



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 7/25/2023

*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal to Address Violation 23-178 at 281 N Slate Drive, Located within Regulated Riparian Habitat

***Introduction/Background:**

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires a riparian habitat mitigation plan (RHMP) for mapped riparian habitat disturbances greater than 1/3 acre. The RHMP requires a Flood Control District Board of Directors (Board) approval when disturbance of Important Riparian Area exceeds 1/3 of an acre and is more than 5 percent of the habitat on the property. 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 offsite mitigation proposals require Flood Control District Board of Directors (Board) review and approval.

***Discussion:**

The property owner has agreed to address the riparian disturbance, identified under violation 23-178, on their property at 281 North Slate Drive through a riparian habitat mitigation in-lieu fee. The Riparian Habitat Mitigation In-Lieu Fee Proposal has been prepared and is proposing to contribute a fee of \$3090 in lieu of onsite mitigation. The value of the in-lieu fee is based on a vegetative survey prepared for the property, which is allowed pursuant to the Pima County Regulated Riparian Habitat Off-Site Mitigation Guidelines.

***Conclusion:**

Acceptance of mitigation banking funds in-lieu of onsite 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 In-Lieu Fee Proposal conforms to the Ordinance and the Guidelines, and, as such, the District recommends approval.

***Fiscal Impact:**

\$3,090.00

***Board of Supervisor District:**

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ All

Department: Regional Flood Control District

Telephone: 724-4600

Contact: Patricia Gilbert

Telephone: 724-4606

Department Director Signature: _____

Date: 6/21/23

Deputy County Administrator Signature: _____

Date: 6/22/2023

County Administrator Signature: _____

Date: 6/22/23

DATE: June 20, 2023

TO: Flood Control District Board of Directors

FROM: Eric Shepp, P.E.
Director

SUBJECT: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal in Response to Violation 23-178 at 281 N Slate Dr, Located within Regulated Riparian Habitat (District 4)

Background

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires a riparian habitat mitigation plan (RHMP) for mapped riparian habitat disturbances greater than 1/3 acre. The RHMP requires a Flood Control District Board of Directors (Board) approval when disturbance of Important Riparian Area exceeds 1/3 of an acre and is more than 5 percent of the habitat on the property. 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 offsite mitigation proposals require Flood Control District Board of Directors (Board) review and approval.

Report

The owner, Mr. Daiss, has elected to pursue a riparian habitat mitigation in-lieu fee in response to the riparian habitat disturbance that was identified under Violation 23-178 on his property located at 281 N Slate Dr (Exhibit A). The back portion of the property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with an Underlying Classification Xeroriparian C Habitat (Exhibit B). The 0.41 acres of unpermitted disturbance to the RRH must be mitigated as the RRH disturbance has crossed the 1/3 acre threshold. The District worked with the property owner to prepare a Riparian Habitat Mitigation In-Lieu Fee Proposal (Exhibit C) and the owner is proposing to contribute a fee of \$3,090 in lieu of onsite mitigation, based on a vegetative survey which is allowed under the guidance provided in the *Pima County Regulated Riparian Habitat Off-Site Mitigation Guidelines*.

Recommendation

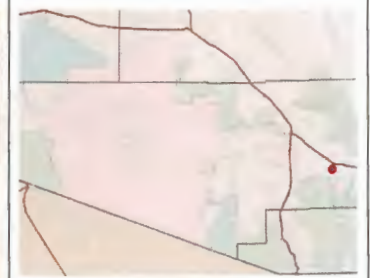
Acceptance of mitigation banking funds in-lieu of onsite mitigation is allowed under the Ordinance. Contributions to the mitigation bank for disturbance of this habitat will provide funds to be used toward purchase of high value resources or towards restoration of degraded riparian habitat within Pima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

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

Exhibit A

Legend

☐ Parcels



Notes:

Property Address:
281 N Slate Dr

100.0 0 50.00
Feet



This map is static output from an internet mapping site and no warranty is expressed or implied as to the accuracy, reliability, currency or completeness of the data, and is for reference only

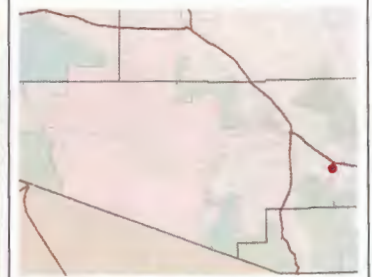
6/5/2023

Exhibit B



Legend

- ☐ Parcels
- Riparian Habitat - Pima County Ord. 2005-FC2, Effective 10/20/2005
- ☒ IRA - Xeroriparian C



Notes:

Property Address:
281 N Slate Dr

100.0 0 50.00
Feet



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6/5/2023

Exhibit C



Legend

Riparian Habitat - Pima
Effective 10/20/2005

- Xeroriparian A
- Xeroriparian B
- Xeroriparian C
- Xeroriparian D
- Hydromesoriparian or Me
- IRA - Xeroriparian A
- IRA - Xeroriparian B
- IRA - Xeroriparian C
- IRA - Xeroriparian D
- IRA - H
- Important Riparian Areas



