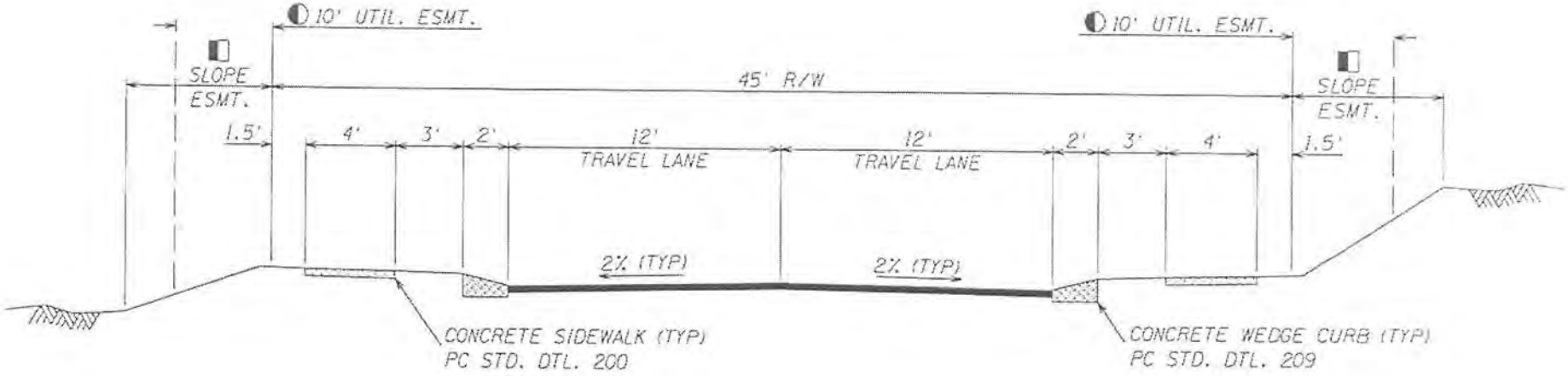


◐ OR AS DETERMINED BY UTILITY COMPANIES

◧ WHERE APPLICABLE

DETAIL 4.1

LOCAL STREET URBAN RESIDENTIAL SUBDIVISION ALTERNATIVE 1

(See Table 3.1 for Street Classification)

PIMA COUNTY DEPARTMENT OF TRANSPORTATION

8. Table 3.2 of the Street Standards indicates the number of peak hour trips per dwelling unit is 1.02. That would result in a total of 34.68 peak hour trips. That is far below the threshold for a Traffic Impact Statement, which is 100 peak hour trips.
9. A plan to reduce automobile dependence is not offered as one does not seem practical for such a parcel of land located in such a suburban condition. Some may indeed walk or bike ride to the bus stop at Thornydale Road & Linda Vista Blvd. and take the bus on Thoyndale Road, but other than a small minority the residents in this project are expected to use the automobile. The nearby residential streets have sidewalks to accommodate pedestrians but there are no sidewalks on Linda Vista Boulevard.

II-I. ON-SITE WASTEWATER TREATMENT AND DISPOSAL

1. This does not apply as sewers will be utilized.
2. This does not apply
3. This does not apply

II-J. SEWERS

1. Enclosed as Exhibit II-J.1 is the PCRWRD Capacity Response Letter. It states, in part, that "capacity is currently available for this project…"
2. The property will be served by a connection to the existing 8-inch public sewer line that terminates with a manhole in the Freer Drive easement, south of the property.
3. Onsite sewer lines are planned to be located within the public right-of-ways, under the new streets.
4. This matter is moot as all sewers are anticipated to have gravity flow.

II-K. WATER

1. The Preliminary Integrated Water Management Plan is enclosed in Appendix #5.

II-L. SCHOOLS

1. There are no schools that are either within or abut the property.
2. Enclosed as Exhibit II-L.2 is a response email from the Marana Unified School District (i.e. MUSD) to the letter I wrote which asked about capacity & related matters per the Checklist.
3. Other than to request information from MUSD there has not communication during this rezoning process.

II-M. RECREATION AND TRAILS

1. There are no official recreational areas provided within the project. Due to the depth of the Detention Basins there would not be an opportunity for recreation within their boundaries. The full in lieu option will be used as the project contains less than 65 lots. Nevertheless, the project will contain a pedestrian path, which is described in II-H.5.
2. All Common Area, including the natural area along the northwestern boundary, will be owned by the homeowners association which will be responsible for maintaining these areas per CC&Rs.
3. The Pima County Regional Trails System Master Plan shows no trails within or adjacent to the project site.

PIMA COUNTY

REGIONAL WASTEWATER RECLAMATION DEPARTMENT
201 NORTH STONE AVENUE
TUCSON, ARIZONA 85701-1207

JACKSON JENKINS
DIRECTOR

PH: (520) 724-6500
FAX: (520) 724-9635

February 24, 2015

Michael Marks
MJM Consulting, Inc.
7002 E. 4th Street
Tucson, Arizona 85710

Sewerage Capacity Investigation No. 2015-44 Type I

RE: **PRF3 Property, Briar Rose Lane Rezoning, Parcels 22502004Q, 22502004P & 22502004V. Estimated Flow 7,344 gpd (ADWF).**

Greetings:

The above referenced project is tributary to the Tres Rios Water Reclamation Facility via the Canada Del Oro Interceptor.

Capacity is currently available for this project in the public sewer G-84-24, downstream from manhole 4201-20-3.

This letter is not a reservation or commitment of treatment or conveyance capacity for this project. It is an analysis of the system as of this date and valid for one year. Allocation of capacity is made by the Type III Capacity Response.

If further information is needed, please feel free to contact us at (520) 724-6642.

Reviewed by: Kurt Stemm

Exhibit 11-L.2

Michael Marks

To: Federico, Russell
Subject: RE: PRF3 Project

From: Federico, Russell [mailto:R.A.Federico@maranausd.org]
Sent: Wednesday, April 08, 2015 12:52 PM
To: Michael Marks
Subject: Re: PRF3 Project

Sorry for the confusion Michael. I forgot you are in the county. In the town of Marana projects there is sometimes a impact fee that is used by the schools.
Dan can explain more if needed.

Sent from my iPhone
Russell Federico

Executive Director of Operational Support
Marana Unified School District
11279 W. Grier Rd. Suite 101
Marana, AZ 85653
520-682-4707
Fax 520-682-2514
r.a.federico@maranausd.org

On Apr 8, 2015, at 12:22 PM, Michael Marks <mjmconsulting@cox.net> wrote:

> Russ,
>
> Thanks. If I may, I'd like to ask what fees you might be talking about. Can you explain? Thanks.
>
> Mike
>
> ---
>
> **From:** Federico, Russell [mailto:R.A.Federico@maranausd.org]
> **Sent:** Wednesday, April 08, 2015 11:27 AM
> **To:** Michael Marks
> **Subject:** Re: PRF3 Project
>
> Michael,
> I have reviewed the proposed project. The schools that will serve the proposal are Ironwood Elementary, Tortolita Middle School and Mountain View High School. All three schools are equipped and have the capacity to meet the needs of your proposed project.
>
> Any district related fees can be sent to our CFO Dan Contorno.
>
> Thanks,
>
> Russ Federico
> Executive Director Operational Support
> Marana Unified School District
> 520-682-4707
> Inspiring students to learn today and lead tomorrow!
> Sent from my iPad

P. 44

II-N CULTURAL RESOURCES: ARCHAEOLOGICAL AND HISTORIC SITES

1. The PAST cultural resources survey report (see Section I-I for official title) has identified that no archaeological or historical resources are known to exist on the site.
2. In the event that cultural resources are revealed during ground-disturbing activities, all construction shall cease, and consultation shall be initiated with Arizona State Museum (ASM) to assess the potential significance of any unearthed materials (ARS §41-841). If human skeletal remains or funerary objects are discovered, ASM will be contacted immediately (ARS §41-865 & §41-844), at (520) 621-4795, so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

II-O. ENVIRONMENTAL QUALITY

1. Grading shall take place in accordance with the Pima County Grading Ordinance and the Pima County Air Quality Control permit process. The site, in terms of the construction and paving of the internal streets and the installation of utilities and the construction of the building pads & driveways, will be done according to approved construction plans and in accordance with the requirements of the Pima County Department of Environmental Quality.
2. No meeting was held as one was not necessary because:
   a. The proposed use is not be classified per to the Air Quality Code 17.12.140 as either Class I or Class II or Class III.
   b. The proposed zoning is CR-4.

