



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: July 1, 2014

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

The owner, Monique Gibson, has disturbed more than 1/3 of an acre of Important Riparian Area (IRA) with underlying Xeroriparian Class C habitat without applying for a Floodplain Use Permit or submitting a Riparian Habitat Mitigation Plan. This constitutes a violation of Chapter 16.30 of the Floodplain Management Ordinance, (Ordinance). Miss Gibson, in effort to bring the property into compliance, has provided the District with a Riparian Habitat Mitigation Plan. Because more than five percent of the regulated riparian habitat mapped on the site has been disturbed, the mitigation plan requires Flood Control District Board of Directors (Board) review and approval.

The applicant is submitting a riparian habitat mitigation plan for approval by the Board. The riparian habitat mitigation plan must be approved and implemented in order for the property to be in compliance with the Ordinance.

CONTRACT NUMBER (if applicable): N/A

STAFF RECOMMENDATION(S):

Conceptually, the mitigation plan presented conforms with the Ordinance and, as such, can be approved.

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: 0.0 and/or REVENUE TO PIMA COUNTY:\$ 0.0

FUNDING SOURCE(S): N/A
(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

YES NO

Board of Supervisors District:

1 2 3 4 5 All

IMPACT:

IF APPROVED:

Per the plan, riparian habitat mitigation will occur onsite within the specifically designated areas and will be performed in compliance with Board approved mitigation standards.

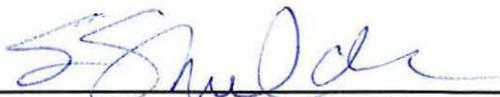
IF DENIED:

The applicant will not be able to continue with developing the property as currently planned.

DEPARTMENT NAME: Regional Flood Control District

CONTACT PERSON: Eric Shepp/Patricia Gilbert TELEPHONE NO.: 4-4610/4606

DIRECTOR'S SIGNATURE: _____



Suzanne Shields, P.E.



MEMORANDUM

Director's Office
Regional Flood Control District



DATE: June 9, 2014

TO: Flood Control District Board of Directors

FROM: Suzanne Shields, P.E.
Director

SUBJECT: **Riparian Habitat Mitigation Plan Approval for 15970 West Sandy Street, 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 disturbance of Regulated Riparian Habitat (RRH) exceeding 1/3 of an acre. A riparian habitat mitigation plan (RHMP) approved by the Flood Control District Board of Directors (Board) is required for disturbance of Important Riparian Area, Hydroriparian and /or Mesoriparian habitat exceeding 1/3 of an acre that also exceeds 5 percent of the Regulated Riparian Habitat (RRH) on the subject parcel. The adopted *Mitigation Standards and Implementation Guidelines* govern the type, amount, and location of required mitigation.

Report

The owner, Miss Monique Gibson, has an active violation for disturbing more than 1/3 of an acre of RRH and constructing several structures within a FEMA Floodplain Zone AE without permits at her property, 15790 West Sandy Street (Exhibit A). Miss Gibson, since then has applied for a floodplain use permit (FPUP 14-196). The District has assisted Miss Gibson with evaluating the property and creating a Riparian Habitat Mitigation Plan (RHMP). The District found that 40 trees and 20 shrubs were removed initially. Prior to the violation, Miss Gibson had replanted 38 native trees. Therefore, the District concluded that 22 trees and 30 shrubs are required to be planted in order to comply with the Ordinance. The site is 5.08 acres and the entire site is RRH, mapped as Important Riparian Area with underlying Class C Xeroriparian Habitat (Exhibit B). In an effort to close the violation and comply with the Ordinance, Miss Gibson has applied for a Floodplain Use Permit and submitted a site plan with a RHMP to the District for review and approval.

The owner will be responsible for implementation of the RHMP and long term maintenance of the mitigation areas. All mitigation plantings shall occur per the plan and placed within water harvesting basins. The attached mitigation plan (Exhibit C) shows the type, number and planting location for vegetation to compensate for the land disturbance. All species will be chosen from the approved plant list contained in the *Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines*.

