit Alanen (alternate for Arizona Game and Fish Department), Cheryl Doyle (Arizona State Land Department), Carolyn Campbell (Coalition for Sonoran Desert Protection), Brooks Keenan (City of Tucson – Transportation), Lori Lustig (SAHBA), Karen La Martina (Tucson Water), Michael Wyneken (City of Tucson – Planning), Melissa Antol (City of Tucson – Planning), Rafael Sebba (City of Tucson – Planning), Leslie Liberti (SWCA), Ken Kingsley (SWCA)

### **1. Introductions**

Everyone on the committee introduced himself/herself. Most Stakeholder Advisory Committee (SAC) members were in attendance. SAC members absent at this meeting were Kathleen Longnecker (Metro Pima Alliance), Nina Chambers (Sonoran Institute), Karen Masbruch (City of Tucson – Environmental Services) and ex-officio members James Stahle (Town of Sahuarita), Gerry Perry (Arizona Game and Fish Department), Michael Reuwsaat (Town of Marana), and Dennis Alvarez (Arizona Department of Transportation). The alternate TAC member for Arizona Game and Fish (Marit Alanen) was present.

### **2. SAC comments on Handouts from August Meeting**

Carolyn requested that agendas for a SAC meeting be sent out prior to the meeting. She stated that she would like more time to review the charter and technical memo that were handed out at the August meeting. Melissa said that she would send an email reminder to the SAC in about a week to request any comments that the group members might have on these two documents.

### **3. SAC representation**

Michael noted that at the previous meeting, Carolyn had expressed concerns regarding representation on the SAC. Carolyn stated that there needed to be good representation of affected interests on the SAC and that she was concerned by the fact that City staff comprised nearly 50% of the SAC. Carolyn thought the high percentage of applicant representatives on an HCP advisory committee was unusual. Sherry said that she hadn't seen this type of situation before but that there was nothing illegal about it.

Carolyn had faxed a list of suggestions of new members for the SAC. A copy of the list was handed out to the other team members and included Nancy Zierenburg with Arizona Native Plant Society (ANPS), Patty Richardson with Tucson Association of Realtors, Joy Herr-Cardillo for Arizona Center for Law in the Public Interest, and Rob Marshall with the Nature Conservancy (TNC).

Michael reminded everyone that TNC had been invited and was unable to participate due to staff workloads. Michael felt that development interests are adequately represented by Diamond Ventures, Metro Pima Alliance, and SAHBA representation on the SAC. He was very concerned about adding an attorney to the SAC since the City would then need to have legal representation on the committee as well. Michael also felt that since the ANPS was a member of the Coalition, Carolyn's involvement on the SAC addressed that group since Carolyn keeps all of the Coalition member groups informed about her involvement in local HCPs. Carolyn said

that this was true, but felt that ANPS had specific expertise that would be valuable to the SAC.

Leslie explained that SWCA and the City Planning staff had identified representation needs based on potential landowners/developers within the planning area, the resources within or near the planning area (i.e., Santa Cruz River, Pima pineapple cactus, pygmy-owls), and groups/agencies likely to be involved in the implementation of projects within the planning area (i.e., Tucson Water, Tucson Environmental Services, Tucson Department of Transportation, Parks and Recreation). She noted that the only interests that did not seem adequately represented were those associated with the Santa Cruz River. Michael said that, based on this assessment, Larry Marshall with the Santa Cruz Valley National Heritage Alliance would be a welcome addition to the SAC.

Michael asked David and Lori whether there were any issues on which the Realtors had a differing stance than did the development community. David responded that the question is really whether or not the City wants to expand the SAC. He suggested that, if the City did want more representatives on the team, a group to consider including is the Southern Arizona Leadership Council. Lori added that she did not know whether Patti Richardson would be willing to serve on the SAC because she might be burned out after the SDCP process. In addition, Lori noted that she regularly talks with Patti and kept her informed about what was going on with the City HCP. Lori was concerned that allowing additions to the membership of the SAC to be recommended by one or a few people would mean that membership changes could be recommended by anyone, and that would make it difficult to determine a reasonable stopping point.

