



## Coalition for Sonoran Desert Protection

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Arizona Center for Law in  
the Public Interest

Arizona Native Plant  
Society

Bat Conservation  
International

Cascabel Conservation  
Association

Center for Biological  
Diversity

Center for Environmental  
Ethics

Defenders of Wildlife  
Desert Watch

Environmental Law  
Society

Friends of Cabeza Prieta

Friends of Ironwood Forest

Friends of Madera Canyon

Friends of Saguaro  
National Park

Friends of Tortolita

Gates Pass Area  
Neighborhood  
Association

Genius Loci Foundation

Native Seeds / SEARCH

Protect Land and  
Neighborhoods

Safford Peak Watershed  
Education Team

Save the Scenic Santa Ritas

Sierra Club – Grand  
Canyon Chapter

Sierra Club – Rincon Group

Sky Island Alliance

Society for Ecological  
Restoration

Southwestern Biological  
Institute

Tortolita Homeowners  
Association

Tucson Audubon Society

Tucson Herpetological  
Society

Tucson Mountains  
Association

Wildlands Network

November 19, 2019

Mr. Thomas Schnee, Chair and Members  
Planning and Zoning Commission  
Town of Marana  
11555 W. Civic Center Dr.  
Marana, AZ 85653

Dear Chairman Schnee and Members:

Thank you for the opportunity to comment on Marana's Draft General Plan (Plan). We are happy to provide comments, as we have done with past General Plan proposals.

We would like to thank the Town for its previous work on conservation planning, which is integral to land use planning. These efforts include Tres Rios del Norte, Marana's draft Habitat Conservation Plan, the Santa Cruz River Corridor Study, the Environmental Resource Preservation, Native Plant Protection and Landscape Requirements Ordinance, and the on-going implementation of El Rio Preserve. It is important that all these efforts move forward in an integrated, holistic and simultaneous fashion, which is why we are pleased to see language to combine all these previous efforts into an Open Space and Wildlife Conservation Plan. The Coalition continues to work on ensuring that important lands are not only protected in perpetuity but also connected wildlife linkages open space and wildlife crossing infrastructure. We are also pleased to have participated in a Focus Group on conservation and sustainability last year as part of the General Plan update process.

The Coalition is generally supportive of the goals included in the General Plan, with a few exceptions. Attached are specific language revisions to the Resource and Sustainability Goals and Implementation Actions to the July 2019 Draft of Make Marana 2040.

Additionally, we feel strongly that resource and conservation actions should be integrated with other Plan actions, as that is the only avenue to attain conservation in a land use General Plan. As such, we have outlined other Goals and Actions that we disagree with included in sections other than Resource and Sustainability.

Please accept the following recommendations from the Coalition. We have also listed them separately in our attachments:

1. We strongly disagree with designation of a Special Planning Area (SPA) for state trust lands. These lands are currently designated as Low Density, and in the draft Habitat Conservation Plan for the Tortolita Fan area, the following language was approved by Mayor and Council as part of the process:

*“Limit surface disturbance within developments to 60%. The area addressed by this measure will consist of all lands with the Town that are north of Cortaro Road, south of the Pima/Pinal County Line, east of the CAP canal and an alignment that runs approximately ½-mile east of Interstate-10, and west of the Town’s eastern boundary.”*

Again, all three of these proposed SPAs are currently designated as Low Density. Should there be changes proposed, these parcels should go through the regular two-step (Plan Amendment then Rezoning) process in a thoughtful process, with public participation, and include land set-asides as laid out in conservation plans followed. The Resources and Sustainability Goals in the Plan need to be reflected in the overall Plan or they are meaningless.

**We disagree with the addition of Special Planning Areas. And thus, please delete SPAs in the map and delete all Goals under BE-12.**

2. Table 1-1: Major Plan Amendments signify “significant alterations” to current General Plan categories that are proposed. Currently, the only amendments under the Open Space category that are considered major is Open Space (OS) to Airport (A).

