



## COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER  
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C. H. HUCKELBERRY  
County Administrator

April 4, 2006

Ron Ruziska, Director  
Southern Arizona Office  
Arizona State Land Department  
177 North Church, Suite 1100  
Tucson, Arizona 85701

Re: **Application for Renewal of Mineral Lease 11-023880**

Dear Mr. Ruziska:

This letter is in response to your request for a list of specific conditions Pima County would like to see met regarding the renewal of Mineral Lease 11-023880. Attached is a letter dated September 1, 2005 from Suzanne Shields, Director of the Pima County Regional Flood Control District in response to your first request for comments. County Administrator Chuck Huckelberry has also submitted comments on this and other mineral lease requests in the area in a consolidated letter dated January 11, 2005. Pima County continues to object to mineral extraction in this area of the County, the Cienega Corridor, as stated in the attached Resolution approved by the Board of Supervisors in June 7, 2005. Mineral extraction is not consistent with the County and other public and private entities efforts to conserve the unique habitats and important riparian areas found in this corridor.

That said, you are still considering approving the renewal of Mineral Lease 11-023880. Therefore, below are specific conditions Pima County would like to see applied to such a renewal:

1. Disturbance should be restricted to the existing area of disturbance.
2. Require the applicants to submit a plan to the State Land Department developed in consultation with the Arizona Game and Fish Department to control non-native

Ron Ruziska

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species, such as bullfrogs and Tamarisk, that are associated with collection ponds within the quarry.

3. A reclamation plan should be developed by the applicant, circulated for review and public comment before approval by the State Land Department, and financial assurances posted by the applicant sufficient to fully fund the reclamation plan.

Thank you for the opportunity to continue to comment on this and other leases associated with the State Land Department.

Sincerely,



Nicole Fyffe

Executive Assistant to the County Administrator

NF/dr

Attachments

- c: C.H. Huckelberry, County Administrator  
John Bernal, Deputy County Administrator – Public Works  
Suzanne Shields, Director, Flood Control District  
Julia Fonseca, Program Manager, Flood Control District



**PIMA COUNTY  
REGIONAL FLOOD CONTROL DISTRICT  
201 NORTH STONE AVENUE, FOURTH FLOOR  
TUCSON, ARIZONA 85701-1207**

SUZANNE SHIELDS  
DIRECTOR

PHONE: (520) 740-6350  
FAX: (520) 740-6749

September 1, 2005

Mr. Richard Ahern  
Arizona State Land Department  
Minerals Section, Natural Resources Div.  
1616 W. Adams Street  
Phoenix, Arizona 85007

**Re: Application for Renewal of Mineral Lease 11-023880 (120 Acres)  
by California Portland Cement Company**

Dear Mr. Ahern,

Thank you for the opportunity to comment on the referenced application by the California Portland Cement Company for the purposes of mining lands located within Sections 14 and 23 of Township 16 South, Range 17 East in Pima County, Arizona. As in their review of other recent applications for mineral leases in nearby areas, Pima County (County) staff is opposed to any new or renewed mining activities within the Cienega Creek watershed. Much of the County's concerns were highlighted in a letter, dated January 11, 2005, that was sent by the County Administrator to Mr. Michael Rice and yourself. In regards to its review of the subject application, County staff provides the following comments:

1. The proposed mining activity occurs on State Lands that are identified in the 2004 Pima County Open Space Bond Program as a secondary priority for protection. Protection could occur directly through acquisition of the land using the bond program or indirectly through the State Land Reform Act. Based on this designation, the County would prefer to see low-intensity uses (e.g., grazing) on this property as opposed to high-intensity uses, such as mining, which permanently impair the landscape. Noting that this particular property is already scarred by past mining activity, the continuance of allowing mining on the site will only help to further the degradation of the land and make future restoration efforts much more costly. If renewed mining activities, including roads, were

restricted to the existing footprint, then this could protect adjacent natural cover and still allow for some mineral extraction. However, the lease does not appear to restrict the mine to the existing disturbed area.

