



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 4/5/2022

\*= 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 Plan Located at 5220 South La Cholla, Located Regulated Riparian Habitat

**\*Introduction/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 offsite mitigation proposals require Flood Control District Board of Directors review and approval.

**\*Discussion:**

The owner, Marissa Esguerra, purchased a property with a grading violation on the property located at 5220 South La Cholla Blvd. The property is mapped within Regulated Riparian Habitat (RRH) classified as Important Riparian Area with an Underlying Classification of Xeroriparian C. Upon review of the violation, staff determined that portions of the RRH had been previously disturbed over a period of several years and concluded the property had 19,423 square feet (0.45 acres) of RRH disturbance which exceeds a 1/3 acre, therefore mitigation is required.

**\*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:**

\$4236.00

**\*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: Suzanne Shields Date: 3/2/2022  
 Deputy County Administrator Signature: [Signature] Date: 3/3/2022  
 County Administrator Signature: [Signature] Date: 3/3/2022

**DATE:** March 1, 2022

**TO:** Flood Control District Board of Directors

**FROM:** Suzanne Shields, P.E.  
Director

**SUBJECT:** Approval of a Riparian Habitat Mitigation Plan Located at 5220 South La Cholla, Located Regulated Riparian Habitat (District 5)

**Background**

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires mitigation for disturbance of Regulated Riparian Habitat 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 habitat exceeding 1/3 of an acre and that exceeds 5 percent of the habitat on the property. 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, Marissa Esguerra, purchased a property with a grading violation on the property located at 5220 South La Cholla Blvd (Exhibit A). The property is mapped within Regulated Riparian Habitat (RRH) classified as Important Riparian Area with an Underlying Classification of Xeroriparian C (Exhibit B). Upon review of the violation, staff determined that portions of the RRH had been previously disturbed over a period of several years and concluded the property had 19,423 square feet (0.45 acres) of RRH disturbance which exceeds a 1/3 acre, therefore mitigation is required.

Ms. Esguerra would like to quickly resolve the violation and hired Greg Shinn, with GRS Landscape Architects, Inc. to prepare a Riparian Habitat Mitigation In-Lieu Fee Proposal (Exhibit C). A fee of \$4236.00 in lieu of onsite mitigation is proposed, based on the Flat Fee Table provided in the *Pima County Regulated Riparian Habitat Off-Site Mitigation Guidelines*. Any future development will require submittal of a separate mitigation plan.

Flat Fee Table	XA	XB	XC	XD	IRA/H, H	IRA/XA	IRA/XB	IRA/XC	IRA/XD
Cost per Acre	\$8,500	\$7,500	\$6,500	\$5,000	\$17,000	\$12,500	\$11,000	\$9,500	\$8,000

**Recommendation**

The RHMP conforms to the Ordinance and the Guidelines, and, as such, the District recommends approval.

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



# Exhibit A



## Legend



5220 South La Cholla Blvd.

2/25/2022



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



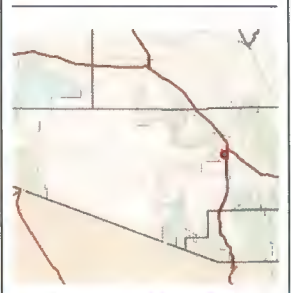
# Exhibit B



## Legend

Riparian Habitat - Pima  
Effective 10/20/2005

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



5220 South La Cholla Blvd.

2/25/2022



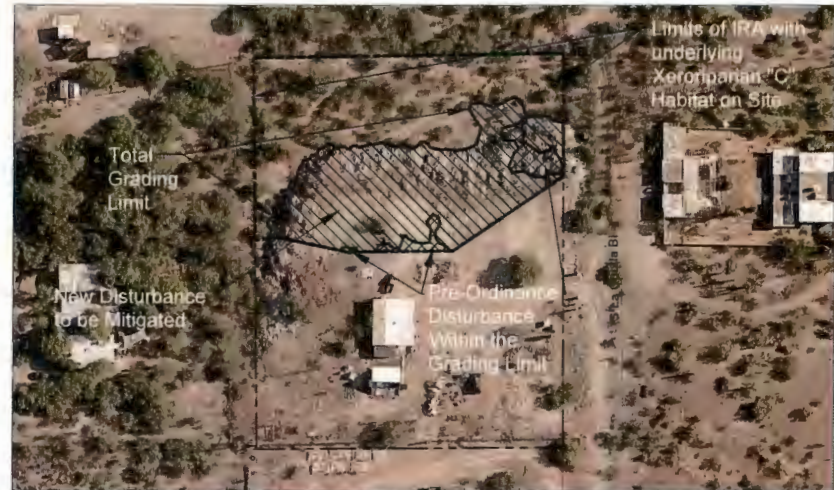
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Exhibit C



PRE-ORDINANCE DISTURBANCE BASED ON 2005 AERIAL



POST-ORDINANCE DISTURBANCE BASED ON 2021 AERIAL

**RIPARIAN NOTES**

1. Zoning = SH
2. Gross Site Area = 93,193 SF (2.14 acres)
3. Land Use = Single Family Residential
4. Area Calculations:
  - a. Gross site area = 93,193 SF (2.14 acres)
  - b. Total IRA with underlying Xeroriparian "C" on Site = 42,800 SF (0.98 acres)
  - c. Pre-Ordinance Disturbance Within the Grading Limit = 1,876 SF (0.04 acres)
  - d. Total Grading Limit = 21,299 SF (0.49 acres)
  - e. New Disturbance to be Mitigated = 19,423 SF (0.45 acres)

**RIPARIAN IN LIEU FEE NOTES**





1. The Owner wishes to provide mitigation via the In Lieu Fee Calculation.
2. Total Disturbance of the site since 2005 is 19,423 SF or 0.45 acres.
3. Per the Flat Fee Calculation, IRA with underlying Xeroriparian "C" is calculated at \$9,500 per acre.
4. \$9,500 per acre x 0.45 acres = \$4,275 for disturbance on this property.

**RIPARIAN METHODOLOGY**

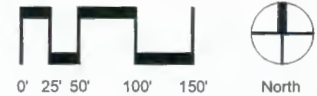
This property contained disturbance prior to the Riparian Ordinance. This disturbance has been mapped on a 2005 Aerial and included on the plan. The total Pre-Ordinance Disturbance, located within the limits of this project, is 1,876 SF.

The Total Disturbance has been mapped on the 2021 aerial. Disturbance requiring mitigation is calculated as Total Disturbance minus Pre-Ordinance Disturbance where they overlap.

**RIPARIAN LEGEND**

-  Total IRA with underlying Xeroriparian "C" on Site
-  Pre-Ordinance Disturbance Within the Grading Limit
-  Total Grading Limit
-  New Disturbance to be Mitigated

Scale: 1" = 50'



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Date: 2/28/22  
Drawn by: LMW/KVP  
Checked by: GRS

Design Review  
 Construction Documents  
 Agency Submittal  
 Construction Set  
 Plot for Construction

5220 S LA CHOLLA

RIPARIAN HABITAT MITIGATION PLAN  
In Lieu Fee Proposal