



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: June 3rd, 2014

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

The proposed commercial development, Komatsu Proving Ground Truck Shop, will impact 1.55 acres of Xeroriparian Class C habitat on property located at 14591 South Mission Road. The applicant is subject to compliance with Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance). Due to the denuded site conditions, the applicant is proposing to mitigate through contribution of an In-Lieu Fee. Because the disturbance will be mitigated through contribution of an ILF, the mitigation proposal requires Flood Control District Board of Directors (Board) review and approval.

In order to comply with the Ordinance, the applicant is submitting a Riparian Habitat Mitigation ILF Proposal for approval by the Board. The habitat mitigation banking proposal must be approved prior to approval of the Site Construction Permit.

CONTRACT NUMBER (If applicable): N/A

STAFF RECOMMENDATION(S):

The ILF proposal presented conforms to 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:\$ 21,700

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

Advertised Public Hearing:

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YES

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NO

Board of Supervisors District:

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All

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IMPACT:

IF APPROVED:

If the Board approves the In Lieu Fee proposal, an amount of \$ 21,700 will be contributed to the Mitigation Bank and the development will be in compliance with the Ordinance.

IF DENIED:

The Site Construction Permit will be delayed until the applicant provides an alternative onsite and/or offsite riparian habitat mitigation plan that meets all Ordinance requirements.

DEPARTMENT NAME: Regional Flood Control District

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

DIRECTOR'S SIGNATURE: _____



Suzanne Shields, P.E.



MEMORANDUM

Director's Office
Regional Flood Control District



DATE: May 19, 2014

TO: Flood Control District Board of Directors

FROM: Suzanne Shields, P.E.
Director

SUBJECT: Approval of Mitigation Banking Plan for Komatsu Proving Ground Truck Shop Located within 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 offsite mitigation proposals require Flood Control District Board of Directors (Board) review and approval. Komatsu Proving Ground Truck Shop will disturb 1.55 acres of Xeroriparian Class C Habitat.

Report

The owner, Komatsu American Corporation, is proposing to construct a proving ground and truck shop on property located at 14591 South Mission Road (Exhibit A). The property contains Class C Xeroriparian habitat (Exhibit B). The project resides within the Asarco Mission Mine where the impact of the mine has disturbed the riparian habitat over time since the late 1950's. The owners hired Westland Resources Engineering and Environmental Consultants to assess the project site for suitable on-site mitigation, finding none due to the historical disturbance, is proposing to contribute \$21,700 in lieu of onsite habitat mitigation. The project site contains approximately 7 acres of mapped riparian habitat and 1.55 acres of habitat will be disturbed by construction of the proving ground and truck shop. Additional disturbance without mitigation will not result in a significant impact to existing riparian habitat corridors. Staff will require that the mitigation banking fees be due prior to approval of the Site Construction Permit.

Disturbance: 1.55 acres

Flat fee table for Development Review projects

	XA	XB	XC	XD	IRA/H, H	IRA/XA	IRA/XB	IRA/XC	IRA/XD
Cost per Acre	\$17,000	\$16,000	\$14,000	\$12,000	\$40,000	\$30,000	\$28,000	\$25,000	\$22,000

**Approval of Mitigation Banking Plan for Komatsu Proving Ground Truck Shop Located within
Xeroriparian Class C Habitat (District 3)**

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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.
Flood Control District Board of Directors

