



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: November 22, 2016

Title: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal Located at 14555 West Desert Owl Way, Located within Important Riparian Area with Underlying Xeroriparian Class C Habitat (District 3)

Introduction/Background:

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires mitigation when cumulative disturbance of more than 1/3 acre of mapped riparian habitat occurs. If a project site contains suitable area(s) for mitigation, restoration, or enhancement, then on-site mitigation is required in accordance with the adopted Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines. The Ordinance contains a provision for mitigation banking when on-site mitigation is not feasible. All off-site mitigation proposals require Flood Control District Board of Directors (Board) review and approval.

Discussion:

The property owner, Mrs. Swetzer, has a violation on her property located at 14555 West Desert Owl Way, for grading without a permit. The property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class C Habitat. The grading activity disturbed 0.39 acres of the RRH on the owner's property which exceeds the threshold of 1/3 of an acre, therefore a Riparian Habitat Mitigation Plan (RHMP) is required. Mrs. Swetzer hired Greg Shinn, with GRS Landscape Architects, LLC, to prepare a RHMP. Since Mrs. Swetzer does not have a source of water on her property, Mr. Shinn recommended off-site mitigation. The owner is proposing to contribute a fee of \$1,560.00 in lieu of on-site mitigation.

Conclusion:

Acceptance of mitigation banking funds in-lieu of on-site mitigation is allowed under the Ordinance. Contributions to the mitigation bank for disturbance of this habitat will provide funds to be used toward purchase of high value resources or towards restoration of degraded riparian habitat within Pima County.

Recommendation:

The ILF proposal presented conforms with the Ordinance and, as such, the District recommends approval.

Fiscal Impact:

\$1,560.00

Board of Supervisor District:

1 2 3 4 5 All

Department: Regional Flood Control District Telephone: 724-4600

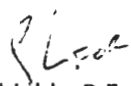
Department Director Signature/Date: _____ *[Signature]* 10/27/16

Deputy County Administrator Signature/Date: _____ *[Signature]* 11/1/16

County Administrator Signature/Date: _____ *[Signature]* 11/2/16

DATE: October 25, 2016

TO: Flood Control District Board of Directors


FROM: Suzanne Shields, P.E.
Director

SUBJECT: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal Located at 14555 West Desert Owl Way, Located within Important Riparian Area with Underlying Xeroriparian Class C Habitat (District 3)

Background

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires mitigation for mapped riparian habitat disturbances greater than 1/3 acre. If a project site contains suitable area(s) for riparian restoration, enhancement, or establishment, onsite mitigation occurs in accordance with the adopted *Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines*. The Ordinance contains a provision for mitigation banking, when on-site mitigation is not feasible. All off-site mitigation proposals require Flood Control District Board of Directors (Board) review and approval.

Report

The property owner, Mrs. Swetzer, has a violation on her property located at 14555 West Desert Owl Way, for grading without a permit (Exhibit A). The property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class C Habitat (Exhibit B). When the grading occurred this activity disturbed 0.39 acres of the RRH on the owner's property which exceeds the threshold of 1/3 of an acre, therefore a Riparian Habitat Mitigation Plan (RHMP) is required.

