



## **BOARD OF SUPERVISORS AGENDA ITEM SUMMARY**

Requested Board Meeting Date: December 17<sup>th</sup> 2013

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### **ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:**

The property owner, Mr. Wade Bunting, requested a modification of the approved riparian habitat mitigation plan in order to reduce permanently disturbed area and increase the mitigation area for improvements located at 4001 N. Soldier Trail. The property lies adjacent to the Agua Caliente Wash and is impacted by a FEMA Special Flood Hazard Area Zone AE floodplain and Floodway. Construction of horse facilities has impacted greater than 1/3 acre Regulated Riparian Habitat (RRH). Because this development will impact Important Riparian Area with underlying Class H habitat, the applicant is subject to compliance with Chapter 16.30 of the Pima County Floodplain and Erosion Hazard Management Ordinance No. 2010-FC5 (Ordinance). Because more than five percent of the regulated riparian habitat mapped on the site will be disturbed, 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 revised onsite riparian habitat mitigation plan. The previous plan, approved by the Board, allowed for more riparian habitat disturbance and required an in-lieu fee. The mitigation proposal must be approved prior to issuance of a Floodplain Use Permit which specifies floodplain requirements for the horse facilities.

CONTRACT NUMBER (If applicable):       N/A      

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### **STAFF RECOMMENDATION(S):**

Conceptually, the onsite mitigation plan 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:\$ \_\_\_\_\_

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

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5

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All

☐

**IMPACT:**

**IF APPROVED:**

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

**IF DENIED:**

The applicant will not be able to continue with developing the property as currently planned and an alternative mitigation proposal will be required.

DEPARTMENT NAME: Regional Flood Control District

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

DIRECTOR'S SIGNATURE:

Suzanne Shields  
Suzanne Shields, P.E.



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# MEMORANDUM

Director's Office  
Regional Flood Control District

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DATE: December 2, 2013

TO: Flood Control District Board of Directors

FROM: Suzanne Shields, P.E.  
Director and Chief Engineer

SUBJECT: **Approval of a Riparian Habitat Mitigation Proposal for 4001 N. Soldier Trail,  
Located within Important Riparian Area with Underlying Class H Habitat  
(District 4)**

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## Background

Chapter 16.30 of the Pima County Floodplain and Erosion Hazard 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 Areas (IRA) exceeding 1/3 of an acre that also exceeds five percent of the mapped IRA on the subject parcel. The adopted *Mitigation Standards and Implementation Guidelines* govern the type, amount, and location of required mitigation.

## Report

The owner, Mr. Wade Bunting is requesting a revision to his riparian habitat mitigation plan based on a reduction in the size of the proposed horse facilities on property located at 4001 N. Soldier Trail (Exhibit A). The facilities included an enclosed barn, covered hay storage, covered stalls, and corrals. The property lies within the Agua Caliente Wash and is impacted by a FEMA Special Flood Hazard Area, Zone AE floodplain and floodway. A portion of the property is mapped Important Riparian Area with underlying Class H (IRA/H) habitat (Exhibit B).

The owner hired Alleva Design Studio to prepare the original mitigation proposal. The District assisted Mr. Bunting in revising the original mitigation proposal. The revised mitigation proposal has expanded Mitigation Area 4 and the in-lieu fee has been eliminated due to the reduction in size of the permanent disturbance associated with the corral area.

The owner will restore 1.95 acres of riparian habitat onsite. All onsite mitigation planting will occur per the RHMP (Exhibit C), which shows the type, number, and planting location of vegetation to partially compensate for land disturbance. Mr. Bunting has preserved and planted native trees including, Fremont cottonwood, Arizona Ash, netleaf hackberry, desert willow, black walnut, velvet mesquite, blue palo verde, and catclaw acacia within the mitigation areas. These trees have been credited toward the total mitigation requirement and are reflected on the RHMP. The mitigation areas are located within disturbed riparian habitat, in the 100-year floodplain of the Agua Caliente Wash.

Any future development will require submittal of a separate mitigation proposal.

All species will be chosen from the approved plant list contained in the *Mitigation Standards and Implementation Guidelines*.

Flood Control District Board of Directors

**Approval of a Riparian Habitat Mitigation Proposal for 4001 N. Soldier Trail, Located within  
Important Riparian Area with Underlying Class H Habitat (District 4)**

December 2, 2013  
Page 2

Mr. Bunting has proposed mitigating an additional 0.25 acres of property by reducing the size of his corral. In addition, there are 181 riparian trees that are existing or were already by Mr. Bunting planted on site, this revised RHMP will require that Mr. Bunting plant an additional 34 trees in the new area to be restored and 68 shrubs throughout the site.

