

LOWER SAN PEDRO WATERSHED ALLIANCE

PO Box 576, Mammoth, AZ 85618

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Minutes of the Meeting held February 20, 2016 at the Cascabel Community Center, Cascabel, AZ

The following 31 members and guests attended the meeting: Daniel Baker, Alex Binford-Walsh, Lon Brehmer, James Callegary, Chris Chappell, Barbara Clark, Chris Eastoe, Peter Else, Bob Evans, Enriqueta Flores Guevara, Cathy Gorman, Jeannie Greven, Doris Haynes, Phil Hedrick, Anna Lands, Diane Laush, Gail Loveland, Pearl Mast, Karen McKelvey, Jim McPherson, Mick Meader, Sue Newman, David Omick, Elna Otter, Joe Page, Eric Revere, Dave Shreeve, Gene and Maria Troutner, Marian White and Scott Wilbor.

Peter Else, Chair, called the meeting to order at 11:07. He asked everyone to briefly introduce themselves and for the 10 board members present to stand. He reviewed the history of the LSPWA starting more than three years ago with our first informal meeting here in Cascabel. 90 landowners and supporters responded to our initial invitation to organize and our membership has now reached more than 190. However, we have been disappointed by the low level of direct involvement by the agencies and NGO's that are otherwise active in our watershed, which is most likely due to what they perceive as a conflict with their political and corporate considerations. Peter appealed for the attendees to become more active as volunteers, especially in any of our five active program areas which were the focus of the following discussion during the rest of the meeting.

I. Conservation Planning

The need for neutrally facilitated, science-based conservation planning in our watershed was an important, if not the main, incentive for organizing the LSPWA. Last summer, we joined with several local organizations to successfully nominate the lower San Pedro watershed as a pilot area in the Desert Landscape Conservation Cooperative program where we were placed within the larger Transboundary Madrean area. Peter summarized a report from Juan Carlos Bravo of Wildlands Network on the recent DLCC meeting in Texas which our LSPWA representatives were unable to attend due to previous commitments.

Participants in that meeting decided to have both a Coordinating Team to work on planning, administration, etc., as well as a separate Advisory Team whose members would be free to provide the expertise to compile and build a data base unburdened by coordination duties. Peter took this opportunity to introduce James Callegary from USGS who works on transboundary water and also owns land in our watershed. James has agreed to serve on the DLCC Advisory team along with Phil Hedrick who works on wildlife and endangered species. James suggested some helpful resources, such as the BLM Rapid Assessment System and the Sky Island Resource Cooperative (SIRC). The latter is planning a meeting soon which we should try to attend.

Additional points agreed to at the meeting were that a mechanism should be established for all three of the pilot areas to communicate with one another in order to foster creative cross-

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pollination of ideas for solutions. In order for success to be evaluated, first a baseline needs to be established, then success would involve both the process of increased collaboration as well as on-the-ground achievements such as the protection of wildlife corridors and water resources. Any statement regarding values first would require inclusive input from all partners and then a distillation of those that were shared. Vulnerabilities are anything that limits our capacity to effect successful landscape scale conservation such as knowledge gaps and language differences. The boundaries of the pilot area need to be adjusted somewhat in Mexico. Critical questions need to be developed and answers explored.

II. Cooperative Research

Peter began the discussion by recounting his very positive experience of interacting with Aaron Flesh from the U of A who began conducting Elf Owl research along the San Pedro on Peter's property last summer. Phil Hedrick reported that he and Cathy Gorman are expecting some researchers from ASU to begin a study on nutrient cycling in Aravaipa Creek on their property in the next few months. Since our discussion on this topic at our meeting last year, Diane Laush drafted several documents for us to use for this program, some of which are already in use for the proposed research on the Hedrick/Gorman property. Originally we conceived of our program as one based on the Memorandum of Understanding (MOU) for the Bill Williams River, which included all the agencies and NGO's as well as the private landowners with interests there. However, we now realize that our participants will most likely be limited to our private landowners for various reasons. The discussion continued and the points made were as follows:

- We need a database of the landowners in the watershed, including ideally a map, and whether or not they could provide lodging or camping space for researchers.
- A committee, most likely our Advisory Committee, is needed to consider the applications, which would be solicited solely from researchers with a conservation interest.
- Landowner participation would be entirely voluntary on a case by case basis.

