

Draft Species Conditions for Cactus ferruginous pygmy owl (CFPO)
January 31, 2006

These conditions are intended to wholly replace the draft conditions presented to STAT November 29, 2005 by RECON. Pima County will contribute to the protection and conservation of the CFPO and its habitat by taking the following actions. The actions proposed include Habitat Protection and Management (1-7), Inventory, Monitoring, and Research (8-9), and Community Involvement (10-11).

1. Strictly enforce and implement the conservation targets identified by the in areas identified as CFPO Priority Conservation Areas (PCAs) or Special Species Management Areas (SSMAs).
2. Continue to acquire additional high value areas necessary to offset impacts of urbanization on CFPO. Acquisitions are defined as fee ownership and conservation easements of private or state lands. High value areas to be prioritized for acquisition are those areas that include one or more of the following with regard to CFPO:
 - Are inside SSMAs and/or areas delineated as priorities on the attached maps, or
 - Of adequate size and/or connected to conserved lands in a configuration to provide sustained conservation value
3. If available, prioritize the acquisition of State Trust Lands in the Tortolita Fan in the 2008 bond package.
4. Continue to use the Riparian Protection Ordinance, the Floodplain Management Ordinance, and the Floodprone Lands Acquisition Program (FLAP) as tools to achieve conservation of the CFPO associated with public works projects and the development of private property.
5. Within the first 3 years following permit issuance, development-related regulations that require open space set-asides (e.g., NPPO, Conservation Subdivision Ordinance, Buffer Overlay Zone Ordinance, Cluster Development Option, etc.) will be evaluated, and revised where appropriate, to augment CFPO conservation. Revisions will be based on the best available science and will address:
 - Retention of natural open space;
 - Use of native, endemic plant species;
 - Compatibility with nearby conservation lands, and;

- Connectivity of washes and other natural open space areas across the landscape.
6. Fund a proportional share of landscape-scale CFPO survey program to assess the status of the CFPO in Pima County and northern Sonora. Such a survey program should also meet the monitoring/adaptive management goals of the HCP.
 7. Support and participate in scientific research and investigations for CFPO that are designed to increase knowledge about habitat/connectivity requirements and/or population dynamics. Pima County's support may extend to field surveys designed to monitor known populations of this species on a landscape-scale; experimentation/research approach to CFPO augmentation, including captive breeding and placement of cavity nest boxes within potential CFPO nesting habitat; and other science-based efforts supported by the USFWS, AGFD, and other entities. Support ongoing efforts to assess the status of the CFPO in Mexico.
 - Participate in multi-jurisdiction, multi-agency partnerships to implement a CFPO augmentation program being conceived by FWS and AGFD as a research experiment (include captive breeding and establishment of nest boxes).
 - Support monitoring and research efforts to keep track of the larger population in northern Mexico.
 8. Support and participate in community education and advocacy for CFPO habitat conservation.
 9. Encourage and cooperate in a combined effort with the City of Tucson, Town of Marana, Town of Sahuarita, and the State Land Department to develop a multi-jurisdictional approach to conservation of this species on lands subject to each respective jurisdiction.

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| <input checked="" type="checkbox"/> Conference Report (<i>Revised January 31, 2006</i>) | RECON Job # 3273 |
| <input type="checkbox"/> Field Report | Meeting Date: January 24, 2006 |
| <input type="checkbox"/> Telephone Conversation | Prepared by: CSF |
| <input type="checkbox"/> Memo | Copies to: Julia Fonseca, Sherry Ruther, Lori Woods, Paul Former, Scott Richardson |

Job: PCMSCP

Subject: Section 10 Permit Conditions for Cactus ferruginous pygmy-owl (CFPO)
(*Glaucidium brasilianum cactorum*)

Meeting Attendees: FWS: Sherry Barrett, Scott Richardson
AGFD: Dennis Abate, Shawn Lowery
Pima County: Julia Fonseca, Sherry Ruther, Neva Connolly
UA: Aaron Flesch
RECON: Susy Morales, Carianne Funicelli

The purpose of this meeting was to continue the discussion of appropriate Section 10 Permit Conditions for the CFPO. At the December 12, 2005 meeting, the group identified general areas that are outside the Conservation Lands System but nonetheless important to CFPO conservation. Pima County has prepared maps that reflect these five areas (attached) and today's meeting centered on their review. Pima County requested clarification from agency personnel and species experts regarding the importance of these areas at two levels:

- **Landscape Level:** What are the elements that raise these areas as a group to significance above the already-designated CLS lands?
- **Local Level:** What are the particular elements within each of these areas that are important for CFPO conservation?

The first question raised is critical to the justification of this entire discussion. Scott Richardson clarified there is ample biological basis for considering these additional areas for the following reasons:

- CFPO Special Species Management Areas are equivalent to the Recovery Areas. The selection of Recovery Areas was not entirely biologically-based, but biased against private and state land. Therefore, not all suitable CFPO habitat was included in this designation and consequently is not afforded conservation protections of the CLS.
- The five areas identified on the maps by species experts are areas that are of interest because they are either in close proximity to known owl locations, or could preserve breeding habitat and/or connectivity corridors.