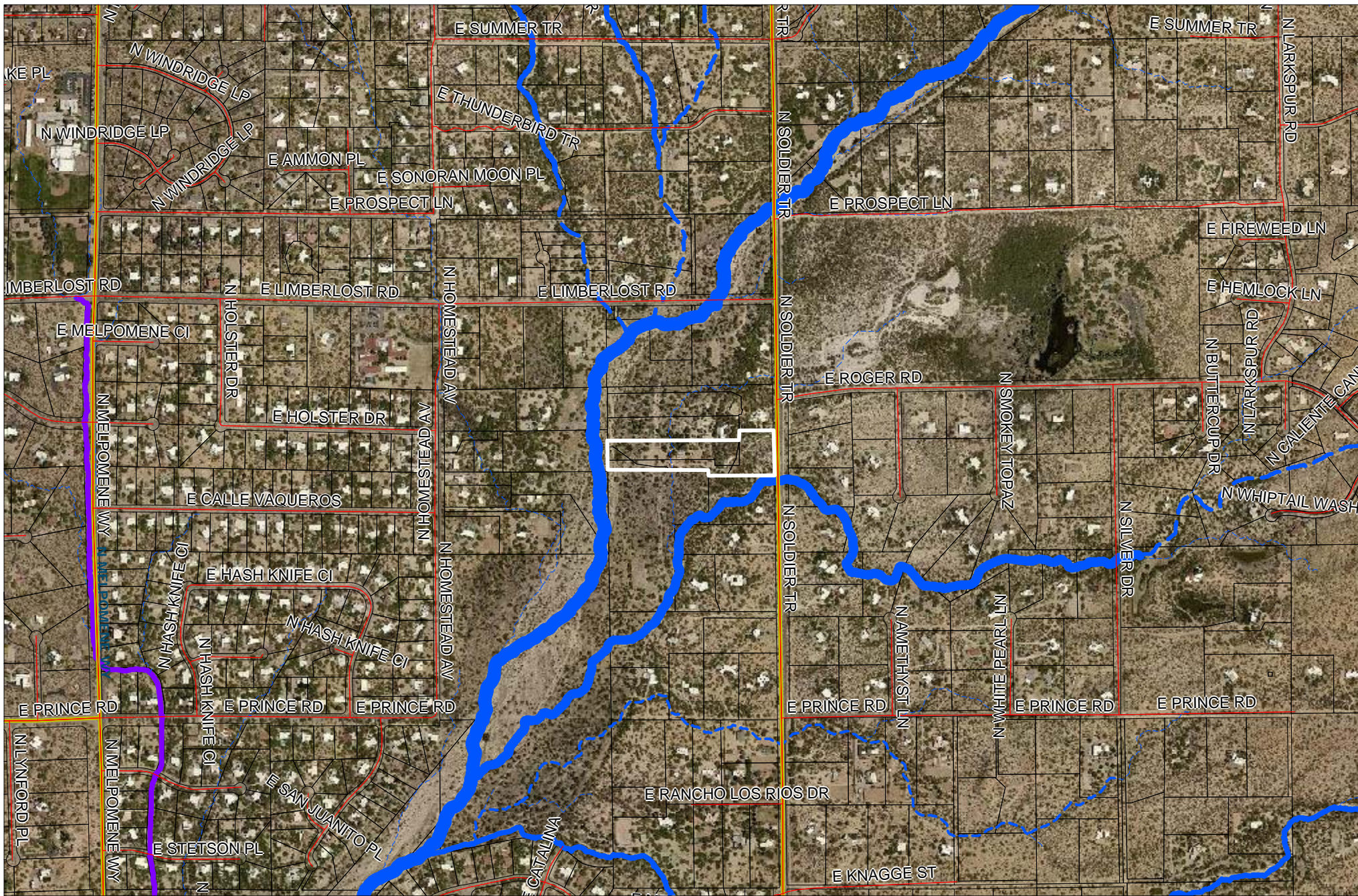
**Recommendation**

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

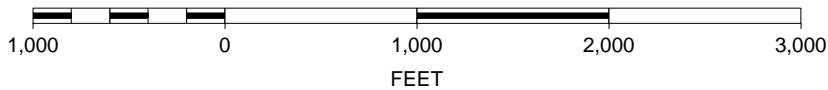
Respectfully submitted.