281 N. Slate Drive

6/20/2023

ILF Calculation

15-gallon trees	10	\$800.00
5-gallon trees	10	\$250.00
5-gallon shrubs	22	\$506.00
1-gallon shrubs	21	\$126.00
Hydroseed	0.41 Acres(s)	\$362.85
Irrigation system (materials and labor for installation)***	0.41 Acres(s)	\$815.00
5-year maintenance for Xeroriparian****	0.00 Acres(s)	\$0.00
5-year maintenance for H and/or IRA****	0.41 Acres(s)	\$430.50
Total Cost		\$3,990.35

200.0 0 100.00

Feet



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Exhibit C

Calculating In-Lieu Fee Costs for Single-lot Development

Shaded fields are editable - Enter value in Acres

Class H or IRA w/ Underlying Class H Habitat (H or IRA/H)**				Option to basic requirement (Xeroriparian)*	Option to basic requirement (Class H)**	
Total mapped habitat onsite	0.00	Acre(s)				
Area of disturbed RRH	0.00	Acre(s)				
% of mapped habitat disturbed	#DIV/0!	Acre(s)				
Area of mitigation	0.00	Acre(s)				
Total number of trees required (90 trees/ac)		0 Trees	na	0	Trees	
Total number of shrubs required (100 shrubs/ac)		0 Shrubs	na	0	Shrubs	
IRA w/ Underlying Xeroriparian Class A Habitat (IRA/XA)**						
Total mapped habitat onsite		Acre(s)				
Area of disturbed RRH		Acre(s)				
% of mapped habitat disturbed	#DIV/0!	Acre(s)				
Area of mitigation	0.00	Acre(s)				
Total number of trees required (75 trees/ac)		0 Trees	0	na	Trees	
Total number of shrubs required (90 shrubs/ac)		0 Shrubs	0	na	Shrubs	
IRA w/ Underlying Xeroriparian Class B Habitat (IRA/XB)**						
Total mapped habitat onsite		Acre(s)				
Area of disturbed RRH		Acre(s)				
% of mapped habitat disturbed	#DIV/0!	Acre(s)				
Area of mitigation	0.00	Acre(s)				
Total number of trees required (80 trees/ac)		0 Trees	0	na	Trees	
Total number of shrubs required (80 shrubs/ac)		0 Shrubs	0	na	Shrubs	
IRA w/ Underlying Xeroriparian Class C Habitat (IRA/XC)**						
Total mapped habitat onsite		Acre(s)				
Area of disturbed RRH		Acre(s)				
% of mapped habitat disturbed	67%	Acre(s)				
Area of mitigation	0.62	Acre(s)				
Total number of trees required (45 trees/ac)	45	28 Trees	22	na	Trees	
Total number of shrubs required (70 shrubs/ac)	70	43 Shrubs	34	na	Shrubs	
IRA w/ Underlying Xeroriparian Class D Habitat (IRA/XD)**						
Total mapped habitat onsite		Acre(s)				
Area of disturbed RRH		Acre(s)				
% of mapped habitat disturbed	#DIV/0!	Acre(s)				
Area of mitigation	0.00	Acre(s)				
Total number of trees required (30 trees/ac)		0 Trees	0	na	Trees	
Total number of shrubs required (x shrubs/ac)*		0 Shrubs	0	na	Shrubs	

ILF Calculation		
15-gallon trees	10	\$800.00
5-gallon trees	10	\$250.00
5-gallon shrubs	22	\$506.00
1-gallon shrubs	21	\$126.00
Hydroseed	0.41 Acres(s)	\$362.85
Irrigation system (materials and labor for installation)***	0.41 Acres(s)	\$615.00
5-year maintenance for Xeroriparian****	0.00 Acres(s)	\$0.00
5-year maintenance for H and/or IRA****	0.41 Acres(s)	\$430.50
Total Cost		\$3,090.35

Average Costs (Costs shown for plants do not include installation costs)	15-gallon tree	5-gallon tree	5-gallon shrub	1-gallon shrub	Seeding (per acre)	Irrigation (per acre)	Class H 5-year maintenance (per acre)	Xeroriparian 5-year maintenance (per acre)
	\$80	\$25	\$23	\$6	\$885	\$1,500	\$1,050	\$610

*Density determined by onsite plant survey.

**Guideline plant density requirements have been provided. The applicant may choose to perform an onsite plant survey in accordance with TECH-116 to determine plant density.

***Irrigation costs are calculated as a percentage of the plant material costs

****Average cost based on annual plant water requirements, plant replacement @ 5% over five years, and invasive species control (cost for herbicide only).

*Option to basic requirement for Xeroriparian Classes A-D: Reduce total plant quantity by 20% if 100% 15 gallon trees and 100% 5 gallon shrubs are used.

**Option to basic requirement for Class H: Increase total plant quantity by 20% if 50% 15 gallon/50% 5 gallon trees are used and 100% 1 gallon shrubs are used.