



# 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 In-Lieu Fee Proposal for Disturbance to Regulated Riparian Habitat Located at 13720 West Yankee Ranch Road, Located within Regulated Riparian Habitat

**\*Introduction/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.

**\*Discussion:**

The property owners, Kimberley Pope and Nicole Brown applied for a floodplain use permit for a fence on property located at 13720 West Yankee Ranch Road. Most of the property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class D Habitat. The disturbance caused from constructing the fence and impact from the horses is 0.82 acres, as such requires mitigation. The property is on a shared well and the owners do not want to draw from their well share for mitigation plantings. Ms. Pope and Ms. Brown hired Karen Cesare with Novak Environmental Inc., to prepare a Riparian Habitat Mitigation In-Lieu Fee Proposal and is proposing to contribute a fee of \$3,900.00 in lieu of onsite mitigation.

**\*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:**

\$3,900.00

**\*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: <u>Jurgann Shields</u>	Date: <u>3/2/2022</u>
Deputy County Administrator Signature: <u>[Signature]</u>	Date: <u>3/3/2022</u>
County Administrator Signature: <u>[Signature]</u>	Date: <u>3/3/2022</u>

DATE: March 2, 2022

TO: Flood Control District Board of Directors

FROM: Suzanne Shields, P.E.  
Director

SUBJECT: **Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Disturbance to Regulated Riparian Habitat Located at 13720 West Yankee Ranch Road, Located within Regulated Riparian 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 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

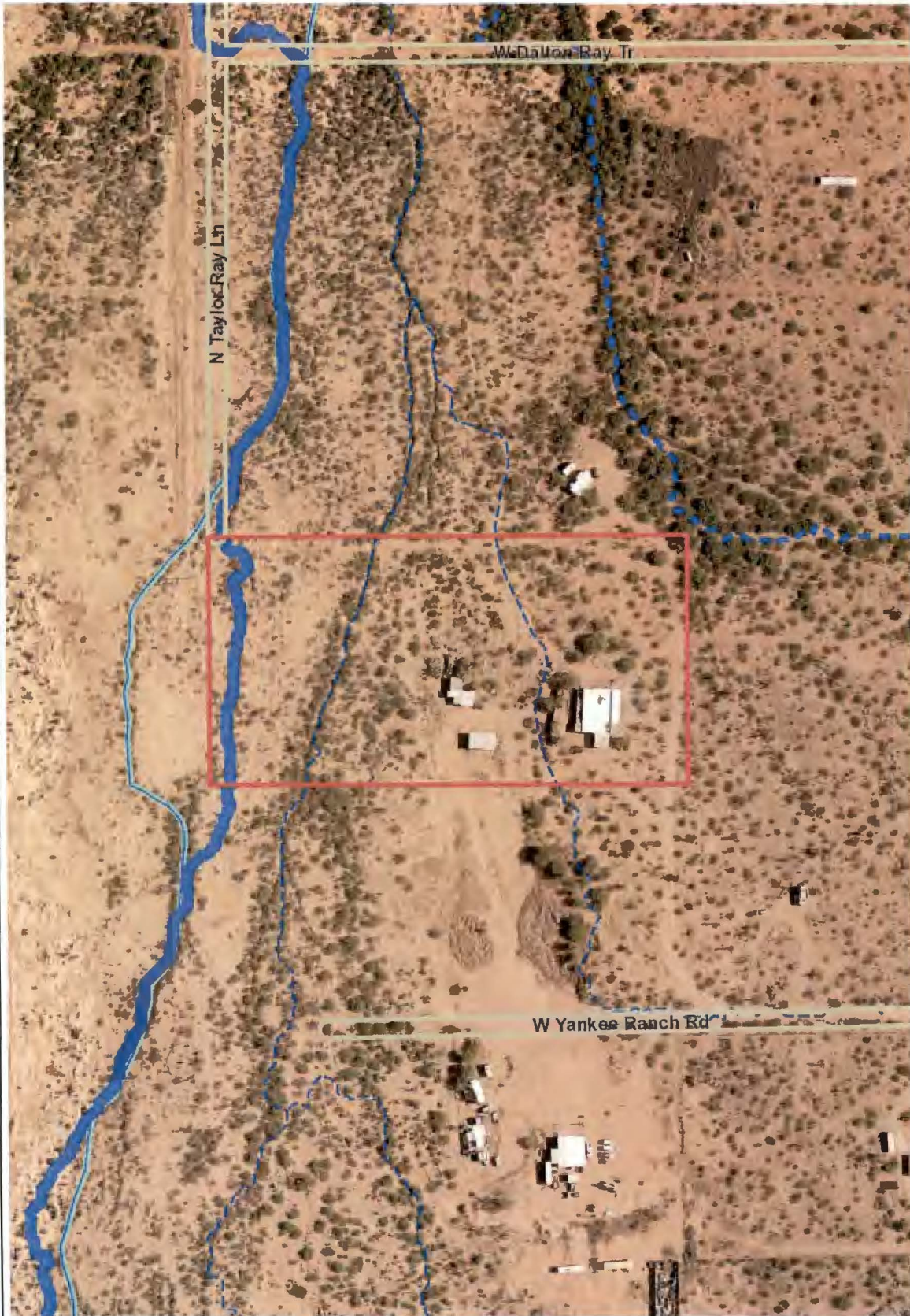
The property owners, Kimberley Pope and Nicole Brown applied for a floodplain use permit for a fence on property located at 13720 West Yankee Ranch Road (Exhibit A). Most of the property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class D Habitat (Exhibit B). The fence will enclose an area for their rescued horses. The disturbance caused from constructing the fence and impact from the horses is 0.82 acres, as such requires mitigation. The property is on a shared well and the owners do not want to draw from their well share for mitigation plantings. Ms. Pope and Ms. Brown hired Karen Cesare with Novak Environmental Inc., to prepare a Riparian Habitat Mitigation In-Lieu Fee Proposal (Exhibit C) and is proposing to contribute a fee of \$3,900.00 in lieu of onsite mitigation, based on a plant survey and cost estimate which is allowed through 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