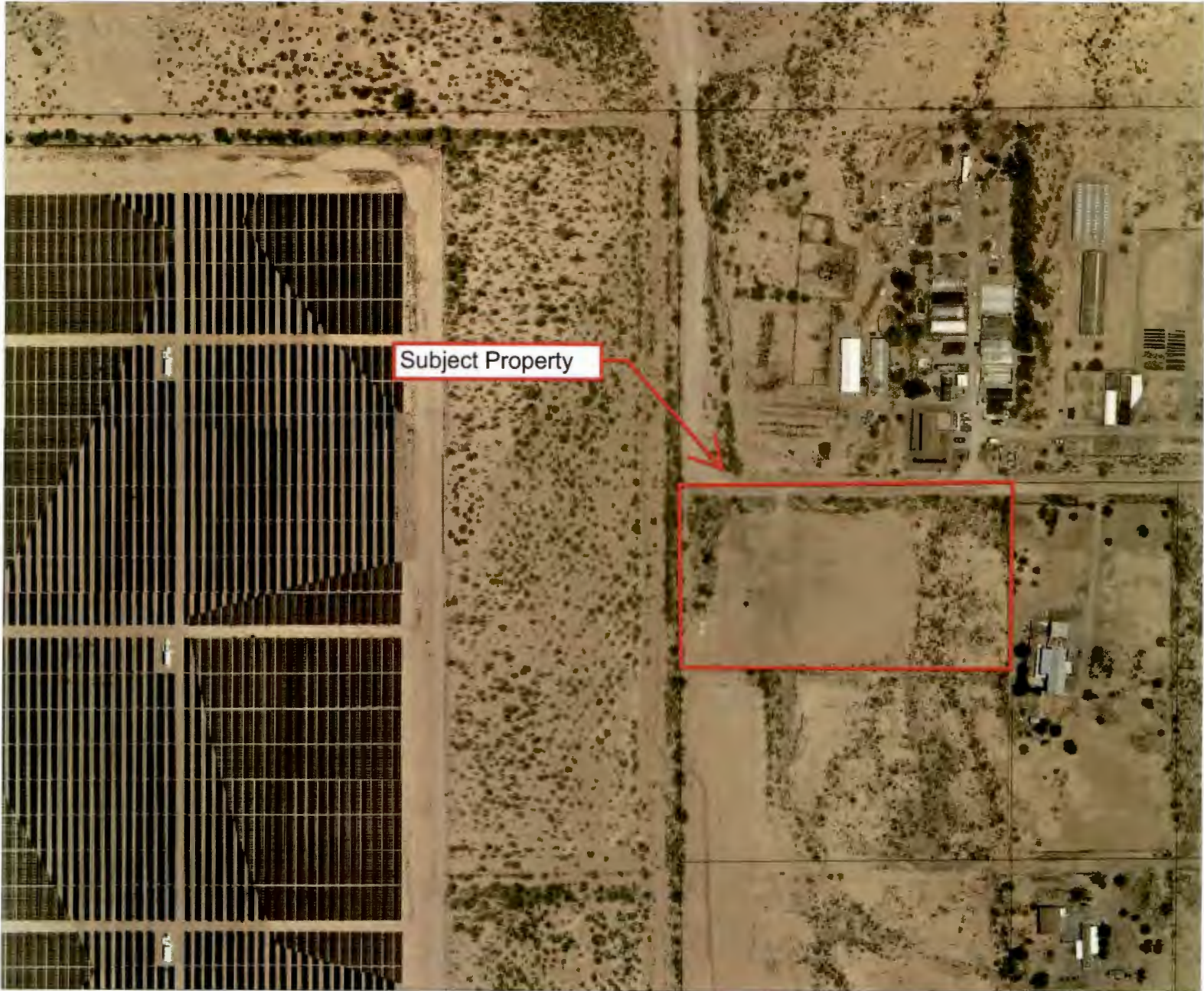
Mrs. Swetzer hired Greg Shinn, with GRS Landscape Architects, LLC, to prepare a RHMP (Exhibit C). The property has sparse vegetation. Mr. Shinn conducted a plant survey of the existing vegetation within the area and found the property did not meet the vegetative density for Xeroriparian C Habitat. Since Mrs. Swetzer does not have a source of water on her property, Mr. Shinn recommended off-site mitigation. The owner is proposing to contribute a fee of \$1,560.00 in-lieu of on-site mitigation, based on a cost estimate prepared by Mr. Shinn. Mrs. Swetzer had to provide seeding on the property to comply with Development Services requirements. The cost of the seeding was not included in the in-lieu fee.

