



MEMORANDUM

Date: December 8, 2010

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry,
County Administrator

A handwritten signature in black ink, appearing to be "C.H. Huckelberry", is written over the typed name and title.

Re: Section 10(a) Permit Application Submittal

After more than 11 years of planning, today Pima County submitted its Section 10(a) Permit application to the United States Fish and Wildlife Service (the Service). Once Pima County and the Service agree to the terms and conditions of the Permit, the County will have achieved a significant milestone in providing regulatory certainty for the County and much of its development community with regard to compliance with the Endangered Species Act. The County's acceptance of the Permit will also complete an essential part of our Sonoran Desert Conservation Plan.

The Board's opportunity to deliberate the County's acceptance of the Section 10 Permit is, because of the various steps necessary to complete the federal review process, still at least another year away. During this time, there will be ample opportunity to discuss and debate details of the plan and its effects on County operations, the development community and environmental stewardship in Pima County.

The Section 10 Permit application materials submitted include a preliminary draft of the Implementing Agreement (IA) and the Administrative Draft of the Multi-species Conservation Plan (MSCP). The Service will review these documents over the next few months. Their comments will be addressed in the Public Review Draft MSCP that will be released by the Service, along with the Draft Environmental Impact Statement (DEIS), for public review later in 2011.

While the Service does not make the application materials available for public comment, the County is providing the application materials to the public. However, because of the strictures of the federal process, any public comments that are received on the Administrative Draft or the Public Review Draft the Service will release in 2011 cannot be incorporated until the Final MSCP is released at the conclusion of the federal process. Additional information about the federal application process and the Administrative Review Draft can be found at <http://www.pima.gov/cmo/sdcp/MSCP/MSCP.html>. Comments may

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be directed to Ms. Neva Connolly, 201 N. Stone Avenue, Sixth Floor, Tucson, Arizona 85701 or email them to Neva.Connolly@pima.gov.

During recent stakeholder meetings, we heard a number of concerns that merit attention, but which are not directly related to the issuance of a permit by the Service. These issues include the programmatic details and administration of the opt-in program as well as matters related to specific staff and departmental responsibilities. I have directed staff to engage the stakeholders and rely on their input for the development of key program elements. These conversations and program development will occur and be concluded without being incorporated into the terms of a Section 10 Permit. However, because these issues do relate to how we implement the terms of the Permit, we intend to finalize these elements prior to issuance of any Section 10 Permit.

CHH/mjk

Attachments

c: Julie Fonseca, Environmental Planning Manager