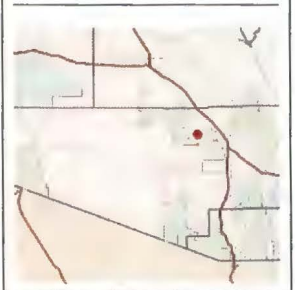
# Exhibit A



## Legend

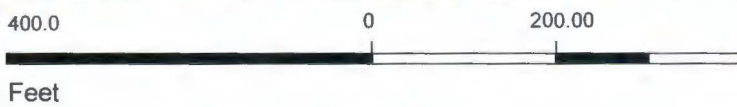
### Washes - All

- Unknown Discharge
- - 100-500 CFS
- . 500-1000 CFS
- . 1000-2000 CFS
- . 2000-5000 CFS
- . 5000-10000 CFS
- . Over 10000 CFS
- Washes Greater Than :



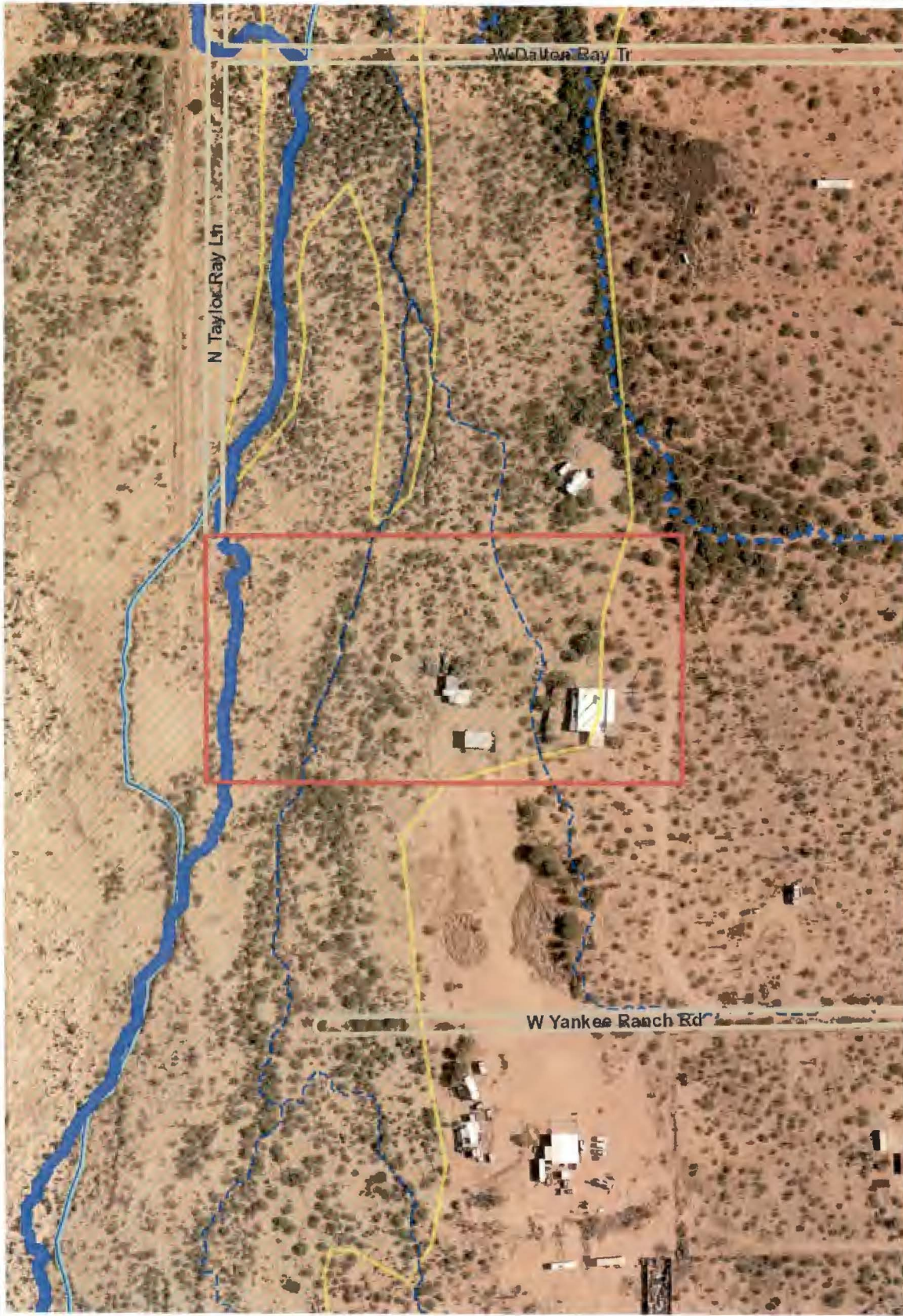
13720 West Yankee Ranch

3/1/2022



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



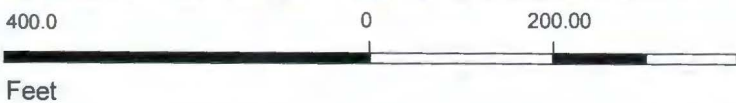
## Legend

- Washes - All**
- Unknown Discharge
  - 100-500 CFS
  - 500-1000 CFS
  - 1000-2000 CFS
  - 2000-5000 CFS
  - 5000-10000 CFS
  - Over 10000 CFS
- Washes Greater Than :**
- 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