II-P. AGREEMENTS

1. There were discussions with the nearby neighborhoods during the Comprehensive Plan Amendment process, but none since the rezoning process has started. There will be a new meeting once the Site Analysis Report is approved.

APPENDIX

1. Material on Adjacent Subdivisions

PRF3 LLC - BRIAR ROSE LANE PROJECT
The Status of Subdivision Plats Surrounding the Property

1. **Las Linda** (46/72)
   - It is located immediately to the east.
   - It contains 76 lots and a gross 25.67 acres.
   - The density is 2.96 residences per acre (RAC)

2. **Overton Heights III** (43/72)
   - It is located to the east.
   - It contains 88 lots and a gross 28.9 acres.
   - The density is 3.04 residences per acre (RAC)

3. **Overton Heights** (41/13)
   - It is located futher to the south.
   - It contains 19 lots and a gross 4.67 acres.
   - The density is 4.07 residences per acre (RAC)

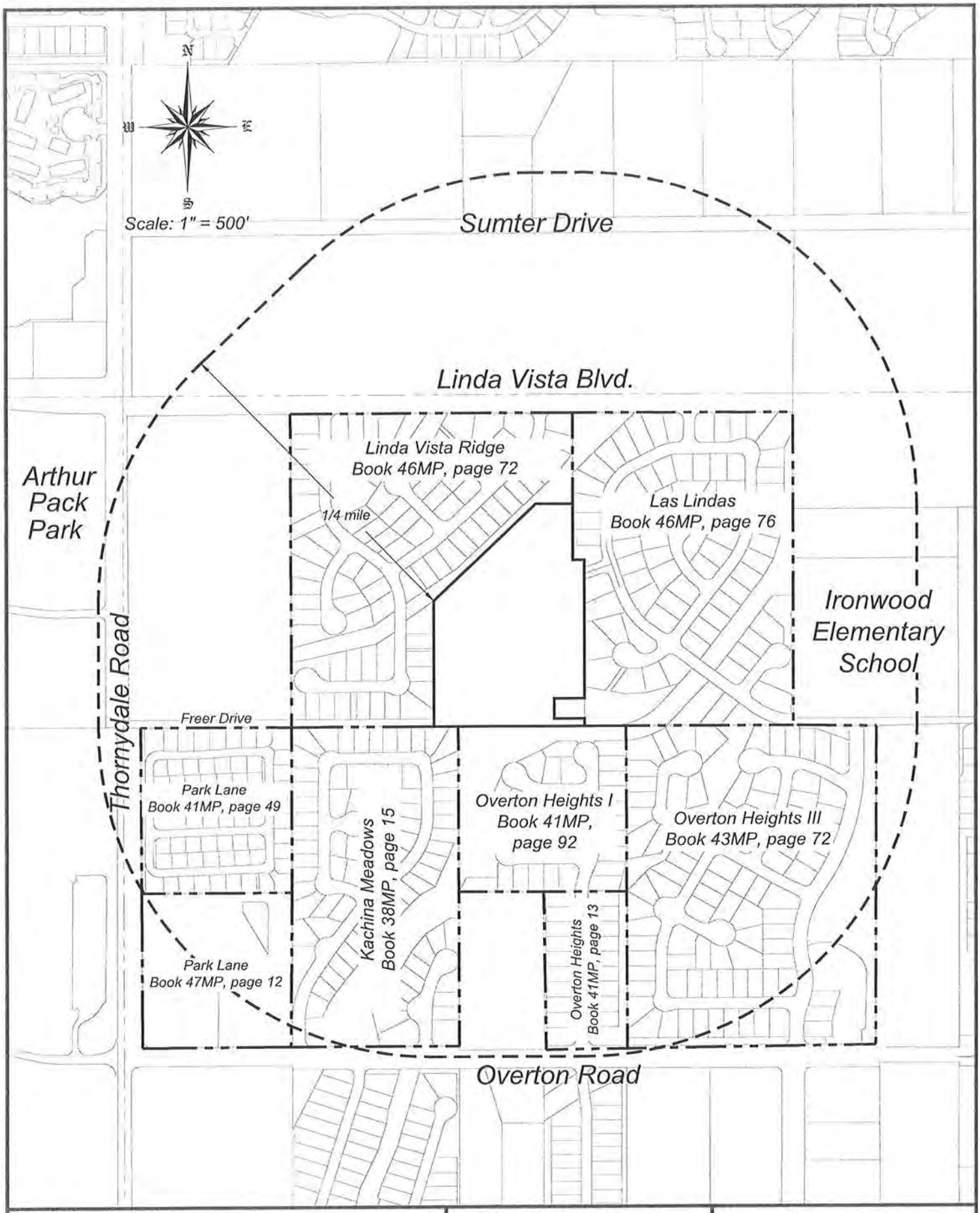
4. **Overton Heights I** (41/92)
   - It is located to the south.
   - It contains 31 lots and a gross 10.02 acres.
   - The density is 3.09 residences per acre (RAC)

5. **Kachina Meadows** (38/15)
   - It is located to the southwest.
   - It contains 82 lots and a gross 19.5 acres.
   - The density is 4.21 residences per acre (RAC)

6. **Park Lane** (41/49)
   - It is located to the west.
   - It contains 64 lots and a gross 9.5 acres.
   - The density is 6.74 residences per acre (RAC)

7. **Linda Vista Ridge** (46/72)
   - It is located immediately to the west.
   - It contains 77 lots and a gross 24.3 acres.
   - The density is 3.17 residences per acre (RAC)

8. **The Composite of all 7 Subdivisions**
   - There are a total of 437 lots on a total of 122.56 acres
   - The density of these total number of lots on the total number of acres is 3.57 RAC
   - The average density of the seven subdivisions is 3.9 RAC



MJM CONSULTING, INC.
Land Planning and Development Services
7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

PRF3 LLC - Briar Rose Lane
APN: 225-02-004P, 225-02-004Q, 225-02-004V
Section 20, Township 12 South, Range 13 S,
Pima County, Arizona

Appendix 1
Adjacent Subdivisions

APPENDIX

2. WestLand Resources Special Status Species Memorandum

FREER DRIVE PROPERTY
SPECIAL-STATUS SPECIES MEMORANDUM

Prepared for: PRF3 LLC

Prepared by: WestLand Resources, Inc.

Date: February 3, 2015

Project No.: 1279.03

TABLE OF CONTENTS

TABLES

FIGURES

ATTACHMENTS

1. INTRODUCTION

PRF3 LLC (PRF3) is seeking to rezone 9.38 acres of undeveloped land located on Freer Drive, approximately 0.25 miles east of Thornydale Road in unincorporated Pima County, Arizona (the Property; ***Figure 1***). Pima County guidelines, Part I.D.6, require that the site analysis include Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) information on documented occurrences of special-status species from within the vicinity of the subject property (Pima County Development Services Department 2010). In support of the Site Analysis Report for the rezoning effort, PRF3 retained WestLand Resources, Inc. (WestLand) to evaluate the likelihood for occurrence on the Property of species that have been documented within the vicinity of the Property, as recorded in the AGFD HDMS. For purposes of this document, special-status species include species listed in the HDMS as occurring within 3 miles of the Property.

Section 2 of this document provides a brief site description, ***Section 3*** describes the methods used to determine which species to address in the document and how the evaluation of potential to occur on the Property was conducted, and ***Section 4*** presents the results of the evaluation of the potential to occur on the Property for each of the species, including a summary table.