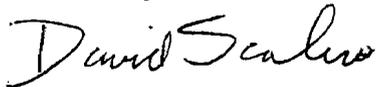
2. The entire subject parcel is designated as Biological Core within Pima County's Conservation Land System. Biological core areas have a very high importance that is distinguished by high potential habitat for five or more priority vulnerable species (plants and wildlife that are most vulnerable to extinction because of human-related stresses) and special elements (e.g., caves, perennial streams, cottonwood forests). The County's focus regarding land use and management within these areas is on conservation, restoration and enhancement of the natural communities, with provision for other land uses consistent with improvement of conditions for native species, soils and native vegetation. Expansion of the mining area is not considered to be a land use that would fit in with this goal.
3. The subject parcel is located within Priority Conservation Areas (PCAs) designated for seven species listed as priority vulnerable species in Pima County's Sonoran Desert Conservation Plan: Lowland leopard frog (1), Bell's vireo (1), cactus ferruginous pygmy-owl (1), Swainson's hawk (1), lesser long-nosed bat (2), Pale Townsend's big-eared bat (1), and Mexican long-tongued bat (1). Priority Conservation Areas are specific areas designated by the local science community as significant for the conservation of the listed priority vulnerable species. The number in parenthesis represents one of the six tiers of PCAs: (1) indicating areas that contain populations that must be included in the reserve system and (2) indicating areas that would be of value to the reserve system.
4. The referenced mineral lease is within the channels of and/or adjacent to a couple of tributary streams to Cienega Creek. Cienega Creek is designated as a Unique Water of the State of Arizona. Under Arizona Administrative Code R18-11-107D, the water quality of unique waters are to be maintained and protected; limited degradation is not allowed. Mining activity has the high potential of increasing sediment loads in the two tributary streams, which will eventually reach the main channel of Cienega Creek and increase the risk of impairing its water quality.
5. As with the other mining proposals, it would appear that much of the water runoff on the disturbed areas will be captured in collection ponds within the quarry. Although these ponds are beneficial for keeping fine sediment out of the watercourses and can provide water to neighboring wildlife, they also provide habitat for non-native, invasive species such as bullfrogs and tamarisk. These species are highly damaging to native ecosystems and wildlife, and have been noted by County personnel within other mining sites in the area. We would like

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to see actions whereby permanent ponds are not created or are managed to be periodically drained. Alternatively, the pits should be filled. The Arizona Game and Fish Department may be able to assist in the design of a program to control non-native species in these areas.

The County appreciates the opportunity to provide comments on the subject application for a mineral lease renewal on State Trust lands. Please contact me at 520-740-6350 if you have any comments or concerns.

Sincerely,



David Scalero, Senior Hydrologist  
Water Resources Division

DS/jf

cc: C. H. Huckelberry, County Administrator  
John Bernal, Deputy County Administrator  
Suzanne Shields, Director, Regional Flood Control District  
Thomas J. Helfrich, Division Manager, Water Resources  
Julia Fonseca, Environmental Planning Manager  
Greg Hagen, Parks and Recreation Planner

RESOLUTION NO. 2005-124  
PIMA COUNTY  
RESOLUTION IN OPPOSITION TO MINING EFFORTS IN PIMA COUNTY RESERVES AND  
BIOLOGICALLY VALUABLE LANDS

WHEREAS, the Arizona State Land Department is considering an application to renew a mineral lease (Seel Application, Lease 11-003227) that would result in a new calcium carbonate mine (limestone quarry) in the Empire Mountains within the County's Bar V Ranch State grazing lease holdings, and within the drainage of Pima County's proposed Davidson Canyon Preserve; and

WHEREAS, the Arizona State Land Department is considering an application for a Special Land Use Permit (W. H. Henderson/Andrada Quarry Application, Permit # 23-109779) and the Bureau of Land Management is considering a draft plan of operations for three mining claims (W. H. Henderson/Andrada Quarry, portions of GAMACO#1, GAMACO#2 and WRH-PRO-ONE placer mining claims) that would result in renewed mining of calcium carbonate (limestone) at Wentworth and Sahuarita Roads, as well as renewed processing and crushing on adjacent private lands, within Pima County designated Priority Conservation Areas for six Priority Vulnerable Species and adjacent to residential development; and

WHEREAS, the Arizona State Land Department is considering an application to renew mineral leases (Portland Cement Application, Leases 11-035596, 11-035597, 11-079816, 11-079817) that would result in two new limestone quarries on either side of Davidson Canyon and construction of a road across Davidson Canyon, a nominated Unique Waters of the State containing federally endangered species; and