Any future development will require submittal of a separate FPUP, site plan and mitigation plan.

Flood Control District Board of Directors

**Riparian Habitat Mitigation Plan Approval for 15970 West Sandy Street, located within
Important Riparian Area with underlying Xeroriparian Class C Habitat (District 3)**

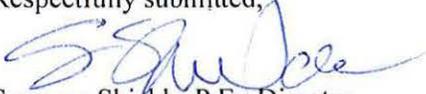
June 9, 2014

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Recommendation

The mitigation plan conforms to the Ordinance and associated mitigation standards and guidelines and, as such, can be approved.

Respectfully submitted,

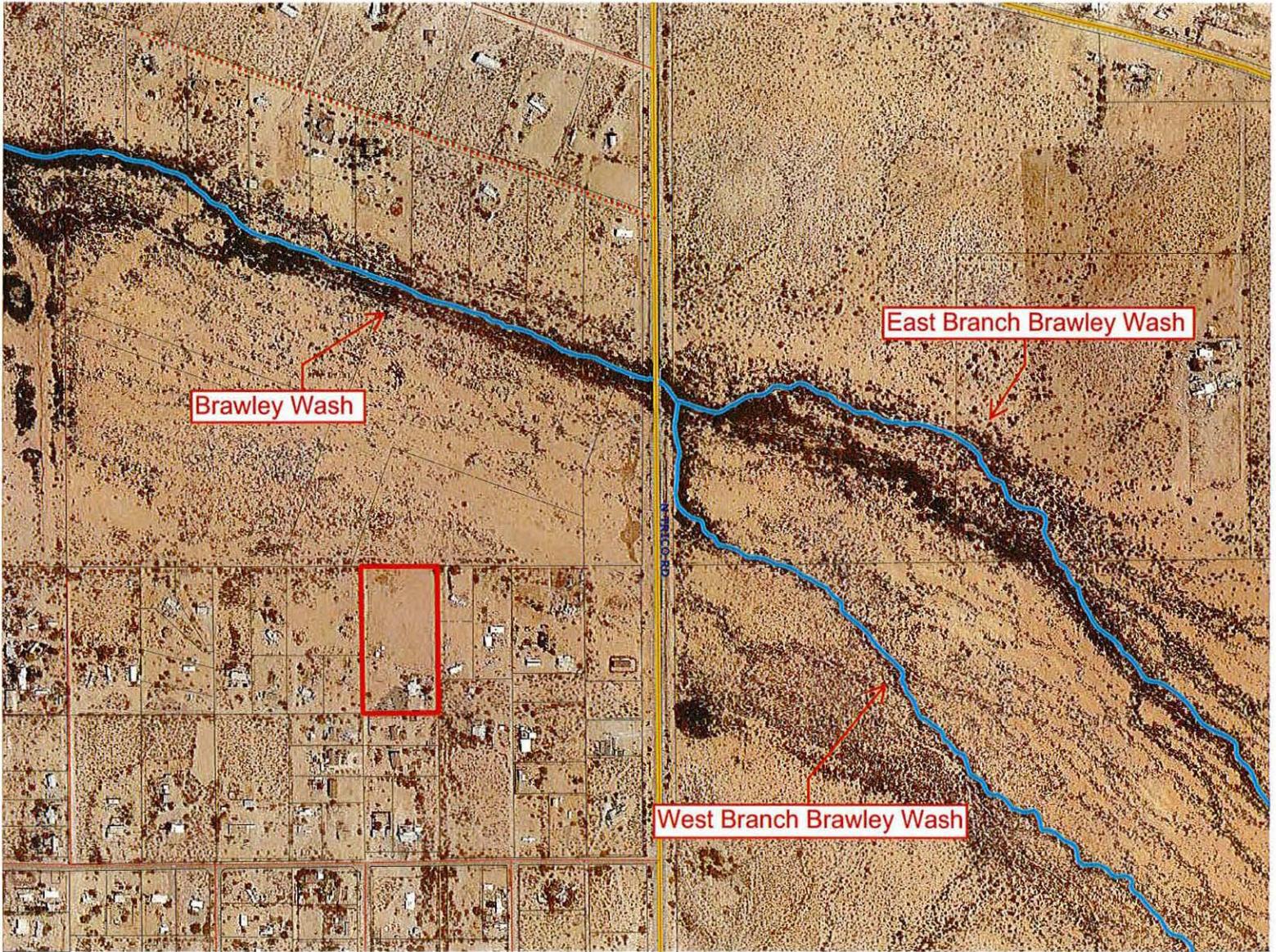


Suzanne Shields, P.E., Director

Pima County Regional Flood Control District

Attachments: Exhibit A - Property Location
 Exhibit B - Project Site - Regulated Classification Map
 Exhibit C - Riparian Habitat Mitigation Plan