2. SITE DESCRIPTION

The Property is located on the alluvial fan of the Tortolita Mountains, approximately midway between the mountains and the Santa Cruz River. High-density residential development surrounds the Property on all sides, and the area within a mile radius of the Property is a patchwork of high- to low-density residential and commercial development, community facilities, and tracts of undeveloped lands (***Figure 2***).

Vegetation on the Property and in the region in general is a relatively dense and diverse association of leguminous trees and mixed cacti and shrubs.

Foothill paloverde (*Parkinsonia microphylla*) and desert ironwood (*Olneya tesota*) are dominant trees on the Property. Whitethorn acacia (*Vachellia constricta*) is common and blue paloverde (*Parkinsonia florida*) and velvet mesquite (*Prosopis velutina*) are present in smaller numbers.

Shrubs are generally not at particularly high density on the Property. Creosotebush (*Larrea tridentata*) is common, but more concentrated on the southern half of the Property. Other shrubs include desert hackberry (*Celtis pallida*), greythorn (*Ziziphus obtusifolia*), limberbush (*Jatropha cardiophylla*), and along a wash on the northwest side of the Property that is designated as Important Riparian Area by Pima County, desert broom (*Baccharis sarothroides*) and desert

ragweed (*Ambrosia ambrosioides*). Triangle–leaf bursage (*Ambrosia deltoidea*) is the dominant sub-shrub.

Numerous species of cacti are present on the Property, including saguaro (*Carnegiea gigantea*), buckhorn cholla (*Cylindropuntia acanthocarpa*), Christmas cholla (*C. leptocaulis*) chainfruit cholla (*C. fulgida*), prickly pear (*Opuntia engelmannii*), barrel cactus (*Ferocactus wislizenii*), pincushion cactus (*Mammillaria grahamii*), and hedgehog cactus (*Echinocereus fendleri*). Buckhorn cholla is especially abundant in the middle portion of the Property. Saguaros are also abundant, with a large majority of individuals less than 8 feet in height.

3. METHODS

WestLand used the AGFD Online Environmental Review Tool to query the HDMS for species occurrences within the vicinity of the Property. This provided the list of species evaluated for potential occurrence on the Property. The resulting Arizona Environmental Online Review Tool Report (***Attachment 1***) lists the known occurrence of five special-status species within 3 miles of the Property: the Tumamoc globeberry (*Tumamoca macdougalii*), fulvous whistling-duck (*Dendrocygna bicolor*), cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*), Sonoran desert tortoise (*Gopherus morafkai*), and lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*).

WestLand used information obtained from the Arizona Environmental Online Review Tool Report, personal communications with Sabra Tonn from AGFD (***Attachment 2***) and Scott Richardson from the US Fish and Wildlife Service (USFWS; ***Attachment 3***), and descriptions of the special-status species' habitats in relation to habitat at the Property to evaluate the potential for the species to occur on the Property.

4. SPECIAL-STATUS SPECIES EVALUATION RESULTS

The results of the evaluations for the potential occurrence of the five special-status species at the Property are discussed below and summarized in ***Table 1***. The only species with Endangered Species Act (ESA) protection is the lesser long-nosed bat, listed as endangered. The Sonoran desert tortoise is a candidate for ESA protection; the fulvous whistling-duck and the cactus ferruginous pygmy-owl have no ESA status, but are considered species of concern by the USFWS; and the Tumamoc globeberry does not have an ESA or USFWS status, but under the Arizona Native Plant Law, it holds a status of Salvage Restricted, requiring a permit for collection (AGFD 2014).

4.1. TUMAMOC GLOBEBERRY

It is possible for the Tumamoc globeberry to occur within the Property. The species is found in Pima County along gullies and sandy washes of hills and valleys in the Sonoran desertscrub, including in sandy soils (AGFD 2004), which are present within the Property. Several locations of Tumamoc globeberry have been documented in the vicinity of the Property, including near Arthur Pack Regional Park (Sabra Tonn, AGFD, pers. comm., January 23, 2015). The above-ground portion of the plant arises as early as April, but often much or much later, depending on precipitation; flowers following summer rains; and dies with the first frost, usually by November, after which only an underground tuber remains (AGFD 2004). The species can remain below ground for years and turn up again in vacant lots around the Tucson area (Sabra Tonn, AGFD, pers. comm., January 23, 2015).

4.2. SONORAN DESERT TORTOISE

The Sonoran desert tortoise has the possibility to occur within the Property as a transient. Habitat for the Sonoran desert tortoise is marginal within the Property, which lacks its typical habitat of rocky slopes and incised caliche washes. The nearest rocky slopes are approximately 5 miles to the north in the Tortolita Mountains. However, there are records of the Sonoran desert tortoise occurring within 3 miles of the Property (AGFD 2014), and along a 6-mile stretch Tangerine Road, which is approximately 3 miles north of the Property at its nearest location, six tortoises were found dead during a road kill study (Lowery et al. 2011). The Property is separated from typical habitat for the species by busy roadways other than Tangerine Road, and habitat in the Property vicinity is fragmented. Despite these obstacles, there is the potential for the species to pass through the Property. With the Property in an urban setting, it would be difficult to determine if any found on the Property were naturally occurring individuals or escaped pets (Sabra Tonn, pers. comm., January 23, 2015).

4.3. FULVOUS WHISTLING-DUCK

The fulvous whistling-duck has no potential to occur within the Property. The species was recorded near recharge ponds along the Santa Cruz River approximately 3 miles southwest of the Property in 1995 (Sabra Tonn, pers. comm., January 23, 2015). The species requires freshwater wetlands or other open waters and adjacent fields, which are absent on the Property.

4.4. CACTUS FERRUGINOUS PYGMY-OWL

The cactus ferruginous pygmy-owl is unlikely to occur within the Property. The Property includes paloverde (*Parkinsonia* spp.), desert ironwood (*Olneya tesota*) and saguaro (*Carnegiea gigantea*) as dominant vegetation species, as well as xeroriparian area, all of which are included

among the variety of vegetation species and communities that the species is associated with (USFWS 2011). Cactus ferruginous pygmy-owl territories have been recorded in northwest Tucson in all directions from the Property, the nearest approximately 0.5 mile to the east. However, it is currently unknown if any individuals remain in the area (Sabra Tonn, pers. comm., January 23, 2015). Reportedly, only one male was known in northwest Tucson in 2006 (Center for Biological Diversity and Defenders of Wildlife 2007), but survey effort has fallen dramatically since the species was removed from the endangered species list in 2006 (USFWS 2011). On April 27, 2005, Scott Richardson, the USFWS lead for the cactus ferruginous pygmy-owl, granted an exemption from the need to survey the Property for the species. Mr. Richardson wrote that based upon the "fragmented and isolated nature of this parcel… the extent and intensity of the surrounding land uses make it extremely unlikely that a pygmy–owl occupies or would occupy this parcel."

4.5. LESSER LONG-NOSED BAT

The lesser long-nosed bat has potential to forage within the Property, which is within the late spring to fall range of the species. The species forages on the nectar and fruit of columnar cacti (e.g., saguaros), which are present on the Property, and individuals have been documented foraging at locations less than 2 miles from the Property (Lowery et al. 2009).

Table 1. Potential for special-status species with occurrence records within 3 miles of the Freer Drive property to occur on the Freer Drive property.

Species and Federal Status	Known Geographic Range and Habitat Preference(s)	Potential to occur at Property
	PLANTS	
Tumamoc globeberry (*Tumamoca macdougalii*) **Status:** Federal: None Critical Habitat: No Recovery Plan: No	**Range:** Extreme southern Pinal and Maricopa counties, widespread in Pima County. **Habitat**: Found along gullies and sandy washes of hills and valleys in the Sonoran desertscrub and Sinaloan thornscrub communities; sandy soils of valley bottoms to rocky soils of upper bajada slopes. **Elevation**: Below 3,000 ft **Reference**: AGFD 2004	**Potential to occur:** Possible. Potentially suitable substrates and nurse plants for Tumamoc globeberry are found within the Property.