Respectfully submitted,

Suzanne Shields, P.E., Director
Pima County Regional Flood Control District

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

Exhibit A

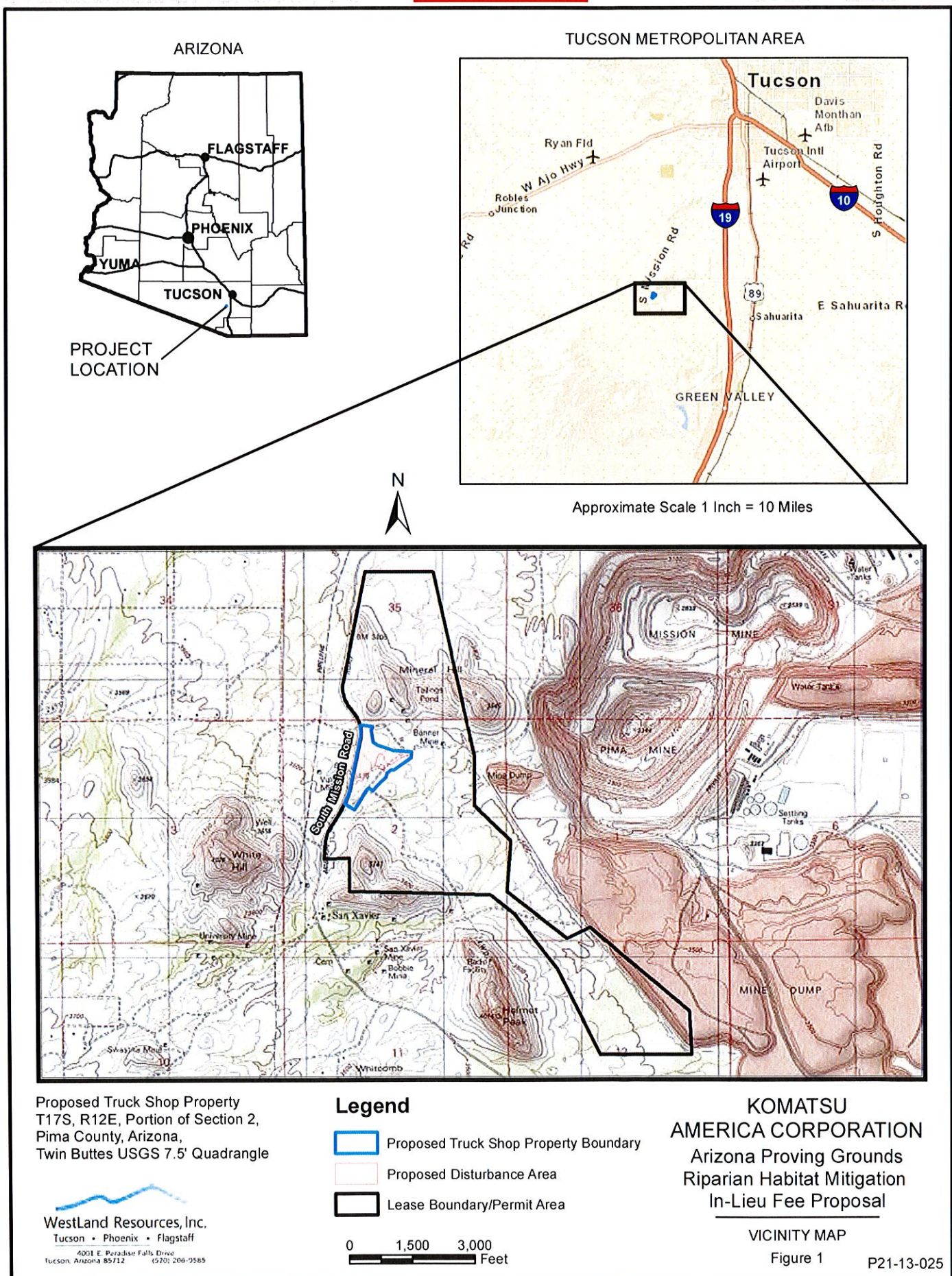
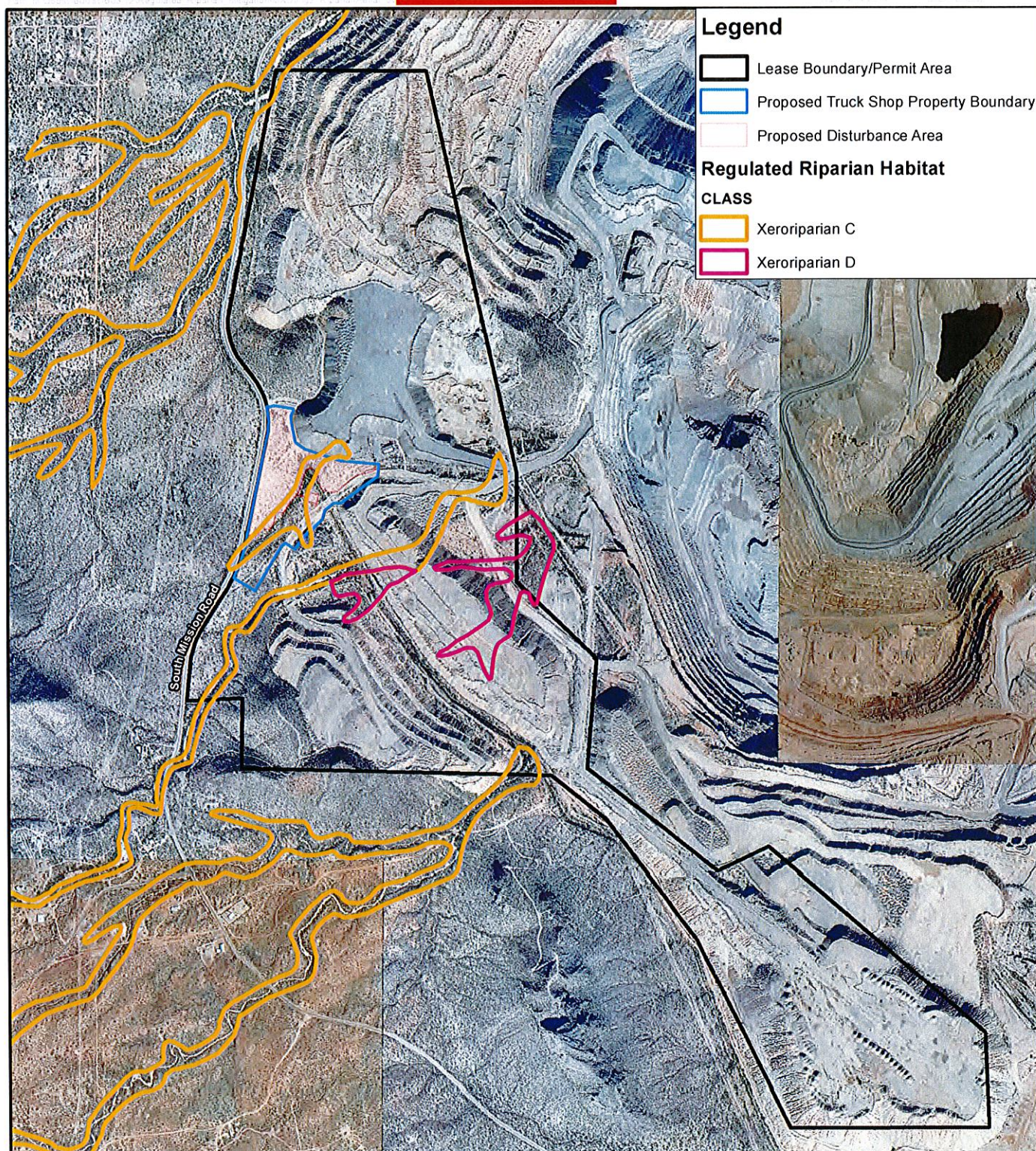