**Please revise in Table 1-1: anything currently designated as Open Space that is proposed for up-planning would be considered a Major Plan Amendment.**

3. Tortolita Preserve needs to be identified in all Town maps. We disagree with the Town’s interpretation of A.R.S. § 9-461.06 that because the preserve is leased, that it cannot be displayed on maps or otherwise referred to as “preserve.” The General Plan is a 10-year document, and there is an 81-year period left in the lease agreement. If the Town feels that it cannot be labeled “Preserve” due to the “in perpetuity” language, then the land should be delineated and labeled as “Open Space Park.”

**Please revise on all maps, identifying the area known as the Tortolita Preserve, with an appropriate label such as Open Space Park or Preserve.**

4. Section 4-14 States,

“Since Marana’s planning area is largely undeveloped there are many opportunities to protect these resources, fostering a healthy ecosystem. Over the years, the Town has completed several documents that are used as guidance but have not been formally adopted due to the delisting of endangered or threatened species and change in federal and state regulations. Some of these documents include the Tres Rios del Norte Feasibility Study (between City of Tucson, Pima County, Marana, and the US Army Corps of Engineers), the Draft Habitat Conservation Plan (Developed for the listing of the Cactus Ferruginous Pygmy Owl), the Santa Cruz River Corridor Study, and the Sonoran Desert Conservation Plan) into one Open Space and Wildlife Conservation Plan.”

**The Open Space and Wildlife Conservation Plan should be developed and approved *prior to or simultaneously with* the adoption of the General Plan, in order to better to guide future growth.**

Resource protection and conservation need to be *integrated with* land use plans, not viewed as an unrelated goal or addendum.

5. The Draft General Plan is incorrect in its depiction of the Draft Habitat Conservation Plan (HCP). 4-15 (again) states in part: “(T)he Draft Habitat Conservation Plan (Developed for the listing of the Cactus Ferruginous Pygmy Owl).”

However, the Plan was developed for 13 species. The Federal Register clearly states this: “*If we approve it, the 25-year permit would authorize the proposed incidental take of 13 covered species, including species currently listed under the Act, as well as species that may become listed under the Act in the future: (1) Lesser long-nosed bat; (2) Southwestern willow flycatcher; (3) Yellow-billed cuckoo; (4) Cactus ferruginous pygmy-owl; (5) Lowland leopard frog; (6) Talus snails; (7) Tucson shovel-nosed snake; (8) Ground snake; (9) Sonoran desert tortoise; (10) Merriam's mouse; (11) Mexican garter snake; (12) Burrowing owl; and (13) Pale Townsend's big-eared bat.*” (June 21, 2007)

**Please revise the text of the General Plan on page 4-15 to reflect that the Draft Habitat conservation Plan was developed for 13 species.**

6. Wildlife connectivity open space across Tangerine Road needs to be protected *and buffered*. Wildlife crossings have been installed along Tangerine Road at public expense (Regional Transportation Authority) and need to function as they are intended. Without adequate buffers, wildlife are unlikely to use the crossings.
7. Prospect Wash wildlife connectivity across Tangerine Road and Moore Road needs to be preserved as NUOS *and buffered*. In addition to Tangerine Road, open space is necessary across Moore Road in order for wildlife movement to continue to the Tortolita Preserve and on to the Tortolita Mountains.
8. Figure 2-X: Interstate 11, should it be a I-10 bypass, along the existing I-19 / I-10 corridor, or be built at all, is well outside of this Plan’s 10-year planning horizon.

**Please delete the I-11 route and both spurs back to Interstate 10 from the Future Circulation map and any other maps where this route is shown.**

9. As we have stated before, we disagree with the Lambert lane extension, which bisects a Regional Wildlife Linkage, the Tortolita-Tucson Wildlife Linkage.

**Please delete the Lambert Lane extension from the Future Circulation map.**

10. As we have stated before, we disagree with a new road (Cayton Road) from Dove Mountain Blvd / Heritage Club Blvd southeast to Thornydale Road. This would disrupt wildlife movement through the Tapestry development across Prospect Wash.

