



PIMA COUNTY BOARD OF SUPERVISORS

130 W. CONGRESS STREET, 11TH FLOOR
TUCSON, ARIZONA 85701-1317

TELEPHONE (520) 740-8126
FAX (520) 884-1152
E-MAIL: district5@pima.gov
WEBSITE: www.district5.pima.gov

KEITH BAGWELL
EXECUTIVE ASSISTANT

ANDREA ALTAMIRANO
SPECIAL STAFF ASSISTANT

ANNA HARPER
SPECIAL STAFF ASSISTANT

EVANGELINA QUIHUIS
SPECIAL STAFF ASSISTANT

ISABEL SEGOVIA
SPECIAL STAFF ASSISTANT

RICHARD ELÍAS

COUNTY SUPERVISOR - DISTRICT 5
CHAIRMAN OF THE BOARD

MEMORANDUM

DATE: December 31, 2008
TO: Lori Godoshian, Clerk of the Board
FROM: Richard Elías, Board Chairman *Keith Bagwell, for*
REGARDING: Items for the January 6, 2009 agenda addendum

Please add the following two items to the January 6, 2009 agenda addendum:

Resolutions

Calling for the U.S. Army Corps of Engineers to refuse to issue a Clean Water Act Section 404 Permit to California Portland Cement Company for a road across Davidson Canyon in the absence of a complete project-wide Environmental Impact Statement; and requesting that the U.S. Bureau of Land Management require a complete project-wide Environmental Impact Statement prior to the issuance of a Mineral Lease in or adjacent to Davidson Canyon.

Calling for the Director of the Arizona Department of Environmental Quality to not issue a Stormwater Discharge Permit for Mining Operations in or immediately adjacent to Davidson Canyon unless and until he has considered the results of a complete project-wide Environmental Impact Statement.

(District Five)

Thank you

DEC 31 09AM 11:50 PC CLK OF BO

Resolution No. 2009 - ____

**A RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS
RELATING TO THE ENVIRONMENT AND NATURAL RESOURCES,
CALLING ON THE DIRECTOR OF THE ARIZONA DEPARTMENT OF
ENVIRONMENTAL QUALITY TO NOT ISSUE A STORMWATER
DISCHARGE PERMIT FOR MINING OPERATIONS IN OR IMMEDIATELY
ADJACENT TO DAVIDSON CANYON UNLESS AND UNTIL HE HAS
CONSIDERED THE RESULTS OF A COMPLETE PROJECT-WIDE
ENVIRONMENTAL IMPACT STATEMENT.**

Whereas, the Arizona Department of Environmental Quality has formally designated Davidson Canyon as an Outstanding Water of Arizona - a water of such quality and ecological significance as to warrant special state measures to prevent its degradation, and

Whereas, Pima County has designated Davidson Canyon as a Biological Core Area and an Important Riparian Area within its Conservation Lands System, and therefore needing special protection from disturbances and damaging actions, and

Whereas, Pima County has identified Davidson Canyon as one of six Critical Landscape Linkages in its Sonoran Desert Conservation Plan and in its Comprehensive Land Use Plan because large mammals and other unique species use it to move between the Empire, Santa Rita, and Rincon mountain ranges, and

Whereas, Davidson Canyon provides habitat for the endangered lesser long-nosed bat and other rare species with or near federal endangered or threatened status, and

Whereas, Davidson Canyon's rare, perennial and low-elevation desert waters feed Cienega Creek, also state-designated as Outstanding Waters of Arizona, downstream where Pima County has established Cienega Creek Natural Preserve, and

Whereas, the Cienega watershed, of which Davidson Canyon is a vital part, provides the Tucson Basin with 20 percent of its groundwater underflow, and

Whereas, people have lived in this area for thousands of years and might have left archaeological and historical remains of significance in Davidson Canyon that would be eligible for official federal protection, and

Whereas, California Portland Cement Company has expressed its intent to mine limestone on both sides of Davidson Canyon and wants to construct an at-grade road across Davidson Canyon to facilitate its mining plans,

Whereas, the State of Arizona already has granted a mineral lease on the west side of Davidson Canyon and the U.S. Bureau of Land Management is considering a federal mineral lease request on the east side of Davidson Canyon, which together would substantially increase land disturbance impacts to the natural environment, and

Whereas, the Director of the Arizona Department of Environmental Quality is considering the issuance of state-required stormwater quality discharge permits to California Portland Cement Company to facilitate its proposed mining in Davidson Canyon,

Now, Therefore, Be it Resolved that the Pima County Board of Supervisors calls upon the Director of the Arizona Department of Environmental Quality to carefully review and consider the findings of a full federal Environmental Impact Statement under the National Environmental Policy Act prepared for Davidson Canyon mining proposals before rendering a stormwater permit decision.

And, be it Further Resolved, that, based upon the information contained in this resolution, if a full Environmental Impact Statement is not prepared for proposed mining in Davidson Canyon, the Pima County Board of Supervisors calls on the Director of the Arizona Department of Environmental Quality to mandate that any stormwater discharge permit issued to California Portland Cement Company contain provisions ensuring that there will be no discharges of stormwater into the Davidson Canyon water course from any mining related operations, including, but not limited to, the proposed at-grade crossing of Davidson Canyon.

Passed by the Board of Supervisors of Pima County, this ____ day of _____, 2009.

Chairman, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

Deputy County Attorney