Recommendation

Acceptance of mitigation banking funds in-lieu of on-site mitigation is allowed under the Ordinance. Contributions to the mitigation bank for disturbance of this habitat will provide funds to be used toward purchase of high value resources or towards restoration of degraded riparian habitat within Pima County

Attachments: Exhibit A – Project Location
Exhibit B – Project Site – Riparian Classification Map
Exhibit C – Mitigation Banking In-lieu Fee Proposal

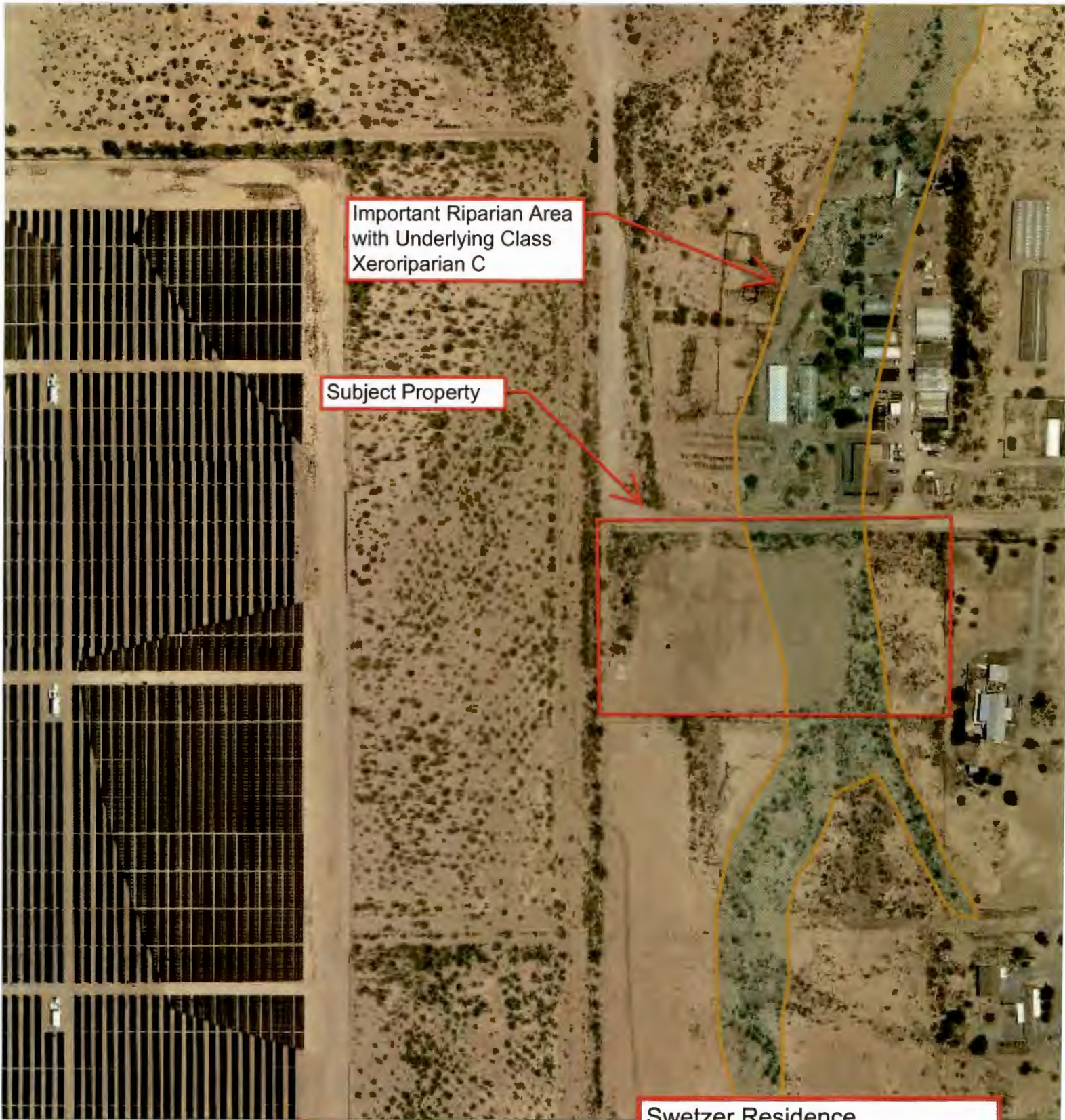
Exhibit A



Subject Property

Swetzer Residence
14555 West Desert Owl Way
BOS Meeting Date 11/22/16

Exhibit B



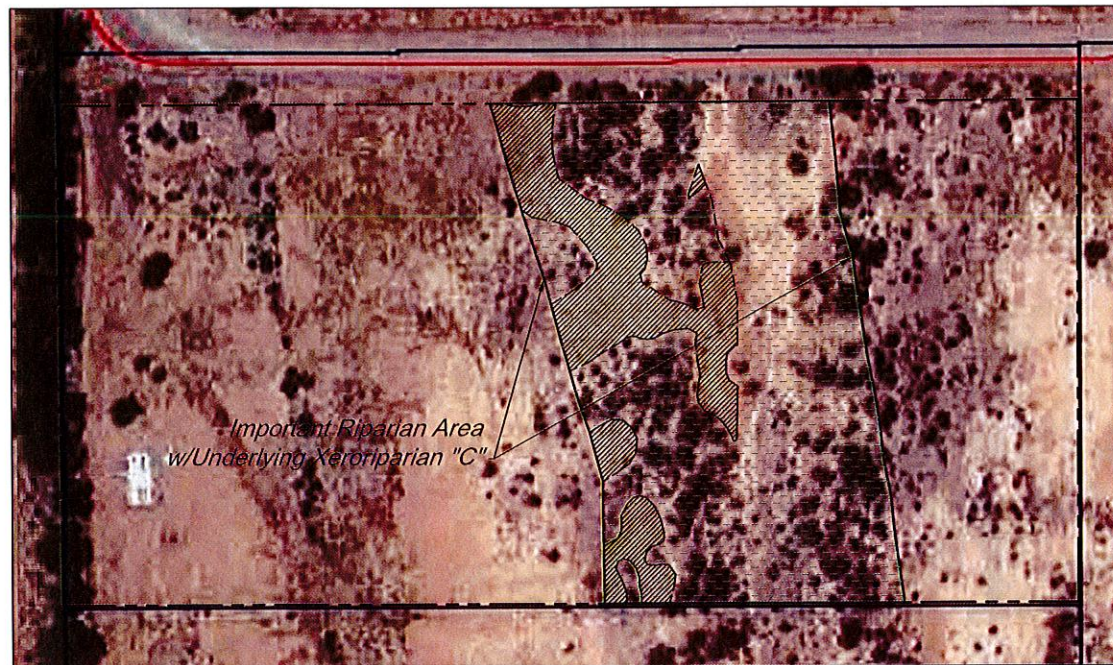
Important Riparian Area
with Underlying Class
Xeroriparian C