David felt that it might be good to have a few more people on the SAC. He noted that given the length of period over which the SAC would be meeting, by having a larger group the City would be more likely to maintain sufficient participation throughout the planning process. Carolyn added that she would recommend the addition of just three or four more SAC members. Brooks suggested that rather than picking individuals to be added to the SAC, a better approach would be to select the organization and then let that organization choose the representative they wanted on the SAC.

David suggested inviting Pima Association of Governments (PAG). Leslie responded that 4 groups had now been recommended during the discussion: of Carolyn's four recommendations she seemed to feel that the ANPS was the most critical, David suggested the Southern Arizona Leadership Council and PAG, and Larry Marshall with the Santa Cruz Valley National Heritage Alliance had already been asked and had accepted the invitation. Michael agreed that these four groups were good suggestions.

Lori pointed out that additional people did not necessarily have to sit on the committee, but should be informed of the process and committee meetings by means of an email list. Karen thought this was a good idea. Sherry asked if the email list would be instead of adding the four new members to the SAC. Leslie replied that she was thinking of using the email list in addition to inviting the participation of the four new members.

Marit offered the Arizona Game and Fish conference room since future meetings were likely to have a larger number of attendees.

#### 4. Conservation targets

Two handouts were provided to the SAC concerning potential conservation targets. The first is a spreadsheet summarizing all of the recommendations made by TAC members with respect to identifying and appropriately categorizing potential target species. The second handout is a sheet that listed, for each conservation category, the species that fell into that category.

Leslie explained that the initial list of conservation targets (as seen in the report on the website) was developed by SWCA and represented a summary of existing information. This initial list, which was handed out to the TAC at their first meeting (August 4, 2004) and at the first SAC meeting (August 24, 2004), includes no input from either advisory group. At both of the subsequent TAC meetings (September 2, 2004 and September 30, 2004), the group provided recommendations regarding: (1) species that should be added to the list, (2) the occurrence of each species within the planning area (specifically, present or absent and, if present, which of the three planning areas the species was found or potentially found in), (3) listing potential for currently unlisted species, and (4) likelihood that aquatic and riparian-associated species could naturally recolonize the Santa Cruz River if portions were restored to suitable habitat. These recommendations were used to revise the species categorizations. The spreadsheet provided to the group summarized these recommendations. The spreadsheet only includes those species for which some change in occurrence, listing potential, and/or categorization was made. For each species, the initial occurrence and listing potential were provided along with the recommended changes in occurrence and listing potential. The category change, if any, which resulted from these recommendations, was also noted in the spreadsheet.

The 1-page summary list shows the resulting species categorizations after the TAC recommendations were addressed. All species were grouped into one of four categories:

- **Potential HCP targets** – species that are present or have potential to be present within the planning area and are currently listed or likely to become listed within the next 5 to 10 years.
- **Potential Safe Harbor or Candidate Conservation Agreement targets** - species currently listed or likely to become listed within the next 5 to 10 years and which are not present within the planning area but could recolonize if potential habitat were created or restored as part of one of the three Army Corps of Engineers river restoration projects.
- **Potential species for voluntary conservation recommendation** - species which are not likely to become listed within the next 5 to 10 years and are present, have potential to be present, or could recolonize within the planning area if habitat is restored along the Santa Cruz River.
- **Species not appropriate for consideration in this planning process** – species that are absent from the planning area and for which suitable habitat will not or could not be created as part of restoration efforts along the Santa Cruz River.

Leslie noted that five species – four bats and a fish – were marked with an asterisk. These species had not yet been confirmed in their categories by consensus of the TAC but were shown in the category in which the TAC would most likely place them.

Leslie emphasized that anyone wishing to see the evolution of the conservation target list could compare the 2004 report on the City's HCP website with the summary list just handed out to the SAC. The difference between these two lists, in terms of species categorization, is explained by

the TAC recommendations that are summarized in the spreadsheet handout. Other changes that did not alter the final categorization of a species, such as in which specific planning areas in which the species could potentially occur, are also noted in the TAC recommendation summary spreadsheet.

Leslie then went through each of the changes recommended by the TAC.