Regarding the second question, the experts established that the five areas chosen either contained CFPO habitat elements for breeding or connectivity, or could be restored to contain habitat elements. Areas identified as important for breeding will necessitate preservation of large, contiguous areas of habitat, whereas areas identified for connectivity value are inherently more flexible in configuration. Both kinds of habitat are important to conserve, and it is

important to understand that depending upon surrounding land uses, breeding habitat does not necessarily trump connectivity habitat in importance. In areas of intense land use constraints, preservation of connectivity may be more important than preservation of actual breeding habitat.

Following is a discussion of each of the five areas, listed in the priority order established by the group. Maps of these areas were provided, and the group reviewed the areas with such things as the Pima County Permit Area, CLS designations, and regulated riparian areas in mind.

1. **Avra Valley / Picture Rocks ('Tortolita Fan Area' Map).** The northern polygon represents an area important for connectivity from the Tucson Mountains northeast to the Tortolita Fan. This polygon is outside of the Pima County Permit Area, but will be covered by the Marana HCP. The area contains extensive agriculture fields that are likely to be converted to residential and commercial development. The importance of this area should be communicated to those preparing and reviewing the Marana HCP.

The southern polygon was identified as important as breeding habitat. This polygon is within the Pima County Permit Area and is mostly zoned at low density. Although there is a high density of ironwoods and saguaros, there are minimal regulated riparian areas. The important vegetation is homogenous throughout the area. There appears to be an opportunity to acquire a state land parcel within this polygon. The preservation of connectivity in the northern polygon might offset the interruption in connectivity presented by the Twin Peaks mining operation within the southern polygon.

2. **Tanque Verde Area.** This polygon includes several Important Riparian Areas (Sabino Canyon, Aqua Caliente, and Tanque Verde), and is identified for its value as breeding habitat. Currently, this area is not experiencing significant shifts in land uses. This area is mostly zoned as CR-1 (one house per acre); development is often subject to an array of environmental requirements that include the Hillside Development Zone Ordinance and Buffer Overlay Zone Ordinance. Water issues and topography may be further constraints to development in this area. Any opportunity for acquisition in this area should be explored, as habitat preservation could be important to recovery. CFPO could move into the area from the Rincon and Santa Catalina Mountains.
3. **Greater Southlands / Corona de Tucson.** These polygons are valuable for both breeding and connectivity from Green Valley/Madera Canyon east to the Rincon Mountains – Cienega Creek. The key conservation component in these areas are the washes and significant buffer areas to include areas of dense trees and saguaros. Any opportunity for acquisition in this area should be explored.
4. **Catalina.** This polygon is located along Oracle Road and extends into the Pinal County line. It includes portions of Cañada del Oro, Big Wash, and Sutherland Wash, and is identified as important for connectivity. Conditions in the area include wildcat development and existing zoning is low density. Although there has been flood control acquisition (Cañada del Oro and Big Wash), there are not willing sellers for additional easements. The group offered that the conservation strategy here should be the protection of the washes, as well as open areas between the washes, as CFPO will move from wash to wash as they travel through an area.

5. **Rocking K / Pantano Wash** . This polygon is located outside of the Pima County Permit Area, but discussions of its importance for CFPO connectivity should be explored with those preparing and reviewing the City of Tucson HCP. CFPO could use this area to move from the south to the Tanque Verde area. Preservation and restoration of washes in this area would be key to maintaining connectivity values.

The group discussed the best way to translate this information to on-the-ground CFPO conservation, and came up with the following possible scenarios:

1. New overlay ordinance for the areas identified. This approach would apply minimum set-asides for conservation (30% conservation is the current regulatory baseline). Greater conservation set-asides would have to be encouraged through an incentive program.
2. Amend the Comprehensive Plan to expand CLS Special Species Management Areas to include the new polygons. This would establish 80% set-asides for discretionary land uses changes, but would likely be difficult to achieve (i.e., accepted by Board of Supervisors and community) in light of the proposed delisting of CFPO.
3. Rely upon the revision of existing ordinances (e.g., Native Plant Preservation, Hillside Development, Grading, Buffer Overlay) to adequately conserve CFPO breeding and connectivity habitat values across the landscape as a whole. Preservation of natural open space and connectivity becomes an underlying tenet of many ordinances. Pima County staff would use the polygons identified through this exercise to guide mitigation requirements (e.g., preference for on-site versus off-site mitigation, configuration of open space, etc.), acquisition priorities, and restoration opportunities.

The group agreed that the long-term goals for CFPO habitat conservation need to preserve connectivity opportunities that may not currently exist, but that might be recovered or augmented in the future.

The draft species conditions for CFPO, as presented at the January 12, 2006 STAT meeting were discussed and minor revisions were made (attached).

Action Items:

- Pima County staff will tie information from today's meeting to the maps for presentation at the next STAT meeting.
- Pima County staff will present the revised draft CFPO species conditions at the next STAT meeting.
- The group agreed that a map of acquisition priorities should be pursued- possibly revisiting and updating the Habitat Protection Priorities Map.