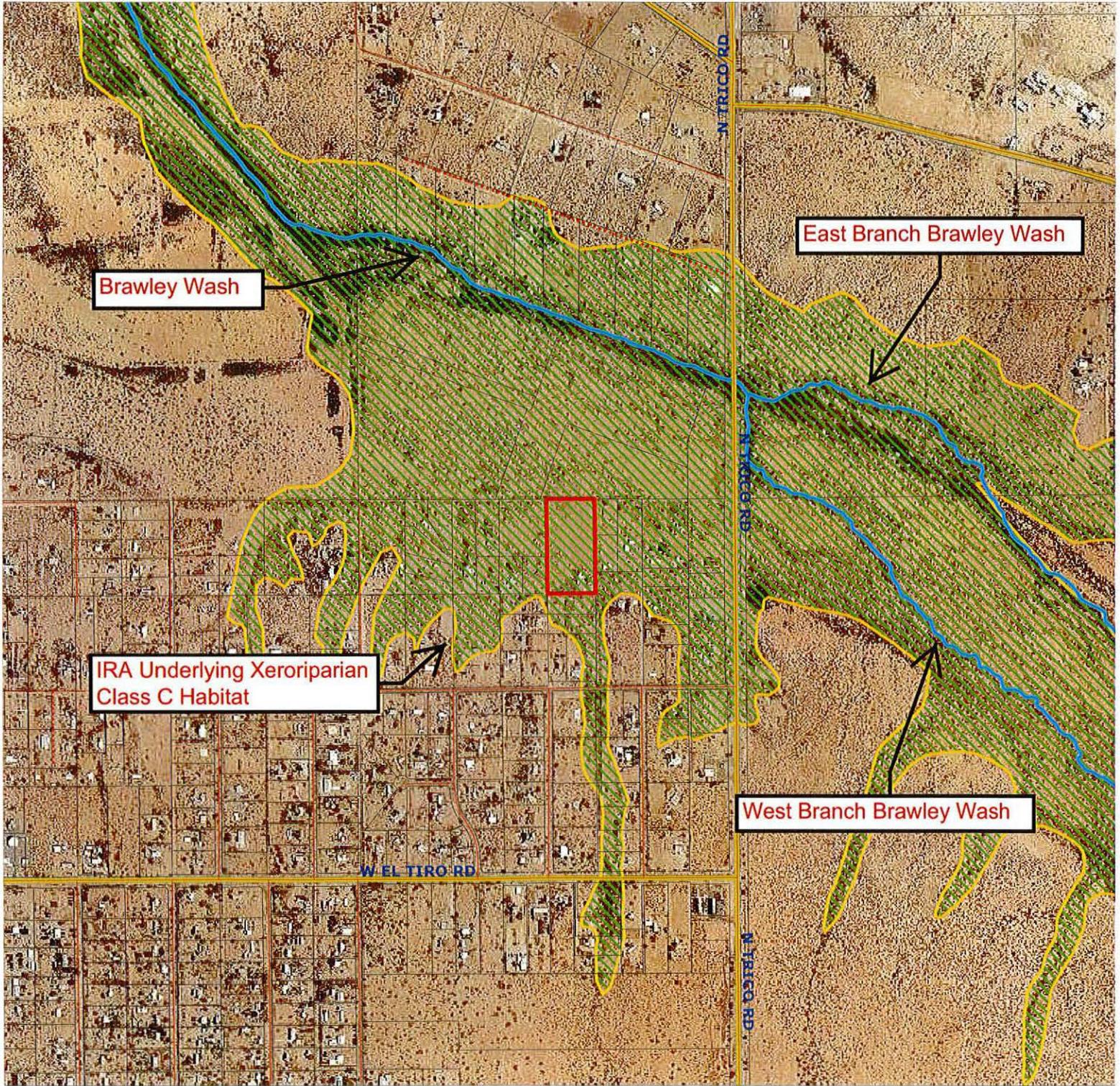
Exhibit A



Gibson Residence
15790 West Sandy Road
BOS Meeting Date 6/17/14



Exhibit B



Gibson Residence