Diane will continue to refine the necessary documents and work with Cathy on contacting the landowners in the watershed. It was also suggested that we contact Carianne Campbell from Sky Island Alliance (SIA) to arrange a field trip to the lower San Pedro for the researchers attending the upcoming SIRC meeting.

III. Advocacy Efforts

- Peter reported that the LSPWA agreed to join five other environmental organizations, both local and national, in filing an Intent to Sue the Army Corps of Engineers (ACE) if they did not agree to consult with the Fish & Wildlife Service (FWS) on the proposed Vigneto development along the San Pedro river near Benson. Because the FWS can't force the ACE to consult with them, the only recourse is for someone to sue. Since we

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have limited assets, our liability is also limited. An Earthjustice attorney is handling the case.

- Peter also reported on the recent 3-2 decision of the AZ Corporation Commission to approve the Certificate of Environmental Compatibility for the SunZia Transmission Line route through the San Pedro valley. He, and possibly Mick Meader and Christina McVie, plan to file a request for a rehearing. Although that request may be denied, it is required to maintain their standing to take the case to state and federal court. Strategy and fundraising work will be required in the coming weeks and months.
- Peter and Cyndi Ruehl from the Pinal Open Space & Trails (OST) Committee recently met with Pinal County staff and the OST Department Director, Kent Taylor. Previously, Scott Richardson from FWS in Tucson had presented information to the Pinal County Board of Supervisors (BOS) on a Habitat Conservation Plan (HCP) which would allow the county to use existing conservation lands primarily along the San Pedro River to claim mitigation credits for development in more appropriate areas of the county, primarily in the Sun Corridor. Kent and his staff asked to be kept informed of any role they could play in planning efforts from the DLCC process. However, because there isn't sufficient support from the Supervisors, they were not going to pursue a HCP at this time. Scott Wilbor added that Pinal County had been advised by SWCA, an environmental consulting firm, that they didn't need a HCP because of the decision by FWS not to list the Sonoran Desert Tortoise.
- Lon Brehmer has been following the progress of the Pinal County Redington Rd paving project which was approved by the BOS last summer. The portion from the end of the Veterans' Memorial Highway south of San Manuel down to the river has already been chip-sealed. Much of the support for this project came from the ranchers and residents of the Pima County portion of the road who wanted Pinal County to chip-seal the Pima County section as well. They want to use the MOU between Pinal and Pima County for road maintenance to allow this. Lon will follow up on the status of this project to try to ensure that it does not violate environmental laws.
- Diane previously agreed to work on a comment from the LSPWA on the Ripsey Wash Draft Environmental Impact Statement (EIS) on the expansion of the Ray Mine tailings near Kearny. Although most of the impact is outside our watershed, except for the project's increased water use, most of the required mitigation will be located in our watershed along the San Pedro. Diane outlined a number of inadequacies of the proposed mitigation which she has already included in a draft.
- Elna Otter elaborated on several current AZ legislative proposals sponsored by local Cochise County legislators which would be particularly harmful to the San Pedro River.

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The LSPWA already signed on to a letter of opposition sponsored by the Sierra Club Grand Canyon Chapter. Elna asked us to register our opposition as individuals as well.

At this point we decided to break for our pot-luck lunch and conversation before returning to the rest of our agenda.