**Please delete Cayton Road from the Future Circulation map.**

11. Marana should respect and adopt Pinal Open Space and Trails Plan if they annex into Pinal County.
12. On page 2-40-41, we agree with the goals in the Built Environment section, Goals BE 11, Policies BE 11-1 through 11-6, and Goals BE 22, Policies BE 22-1 through BE 22-4.
13. On page 3-7 per section on the Tangerine Road Corridor - please add an additional bullet that reads:
  - **RTA-funded wildlife crossings will remain undeveloped with at least 300-foot wide of NUOS on either side throughout the corridor, and wider through Prospect Wash.**
14. On page 3-18, in the last bullet entitled **Special Purpose Parks**, please add to the end of the last sentence, **“such as Tortolita Preserve (or Tortolita Open Space Park).”**
15. On page 3-27, under **Goal PC-1**, please add:

**Policy PC 1-5. Ensure that Economic Vitality does not conflict with Resources and Sustainability Goals.**
16. While many of the implementation actions listed in the Resources and Sustainability chapter, if adopted and followed, will help mitigate the on-going effects of climate change, **an Implementation Action Item should be added that will "develop and implement a Climate Resilience and Emergency Readiness Plan."**

We can support this document with the changes we have recommended. Thank you again for the opportunity. Please contact me with any questions.

Sincerely,



Carolyn Campbell, Executive Director

Attachments (2): Summary of CSDP Requested Changes to Make Marana 2020, July 2019 DRAFT

# ATTACHMENTS

## ATTACHMENT 1

### SUMMARY: CSDP REQUESTED CHANGES TO CHAPTER 4, RESOURCES AND SUSTAINABILITY (in tracked changes)

#### Open Space - Resources and Sustainability

Policy RS 2-1. Through the rezoning process, ensure that ~~Where possible, encourage~~ developers ~~to~~ maintain open space, view corridors, and wildlife connectivity in new development to ensure that development does not block wildlife crossings and their connecting corridors.

Policy RS 2-3. ~~Where appropriate, e~~Coordinate with regional agencies and neighboring jurisdictions to establish and manage open space and incorporate conservation measures into future long-range planning efforts.

Policy RS 2-5. Advocate that the efforts of the Arizona State Land Department ~~to~~ preserve high-quality natural undisturbed open space.

Policy RS 3-5. When appropriate, encourage multiuse trails within the erosion hazard setback for natural watercourses.

#### IMPLEMENTATION ACTION ITEMS

20 Amend the Land Development Code and other Town codes and policies to adopt appropriate zoning standards to encourage environmentally sensitive development practices in sensitive areas. Amendments may include transfer of development rights, low-impact development guidelines, and conservation subdivision designs. ~~MID~~NEAR-TERM

21 Amend the Land Development Code to enable lot size reductions to be granted administratively for a parallel increase in natural open space conservation. NEAR~~MID~~-TERM

120 Plan future trails with sufficient spacing for wildlife use. LONG-TERM

## Environmental Planning - Resources and Sustainability

### IMPLEMENTATION ACTION ITEMS

20 Amend the Land Development Code and other Town codes and policies to adopt appropriate zoning standards ~~for to encourage~~ environmentally sensitive development practices in sensitive areas. Amendments may include transfer of development rights, low-impact development guidelines, and conservation subdivision designs. ~~NEAR-MID-TERM~~ (POLICIES ARE TO ENCOURAGE; THE CODES ARE TO REGULATE.)

## Conservation - Resources and Sustainability

Policy RS 11-1. Develop and adopt an Open Space and Wildlife Conservation Master Plan to establish a vision of open space throughout the Town. (THIS SHOULD BE DONE PRIOR TO THE APPROVAL OF THE LAND USE PLAN SO AS TO GUIDE LAND USE PLANNING.)

Policy RS 11-2. Through an Open Space and Wildlife Conservation Plan, identify open spaces that are development-sensitive ~~or development-free~~.

Policy RS 11-4. Continue to work with Arizona State Land Department to preserve ~~and adequately buffer~~ major wash corridors throughout Marana.