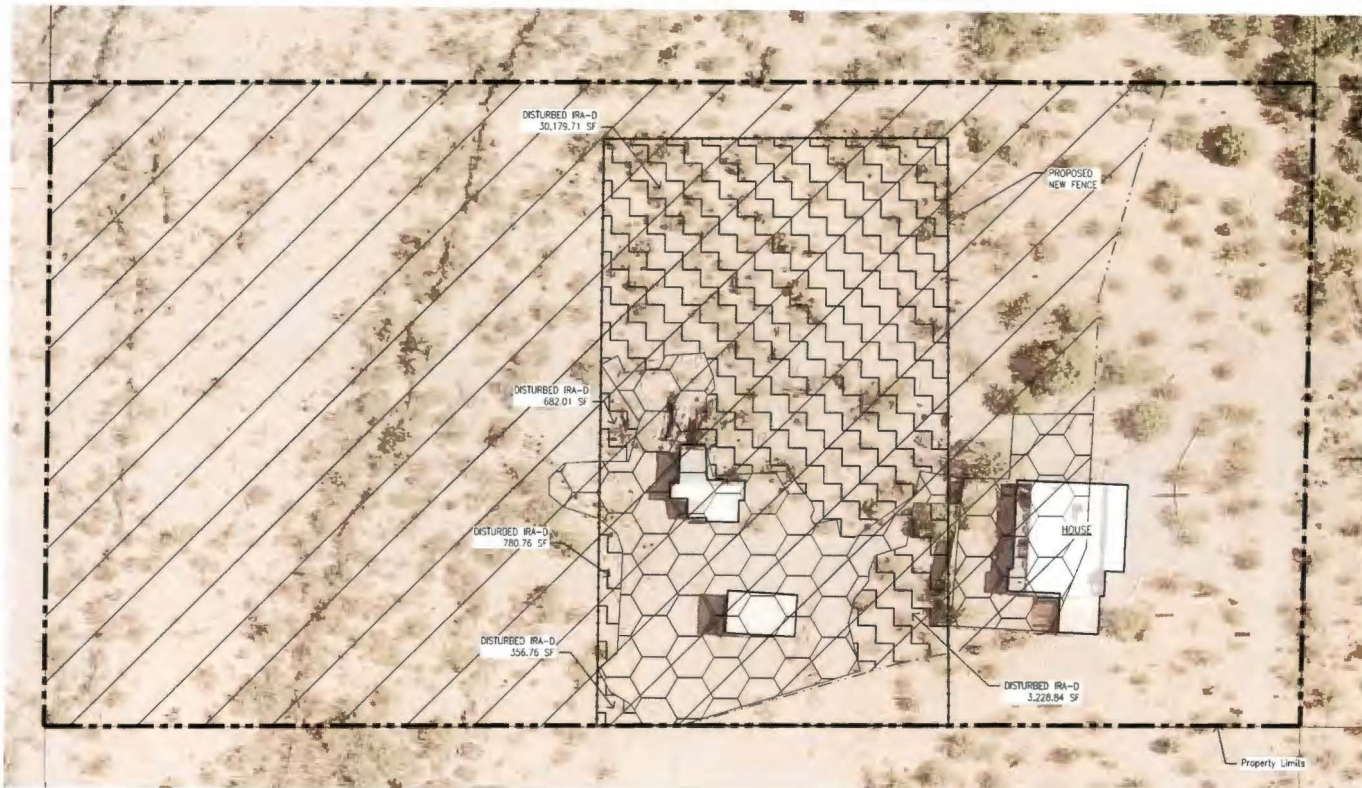
13720 West Yankee Ranch

3/1/2022



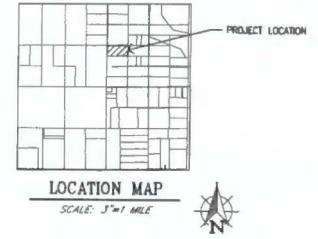
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Exhibit C



- LEGEND:**
- PROPERTY LIMITS
  - XERORIPARIAN IRA
  - PRE-DISTURBED "GRANDFATHERED" AREA (0.58 ac)
  - PARTIALLY DISTURBED IRA (0.82 ac)

RIPARIAN HABITAT MITIGATION IN-LIEU FEE PROPOSAL



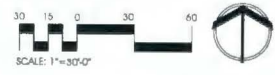
- GENERAL NOTES:**
- This project's parcel boundaries and Regulated Riparian Habitat boundaries were obtained from Pima County PimaMaps.
  - This mitigation plan is required due to future disturbance of IRA-Xeroriparian Habitat D.
  - Future disturbance within the proposed "new" fence will be partially disturbed by horses (livestock).
- REGULATED RIPARIAN HABITAT NOTES**
- This project site contains Regulated Riparian Habitat (RRH) mapped as IRA-Xeroriparian D.
  - The disturbed IRA-Xeroriparian D area totals 0.82 acres (34,318 SF). The disturbance will be mitigated with an-lieu fee.
  - Total site area is 5.16 acres.