Subject Property

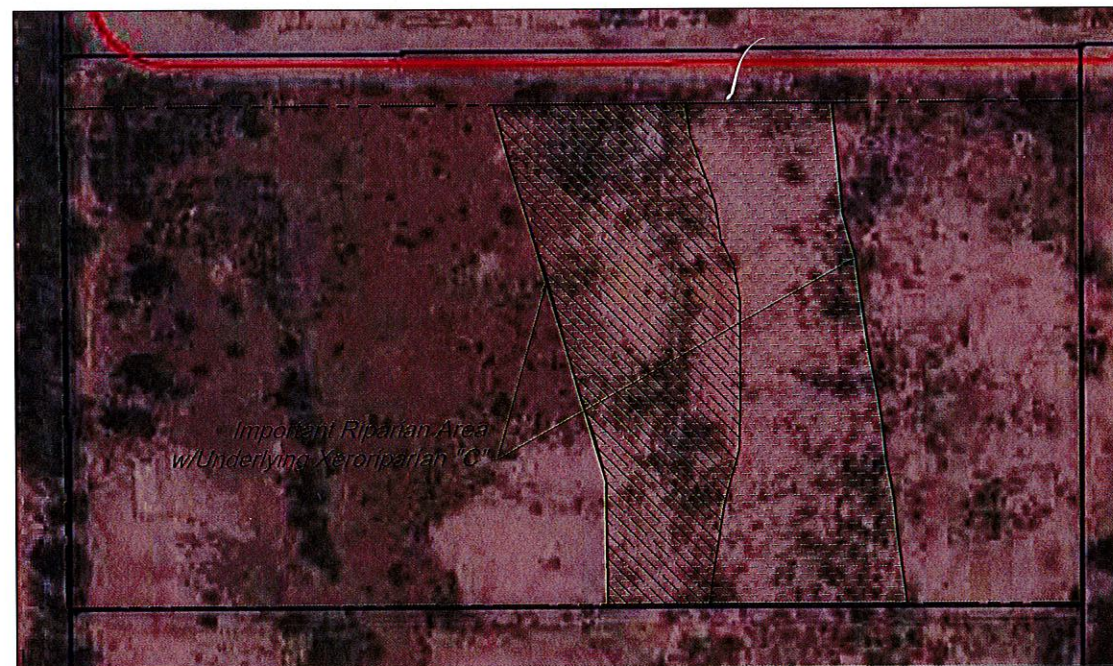


Swetzer Residence
14555 West Desert Owl Way
BOS Meeting Date 11/22/16

Exhibit C



2005 PIMA COUNTY AERIAL -- Pre-Ordinance Disturbance



2015 PIMA COUNTY AERIAL -- Post-Ordinance Disturbance

NOTE

1. The Owner elects to meet the mitigation requirements with payment of an in-lieu fee. A calculation of that fee is provided on this plan, below.

SWETZER - 14555 W Desert Owl Way

CALCULATION OF IN-LIEU FEE

On Site Mitigation Calculation

Missing Plant Material

- 11 - 15 gal. Trees
- 11 - 5 gal. Trees
- 9 - 5 gal. Shrubs
- 9 - 1 gal. Shrubs
- 0 - SF Native Seed

Cost Calculation

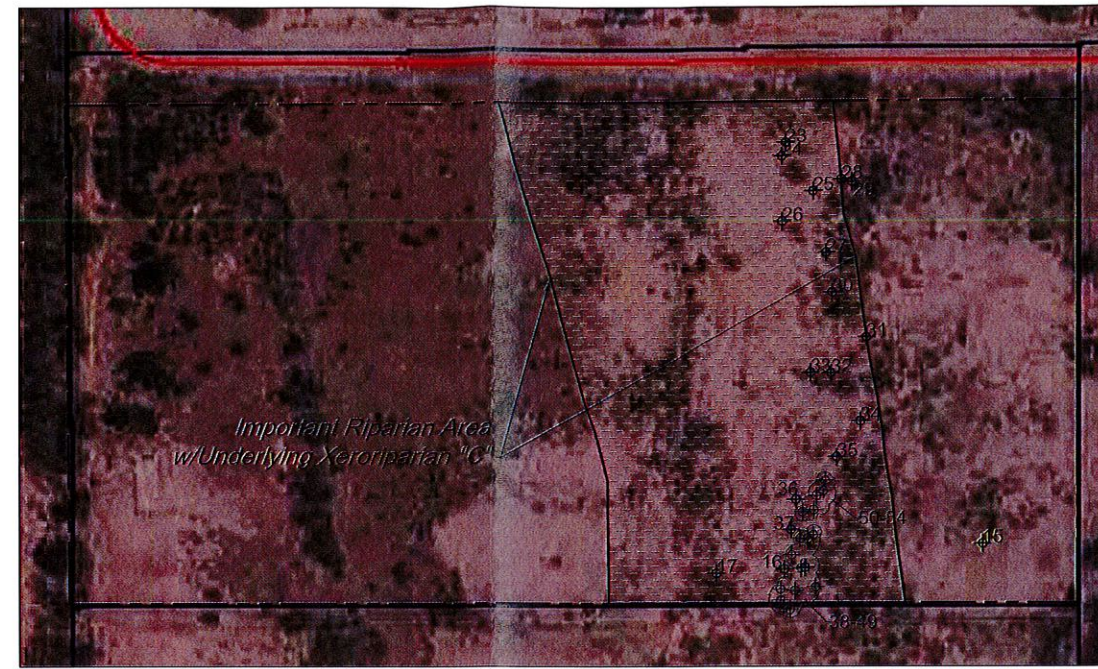
| | |
|--|--------|
| 11 - 15 gal. Trees - \$ 70.00 ¹ | 770.00 |
| 11 - 5 gal. Trees - \$ 35.00 ¹ | 385.00 |
| 9 - 5 gal. Shrubs - \$ 35.00 ¹ | 315.00 |
| 9 - 1 gal. Shrubs - \$ 10.00 ¹ | 90.00 |
| 0 - SF Native Seed - \$ 0.07 ⁵ | 0.00 |