- **Species Present or with Potential to Occur in Planning Area and Listed or Likely to be Listed**

Cactus Ferruginous Pygmy-Owl

The pygmy-owl was originally considered as having potential habitat in the Avra Valley portion of the planning area. The TAC felt that the Santa Cruz River also comprised potential habitat so this area was added for consideration. In addition, given the ongoing discussions of augmentation, the TAC felt that there was a potential for dispersing pygmy-owls to cross the Southlands. The TAC recommended that the Southlands also be added as potential habitat for the owl, pending augmentation.

David did not think that Southlands could be appropriately characterized as potential pygmy-owl habitat and did not like the fact that the TAC had done so. Sherry noted that there had been a pygmy-owl around Green Valley last summer and so there was potential for owls in that area. Marit also pointed out that this female pygmy-owl had been documented dispersing a far greater distance than had ever been recorded. Sherry said that this female had traveled approximately 80 miles.

Leslie added that it was important in early stages of conservation planning to take a very conservative approach. Including the pygmy-owl as a potential conservation target for the Southlands does not mean that there will necessarily be mitigation requirements imposed on development in this area. The purpose of recognizing the potential for augmented pygmy-owls to disperse through the Southlands is to ensure that there are no surprises for the City if the augmentation takes place and to adequately assess and address the impacts, if any, that an augmentation effort might have on this portion of the City's planning area.

Yellow-billed Cuckoo

Leslie noted that the only changes in the cuckoo status were to expand the area considered as potential habitat from just Avra Valley to include the Santa Cruz River and also to recognize that the cuckoo has actually been documented at some locations within these areas, so the species is considered present rather than simply having potential habitat in both of these areas.

Marit asked why the cuckoo shows up in two different categories, here and under "potential to recolonize naturally if habitat is created/restored." Leslie explained that the later category captured those species that might be attracted to the planning area if any of the Army Corps of Engineers river restoration projects are implemented. These species are potential targets for Safe Harbor or Candidate Conservation Agreements, which can address both species that do not currently occupy an area but are drawn in as a result of restoration activities, and also species that do currently occupy an area but will occur in higher numbers as a result of restoration. The cuckoo has been documented in the planning area but there is also the potential for greater numbers to occur if suitable habitat is restored. The species is therefore being considered in both categories until the planning team, TAC, and SAC determine the

best approach to addressing this species (HCP or SHA).

Pale Townsend's Big-Eared Bat

The only change with respect to the pale Townsend's bat was to expand the potential habitat area to include the Santa Cruz River, in addition to the Southlands and Avra Valley.

Leslie summarized by noting that none of the changes made by the TAC resulted in a change in status for any species in this "Potential HCP target" category.

- **Species Present or with Potential to Occur in Planning Area but Not Likely to be Listed**

Needle-Spined Pineapple Cactus

Leslie explained that this cactus species had initially been considered "not likely to be listed" however, Mima felt that development north of Interstate-10 in the Houghton/Southlands area may be affecting known populations and this could make the protection of any populations south of I-10, if they existed, important in maintaining a viable population. Mima recommended that the species be re-categorized as an HCP target on the basis that is likely to become listed within 5 to 10 years and the TAC concurred with this change.

David asked how this species differed from the Pima pineapple cactus. Ken replied that the needle-spined pineapple cactus utilized a different habitat than the PPC, and had several biological differences.

Great Plains Narrow-Mouthed Toad

The only change with respect to this species was to include the Santa Cruz River as known habitat, in addition to considering the Southlands as potential habitat.

Pima Indian Mallow

This species had originally been categorized as potential for the Santa Cruz River and Avra Valley. Mima, however, was comfortable in saying that the species was absent from the planning area. This species, then, would not be further considered in the conservation planning process.

Peregrine Falcon

The occurrence of the falcon was changed from potentially occurring along the Santa Cruz River to include known occurrence in the Avra Valley. The categorization of this species did not change.

Red-Backed Whiptail, Tropical Kingbird, Greater Western Mastiff Bat, Desert Box Turtle, Western Yellow Bat, and Western Red Bat

All of these species were initially considered to have potential habitat in the planning area and upon further consideration by the TAC it was decided that they were all, in fact, absent from the City's HCP planning area.