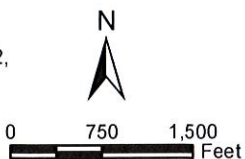
Exhibit B



Proposed Truck Shop Property
T17S, R12E, Portion of Section 2,
Pima County, Arizona,
Data Source: Pima County Conservation Systems,
2005 Riparian Classification Maps, Aquired Jan. 31, 2006.
Image Source: Project Aerial is Cooper Aerial Survey Co., 2014,
and surrounding aerial (brown hues) is Cooper Aerial Survey Co., 2012,

WestLand Resources, Inc.
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KOMATSU
AMERICA CORPORATION
Arizona Proving Grounds
Riparian Habitat Mitigation
In-Lieu Fee Proposal

AERIAL OVERVIEW OF
LEASED PROPERTY

Figure 2 P21-13-025

Exhibit C

KOMATSU ARIZONA PROVING GROUND REGULATED RIPARIAN HABITAT IN-LIEU FEE MITIGATION PROPOSAL

Prepared for: Komatsu America Corporation

Prepared by: WestLand Resources, Inc.

Date: April 22, 2014

Project No.: 1603.12 A 321

The following memorandum provides the details of Komatsu America Corporation's (Komatsu) proposal to provide an in-lieu fee payment of \$21,700 for impacts to Pima County Regulated Riparian Habitat (RRH) that are anticipated for construction of their proposed Proving Ground Truck Shop at ASARCO LLC's (Asarco) Mission Mine facility west of Sahuarita (*Figure 1*). Komatsu has executed a lease agreement with Asarco for approximately 657 acres (*Figure 2*; Project Area) to use as a test facility for prototype mining equipment, primarily large mining trucks. The two main components of the test facility are the equipment testing ground and a truck shop facility, where the facility offices are also located.