IV. On-the-Ground Conservation Projects

- Phil Hedrick started the discussion of invasive species management. The four species he has worked to remove in Aravaipa Canyon are Sahara Mustard, Tamarisk, Arundo or Giant Reed and Buffelgrass. Most are under control at this point but the most recent arrival, Sahara Mustard, is still a challenge. Tamarisk is probably most relevant for the watershed for several reasons other than its widespread occurrence. It provides habitat for the endangered SW Willow Flycatcher, it is just a matter of time before the biocontrol beetle arrives in our watershed, and recent local fires in habitat dominated by tamarisk have raised its profile. There is concern that this fire risk may be used as an excuse to eliminate all woody riparian vegetation, especially mesquite.
- Alex Binford-Walsh brought us up-to-date on the wildlife and ORV monitoring project. We have 20 cameras deployed, 17 of which are along the river north and south of Redington with a gap in between. More cameras will be available soon. We are using data from Scott's study to focus the cameras in areas of connectivity. A long list of species has been observed, but data analysis methods are still being discussed. Some cameras are also monitoring ORV use, especially Peter's camera which is of sufficient quality to estimate their speed. There was a suggestion that some of the video from the cameras could be incorporated into our film.
- Peter announced a new proposal in which we have been asked to participate involving planting native milkweed for threatened monarch butterflies on the 3rd or 4th weekend in June. The exact date will be set so as not to conflict with the Wet-Dry Mapping on the San Pedro. Carianne Campbell from SIA is coordinating the project which is being funded by the National Fish & Wildlife Foundation through the AZ Sonora Desert Museum. Both the LSPWA and the Cascabel Conservation Association (CCA) will send a notice to our landowning members to solicit their interest as soon as we have more information about the required habitat for the milkweeds.

V. Developing and Disseminating Conservation Information and Community Outreach

Cathy Gorman summarized the current state of our organizational capacity, how we have improved since this time last year and asked for people to think about how we can continue to improve. Our membership has increased slightly to 192 with the addition of new members being somewhat cancelled out by those who have dropped out of communication. Recruitment

LOWER SAN PEDRO WATERSHED ALLIANCE

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occurs through our participation at community events such as the Cascabel Christmas Fair, the Audubon SE AZ Birding Festival in Tucson and the Riverfest in Winkelman, which is organized by the Copper Corridor Economic Development Coalition (CCEDC). We staff educational tables using our brochure, Mick Meader's Mesquite paper and a poster developed by Peter. Additional educational materials for such events would be helpful, but it may be more important and effective at this stage in our development to personally recruit more active members with expertise. Our website is an additional educational tool with a lot of potential but we need either a volunteer webmaster or to decide to start paying someone on contract. The donation function on the website is underutilized and we could reach a new audience if we started using social media. Cathy thanked all those who contributed ideas for our new logo and congratulated Alex for developing the board's choice. Now we need to make more use of the new logo as a letterhead, business cards, etc. Cathy also distributed a few copies of a simple treasurer's report and thanked Peter for donating his considerable expenses from intervening in the SunZia decision process. Thanks also to a couple of substantial contributions, our bank balance of \$1713, while still very modest, is at its highest level in our three year history. She asked for continued donations, particularly so we could make a contribution to the Cascabel Community Center, which we were using for our meeting.

Scott Wilbor then provided information about a grant from the US Endowment for Forestry and Community for which he strongly suggested we apply. Scott felt that the grant was especially suited to the LSPWA because it was for healthy watersheds and could be used to hire a professional watershed coordinator, thus freeing up our volunteers to focus on what they do best. Funding could be \$50,000 to \$150,000 per year for up to 5 years with renewal simply based on a performance review. Although a 25% match was required, it could be provided in-kind and possibly reduced to 10% if necessary. However, because of the large amount of time some of our volunteers spend working for the LSPWA, we didn't think we would have a problem demonstrating an in-kind match. The main problem is that the application deadline in March 14th and Scott is unable to work on the grant due to a conflict with his employment. Other volunteers with grant-writing expertise are already over-committed with other projects. It may even be too late to partner with another more experienced organization. Several members volunteered to further consider our capacity to pursue the grant.

Upcoming Board Elections in June and our Future Direction

Peter asked us to consider our goals for the LSPWA board of directors which we will be electing in June. A few of the current board members have asked to be replaced. Peter would like all of the eight to twelve directors to be active so that we can continue to pursue all our program areas. Ideally they would also reflect the diversity of our watershed in terms of geography as well as offer expertise in a diversity of fields, keeping in mind that at least three quarters of the directors need to be landowners in the watershed. The current board will serve as the nominating committee. Peter is willing to continue serving on the board as chair. However, he wants us to know that he also plans to do some writing as an individual about the recent

LOWER SAN PEDRO WATERSHED ALLIANCE

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environmental history of our area in case anyone has concerns about that being a conflict with his role in the LSPWA.