Species and Federal Status	Known Geographic Range and Habitat Preference(s)	Potential to occur at Property
	REPTILES	
Sonoran desert tortoise (*Gopherus morafkai*) **Status:** Federal: Candidate (USFWS 2010) Critical Habitat: No Recovery Plan: No	**Range:** Occurs throughout Arizona's Sonoran desert with appropriate habitat. Eastern edge of range extends to the middle and lower San Pedro River watershed. **Habitat:** Found primarily on rocky slopes and bajadas of Mojave and Sonoran desertscrub; also found associated with caliche caves along lower Sonoran desert washes. **Elevation:** 510–5,300 ft **Reference(s):** AGFD 2010	**Potential to occur:** Possible transient occurrence. Habitat for the Sonoran desert tortoise is marginal within the Property. Rocky slopes and incised caliche washes absent; nearest such habitat is approximately 5 miles north in the Tortolita Mountains. Records of tortoises within 3 miles of the Property may be tortoises wandering from there. Released or escaped pet tortoises could also be in the vicinity.
	BIRDS	
Fulvous whistling-duck (*Dendrocygna bicolor*) **Status:** Federal: None Critical Habitat: No Recovery Plan: No	**Range:** In Arizona, the fulvous whistling-duck occurs eastward to Phoenix and Picacho Lake, but most commonly observed along Colorado River south of Cibola. **Habitat:** Found primarily in freshwater wetlands and in fields adjacent to freshwater wetlands. **Elevation:** 2,150 ft **Reference(s):** AGFD 2001a	**Potential to occur:** None. There are no wetlands or other open waters located on or adjacent to the Property.
Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*) **Status:** Federal: Delisted Critical Habitat: No Recovery Plan: No	**Range:** Formerly fairly common in mesquite bosques throughout central southern Arizona. Have been found south of Tortolita Mountains; west of Tortilla, Rincon, Pajarito, Puerto Blanco, Ajo , Santa Catalina, and Santa Rita Mountains; Tucson area; Gila River near Bonita Creek and San Francisco River; San Pedro River near Dudleyville; and Sonoita Creek. The only recent records are from Organ Pipe Cactus National Monument, near Ajo, and suburban Tucson. **Habitat:** Areas of desert woodlands with tall canopy cover. Primarily found in Sonoran desertscrub and occasionally in riparian drainages and woodlands within semidesert grassland communities. Prefers to nest in cavities in saguaro cacti, but has been found in low-density suburban developments that include natural open spaces. **Elevation:** < 4,000 ft **Reference(s):** AGFD 2001b	**Potential to occur:** Possible, unlikely. The "fragmented and isolated nature of this parcel… the extent and intensity of the surrounding land uses make it extremely unlikely that a pygmy-owl occupies or would occupy this parcel." (Scott Richardson, USFWS, pers. comm., 2005).

Species and Federal Status	Known Geographic Range and Habitat Preference(s)	Potential to occur at Property
	M A M M A L S	
Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*) **Status:** Federal: Endangered (USFWS 1988) Critical Habitat: No Recovery Plan: Yes (USFWS 1995)	**Range:** A migrant species that winters in Central America, LLNBs are found in the US only in southern Arizona and extreme southwestern New Mexico from spring to fall (April to October). **Habitat:** Sonoran desertscrub through semi-desert grasslands and into oak woodlands where columnar cacti and paniculate agaves occur. Known from only three maternity roosts in Arizona. Roosts in caves, abandoned mines and occasionally old buildings. Forages at night on nectar and pollen of columnar cacti and agaves as well as fruit of columnar cacti. **Elevation:** 1,200–7,300 ft (most often < 5,500 ft) **Reference(s):** AGFD 2011	**Potential to occur**: Possible occurrence for foraging. Property is within late spring to fall range of species. Potential forage possible due to columnar cacti (i.e., saguaros).

5. REFERENCES

Arizona Game and Fish Department. 2001a. Fulvous whistling-duck (*Dendrocygna bicolor*). Unpublished abstract compiled and edited by the Heritage Data Management System, Arizona Game and Fish Department, Phoenix, Arizona. 4 pp.

_____. 2001b. Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*). Unpublished abstract compiled and edited by the Heritage Data Management System, Arizona Game and Fish Department, Phoenix, Arizona. 4 pp.

_____. 2004. Tumamoc globeberry (*Tumamoca macdougalii*). Unpublished abstract compiled and edited by the Heritage Data Management System, Arizona Game and Fish Department, Phoenix, Arizona. 6 pp.

_____. 2010. Sonoran desert tortoise (*Gopherus morafkai*). Unpublished abstract compiled and edited by the Heritage Data Management System, Arizona Game and Fish Department, Phoenix, Arizona. 6 pp.

_____. 2011. Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*). Unpublished abstract compiled and edited by the Heritage Data Management System, Arizona Game and Fish Department, Phoenix, Arizona. 68 pp.

_____. 2014. On-Line Environmental Review Tool. Special status species occurrences within 2 miles of project vicinity. Accessed December 10, 2014.

Center for Biological Diversity and Defenders of Wildlife. 2007. Petition to List the Cactus Ferruginous Pygmy-Owl as a Threatened or Endangered Species under the Endangered Species Act. Petition to the U.S. Department of the Interior and U.S. Fish and Wildlife Service.

Lowery, S. F., S.T. Blackman, and D. Abbate. 2009. Urban Movement patterns of Lesser Long-nosed bats (*Leptonycteris curasoae*): Management Implications for the Habitat Conservation Plan within the City of Tucson and the Town of Marana. Research Branch, Arizona Game and Fish Department, Phoenix, Arizona.

Lowery, S. F., S. T. Blackman, and D. D. Grandmaison. 2011. Tangerine Road and La Cholla Boulevard mortality hotspot evaluation. Prepared for Town of Oro Valley Public Works Operations Division and Town of Marana Environmental Engineering Division, Pima County, Arizona. Arizona Game and Fish Department. January 2011 Draft.

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U.S. Fish and Wildlife Service. 1988. Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Two Long Nosed Bats. Federal Register 53(190): 38456-38460.

_____. 1995. Lesser Long-nosed Bat Recovery Plan. U.S. Fish and Wildlife Service, Albuquerque, New Mexico. 45 pp.

_____. 2010. Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List the Sonoran Population of the Desert Tortoise as Endangered or Threatened; Proposed Rule. Federal Register 75 (239): 78094-78146.

_____. 2011. Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition To List the Cactus Ferruginous Pygmy-Owl as Threatened or Endangered With Critical Habitat; Proposed Rule. Federal Register 76 (193): 61856-61894.

FIGURES

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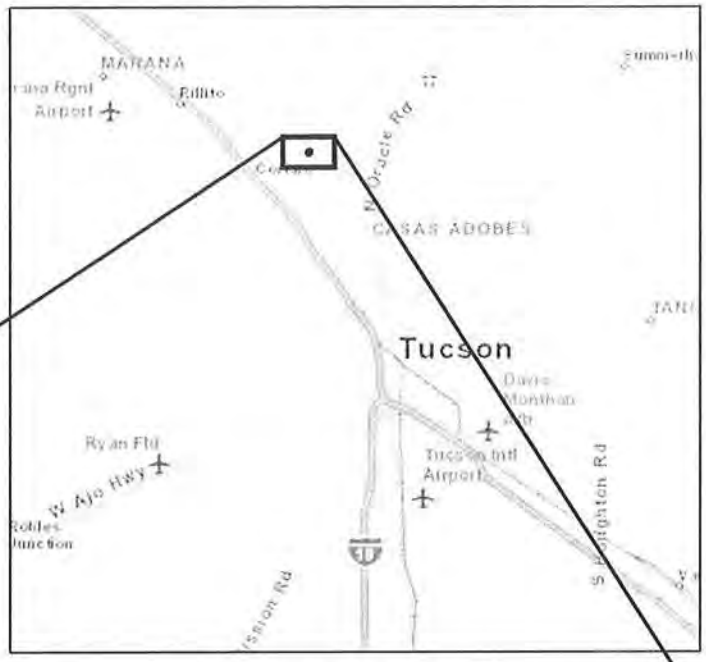
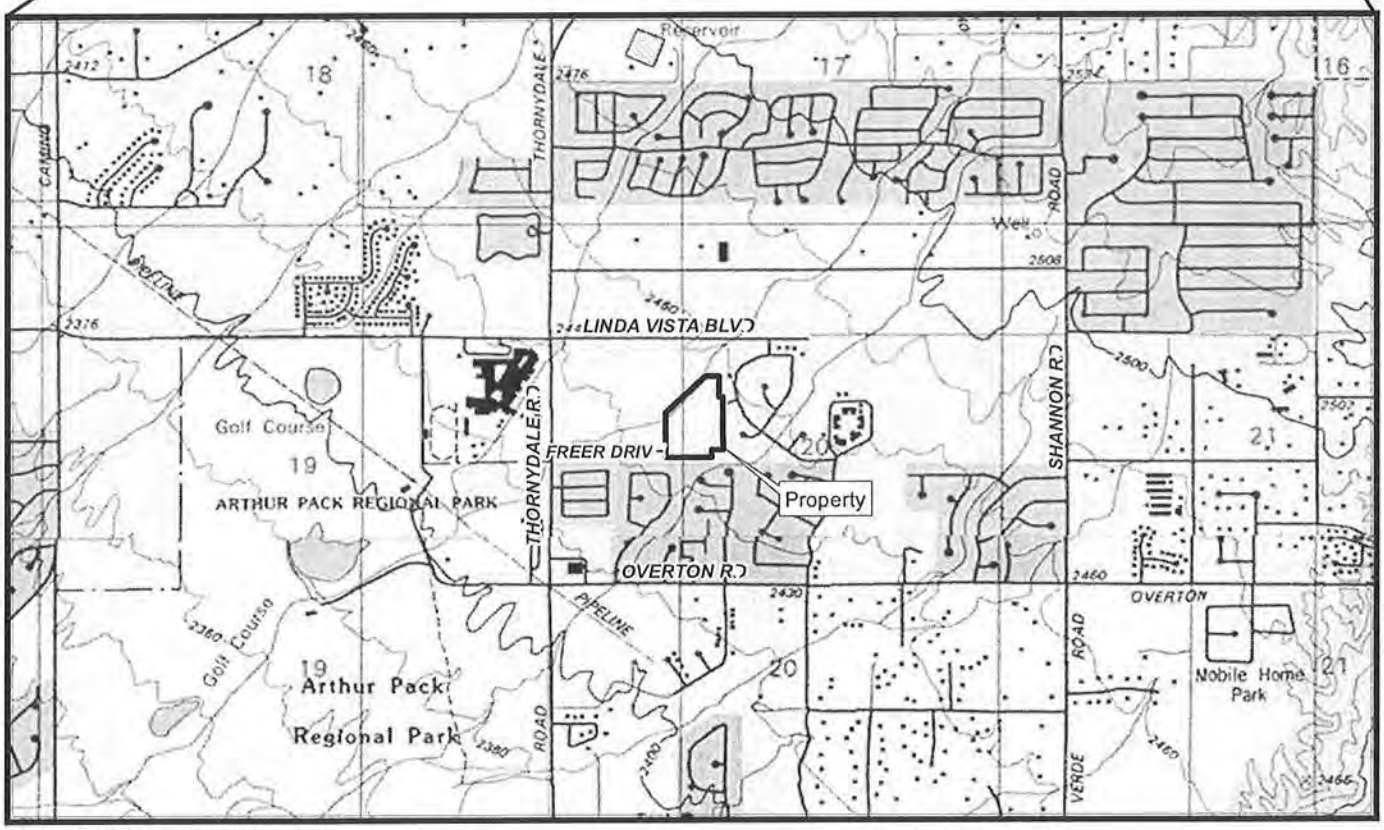
ARIZONA

PROJECT LOCATION

TUCSON METROPOLITAN AREA



Approximate Scale 1 Inch = 10 Miles



T12S, R13E, Portion of Section 20,
Pima County, Arizona,
Ruelas Canyon USGS 7.5' Quadrangle
Photo Source: ESRI Online, USA Topo & World Street Map

N

0 1,000 2,000 Feet

PRF 3 LLC

Freer Drive

VICINITY MAP

Figure 1

WestLand Resources, Inc.
Tucson • Phoenix • Flagstaff
3001 E. Pinnacle Peak Drive
Phoenix, Arizona 85032 (602) 789-9585

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T12S, R13E, Portion of Section 20,
Pima County, Arizona,
Image Source: Pima County, 2012

Legend

Project Area

N

0 500 1,000 Feet

WestLand Resources, Inc.
Tucson • Phoenix • Flagstaff

PRF 3 LLC

Freer Drive

REGIONAL OVERVIEW

Figure 2

ATTACHMENT A

ARIZONA ENVIRONMENTAL ONLINE REVIEW TOOL REPORT

Arizona Environmental Online Review Tool Report

Arizona Game and Fish Department Mission
To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:
Freer Drive

Project Description:
Single-family homes

Project Type:
Development Outside Municipalities (Rural Development), Residential subdivision and associated infrastructure, New construction

Contact Person:
Scott Hart

Organization:
WestLand Resources, Inc.

On Behalf Of:
PRIVATE

Project ID:
HGIS-00198

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

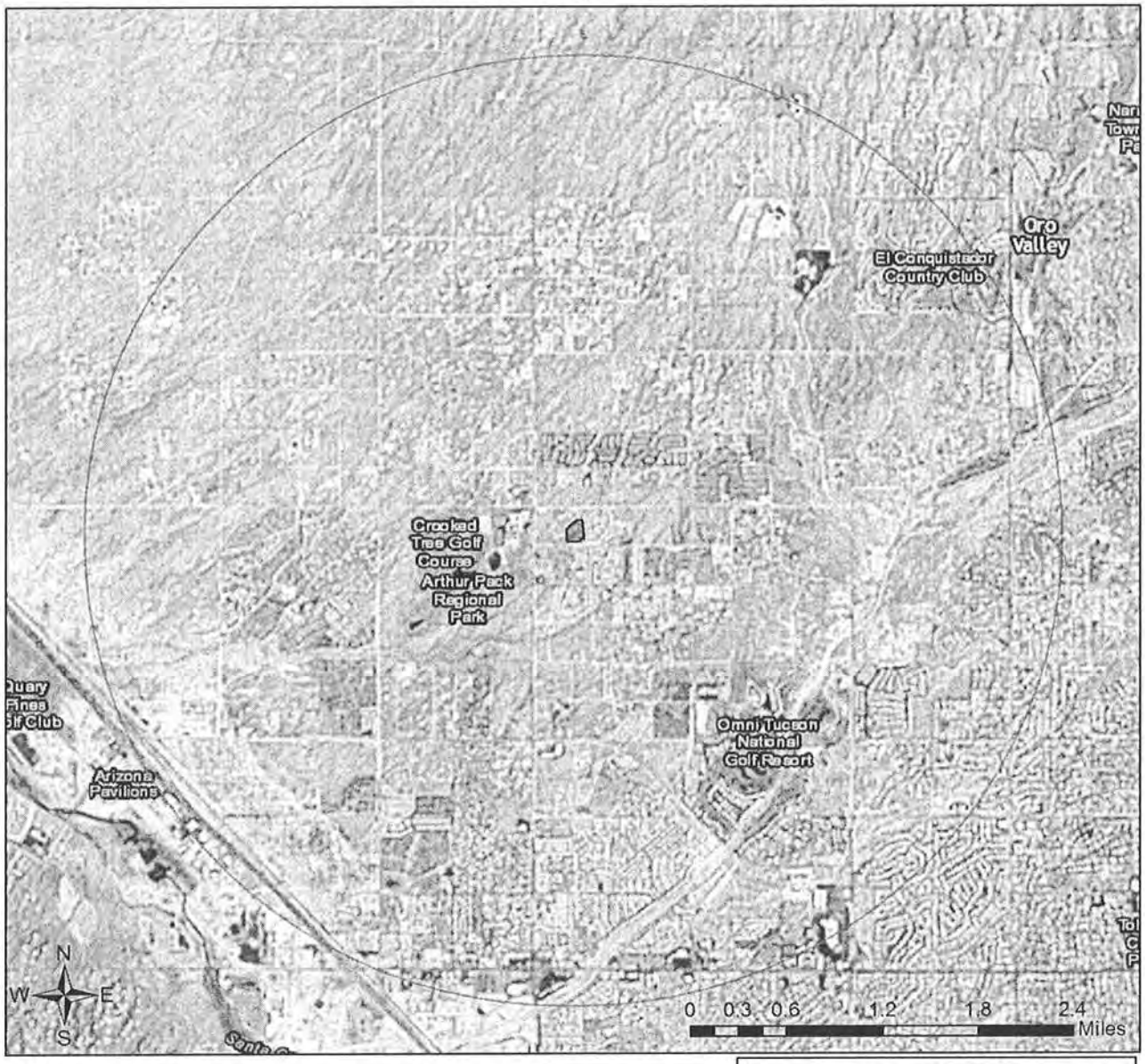
Locations Accuracy Disclaimer:
Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
   Project Evaluation Program, Habitat Branch
   Arizona Game and Fish Department
   5000 West Carefree Highway
   Phoenix, Arizona 85086-5000
   Phone Number: (623) 236-7600
   Fax Number: (623) 236-7366
   Or
   PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

Freer Drive

Aerial Image Basemap With Locator Map



☐ Project Boundary

☐ Buffered Project Boundary

Project Size (acres): 7.96

Lat/Long (DD): 32.3783 / -111.0419

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T12S, R13E

USGS Quad(s): RUELAS CANYON

Service Layer Credits: Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong),

Freer Drive

Web Map As Submitted By User

☐ Project Boundary

☐ Buffered Project Boundary

Project Size (acres): 7.96

Lat/Long (DD): 32.3783 / -111.0419

County(s): Pima

AGFD Region(s): Tucson

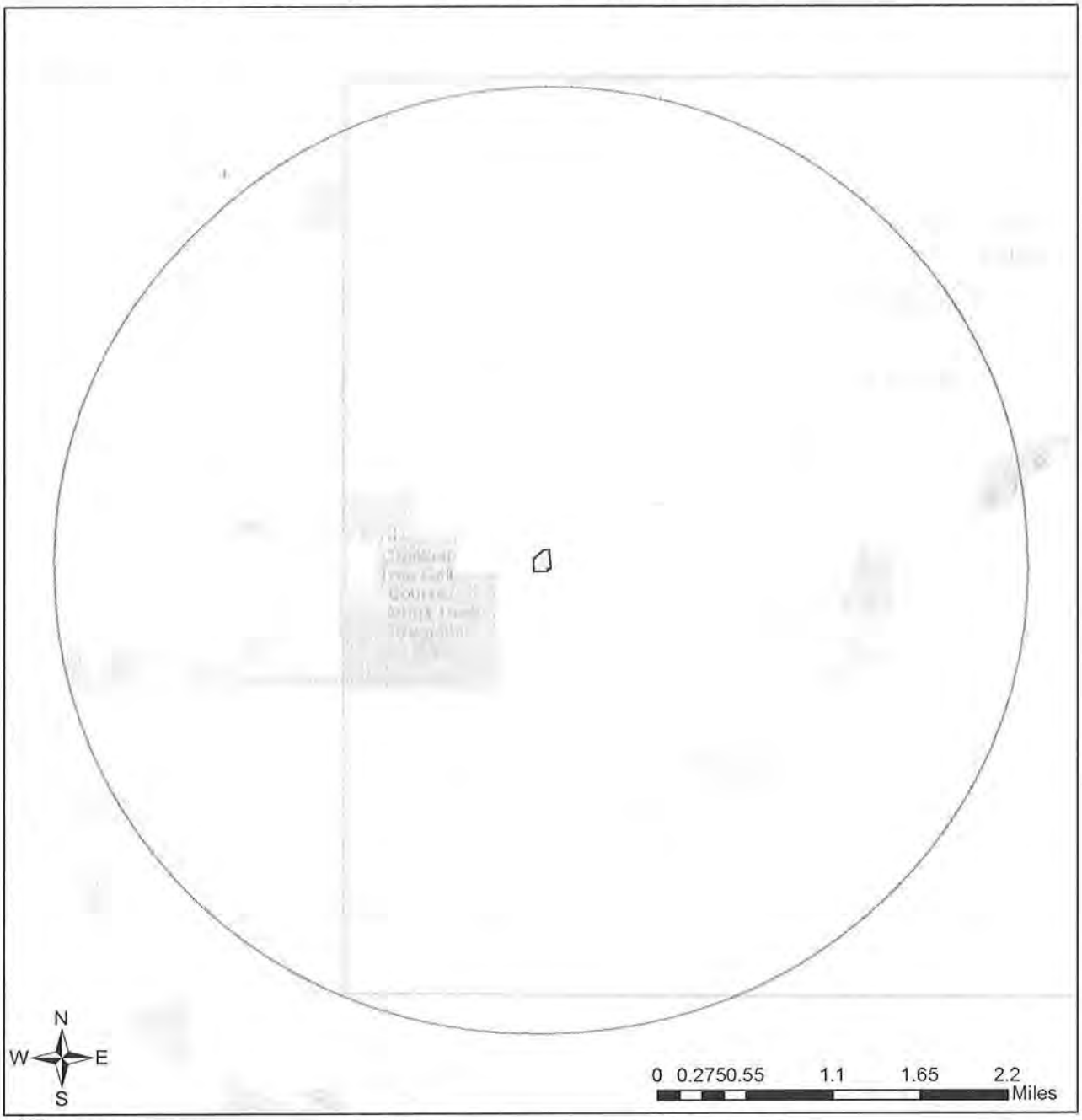
Township/Range(s): T12S, R13E

USGS Quad(s): RUELAS CANYON

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
Arizona Game and Fish Department - GIS Program
Arizona Game and Fish Department

Freer Drive

Topo Basemap With Township/Ranges and Land Ownership



- Project Boundary
- Buffered Project Boundary
- Township/Ranges
- AZ Game and Fish Dept.
- BLM
- BOR
- Indian Res.
- Military
- Mixed/Other
- National Park/Mon.
- Private
- State and Regional Parks
- State Trust
- US Forest Service
- Wildlife Area/Refuge

Project Size (acres): 7.96

Lat/Long (DD): 32.3783 / -111.0419

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T12S, R13E

USGS Quad(s): RUELAS CANYON

Special Status Species and Special Areas Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	State	SGCN
Dendrocygna bicolor	Fulvous Whistling-Duck	SC				
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	SC	S	S	WSC	1B
Gopherus morafkai	Sonoran Desert Tortoise	C*	S		WSC	1A
Leptonycteris curasoae yerbabuenae	Lesser Long-nosed Bat	LE			WSC	1A
Tumamoca macdougalii	Tumamoc Globeberry		S	S	SR	

Note: Status code definitions can be found at http://www.azgfd.gov/w_c/edits/hdms_status_definitions.shtml.

Species of Greatest Conservation Need
Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	State	SGCN
Aix sponsa	Wood Duck					1B
Ammospermophilus harrisii	Harris' Antelope Squirrel					1B
Anaxyrus retiformis	Sonoran Green Toad			S		1B
Anthus spragueii	Sprague's Pipit	C*			WSC	1A
Antrostomus ridgwayi	Buff-collared Nightjar		S			1B
Aquila chrysaetos	Golden Eagle	BGA		S		1B
Aspidoscelis stictogramma	Giant Spotted Whiptail	SC	S			1B
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		1B
Botaurus lentiginosus	American Bittern				WSC	1B
Buteo regalis	Ferruginous Hawk	SC		S	WSC	1B
Chilomeniscus stramineus	Variable Sandsnake					1B
Colaptes chrysoides	Gilded Flicker			S		1B
Coluber bilineatus	Sonoran Whipsnake					1B
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1B
Crotalus tigris	Tiger Rattlesnake					1B
Cynanthus latirostris	Broad-billed Hummingbird		S			1B
Cyprinodon macularius	Desert Pupfish	LE			WSC	1A
Dipodomys spectabilis	Banner-tailed Kangaroo Rat			S		1B
Euderma maculatum	Spotted Bat	SC	S	S	WSC	1B
Eumops perotis californicus	Greater Western Bonneted Bat	SC		S		1B
Falco peregrinus anatum	American Peregrine Falcon	SC	S	S	WSC	1A
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	SC	S	S	WSC	1B
Gopherus morafkai	Sonoran Desert Tortoise	C*	S		WSC	1A
Haliaeetus leucocephalus	Bald Eagle	SC, BGA	S	S	WSC	1A
Heloderma suspectum	Gila Monster					1A
Incilius alvarius	Sonoran Desert Toad					1B
Kinosternon sonoriense sonoriense	Desert Mud Turtle			S		1B

Species of Greatest Conservation Need
Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	State	SGCN
Lasiurus blossevillii	Western Red Bat		S		WSC	1B
Lasiurus xanthinus	Western Yellow Bat		S		WSC	1B
Leopardus pardalis	Ocelot	LE			WSC	1A
Leptonycteris curasoae yerbabuenae	Lesser Long-nosed Bat	LE			WSC	1A
Lepus alleni	Antelope Jackrabbit					1B
Lithobates yavapaiensis	Lowland Leopard Frog	SC	S	S	WSC	1A
Macrotus californicus	California Leaf-nosed Bat	SC		S	WSC	1B
Melanerpes uropygialis	Gila Woodpecker					1B
Meleagris gallopavo mexicana	Gould's Turkey		S			1B
Melospiza lincolnii	Lincoln's Sparrow					1B
Melozone aberti	Abert's Towhee		S			1B
Micruroides euryxanthus	Sonoran Coralsnake					1B
Myotis occultus	Arizona Myotis	SC		S		1B
Myotis velifer	Cave Myotis	SC		S		1B
Myotis yumanensis	Yuma Myotis	SC				1B
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					1B
Panthera onca	Jaguar	LE			WSC	1A
Passerculus sandwichensis	Savannah Sparrow					1B
Peucaea botterii arizonae	Arizona Botteri's Sparrow			S		1B
Peucaea carpalis	Rufous-winged Sparrow					1B
Phrynosoma solare	Regal Horned Lizard					1B
Phyllorhynchus browni	Saddled Leaf-nosed Snake					1B
Poeciliopsis occidentalis occidentalis	Gila Topminnow	LE			WSC	1A
Progne subis hesperia	Desert Purple Martin			S		1B
Setophaga petechia	Yellow Warbler					1B
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B
Troglodytes pacificus	Pacific Wren					1B
Vireo bellii arizonae	Arizona Bell's Vireo					1B
Vulpes macrotis	Kit Fox					1B

Species of Economic and Recreation Importance Predicted within Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	State	SGCN
Callipepla gambelii	Gambel's Quail					
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					

Project Type: Development Outside Municipalities (Rural Development), Residential subdivision and associated infrastructure, New construction

Project Type Recommendations:

Fence recommendations will be dependant upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on the home page of this application at http://www.azgfd.gov/hgis/guidelines.aspx.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, cantered, or cut to ensure that light reaches only areas needing illumination.

Minimize potential introduction or spread of exotic invasive species. Invasive species can be plants, animals (exotic snails), and other organisms (e.g., microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g., livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before leaving the site. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants, https://agriculture.az.gov/. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control, http://www.usda.gov/wps/portal/usdahome. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information http://www.azgfd.gov/h_f/hunting_rules.shtml

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g., bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (http://azstateparks.com/SHPO/index.html).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefauna (snakes, lizards, tortoise) from entering ditches.

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the home page of this application at http://www.azgfd.gov/hgis/guidelines.aspx.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at http://www.azgfd.gov/hgis/guidelines.aspx.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (http://www.azdeq.gov/).

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (http://www.azwater.gov/azdwr/default.aspx).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (http://www.usace.army.mil/)

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly. PEP@azgfd.gov

Project Location and/or Species Recommendations:

HDMS records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at http://www.fws.gov/southwest/es/arizona/ or:

Phoenix Main Office
2321 W. Royal Palm Rd, Suite 103
Phoenix, AZ 85021
Phone: 602-242-0210
Fax: 602-242-2513

Tucson Sub-Office
201 N. Bonita Suite 141
Tucson, AZ 85745
Phone: 520-670-6144
Fax: 520-670-6155

Flagstaff Sub-Office
SW Forest Science Complex
2500 S. Pine Knoll Dr.
Flagstaff, AZ 86001
Phone: 928-556-2157
Fax: 928-556-2121

HDMS records indicate that Sonoran Desert Tortoise have been documented within the vicinity of your project area. Please review the Tortoise Handling Guidelines found at: http://www.azgfd.gov/hgis/pdfs/Tortoisehandlingguidelines.pdf

ATTACHMENT B

SABRA TONN,
AGFD
PERSONAL
COMMUNICATION
(EMAIL)

From: Sabra Tonn
To: Breck Jacoby
Cc: Scott Hart
Subject: RE: Freer Drive Records Request
Date: Friday, January 23, 2015 11:45:36 AM

Breck,

The fulvous whistling duck is almost 3 miles to the SW along the Santa Cruz River near recharge ponds. 1995 last survey report.

Cactus ferruginous pygmy-owl used to have about 15-20 territories completely surrounding your project area with the closest being about half a mile to the east. I do not know if any CFPO are still in the area. Surveys have not been conducted in many years since it was removed from the Endangered Species List.

Tumamoc globeberry has several locations in the area including near the Arthur Pack Regional Park. It is known to go below ground for years and turn up again in vacant lots around the Tucson area. Surveys need to be conducted the right time of year (and when good precipitation has been done). There have been some recent survey results in the *Plant Press*. Frank Reichenbacher did surveys in the 1980s and he has been revisting site in the past several years.

Sonoran desert tortoise can be found throughout the area with a recent road kill study (2010-05-09) that found 6 individuals dead on Tangerine road over a six mile stretch. The certainly move through the area, but with the project being in an urban setting it would be difficult to determine if it was a naturally occurring individual or an escaped pet on the project location.

Lesser long-nosed bat have proven to use artificial feeders in the neighborhood where this project is located. There are days roosts in Pusch Ridge and also in the Santa Catalina Mountains. 2011.

Let me know if this doesn't give you enough info.

Sabra

From: Breck Jacoby [mailto:BJacoby@westlandresources.com]
Sent: Friday, January 23, 2015 11:11 AM
To: Sabra Tonn
Cc: Scott Hart
Subject: Freer Drive Records Request

Hi Sabra,
My colleague, Scott Hart, and I submitted an online review tool project (Attached; Project ID: HGIS-00198). The reviewed report indicated that fulvous whistling-duck, cactus ferruginous pygmy-owl, Sonoran desert tortoise, lesser long-nosed bat and Tumamoc globeberry have been documented within three miles of the project vicinity.
We'd like to request the details of these records (e.g., date, and location) in the region of the area queried. I understand that the exact locations may not be available to us, but any

information you could provide as to the location in relation to the project area would be greatly appreciated.

Thanks for your help,

Breck

Breck Jacoby | Environmental Technician
WestLand Resources, Inc.
4001 E Paradise Falls Drive | Tucson, AZ 85712
Office: (520) 206-9585| Fax: (520) 206-9518

ATTACHMENT C

SCOTT RICHARDSON, USFWS
PERSONAL COMMUNICATION (EMAIL)

Raya Ferns

From: Raya Ferns [rayaferns@darlingltd.com]
Sent: Friday, June 10, 2005 9:52 AM
To: ccourt5151@msn.com
Subject: FW: CFPO Survey Exemption

Dear Mr. Courtney-
Please find the following message from Scott Richardson re: pygmy owl surveys.
Raya

-----Original Message-----
From: scott_richardson@fws.gov [mailto:scott_richardson@fws.gov]
Sent: Wednesday, April 27, 2005 9:30 AM
To: Raya Ferns
Subject: Re: CFPO Survey Exemption

Dear Raya:

Thank you for your inquiry regarding the need to conduct pygmy-owl surveys on the parcel described below. Based on the information you provided and our evaluation of the site, we do not recommend pygmy-owl surveys for this parcel. This determination is based on the fragmented and isolated nature of this parcel. The extent and intensity of the surrounding land uses make it extremely unlikely that a pygmy-owl occupies or would occupy this parcel.

Thank you for your consideration of endangered species on this parcel.

Sincerely,

Scott Richardson
U.S. Fish and Wildlife Service
Tucson Suboffice
(520) 670-6150 x 242

"Raya Ferns" <rayaferns@darlingltd.com> 04/14/2005 01:59 PM

To: "US Fish and Wildlife-Richardson" <scott_richardson@fws.gov>
cc:
Subject: CFPO Survey Exemption

Dear Mr. Richardson-

This is a request for exemption from Cactus Ferruginous Pygmy Owl Surveys on
the parcel #225-02-004G per our conversation today. The parcel in question is 16 acres near the Southwest corner of Thornydale Rd. and Linda Vista Bl. The parcel is in the middle of a residential development and lacks habitat potential since surrounding parcels have been developed at a very high density.
Thanks.

APPENDIX

3. Traffic Material
    A. Letter from MJM Consulting to PCDOT
    B. Letter from PCDOT to MJM Consulting

MJM
CONSULTING, INC.

MICHAEL MARKS, AICP
Land Planner

June 23, 2014

Mr. Robert Young, P.E.
Transportation Systems Division Manager\
Pima County Department of Transportation
201 North Stone Ave, 5th Floor
Tucson, Arizona 85701

Re: Co7-14-01 PRF3 LLC – W. Freer Drive Alignment Plan Amendment

Dear Mr. Young:

I appreciate you and Jeanette DeRenne meeting with me recently. I'd like to follow up with this letter designed to repeat what was said in that meeting and then to seek confirmation from you on that matter. There were basically two separate, but interrelated, subjects that we talked about. Those are access to the subject property and the traffic condition as they currently are and as they would be impacted by the project development.

First let me identify the property and the proposed project. The property is 9.78 acres, made up of three Assessor Parcels, those being 225-02-004P, 225-02-004Q, & 225-02-004V. The property is located within Section 20 of T12S, R13E.

The property is currently zoned SR and has a Comp Plan designation of LIU 0.3 & RT. A Plan Amendment request has been filed to change the Comp Plan designation to MIU for all but a minority portion of the property which would remain RT.

As I stated in our conversation I have already had a neighborhood meeting in connection with this Plan Amendment request. And what I said is that at that meeting the neighbors brought up several concerns, including those of Access and of Traffic.

Concerning **ACCESS** I showed the neighbors a Conceptual Site Plan which provided for one access point, that being Briar Rose Lane. This road is a dedicated right-of-way of 45 feet in width that abuts the subject property. Some of the neighbors asked why there isn't a second access point from Freer Drive, which lies along the south boundary of the subject property. Some of the neighbors asked why the access point at Briar Rose Lane is necessary at all if the one along Freer Drive could be used. At least one neighbor asked if there is another access, maybe to the north to Linda Vista Boulevard, so that the one to Briar Rose can be avoided. I provided a response to all of these concerns at the meeting. I'd like to pursue it further, though, with you if I can.

Here are my questions for you regarding **ACCESS**.

1. Is it true that the project I am proposing will only need one point of vehicular access? I have previously talked with Jeanette DeRenne of your office and she indicated that the threshold for two access points is 100 dwelling units. She added that since our project contains 36 dwelling units that one point of access would be sufficient. Can you confirm that?
2. Is it true that the Briar Rose Lane right-of-way was created for the sole purpose of providing access to the subject property? The Briar Rose Lane right-of-way was dedicated by the Las Linda subdivision plat (Bk 46 Pg 76 of M&Ps), which established the 76 lots in this neighborhood.
3. Is it true that the Freer Drive alignment, along the south boundary of the subject property, is not a possible alternative access point given the minimum width of a public street right-of-way and the constraints between the subject property and Thornydale Road? Is it correct that the minimum right-of-way for a public street is 45 feet? To the west is the Linda Vista Ridge subdivision, recorded in Bk 46 Pg 72 of M&Ps, contains a 30 foot strip of common area. This strip of land could not be widened to 45 feet as the 15 foot difference would have to come out of the 8 adjacent lots who's owners would have to unanimously consent to the conveyance, which even if they would they could not because it

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would create lots in violation of zoning regulations. Then if somehow these impediments could be overcome, there would still be the Parcel 225-02-004M would have to be contended with. That parcel contains only a 30 foot easement over its south boundary, so its owner would have to volunteer to dedicate right-of-way for 45 feet over its south boundary. Given that it the owner of this property has sufficient access to Thornydale Road without the need to have a public street along its south boundary I do not see any reason why this owner would volunteer to dedicate this right-of-way. Do you agree that the Freer Road alignment cannot provide a possible alternative public street for access to the subject property?

4. Given the lack of alternatives is it not accurate to say that the property is land-locked other than for the Briar Rose Lane right-of-way?

Concerning **TRAFFIC** several neighbors said the traffic on Crestone Drive is already a problem. They basically attributed this problem to 'cut-through' traffic associated with the Ironwood Elementary School. One or more claimed that the problem is so great that they have difficulty backing out of their driveway in the morning.

Here are my questions for you regarding **TRAFFIC**.

1. Putting any 'cut-through' traffic aside Crestone Drive and all other streets in the Las Linda subdivision should be able to handle all the traffic from within Las Linda as well as from the subject property without any problems. Las Linda has 76 lots and the subject property would have 36+ lots for a total of 102 lots. At 10 trips per dwelling the total traffic from within these two projects would be 1020 ADT. That would be a small percentage of the capacity of any one of these streets. But no one of these streets within Las Linda would accommodate all of this traffic, but rather the traffic would be split, if not 50/50 at least something close to it between Crestone Drive and Elan Drive.
2. The level of 'cut-through' traffic is hard to estimate and would necessitate a traffic study to get a good handle on it. Clearly, however, the amount would have to be very substantial to create such a capacity problem that the neighbors describe, when added to the onsite traffic. If the residential street capacity is somewhere in the neighborhood of 6000 ADT, and the onsite traffic is 1020 ADT, the cut-through traffic would have to represent about 5000 ADT, which is a bit difficult to imagine. I wonder if you have any thoughts on this subject.
3. Regardless of the level of 'cut-through' traffic discussed above, there may be efforts that could restrict this level of traffic. You indicated to me that signage indicating such traffic is illegal is not possible given that the street is public. I imagine it is possible that the construction of a few speed bumps on Crestone Drive might discourage people from driving through this subdivision but I understand that a high percentage of the owner of lots along Crestone Drive would have to consent to such speed bumps and this might not happen. I will explore this further, and would invite any suggestions on this subject that you might think of.

Please let me know if you have any questions. If not please provide me with a written response to these points. Thank you.

Sincerely,

Michael Marks, AICP
President

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