- **Species Listed or Likely to be Listed and With Potential to Recolonize Planning Area if Habitat is Created or Restored**

Leslie explained the difference between the next two categories with respect to how they are considered in the planning process. Species in the first category, which are likely to naturally

recolonize the planning area if habitat is created or restored, are potential candidates for a Safe Harbor (SHA) or Candidate Conservation Agreement (CCA). Species are considered as potential for recolonization if there are existing populations nearby that could serve as a source population for the planning area or if the species was covered under or proposed for an SHA/CCA. On the other hand, species in the next category were not considered to have the potential to naturally show up in the planning area even if their habitat is restored. These species are not candidates for an SHA/CCA but will be considered only in the context of voluntary conservation recommendations.

#### Yuma Clapper Rail

Based on a more thorough consideration of the types of habitat likely to be restored as part of one or more of the Army Corps of Engineers restorations projects, it was decided that the cattail-dominated marsh habitat that this species inhabits would never be present in a sufficiently large area to support the bird other than as an accidental. This species was then removed as a potential SHA/CCA target and is now considered absent, with no restoration potential.

- **Species Listed or Likely to be Listed and With Potential to Recolonize Planning Area Only if Habitat is Created or Restored and the Species is Introduced**

#### Gila Topminnow

Initially, the topminnow was seen as likely to show up within the planning area only through reintroduction and was not considered to have potential for natural recolonization. Arizona Department of Transportation is working on a state-wide SHA with Fish and Wildlife Service and the result of this agreement might be the reintroduction of the fish into the Santa Cruz basin in areas near enough to serve as a population source for the portion of the Santa Cruz River within Tucson. Also, Gila topminnows are known to occur upstream from Tucson in the Santa Cruz River and in Cienega Creek, and could be dispersed by floods. The probability of reintroductions, therefore, resulted in the species being recategorized as likely to recolonize naturally if habitat is created within the planning area.

#### Huachuca Water Umbel

Like the Gila topminnow, the water umbel may also be the subject of an SHA. According to Mima, Pima County has discussed with Fish and Wildlife Service the idea of reintroducing this species in the Santa Cruz River. Although, there are no concrete plans in place currently for doing so, the possible reintroduction of this species makes it more likely that it could naturally recolonize within the planning area if habitat were restored. This species was recategorized accordingly.

#### Loach Minnow, Spikedace, Chiricuahua leopard frog, Gila Chub, and Sonora Sucker

All five of these species were originally considered to have potential to recolonize the planning area if appropriate habitat were restored. Upon further discussion, it was decided that the river restoration projects would not create sufficient amounts of suitable habitat for any of these species to ever occur within the planning area. All five species were moved to the “absent with no restoration potential” category.

#### Lowland leopard frog, Mexican garter snake, and Merriam’s Mouse

These three species, on the other hand, were originally not considered likely to recolonize the planning area unless they were reintroduced. The TAC determined that each of these

species had a reasonable potential for natural recolonization within the planning area. All three species were recategorized as such, unless any information surfaces that would indicate otherwise.

- **Species Not Likely to be Listed and With Potential to Recolonize Planning Area Only if Habitat is Created or Restored and the Species is Introduced**

American Bittern, Longfin Dace, Desert Sucker

These three species were also considered to have potential to recolonize the planning area if appropriate habitat were restored. Like other fish and marsh birds, it was decided that the river restoration projects would not create sufficient amounts of suitable habitat for any of these species to ever occur within the planning area. All three species were moved to the “absent with no restoration potential” category.

- **Species Absent from the Planning Area**

Nichols Turk’s Head Cactus

This cactus was the subject of some discussion regarding its likelihood for occurrence within the Southlands. Marit found an HDMS report of this species within 2 miles of the Southlands planning area. First impressions were that the report was reliable. Mima, however, had gone out to the supposed site with the individual who had reported seeing the cactus. Not only were they unable to find a Nichols Turk’s head cactus, but Mima said that she would not have considered the area they were looking in to be suitable habitat for this species. The final determination was, therefore, that the HDMS report was the result of a mis-identification and the species was indeed absent from the planning area.