Finally, Peter called for any additional issues that anyone wanted to bring up from the floor. Anna Lands emphasized the importance of collecting baseline data along the proposed route of the SunZia Transmission Line. Alex has volunteered to do a photographic survey.

There being no further business, the meeting was adjourned at 2:57 PM

For convenience, Board Decisions are often reached in Virtual Meetings via Email. In order to formally approve and publish the minutes of such meetings since our last in-person meeting, they are included here.

Minutes of March 17, 2015

On March 10, 2015, the Secretary, Cathy Gorman, sent out to the Board a draft of the minutes of the meeting held March 2nd at the Kannally Ranch House at Oracle State Park asking for comments and corrections. After incorporating those she received, she sent out the final draft asking for approval. By March 17, eight of the eleven directors had approved the minutes with abstentions by Jim Bergstrom, Doris Haynes and Elna Otter.

Minutes of May 14, 2015

On May 11, 2015, Chair Peter Else emailed the directors with a request to consider the following five issues:

1. The nomination of Diane Laush to the 12th position on our Board which requires an allowed exemption to the maximum percentage of non-landowners from outside the watershed.
2. Filling the Treasurer position.
3. Sending a letter to the Benson City Council expressing our opposition to the ill-considered El Dorado Holdings development.
4. Setting up a special fund to accept and hold donations received through our website and by other means to support federal court action against the BLM Sun-Zia decision.
5. As a first step in setting up our Cooperative Research Initiative, respond to a request to identify and volunteer appropriate property for an elf owl research project.

By May 14, 2015 all directors, with the abstention of Jim Bergstrom, had unanimously approved the following actions:

1. Forward to the general membership the nomination of Diane Laush to the Board of Directors.
2. Accept the offer of Cathy Gorman to add the Treasurer's duties to her current duties as Secretary.

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3. Submit a letter to the Benson City Council opposing the El Dorado Holdings development proposal.
4. Use our Pay Pal and bank accounts to establish a special fund to support legal action opposing the BLM SunZia decision after confirming that it does not violate our tax-exempt status.
5. Multiple properties were identified as appropriate and available for the elf owl research project and a plan of action was developed. Peter will send a sample research agreement for private landowners to those who responded.

Minutes of June 12, 2015

On June 9, 2015, Chair Peter Else emailed the directors with the following requests:

1. Review and approve the attached email to the Army Corp of Engineers asking them to review their outdated permit for the proposed Vigneto development near Benson.
2. Review and approve the attached letter to the Benson City Mayor and Council regarding the Vigneto development.

By June 12, 2015 all directors, with one abstention by Anna Lands, had approved both the email and the letter and they were sent to the recipients. Both of these documents were preserved in our files.

Minutes of June 19, 2015

On June 5, 2015, a Vote Request was emailed to the LSPWA membership. They were asked to approve the appointment of Diane Laush to the 12th and last unfilled position on our Board of Directors before June 19th. They were also asked to contribute to the organization in one or more of several ways: volunteering, donating to our general fund and/or pledging a future donation to fund a legal challenge to the SunZia Transmission project. Also included was an Update highlighting our major achievements developed by Chair Peter Else based on our Annual Report to the AZ Corporation Commission.

By June 19, 2015 we had received 32 unanimous votes in favor of appointing Diane Laush to the LSPWA Board of Directors and, as specified in our Bylaws, she assumed her position as of this meeting.

Minutes of June 21, 2015

On April 12, 2015, Secretary Cathy Gorman sent out to the Board several logo drawings produced by LSPWA member Danielle Neibling who had volunteered to work on a logo soon after our March 2nd membership meeting. Cathy also sent out a copy of our banner which is more or less the same as our current letterhead. Over the next several months, the directors responded with their opinions and suggestions for improvement. A graphic designer was employed to digitize the most popular drawing. Several directors submitted alternative logos. Finally on June 21, 2015, ten directors had approved the logo submitted by LSPWA member, Alex Binford-Walsh, with Jim Bergstrom abstaining from the final vote.