| | |
|---|------|
| Maintenance Cost - \$ 0.00 ² | 0.00 |
| Irrigation Cost - \$ 0.00 ³ | 0.00 |
| Water Cost ⁴ | 0.00 |

Total In-Lieu Fee **\$ 1560.00**

Notes

- 1 - These are "wet" costs that include the cost of spaghetti tubing and emitters.
- 2 - Owner's monthly maintenance costs do not change with the elimination/addition of these plants.
- 3 - There is no availability of water on this site.
- 4 - There is no availability of water on this site.
- 5 - Property was seeded in late summer, 2016.



2015 PIMA COUNTY AERIAL -- Plant Inventory

RIPARIAN NOTES

1. Zoning = RH
2. Site Area = 4.0 acres
3. Land Use = Residential
4. Area Calculations:
 - a. Total Project Area 4.0 acres
 - b. Total Riparian Area On Site 51,923 sf (1.19 acres)
(Important Riparian Area with Xeroriparian C Habitat)
 - c. Total Current Disturbance (Post-Ordinance) 27,225 sf (0.63 acre)
 - d. Total Disturbance Pre-Ordinance 10,297 sf (0.24 acre)
 - e. Total Riparian Habitat Disturbance 16,928 sf (0.39 acre)
(Current less Pre-Ordinance)

CALCULATIONS:

| | |
|---|----------------------------|
| This site contains Important Riparian Area (IRA) with underlying Xeroriparian "C" Habitat | |
| Total Regulated IRA Habitat On-Site | 51,923 sf (1.19 acre) |
| Total Area of Disturbed Riparian Habitat | 27,225 sf (0.63 acre) |
| Less Pre-Ordinance Disturbance Area | 10,297 sf (0.24 acre) |
| Total Current Disturbance of Riparian Habitat | 16,928 sf (0.39 acre) |
| Total Area of Disturbed Riparian Habitat 16,928 sf (0.39 acre) | |
| Min. Mitigation Area Required = $1.5 \times 0.39 \times 0.7 =$ | 17,774 sf (0.41 ac) |
| Total # of Trees Required = $1.5 \times .39 \times 38$ | 22 Trees |
| Total # of Shrubs Required = $1.5 \times 0.39 \times 30 =$ | 18 Shrubs |
| Total # of Trees Required = 1.5 x 0.39 x 38 = 22 Trees | |
| Total Trees Provided on Site 0 Trees | |
| Total Trees Provided by in lieu fee 22 Trees | |
| Total # of Shrubs Required = 1.5 x 0.39 x 30 = 18 Shrubs | |
| Total Shrubs Provided on Site 0 Shrubs | |
| Total Shrubs Required off Site 18 Shrubs | |
| Total Hydroseed Required = 17,774 sf (0.41 ac) | |
| Total Hydroseed Provided on Site 17,774 sf (0.41 ac) | |
| Total Hydroseed Provided by in lieu fee 0 sf (0.00 ac) | |