- **New Species Recommended by the TAC**

Desert night-blooming Cereus, Thornber Fishhook Cactus, and Pink Flower Hedgehog Cactus

Marit ran a search for all Heritage Data Management System (HDMS) records within a mile of the planning area. These three species showed up in that search and Marit suggested that the TAC consider them for inclusion in the planning process. None of the species were listed or were determined to be likely to be listed within 5 to 10 years so the three plants will be considered only as voluntary conservation recommendations.

Carolyn asked why these three species were tracked in HDMS. Marit explained that the HDMS kept track of them because they are salvage restricted by the Arizona Department of Agriculture. Carolyn asked what this status meant. Ken replied that this designation simply means that they are protected as property because they are subject to theft or vandalism, and if someone wants to clear their property, they have to get a permit to remove salvage restricted species, if the property is over one acre in size. He added that this is a very broad designation that includes all cacti, including species such as barrel cacti, with the exception of those with more restrictive status, i.e., highly safeguarded species.

Silver-Haired Bat, California Myotis, Big Brown Bat, Mexican (Brazilian) Free-Tailed Bat, Yuma Myotis, Western Small-Footed Myotis, Western Pipistrelle, Spotted Bat, Pallid Bat, Big Free-Tailed Bat, and Pocketed Free-Tailed Bat

Marit also talked to Tim Snow about whether there were any additional bat species that might occur within the planning area. Tim suggested these eleven species based on the Bat

Working Group Report findings. All of these species are, at this point, being considered not likely to be listed in 5 to 10 years. Trevor did ask for additional information on the four species (big free-tailed bat, spotted bat, Yuma myotis, and western small-footed myotis) that are classified as Species of Concern by the Fish and Wildlife Service. Based on data from the HDMS and the Bat Working Group Report, it seems unlikely that the status of these four species will change, but Leslie noted that the TAC had not had the opportunity to review this additional information yet. All of the bats, therefore, will be considered only as voluntary conservation recommendations.

#### Banded Sand Snake and Western Blind Snake

Ann noted that Phil Rosen had found these two species at or near the Simpson Farms property (part of the Avra Valley planning area). Neither of these two species, which are not tracked in HDMS, is considered likely to become listed within 5 to 10 years. Like the bats, these snakes will be included in the planning process as targets for voluntary conservation recommendations.

#### Desert Iguana

According to Ann, this species has been reported along the Santa Cruz River. The iguana is not likely to be listed and will be considered for voluntary conservation recommendations.

#### Cassin's Sparrow and Botteri's Sparrow

Linwood recommended consideration of these two species based on their similarity to the rufous-winged sparrow, which is a Priority Vulnerable Species in the Sonoran Desert Conservation Plan. Neither of these species is likely to become listed within 5 to 10 years and, like all of the other additional species recommended by the TAC, it will be considered as a target for voluntary conservation recommendations.

Michael asked Leslie to clarify what was intended with the conservation recommendation category. Leslie explained that species that fell in this category are those that are present or have potential to occur within the planning area – or to occur if habitat is restored – but were judged not likely to be listed in the next 5 to 10 years, as determined by consideration of the five USFWS listing criteria. Since these species were not a concern with respect to Endangered Species Act compliance, they would not be considered for HCP coverage based on the criteria described in the SAC charter.

The City acknowledges, however, that some species, even if they are not currently a concern for listing, might have other value to the community, for example as a keystone species or a species that appeals to the broader public (i.e., the cute and fuzzy critters). The City also recognizes that there might be fairly simple steps that City departments or permittees might take that could lessen threats to these sensitive species. To support consideration of these species, a category was established for those species that do not meet the HCP or SHA/CCA target criteria. These conservation recommendation species will be evaluated, time and resources permitting, once the HCP and SHA/CCA species have been adequately addressed. At that point the TAC and SAC are welcome to recommend voluntary measures that the City could implement with respect to minimizing the impact of City activities and permits on the conservation recommendation targets.

Leslie asked if the SAC members had any other initial comments on or concerns with the TAC recommendations and the draft summary list of conservation targets. David wanted to know where potential habitat for the needle-spined pineapple cactus occurred. Rafael pulled up the

SDCP habitat model for the cactus and showed that high potential habitat was predicted in the southeastern portion of the Southlands.