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Minutes of July 6, 2015

On July 3, 2015, Chair Peter Else emailed an Action Request to the LSPWA directors asking them to review and endorse the draft of the Transboundary Madrean Watersheds nomination to be one of the pilot areas chosen by the Department of Interior's Landscape Conservation Design process. In order to increase the chance that the lower San Pedro will be included in one of the chosen pilot areas, we may want to be a partner on this nomination as well as that being prepared for the whole San Pedro watershed alone. By July 6, 2015, eleven directors had voted to endorse this nomination with Anna Lands abstaining.

Minutes of July 9, 2015

On July 8, 2015, Chair Peter Else emailed to the directors the draft of the San Pedro Watershed nomination to be chosen as a pilot area for the DOI's Landscape Conservation Design process with a request for expedited approval due to the approaching deadline for submittal. By July 9, 2015, eleven directors had voted to endorse this nomination with Mick Meader recusing.

Minutes of July 24, 2015

On July 12, 2015, Chair Peter Else sent an email asking the directors how the LSPWA should respond to the Pinal County proposal to pave the existing road from San Manuel to the Redington Rd and continuing south along the river to the county line. He included a draft of a letter developed by him and director Lon Brehmer to the Pinal County Board of Supervisors outlining our position. By July 23rd, after much discussion, input and fine tuning, the letter was unanimously approved by all 12 directors and sent to the BOS before the end of the public comment period on July 24th.

Minutes of October 31, 2015

On October 27, 2015 Vice-Chair David Omick sent out to the directors a document nominating the San Pedro River for the American Rivers Most Endangered River designation in 2016. Jennifer Martin of the AZ chapter of the Sierra Club prepared the document with input from several LSPWA directors. By October 31st, all directors had agreed to include LSPWA as a Supporting Partner on the nomination with Doris Haynes abstaining.

Minutes of December 23, 2015

On December 21, 2015, Chair Peter Else sent out to the directors a letter drafted by Director Anna Lands from the LSPWA opposing the Vigneto development near Benson. By December 23rd, with modifications by directors Mick Meader and Diane Laush, ten directors voted to approve the letter while Elna Otter and Jim Bergstrom abstained. Anna then sent the letter to

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the appropriate Benson officials and staff with copies to the local Audubon chapters, the Tucson FWS and the ACE.

Minutes of February 4, 2016

On February 3, 2016, Secretary Cathy Gorman sent out a request from Director Scott Wilbor for approval from the board for them to pursue a grant opportunity from the US Endowment for Forestry and Communities Healthy Watersheds Consortium under the Building Watershed Protection Capacity category. By February 4th, eleven directors had approved the action with Doris Haynes not voting. Also on that date, Scott informed us that he would not be able to work directly on the grant due to a conflict of interest and requested others to step forward.

Minutes of February 6, 2016

On February 4, 2016, Chair Peter Else informed the directors that the LSPWA had been asked to join a coalition consisting of the Center for Biological Diversity as well as both the Huachuca and Tucson Audubon Societies in filing a Notice of Intent to Sue the Army Corps of Engineers for failure to consult with the US Fish and Wildlife Service about the proposed Villages at Vigneto development along the San Pedro river near Benson. Our obligation would include a \$100-\$200 contribution to the filing fee as well as possible statements of support if requested. In response to his request for a timely vote, by February 6th, 10 directors had voted to join the coalition in this action, with Mick Meader abstaining and no response from Jim Bergstrom.

Minutes of February 17, 2016

Early in the afternoon of February 17, 2016, Chair Peter Else forwarded to the board a request from the Grand Canyon Chapter of the Sierra Club for the LSPWA to join them in signing a letter asking AZ State Senators to oppose two proposed bills which would weaken water adequacy requirements for development. By that evening, eleven directors had responded to the request for a quick turn-around in favor of signing the letter with no response from Jim Bergstrom.

Respectfully submitted,

Catherine J. Gorman, LSPWA Secretary/Treasurer