PLANT INVENTORY

| ID NO. | DESCRIPTION |
|--------|-------------------------------------|
| 15 | Prosopis velutina - Native Mesquite |
| 16 | Prosopis velutina - Native Mesquite |
| 17 | Prosopis velutina - Native Mesquite |
| 23 | Prosopis velutina - Native Mesquite |
| 24 | Prosopis velutina - Native Mesquite |
| 25 | Prosopis velutina - Native Mesquite |
| 26 | Prosopis velutina - Native Mesquite |
| 27 | Prosopis velutina - Native Mesquite |
| 28 | Prosopis velutina - Native Mesquite |
| 29 | Prosopis velutina - Native Mesquite |
| 30 | Prosopis velutina - Native Mesquite |
| 31 | Prosopis velutina - Native Mesquite |
| 32 | Prosopis velutina - Native Mesquite |
| 33 | Prosopis velutina - Native Mesquite |
| 34 | Prosopis velutina - Native Mesquite |
| 35 | Prosopis velutina - Native Mesquite |
| 36 | Prosopis velutina - Native Mesquite |
| 37 | Prosopis velutina - Native Mesquite |
| 38 | Prosopis velutina - Native Mesquite |
| 39 | Prosopis velutina - Native Mesquite |
| 40 | Sagebrush |
| 41 | Sagebrush |
| 42 | Sagebrush |
| 43 | Sagebrush |
| 44 | Sagebrush |
| 45 | Sagebrush |
| 46 | Sagebrush |
| 47 | Sagebrush |
| 48 | Sagebrush |
| 49 | Sagebrush |
| 50 | Sagebrush |
| 51 | Sagebrush |
| 52 | Sagebrush |
| 53 | Sagebrush |
| 54 | Sagebrush |

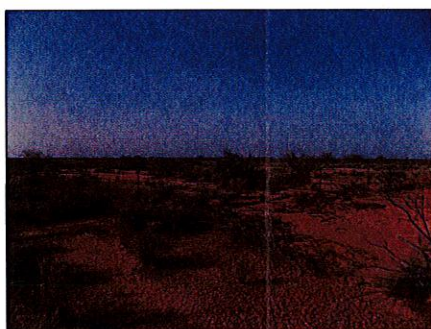


PHOTO # 1 - Onsite Photo

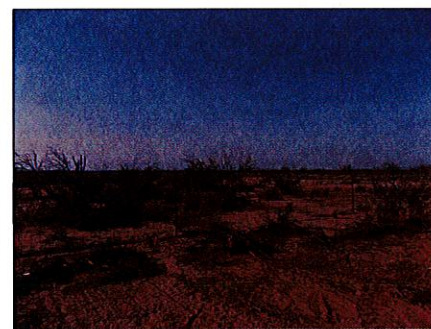


PHOTO # 2 - Onsite Photo

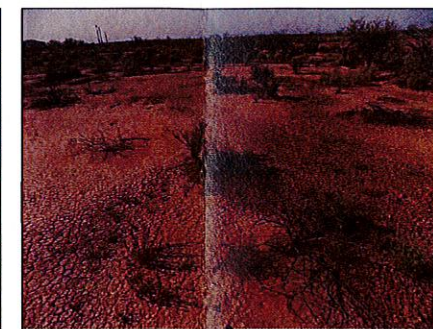


PHOTO # 3 - Onsite Photo

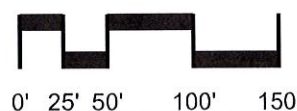
Methodology

1. We had identified areas of prior disturbance on the 2005 aerial.
2. An inventory on adjacent property to the south suggests that the density of plant material is as follows:
Trees = 38 per acre
Shrubs = 30 per acre
3. The limits of disturbance were mapped by GPS. This line is shown on the post ordinance disturbance.
4. Mitigation is calculated based on 1.5 times the area as required for Important Riparian Area (IRA) disturbance.

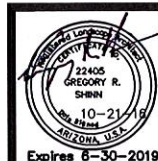
RIPARIAN LEGEND

| | |
|--|--|
| | Important Riparian Area with Underlying Class "C" Xeroriparian Habitat |
| | Pre-Ordinance Disturbance |
| | Post-Ordinance Disturbance |

Scale: 1" = 50'



North



11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037

Date: 10/21/16
Project Number: 16007
Drawn by: LMW
Checked by: GRS

- Design Review
- Construction Documents
- Agency Submittal
- Construction Set
- Not for Construction

SWETZER RESIDENCE

Parcel No. 208-29-0530
14555 W DESERT OWL WAY, TUCSON, AZ 85653
A Portion of Section 24, T-12-S, R-10-E, G&SRM, Pima County, AZ
RIPARIAN HABITAT MITIGATION PLAN
Floodplain Use Permit number: 16-434RP