Leslie also explained that the two baseline reports that had been prepared by SWCA for the Southlands and the Avra Valley properties, prior to the initiation of the HCP process, were now available on the City's HCP website along with the initial Conservation Target Report prepared by SWCA and links to additional information. Carolyn asked whether the Avra Valley report was an update on the 1996 Avra Valley plan. Leslie replied that it was not. Melissa said that she would try to find a copy of the 1996 plan and post it on the HCP website. Carolyn also asked whether the City had their own environmentally sensitive road design standards. Michael indicated that the City had not developed separate standards.

Melissa reported that website was up and functioning and that minutes and agendas from previous meetings would soon be available. Several SAC members inquired about the web address for the HCP site. Melissa said that she would send it out to the group via email .

## **5. Field trips**

Leslie summarized the trip that the TAC had taken to the Southlands planning area. Rafael pulled up the orthophotos for the area and also showed the route map for the field trip. Leslie explained what each of the stops had involved. One of the primary lessons from the trip was how impacted the area is from human activities, including grazing, off-road vehicle use, dumping, and road and utility corridor construction and use. Rafael zoomed in on several of the areas detailed on the field trip route. Leslie showed how each area, that at a glance seemed to consist of high quality riparian habitat, was created and/or impacted by human use. Examples included that riparian stringer created by overflow at a Arizona State Land Department well, mesquite habitat that developed upstream of a series of water spreaders, broad riparian areas that were formed by the damming action of roads or channelized sections of wash, and riparian and aquatic habitat associated with stock tanks.

Leslie than reminded the SAC that the technical group would be going on a field trip to the Santa Cruz River planning area on October 28, at 7:30 am. A third field trip was planned for the Avra Valley holdings, but had to be rescheduled at the next TAC meeting. Once the new date for the trip was established it will be posted on the HCP website.

## **6. Next steps**

Leslie explained that the next steps in the process were those that lead up to the assessment of the amount/extent of impact from the City's covered activities on the HCP target species. There are two components of this evaluation. First, the types of projects to be covered in the HCP would need to be identified and described with respect to total acreages and approximate location. To facilitate this assessment, descriptions of planned activities for each of the three planning areas – the Southlands, Santa Cruz River, and Avra Valley holdings – would be presented at the next TAC meeting.

The second step is to determine the location and extent of potential habitat for each of the potential HCP targets. Although SDCP models exist for all proposed species, these models do not work well at the scale of the City. The TAC will also need to determine soon whether or not the models will be revised or replaced and how to go about making appropriate changes.

Once a GIS layer has been developed for covered activities and models have been developed for each of the HCP target species, an estimate of the impact on each species will be made. A discussion of this assessment will probably make up the bulk of the next SAC meeting.

Carolyn asked what the SAC needed to do to help with the planning process. Leslie replied that the SAC was an excellent source of information and could provide insight into the real-world implications of technical decisions. In particular, members of the SAC might be aware of additional sources of information – such as Carolyn’s suggestion of the 1996 Avra Valley Plan – that would contribute to understanding the constraints and opportunities for conservation planning in the Tucson HCP planning area.

## **7. Annexation**

Michael explained that the City was considering an expansion of the HCP planning area to include some portions of the proposed ultimate annexation area. Rafael showed the future annexation areas map and Michael explained that the areas to the southeast of the City, around the Southlands, were the highest priority for annexation. It was uncertain as to whether there was sufficient time and resources to include any other areas in the planning process, so an alternative approach would be to follow a tiered planning process. The southeastern annexation areas would be included in the planning process until the consideration of them required an additional commitment of resources, at which point they would be dropped and the current planning area would be carried forward. This compromise approach would provide a rough understanding of ESA issues in the annexation area without providing an unanticipated financial burden on the City. This information could then be used to inform other planning processes.

Carolyn asked about the proposed annexation lands on the northwest corner of the Southlands. Michael did not think that they would not necessarily be included in the HCP planning area, but the decision about which areas to include had not been made at present.

David asked whether these areas were included in the City’s General Plan. Michael responded that the General Plan was very broad and only dealt with future land use within the current City boundaries.

## **8. Next meetings**

A tentative meeting was scheduled for Thursday, January 27, from 3 to 5 pm. Location to be determined.