WHEREAS, the Arizona State Land Department is considering an application to renew mineral leases (Portland Cement Application, Lease 11-23880) adjacent to Agua Verde Creek, which is designated as an important riparian area within the County's Conservation Land System and Sonoran Desert Conservation Plan; and

WHEREAS, the Arizona State Land Department is considering an application to renew mineral leases (Phoenix Brickyard Application, Leases 11-908, 11-1022, 11-1456, 11-1457) and an application for new mineral leases (Phoenix Brickyard Application, Leases, 11-98753, 11-98754, 11-98755, 11-98756) that would result in the continued removal of clay adjacent to the County's Cienega Creek Natural Preserve and Unique Waters of the State containing federally endangered species; and

WHEREAS, the Bureau of Land Management is considering a draft plan of operations for mining claims (Rancho Seco Project and Arizona/Breccia Mines, Plans of Operations 3809 (AZ420) AZA 33072) that would result in mineral exploration on Pima County-owned lands within Rancho Seco - a recent acquisition funded with sale of voter-approved bonds for the purpose of preserving the lands consistent with conservation ranching practices, for the benefit of the public interest; and

WHEREAS, the mining activities listed above are located in Pima County's Conceptual Cienega Valley and Cerro Colorado Reserves as outlined in Pima County's February 2005

Draft II Multi-Species Conservation Plan, with the exception of the W. H. Henderson/Andrada Quarry Application that is located west of the Cienega Valley Reserve within the Cienega Valley watershed in an area of high biological value; and

WHEREAS, the Pima County Board of Supervisors and Arizona Department of Environmental Quality have agreed that the flows of Cienega Creek constitute a Unique Water of the State of Arizona, meriting the state's highest level of protection against the degradation of water quality; and

WHEREAS, the Cienega watershed provides the Tucson Basin with up to 20% of its groundwater underflow; and

WHEREAS, hydrologic studies of Davidson Canyon have indicated its importance as a tributary of surface and groundwater flows to Cienega Creek, supporting the nomination of Davidson Canyon as a Unique Water of the State; and

WHEREAS, these areas have very high biological importance and have therefore been designated Biological Core within the Conservation Land System as adopted by the Pima County Board of Supervisors in December 2001, and as recommended by the Steering Committee for the Sonoran Desert Conservation Plan; and

WHEREAS, these parcels have been identified as Habitat Protection Priorities to guide acquisition or preservation of biologically important lands through the 2004 Bond Implementation Plan, as authorized by voters in May 2004; and

WHEREAS, the Cienega Valley received national recognition in 2004 as one of seven "Endangered Cultural Landscapes" in America; and

WHEREAS, these areas are where different peoples have lived for thousands of years resulting in numerous archaeological and historical sites, and culturally significant places that are eligible for listing on the National and State Registers of Historic Places;

WHEREAS, the economy and quality of life of the citizens of Pima County and southern Arizona are heavily dependent upon recreation and tourism and hence on abundant nearby public land; and

WHEREAS, numerous trails listed on the Eastern Pima County Trail System Master Plan pass through the Cienega Valley Reserve, including the Davidson Canyon Trail; and

WHEREAS, these areas are the best areas in Pima County to preserve large open landscapes for ranch conservation, the preservation of scenic views, recreational opportunities, historic and cultural resources, and biological values; and

WHEREAS, almost \$50 million has already been expended by Pima County in acquiring and preserving lands in these unique reserves, of which approximately \$3.6 million ran to the benefit of the State Trust via the acquisition of State Trust lands; and

WHEREAS, mining on these lands will permanently preclude many alternative future

uses and revenues from these lands; and

WHEREAS, the long term revenues to the State Trust from future land sales for conservation purposes will far exceed the short term revenues from these mining activities.

NOW, THEREFORE, BE IT RESOLVED, that Pima County opposes new mineral leases, mineral lease renewals, and mining claims in the County's Conceptual Cienega Valley and Cerro Colorado Reserves, as well as those that would negatively impact the Reserves by degrading the biological and economic values of lands adjacent to the reserves.

Passed by the Board of Supervisors of Pima County, this 7th day of June, 2005.



Chair, Pima County Board of Supervisors

JUN 07 2005

ATTEST:



Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney