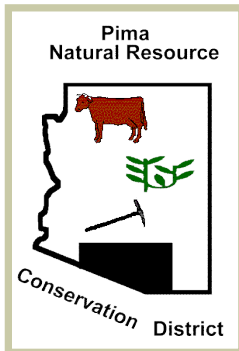


# Pima NRC D Annual Report

July 20, 2015



The 2.14 million-acre Pima Natural Resource Conservation District includes non-tribal lands in eastern Pima County and a small area of south-central Pinal County. It mirrors the State of Arizona geographically and economically. As a part of the Basin and Range Province, it contains ecosystems ranging from the bottomlands of the Lower Santa Cruz watershed to the peaks of the “Sky Islands.” Most of the state’s old and new “C’s” are here: Cattle, copper, cotton, climate, and cities. Urban areas within the district include Tucson, Marana, Sahuarita, Vail, Arivaca, Green Valley and Oro Valley.



## **Land Ownership in the District:**

- Federal 583,323 acres (27%)
- State 787,529 acres (37%)
- County 80,753 acres (4%)
- Private 673,883 acres (32%)

**Elevation:** 1,805 to 9,157 feet

## **Vegetation Communities:**

Lower Colo. River Valley, Chihuahuan Grassland, Thornscrub, Chaparral, Arizona Upland, Temperate Deciduous Forest, Mixed Conifer Forest, Xeroriparian, Riparian, Urban

**Precipitation:** 7-30” depending on location

## **Primary Resource Concerns:**

- Drought/Pluvial-Alluvial Soil Erosion
- Brush Management
- Rangeland Water Distribution
- Water Allocation, Quantity, Quality
- Water and Energy Conservation

## **Conservation Practices on the Ground:**

- Adaptive grazing management
- Prescribed fire
- Surface and subsurface irrigation
- Wells and water distribution systems
- Conversion of pump energy to solar

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## Highlights of District Activities

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Welcome to the Pima Natural Resource Conservation District's (NRCD) Annual Report. My name is Cindy Coping. As Chair of the Pima NRCD I would like to explain what an NRCD is and inform you about the mission of our Board.

### History of the Natural Resource Conservation District

NRCD history is rooted in the problems of soil erosion from agricultural production of the Dust Bowl era. The Federal Government established the now Natural Resources Conservation Service (NRCS) to develop and demonstrate improved farming methods to help conserve our nation's soil resources. NRCDs were conceived as the mechanism to involve and coordinate with local landowners on the voluntary implementation of NRCS conservation practices on private lands. States were encouraged by the Federal Government to adopt a "Standard Soil Conservation District Law" that allowed for the establishment Conservation Districts as entities of state government. Arizona passed its Conservation District Law in 1942 (Laws, 1941, Ch. 43, § 2).

Arizona NRCD Law grants its Conservation Districts the authority to:

Provide for the restoration and conservation of lands and soil resources of the state, the preservation of water rights and the control and prevention of soil erosion, and thereby to conserve natural resources, conserve wildlife, protect the tax base, protect public lands and protect and restore this state's rivers and streams and associated riparian habitats, including fish and wildlife resources that are dependent on those habitats, and in such manner to protect and promote the public health, safety and general welfare of the people. (A.R.S. § 37-1001 (A))

### Vision of the Pima NRCD

Strengthen local capacity to meet the food security and resource needs of future generations through sustainable production and appropriate land management conservation practices. Maintain our local heritage, culture, and traditions of productive private enterprises and vibrant rural communities, and the natural resources on which we all depend.

### Mission Statement of the Pima NRCD

As mandated by the State of Arizona, our mission statement addresses the conservation of our State's natural resources:

To provide for

- Restoration and conservation of lands and soil resources
- Preservation of Water Rights
- Control and prevention of soil erosion

And thereby

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## Highlights of District Activities

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- Conserve Natural Resources
- Conserve Wildlife
- Protect the Tax Base
- Protect public lands
- Protect and Restore the State's Rivers, Streams and associated Riparian Habitats

Including fish and wildlife dependent on those habitats

In such a manner as to protect and promote

- Public Health
- Public Safety
- General Public Welfare

(Adopted on June 27, 2014 by unanimous vote of the Board of Supervisors)

### Highlights of District Activities in FY 2014-2015

In past year, we have focused our efforts on the following:

- Continued support of Altar Valley Conservation Alliance soil conservation efforts
- Coordination with U.S. Fish and Wildlife Service on the Mexican wolf 10(j) rule
- Coordination with U.S. Small Business Administration Office of Advocacy on the Mexican wolf 10(j) rule and the failure of the U.S. Fish and Wildlife Service to conduct a realistic economic impact analysis or otherwise make any visible effort to comply with the Regulatory Flexibility Act
- Submitted Comments on the Mexican wolf 10(j) rule changes, proposed listing of the Mexican wolf as an endangered species, and Environmental Impact Statement  
Submitted comments on the proposed and final critical habitat designation for the Yellow-billed cuckoo
- Submitted comments on the proposed re-interpretations by U.S. Fish and Wildlife Service of the Endangered Species Act terminology regarding critical habitat, occupied habitat and adverse impact
- Submitted comments on the Environmental Protection Agency's (EPA) re-definition of "Waters of the U.S." under the Clean Water Act (WOTUS rule)
- Submitted comments on the U.S. Forest Service Groundwater Directive
- Adopted the *Best Management Practices for the Desert Tortoise in Ranching Habitat* and committed to training and encouraging cooperators in its use
- Sponsored a full-day workshop for cooperators in Range Health Monitoring

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## Highlights of District Activities

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### How to Contact Us

The Board is always looking ahead. Your participation is welcome at all meetings and there's plenty for you to do if you would like to get involved in Pima NRCD activities. If you have any concerns or comments on natural resource related issues you would like us to address, the Board can be reached by contacting:

Becky Hightower, Pima NRCD Program Administrator  
Phone (520) 292-2999  
Email: [clerk.pnr.cd@gmail.com](mailto:clerk.pnr.cd@gmail.com)  
Address: 3241 N Romero Rd, Tucson, AZ 85705

We look forward the hearing from you and welcome you to our next board meeting.

Sincerely,



Cindy Coping, Chair of the Board

### 2014-2015 Goals

This past year's goals were:

1. Support Conservation Education
2. Enhance and/or Restore Watershed Health
3. Review/revise short and long-term plans for the District

### 2014-2015 Objectives

This past year's objectives to meet these goals were as follow:

#### Conservation Education

1. Invite environmental legislative staff to local field days. Hold annual field days
2. Annual report and quarterly newsletter sent to cooperators and local, state and federal legislators
3. Personal visits with legislators and agencies, minimum one per year. Hand deliver annual report.
4. Respond to legislative issues
5. Design and launch website
6. Support Youth Education programs including Natural Resource Conservation Workshop for Arizona Youth (NRCWAY) and Envirothon.
7. Support Adult/Cooperator Education through distribution of a series of 9 plant guides and through at least one workshop.

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## Highlights of District Activities

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8. Coordinate with Federal and state agencies on natural resource issues that affect the district Watershed Health

1. Restore damaged lands and control soil erosion. Continue Baer-like response team for wildfires, floods and other similar types of emergencies.
2. Provide financial support for erosion remediation on a local level such as the Altar Wash through cooperation and support of the Altar Valley Conservation Alliance and similar organizations.

District Support and Planning

1. Expand visibility of the district and increase the number of cooperators
  - a. Host workshops of interest to cooperators
  - b. Attend Pima Association of Governments watershed meetings
  - c. Provide input on regional water planning issues
  - d. Continue to strengthen partnership with the local Drought Impact Group
2. Update 5-year plan

These goals and objectives were our priorities because agriculture across the Southwest is threatened by a combination of historic catastrophic soil erosion, reduced water tables and rangeland degradation, combined with public misperceptions that assume agricultural practices have not changed or improved in more than a century. In addition, significant threats to agriculture and food security that were overcome long ago, go unrecognized by an urban public and modern values that would reinstate those threats without foresight or understanding of the potential consequences. While it is challenging enough to restore rangeland health that is suffering from rangeland damage that occurred more than a century ago, it is more challenging for our cooperators' operations to be threatened by misinformed urban sentiment with overwhelming voting power, and misinformed bureaucrats with overwhelming regulatory power. That combination can result in environmentally inappropriate regulation followed by rural economic destruction, needless displacement of families that have actually been improving the land for up to five generations, loss of national food security and loss of traditional social and cultural heritage values. The district therefore remains at the forefront of these issues and places its key priority on protecting sovereign Arizona water rights.

## Accomplishments

We had an exceptionally active year with 11 regular public district meetings in addition to numerous public teleconference calls and five additional public meetings held jointly with other districts. We held one Local Workgroup Meeting and invited local, state and federal agencies to identify priority resource concerns within the district. We also worked together with five other NRCDs and held five joint meetings on the Mexican wolf 10(j) rule as will be discussed later. State and federal legislators and their staff members were invited and attended these meetings. Cindy Coping continued as Chair and Jim Chilton continued as Vice-chair. We sent out four newsletters to our cooperators, as well as federal, state, and local officials to keep them abreast of district activities. No changes were made to the MOU with the USDA Natural Resources Conservation Service (NRCS). We discontinued our Facebook page in light of internal uncertainties about its capability to alter our full compliance with the Arizona Open Meeting Law. After eight years of dedicated service and excellent work performance, our Program Administrator Vicki

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## Highlights of District Activities

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France retired in December 2014. We signed a contract with Becky Hightower to take over Vicki's duties. Becky Hightower designed and manages our new website, [pimanrcd.org](http://pimanrcd.org).

### Meetings Attended by the Board Members

Supervisor Coping represented the Pima NRCD at the USDA Natural Resources Conservation Service (NRCS) State Technical Advisory Committee meeting and at the multi-agency, Tucson Coordinated Resource Management meeting. Supervisor Chilton attended Arizona Game and Fish Commission meetings and maintains a strong relationship with the AZ Game and Fish Department. Supervisors Chilton and Coping represented the Pima NRCD in two AZ NRCD State Association meetings, serving on the Board of Directors, the Grazing Committee and the Regulatory Committee. Supervisor Chilton represented Pima NRCD at the AZNRCD Legislative Day at the Capitol. Supervisor Chilton remains active with the Arizona Society for Range Management. Supervisors King and Chilton remain active with the Altar Valley Conservation Alliance (AVCA) and our District Advisor Patricia King continues to serve as co-chairman of the AVCA. Supervisors Coping and Chilton attended various "Ranching into the Future" workshops and heard US Fish and Wildlife officials talk about ranching among wolves and jaguars and heard Forest Service officials explain new guidelines for allotment management. Supervisor Coping attended a Winkelman NRCD meeting to learn more about Desert Tortoise conservation efforts they are spearheading.

### Conservation Practices on the Ground

Presently, 17 ranches in the district are operating under completed Coordinated Resource Management Plans that are developed through multi-agency coordination. The NRCS has three active contracts, three new applicants for Environmental Quality Incentives Program funding, and one active Conservation Stewardship Program (CSP) contract in the district. Millions of dollars in funding for new plans and implementation of some approved plans in the district were held up for most of the year awaiting cultural resource clearances because a recently hired, key State employee disputed the former interpretation of the federal Antiquities Act. This question was very recently resolved after Governor Ducey's office took action to facilitate coordination between all the state and federal agency cultural resource decision makers. Projects are beginning to move forward again. Conservation accomplishments on the ground focused primarily on monitoring but also included replacing fossil fuel energy sources with solar, prescribed burning, new fencing, new and expanded water distribution systems, and new ranches coming under CRM planning. We also continue to support the ongoing conservation activities of the Altar Valley Conservation Alliance.

### Projects and Regulatory Comments

The federal government continues delivering shotgun-style regulatory attacks against Arizona's sovereignty over water rights and against Arizona's agricultural industry. Pima NRCD has invested a considerable amount of effort to protect water rights and the economic base of the local agricultural industry.

#### Mexican Wolf 10(j) Rule

The U.S. Fish and Wildlife Service recently revised its rule for the Mexican Wolf Nonessential Experimental Population expansion across Arizona and New Mexico, under Section 10(j) of the



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## Highlights of District Activities

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Endangered Species Act (ESA). The agency now plans to release Mexican wolves into the district. Since there is very little flowing water in the district, and since the FWS conducted no study of the local prey base in the district, we expect the wolves to naturally den at sparse, man-made point sources of water and devastate livestock and sensitive wild game herds when they come in to drink. Emergency relocations of livestock to stem depredation are expected to disrupt and potentially nullify professionally planned rest-and-rotation grazing management regimes.

The proposed rule, now finalized, thus consumed most of the district board's attention, time, and energy over the course of the year. We joined together with five other NRCs as well as representatives from various New Mexico and Arizona county commissions and boards of supervisors, and expert consultants including Mary Darling of Darling Environmental Services and attorneys Margaret and Dan Byfield from Stewards of Liberty. Together, we demanded formal coordination with FWS on the rule. Various federal laws including the National Environmental Policy Act (NEPA) require federal agencies to coordinate on an equal footing with local governments to streamline new rules with local policies, to avoid running roughshod over local communities before publishing rules that may have negative economic or social impacts. The agency declined numerous invitations to meet with us until after the close of the public comment period on the Draft Environmental Impact Statement. We did manage to get one meeting with the agency the next day, but they refused to negotiate anything, claiming it was too late because the public comment period was already closed. The meeting was well attended by the six NRCs, Cochise County Sheriff Dannels and two of his officers, Mary Darling, the Byfields, Jess Carey the wolf incident investigator for Catron County, New Mexico, and county supervisors and commissioners from Cochise county and two counties in New Mexico, University of Arizona Agricultural Economics extension agents, rural school board members, and other expert witnesses.

The district contributed significantly to the more than 500 pages comments of that were jointly submitted by a large coalition of Arizona and New Mexico government entities, non-profit organizations, private businesses and individuals. A key contribution from the district was an analysis of economic impacts of the proposed rule to the cattle industry and local economies, and the rule's failure to comply with the Regulatory Flexibility Act. We worked together with professional assistance from economist Alex Thal and the University of Arizona's Agricultural Economics extension service in writing the analysis. The district also submitted substantive comments independently opposing the final rule and attached the transcript of the joint meeting with the FWS so that it is now part of the Administrative Record for the rule. The six NRC's that attempted to coordinate with US Fish and Wildlife Service also held a coordination meeting on the rule and the Regulatory Flexibility Act with the U.S. Small Business Administration Office of Advocacy, who flew attorneys in from Washington, D.C. to assist us and has met with the U.S. Fish and Wildlife Service to discuss the wolf 10(j) rule and the FWS's failure to coordinate with local governments. The rule is now the subject of a combined multi-party lawsuit in the 9<sup>th</sup> Circuit. The district is a co-plaintiff with numerous other entities with whom we jointly submitted comments, and are jointly represented by Karen Budd-Falen. The wolf 10(j) rule in its present form is consistent with a pattern of federal agencies attempting to subvert sovereign Arizona water rights to federal control. It is also a primary example of a federal agency violating the Constitutional rights of American citizens through uncompensated takings of private property—in this case, valuable livestock—for the government purpose of feeding a population of wolves that is presently growing at a rate of more than 30% per year.

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## Highlights of District Activities

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### Forest Service Groundwater Directive

Supervisor Chilton submitted comments on behalf of Pima NRC in opposition to the USDA Forest Service Groundwater Directive. The rule was part a consistent pattern of attempts by federal agencies to usurp control over sovereign Arizona water rights in addition to an attempt to expand Forest Service jurisdiction to usurp zoning authority from local governments and encroach on private property rights. The rule was recently withdrawn.

### EPA re-definition of “Waters of the United States” under the Clean Water Act

Supervisor Chilton prepared comments submitted on behalf of Pima NRC in opposition to the agency’s revised definition of “Waters of the United States.” (WOTUS) The EPA ignored both the will of Congress and a Supreme Court ruling in issuing the new rule. The rule would bring every drop of water in the United States under the Clean Water Act and astronomically escalate costs to nearly every sector of the U.S. economy, particularly to agriculture. The rule adheres to pattern of attempts by federal agencies to usurp federal control over sovereign Arizona water rights.

### U.S. Fish and Wildlife Service (FWS) designation of critical habitat for the Yellow-billed cuckoo

The district submitted comments in response to both the proposed and final designation of thousands of stream miles of critical habitat for the Yellow-billed cuckoo. Pima NRC’s fully cited comments proved beyond doubt that key “scientific” claims published in the Federal Register supposedly justifying the designation are based on 5<sup>th</sup> hand citations involving authors that made unsupported fictional claims based on what appears to be deliberate misrepresentations of cited sources. One example is the wholly disproven claim that 95% of riparian habitat in Arizona has been destroyed. Since the critical habitat designation became final, affected Pima NRC cooperators have been reporting illegal trespass and vandalism of private property that has resulted as a direct result of the designation. The critical habitat designation is a primary example of a successful effort to subvert sovereign Arizona water rights to federal control, by any means possible.

### Jaguar critical habitat vs. U.S. border security

Supervisor Chilton invited Congressman Gosar to tour an insecure portion of the Arizona border south of Arivaca that a unit of the new jaguar critical habitat designation overlaps. Supervisor Copping joined the private full-day tour with Supervisor Chilton, a neighboring rancher, Congressman Gosar, and his legislative staff member Jeff Small. Discussed at length were the incompatibility of border security with the new jaguar critical habitat designation and other overreaching environmental regulations. They also discussed the rogue manner in which the U.S.

Fish and Wildlife Service has recently abandoned scientific integrity to appease radical “litigation factories” and has also violated the Endangered Species Act, the Administrative Procedure Act, the National Environmental Policy Act and a number of other federal laws in a variety of recently published endangered species rules. On a separate occasion, supervisors Chilton and Copping met with Attorney General Tom Horne, Arizona Game and Fish Director Larry Voyles and their legal staffs to discuss the jaguar critical habitat rule. More recently, a group of New Mexico organizations led by the Arizona/New Mexico Coalition of Counties filed suit in the 10<sup>th</sup> Circuit for an injunction against the jaguar critical



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## Highlights of District Activities

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habitat rule. The district is monitoring that lawsuit and we are certain the comments we submitted on the rule are helping the plaintiffs. The jaguar critical habitat rule specifies that jaguars require permanent sources of water within a radius of 12 miles but fails to mention who owns that water. The rule is consistent with a pattern of attempts by federal agencies to usurp control over sovereign Arizona water rights.

### Funding

We were provided funding for our projects this last year by the Arizona State Legislature, by the USDA Farm Bill programs including EQIP and CSP, and individual donations from cooperators, from Board members that frequently pay all their own expenses to attend out-of-town meetings and conferences, and from Board members who contributed all or part of their mileage, conference registration and hotel allowances back to the Pima NRCD.

### Volunteers

All members of the Board of Supervisors contribute their time voluntarily. Many of our comment submissions in response to proposed rules were researched and written entirely by volunteers. In addition, many the district's cooperators are voluntarily involved in the Altar Valley Conservation Alliance, which is dedicated to implementing soil erosion controls such as Zeedyk rock structures and monitoring the results. Individual cooperators also volunteer their time implementing conservation actions independently on their own properties, farms, and grazing allotments.

John King resigned from the board in May 2015 after serving as a supervisor for 40 years. Stu Bengson, also a Pima NRCD supervisor of 40 years, has announced he will resign in 2016. The board nominated our district advisor Patricia King to serve the remainder of John King's term. We are seeking nominations for candidates to fill the position Stu Bengson intends to vacate.

The benefits of accomplishing our conservation goals include the following:

- Reduced soil erosion
- Improved soil productivity leading to better forage
- Improved herd health and conception rates
- Improved profitability of agricultural operations
- Improved wildlife habitat
- Improved public image of livestock grazing
- Prevention of cause for threatened or endangered species listings

The benefits of our vigilant responses to overreaching federal regulations include the following:

- The possibility of preventing scurrilous listings or critical habitat designations
- Improved knowledge about the natural world
- Smaller areas being designated for critical habitat
- Establishment of judicial standing
- Improved probability of winning lawsuits against needlessly harmful regulations

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## Highlights of District Activities

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### Beneficiaries

The greatest beneficiaries of our accomplishments are everyone who eats, every Arizonan who depends on our limited water supply, and of course, wildlife because they depend on habitat conservation. Farmers and ranchers in our district provide water resources and conserve wildlife habitat as a by-product of managing soil, rangeland and water resources efficiently. Our cooperators pass along savings as well as their costs to consumers. Consumers pay for commodities such as beef, milk, grains, fruit and cotton at prices dictated by the law of supply and demand. When our accomplishments benefit agricultural producers by increasing food and fiber production efficiency, the economic benefits always flow through to consumers—with the greatest relative benefit going to consumers who are struggling economically. The more productive the land and the more efficient our use of water resources, the less consumers must pay to satisfy their most basic human needs. The less the consumer must pay for food and water, the more money is available for other purchases and other uses land and water that stimulate the economy and provide jobs.

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## Highlights of District Activities

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### Partnerships

This last year the Board coordinated and/or partnered with the following federal, state, and local government agencies, individuals and businesses:

- USDA Natural Resources Conservation Service
- Altar Valley Conservation Alliance
- Arizona/New Mexico Coalition of Counties
- Winkelman NRCD
- Hereford NRCD
- Whitewater Draw NRCD
- Willcox-San Simon NRCD
- Apache NRCD
- Cochise County
- Arizona Cattlemen's Association
- Southern Arizona Cattlemen's Protective Association
- Arizona Farm Bureau
- American Stewards of Liberty
- U.S. Small Business Administration Office of Advocacy
- Bureau of Land Management
- Pima County
- Arizona Game and Fish Department
- Arizona State Lands Department
- USDA Forest Service
- Doña Ana Soil and Water Conservation District (SWCD)
- Grant SWCD
- Hidalgo SWCD
- Peñasco SWCD
- Central Valley
- McKinley SWCD
- Sierra SWCD
- Gila Livestock Growers
- New Mexico Council of Outfitters and Guides
- New Mexico Farm and Livestock Bureau
- Protect Americans Now
- Individual Pima NRCD Cooperators
- Darling Environmental Services
- Cochise County Sheriff's Department

### Regular Monthly Meeting Schedule (unless otherwise posted)

Date: 4<sup>th</sup> Tuesday of every month

Location: NRCS Plant Materials Center in either the Conference room or Library,  
3241 N Romero Road, Tucson, AZ 85705

Start Time: 1 PM

All meetings are posted at least 24 hours in advance on our website at [pimanrcd.org](http://pimanrcd.org) and at the NRCS Plant Materials Center.

NRCD supervisor elections and appointments take place every two years on even number years. The Board presently has a vacancy opening for a new supervisor in 2016. The Board also accepts individuals as advisors for anyone interested in offering their skills and expertise for conservation. If anyone is interested in serving on the board or working with the board please contact us. Our current board members serve in various capacities in the community and personally own several businesses. Below are their names and capacities on the Board.

## NRC D Financial Statement

Text

July 1, 2014 - June 30, 2015

INCOME	State Account	Local Account	
State Funds	\$ 13,000.00	Beginning Balance	\$ 63,837.16
		Contributions	200.00
Interest	0.90	Grants Interest	56.77
		Sales	
		Other (itemize) In-Kind Contributions*	1,598.76
<b>TOTAL INCOME</b>	<b>\$ 13,000.90</b>	<b>TOTAL INCOME</b>	<b>\$ 1,855.53</b>
EXPENSES:	State Account	Local Account	
Clerical contract fees	2525.00		
Salaries	1248.95		2869.60
Office	435.89		162.41
Supervisor mileage reimbursement	1,631.44		
Program:			
Dues	1,700.00		
Contributions			200.00
Conference attendance	185.00		1,598.76
Workshop expenses	2,475.62		
Field day expenses			
Newsletter / Annual Report	299.00		
Election expenses			
Other (Describe) Consulting Fees	1,500.00		1,710.00
<b>TOTAL STATE EXPENSES</b>	<b>\$ 13,000.90</b>	<b>TOTAL LOCAL EXPENSES</b>	<b>\$ 4,830.17</b>
<b>BALANCE STATE ACCOUNT</b>	<b>\$ 0.00</b>	<b>BALANCE LOCAL ACCOUNT</b>	<b>\$ 60,862.52</b>

\*Donated Conference registration, hotel and mileage expenses

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### Administration

The Board of Supervisors consisted of the following:

Cynthia Coping – Chair (Appointed Supervisor)  
Jim Chilton – Vice Chair (Appointed Supervisor)  
John King (Elected Supervisor) July 1, 2014 thru May 2015  
Stuart Bengson (Elected Supervisor)  
Andrew McGibbon – (Elected Supervisor)  
Patricia King (Nominated as Interim Appointed Supervisor June 2015 thru present)

Administrative support:  
Vicki France (July to December 2014)  
Becky Hightower (January 2015 to present)

**This Annual Report of the Pima NRCDC was accepted and approved on this 20th day of July 2015.**

Three Board Member signatures required:

Signature 

Signature 

Signature 