15970 West Sandy Street
BOS Meeting Date 6/17/14



Exhibit C

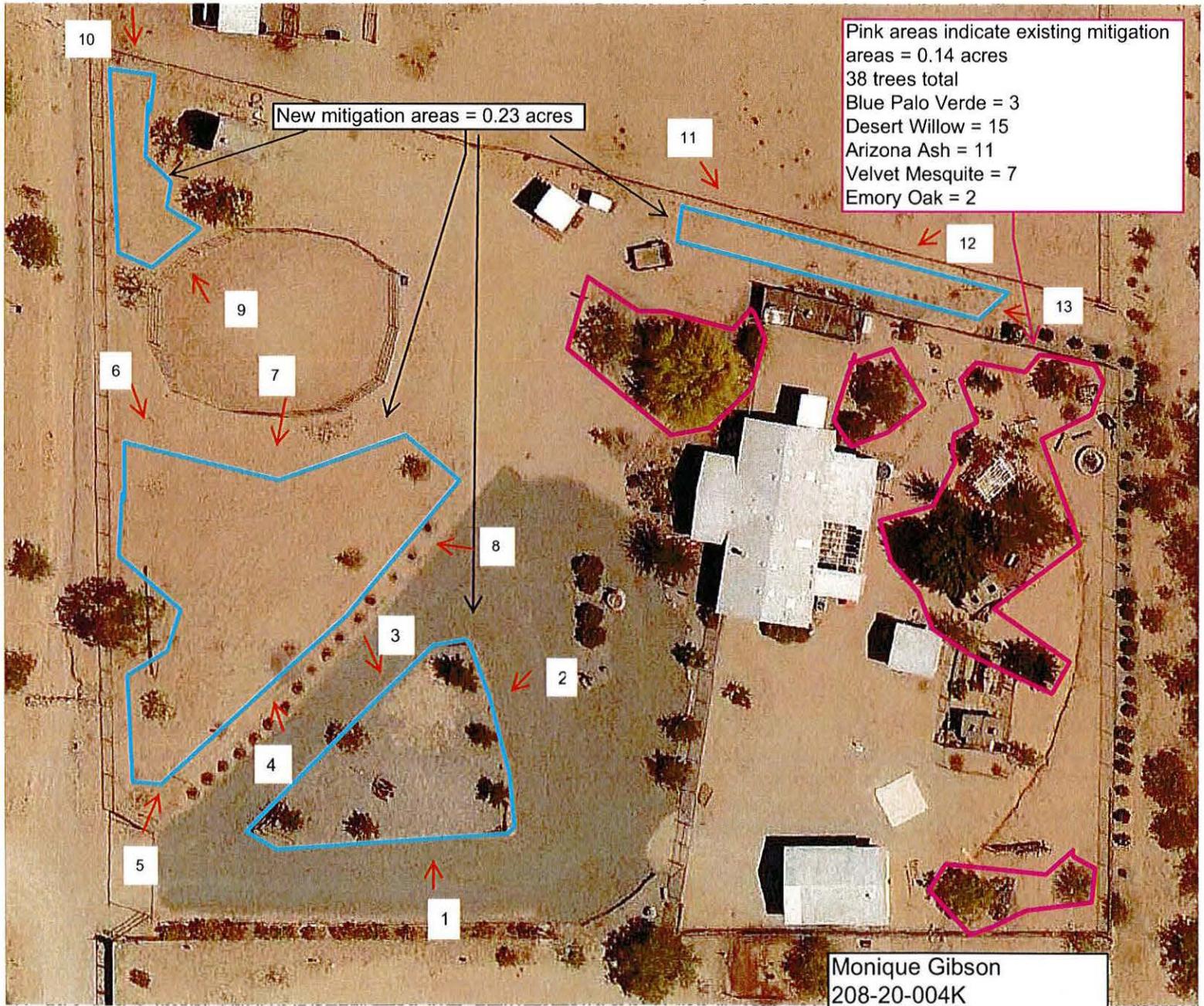
List of Riparian Habitat Mitigation Plan (RHMP) General Notes:

1. Mitigation area(s) to be left in a natural state. No disturbance shall occur within the mitigation area(s) without RFCDD review and approval. Such disturbance includes but is not limited to secondary impacts such as the presence of livestock, fencing, intensive landscaping, outdoor play areas, etc.
2. Mitigation area to be irrigated with a drip irrigation system.
3. Once plants have established, supplemental irrigation will be decreased in accordance with Appendix C of the Guidelines.
4. All mitigation areas will be maintained on a regular basis under supervision of the property owner. Maintenance shall include activities listed in the “mitigation planting maintenance” schedule found in Appendix C of the Guidelines.
5. Riparian Habitat Mitigation plan implementation shall be completed by the first growing season following completion of construction, which is projected to be September-November, 2014.
6. A monitoring plan, in accordance with the monitoring schedule outlined in Section 3 of the Guidelines, will be submitted over a five year period following implementation of the riparian habitat mitigation plan (RHMP). Any changes from the approved RHMP shall be noted on the monitoring plan submittal. Label submittals “Annual Monitoring Report for FPUP No. 14-196” and send submittals to the following address:

Pima County Regional Flood Control District
ATTN: FPM Riparian Review Staff
97 E. Congress Street, 3rd floor
Tucson, AZ 85701
7. The project owner and/or the Owner’s successors, agree to preserve and protect the Mitigation Area for the duration of the project. Further, the project owner and/or their successors agree to actively maintain the mitigated area for a period of not less than five years. Maintenance activities shall include, but not be limited to, the regular operation of the irrigation system, the replacement of dead trees and shrubs, and the removal of noxious and/or invasive plant species.

Exhibit C

Riparian Habitat Mitigation Plan



Pink areas indicate existing mitigation areas = 0.14 acres
 38 trees total
 Blue Palo Verde = 3
 Desert Willow = 15
 Arizona Ash = 11
 Velvet Mesquite = 7
 Emory Oak = 2

New mitigation areas = 0.23 acres

Monique Gibson
 208-20-004K
 15790 West Sandy Road
 FPUP # 14-196

IRA Underlying Class C
 Riparian Habitat = 5.08 Acres
 Total mitigation area 0.37 acres

Plant Container size
 for trees = 100% 15 gallon,
 for shrubs 50% 5 gallon & 50% 1 gallon

- Additional Plant Required (Blue Area)**
Tree Species (22 trees)
 7- Blue Palo Verde (*Cercidium Floridum*)
 9- Velvet Mesquite (*Prosopis Velutina*)
 6- Screwbean mesquite (*Prosopis pubescens*)
Shrub Species (30 shrubs)
 6- Quailbush (*Atriplex Lentiformis*)
 6- Anderson Wolfberry (*Lycium Andersonii*)
 6- Burrobrush (*Ambrosia monogyra*)
 6- Seep willow (*Baccharis salicifolia*)
 6- Desert hackberry (*Celtis pallida*)

1 → Photo Monitoring Point