A majority of the lease area consists of waste rock dump sites providing the large open space required for maneuvering the equipment during testing. The rest of the lease area is open desert, much of it previously disturbed by mining activities. Komatsu considered different options for placement of the truck shop, and determined that the site on the west end of the area, bordering Mission Road (*Figure 3*), is the most favorable location for the facility. Other location options for the facility were determined to be unsuitable or undesirable. Locations on waste rock dumps present significant engineering challenges in the form of site stability, and other locations off the waste rock dumps face configuration constraints to allow for maneuverability of the large mining trucks on the apron around the shop.

The truck shop plans have been developed to avoid the Pima County regulated riparian habitat (RRH) to the extent practicable (*Figure 4*). As configured, the site incorporates required setbacks from Mission Road on the west. This pushes the truck shop to the east and leaves barely adequate space between the shop and a wash to the east for the large mining trucks to negotiate the turns necessary to enter and exit the truck shop bays.

RRH is located along a wash on the east side of the truck shop facility. Komatsu is avoiding direct impacts to the wash except for one septic line crossing. Encroachment into the RRH by the apron around the shop is necessary in order to provide adequate space for the mining trucks to maneuver, for a septic line from the shop to a leach field across the RRH that is not practicable to site elsewhere, and at the east end of the truck shop facility, where RRH must be crossed for the trucks to access the proving ground from the truck shop.

The RRH as delineated on Pima County's 2005 Riparian Classification Maps is depicted on **Figure 4**. The limits of disturbance for the project are also depicted on **Figure 4**. The total Project Area impacts within RRH are 1.55 acres¹, all within habitat classified as Xeroriparian C.

Although no measurements of vegetation density or species composition of the RRH were conducted, recent aerial photography and ground photographs taken at the site (**Figure 5, Attachment A**) show that a large portion of project impacts to RRH will be in areas of low vegetation density, relative to vegetation immediately adjacent to the wash. These areas of RRH impacts within low vegetation density include the southern half of the RRH impact area, the northernmost portion of the RRH impact area, and the eastern end of the septic line. Vegetation in those RRH impact areas is more similar to the upland areas outside of the RRH within the Project Area than to the wash side vegetation (**Attachment A, Photo points 1, 5, 6, and 7**). Dominant plant species in those areas include creosotebush (*Larrea tridentata*), prickly pear cactus (*Opuntia* spp.), cholla (*Cylindropuntia* spp.), soap tree yucca (*Yucca elata*), whitethorn acacia (*Vachellia constricta*), foothill paloverde (*Parkinsonia microphylla*), and ocotillo (*Fouquieria splendens*).

Within much of the northern portion of the RRH impacts area and where the septic line crosses the wash, denser vegetation on the west side of the wash and a ponding area on the upslope (west) side of a berm will be impacted. Dominant plant species within this area include whitethorn acacia, velvet mesquite (*Prosopis velutina*), foothill paloverde, creosotebush, and catclaw acacia (*Senegalia greggii*), often among a dense cover of grasses (**Attachment A, Photo points 2, 3, and 4**).

Onsite mitigation for this project is not proposed, primarily because the Project Area is under lease from Asarco. When the lease expires, Asarco may undertake mining operations that are exempt from Pima County CLS and RRH requirements, and would not require Pima County approval to remove any riparian habitat that was established as mitigation for Komatsu's project.

Based on *Table 2. ILF Development Project Flat Fee Table – Cost per Acre for RRH Disturbance* (**Attachment 2**; Pima County Regional Flood Control District and SWCA Environmental Consultants 2011), the in-lieu fee for mitigation of the 1.55 acres of Xeroriparian C habitat that is proposed to be disturbed by the Komatsu Arizona Proving Ground Truck Shop facility, at \$14,000 per acre, is \$21,700.

Komatsu America Corporation proposes providing an in-lieu fee in the amount of \$21,700 for its impacts to the Xeroriparian C habitat it will disturb for construction of its Truck Shop facility.

¹ Area calculation based M3 Engineering drawings and calculation