**REGULATED RIPARIAN HABITAT IN-LIEU FEE CALCULATIONS**

IRA-XERORIPARIAN D MITIGATION--	5.16 acres
Total Site Area	4.18 acres
Total Area IRA-Xeroriparian D	0.82 acres
Total Partially Disturbed Area (IRA-Xeroriparian D)	0.82 acres

Based upon partial mitigation for projected impacts inside new fence area, the in-lieu fee would be the replacement cost as shown below:

Disturbance Seeding = \$2,500/ac * 0.82 acres = \$2,050
10 @ 1 gal shrub * \$10 each = \$100
10 @ 5 gal shrub * \$45 each = \$450
Total \$2,600 * 1.5 (for IRA) = \$3,900
<b>TOTAL IN-LIEU FEE IS \$3,900.00</b>



PARCEL 213-24-028B  
ADDRESS: 13720 W YANKEE RANCH RD

	Novak Environmental, Inc. 4244 North First Avenue #100 Tucson, AZ 85718 Phone: 520.298.8281 Fax: 520.882.2008 Landscape Architecture • Natural Resources • Planning • Mitigation	
<b>RIPARIAN HABITAT MITIGATION IN-LIEU FEE PROPOSAL</b> POPE RESIDENCE		
AVRA VALLEY NO. 7 PARCEL 37 R/5 3235/747 AVA N/2 W/4 S/4 NE/4 S AC SEC. 18-15-11 SEC. 18, T. 15, S. R. 11 E. COCONO, PIMA COUNTY, ARIZONA		
DESIGNED	JG	DATE
DRAWN	JG	DATE
CHECKED	KC	DATE
DATE	FEBRUARY 2022	PROJECT NO.
SCALE	22016	SEE PLAN
		1 of 1