Policy RS 11-6. Ensure that development has designated collective natural undisturbed open spaces and that they are maintained and managed properly by homeowners' associations ~~or other entities~~.

Policy RS 11-7. Promote habitat ~~creation~~ and species ~~introduction and protection~~ ~~creation~~ at water recharge facilities.

Policy RS 12-1. Work with developers ~~and Coalition for Sonoran Desert Protection and others~~ to conserve natural resources within new developments, including hillsides, wildlife corridors, and native vegetation.

Policy RS 12-4. ~~Consider~~ creating land development guidance that recognizes development sensitive areas, such as washes, floodplains, and steep slopes. (DOESN'T THE TOWN ALREADY HAVE THIS?)

Policy RS 13-2. Work with developers ~~and Coalition for Sonoran Desert Protection and others~~ to conserve and incorporate designated natural washes and drainage ways within development to accommodate wildlife movement.

## IMPLEMENTATION ACTION ITEMS

20 Amend the Land Development Code and other Town codes and policies to adopt appropriate zoning standards ~~for to encourage~~ environmentally sensitive development practices in sensitive areas. Amendments may include transfer of development rights, low-impact development guidelines, and conservation subdivision designs. MID-TERM

117 ~~D~~Consider developing ~~and the~~ adoption of wildlife-sensitive development policies. SHORT-TERM

40 Conduct a feasibility analysis of providing infrastructure to support wildlife crossings in appropriate areas. ~~ON-GOING LONG-TERM~~ (Studies have been done identifying needs through ADOT, AZGFD in 2006, Dr. Paul Beier of NAU, and most recently RTA in 2012)

41 Develop infrastructure that provides for environmentally sensitive roadway design and construction standards. ~~ON-GOING LONG-TERM~~

117 ~~D~~Consider developing ~~and the~~ adoption of wildlife-sensitive development policies. SHORT-TERM

137 Develop and adopt an Open Space and Wildlife Conservation Master Plan that focuses on open space preservation, wildlife linkages, and wildlife habitats. ~~LONG-TERM~~ (PRIOR TO THE ADOPTION OF THE GENERAL PLAN UPDATE)

138 ~~I~~Study the design and feasibility of incorporating wildlife crossings within wildlife corridors ~~when feasible~~. SHORT-TERM

**ADD NEW BULLET:** Develop and implement a Climate Resilience and Emergency Readiness Plan.



## ATTACHMENT 2

### **SUMMARY: CSDP REQUESTED CHANGES TO LANGUAGE AND MAPS IN ADDITION TO CHAPTER 4**

We disagree with the addition of Special Planning Areas (SPAs). And thus, please delete SPAs in the map and delete all Goals under BE-12.

Please revise in Table 1-1; anything currently designated as Open Space that is proposed for up-planning would be considered a Major Plan Amendment.

Please revise on all maps, identifying the area known as the Tortolita Preserve, with an appropriate label such as Open Space Park or Preserve.

The Open Space and Wildlife Conservation Plan should be developed and approved *prior to or simultaneously with* the adoption of the General Plan, in order to better to guide future growth.

Please revise text of the General Plan, page 4-15 to reflect that the Draft Habitat Conservation Plan was developed for 13 species.

Please delete the I-11 route and both spurs back to Interstate 10 from the Future Circulation map.

Please delete the Lambert Lane extension from the Future Circulation map.

Please delete Cayton Road from the Future Circulation map.

On page 3-7 per section on the Tangerine Road Corridor - please add an additional bullet that reads:

- RTA-funded wildlife crossings will remain undeveloped with at least 300-foot wide of NUOS on either side throughout the corridor; wider through Prospect Wash.

On page 3-18, in the last bullet entitled Special Purpose Parks, please add to the end of the last sentence, "such as Tortolita Preserve (or Tortolita Open Space Park).

On page 3-27, under Goal PC-1, please add:

- Policy PC 1-5. Ensure that Economic Vitality does not conflict with Resources and Sustainability Goals.