- Attachments:
- Exhibit A – Project Location
  - Exhibit B – Project Site - Riparian Classification Map
  - Exhibit C – Original Riparian Habitat Mitigation Plan
  - Exhibit D – Revised Riparian Habitat Mitigation Plan

# Exhibit A



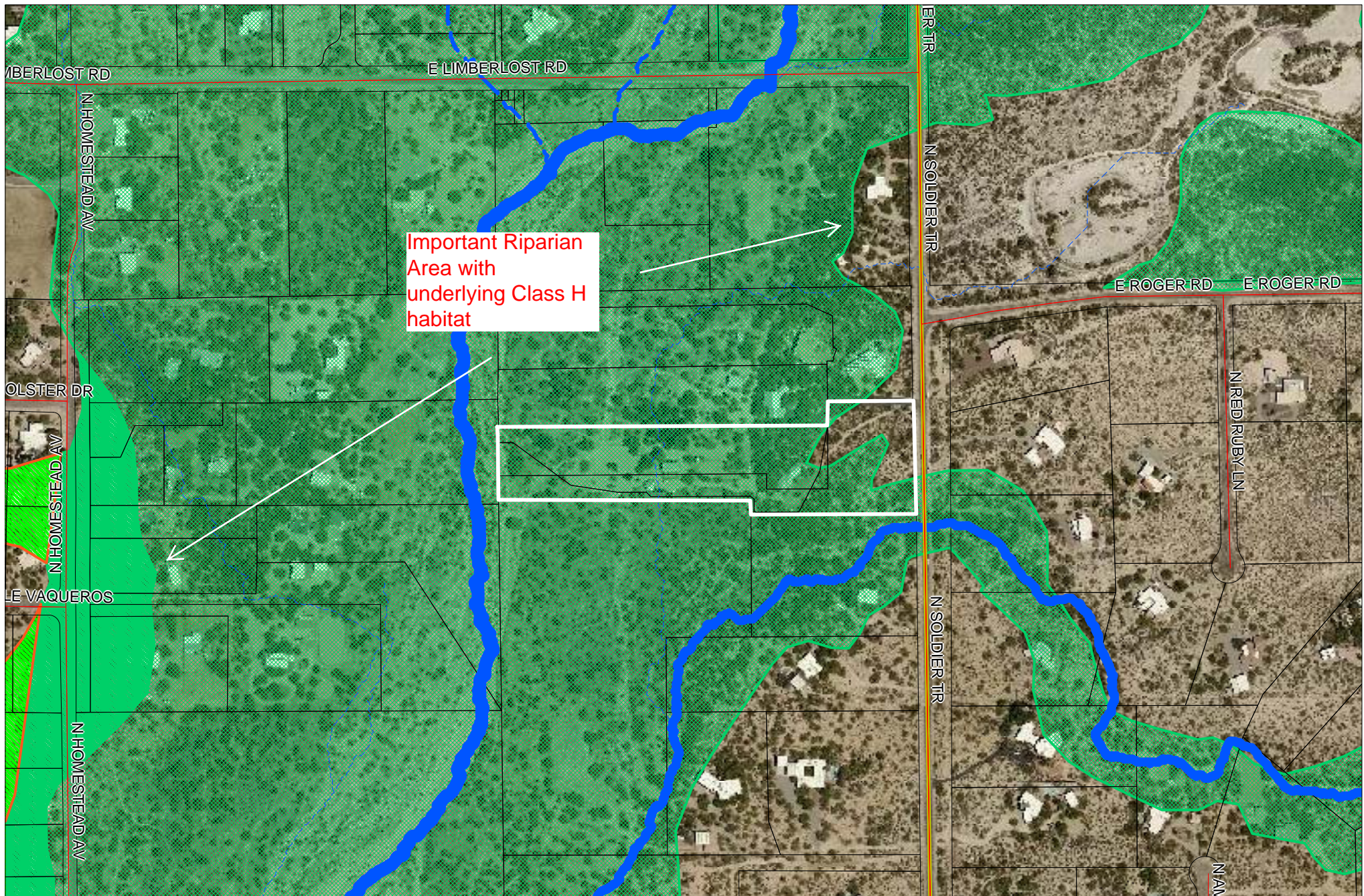
SCALE 1 : 12,000



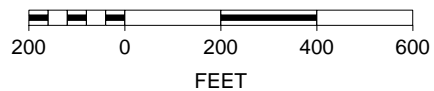
Bunting Residence  
4001 N. Soldier Trail  
T13SR16ES30  
BOS meeting date 10/9/12



# Exhibit B



SCALE 1 : 4,800



Bunting Residence  
4001 N. Soldier Trail  
T13SR16ES30  
BOS meeting date 10/9/12



## GENERAL NOTES

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

1. Mitigation areas to be left in a natural state. No disturbance shall occur within the mitigation areas without RFCD 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. Mitigated areas will be broadcast seeding and raking into seedbed with approved mulch with a minimum of 12 species from the approved Class H plant list found in Appendix B of the Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines. If plant species listed on the mitigation plan are unavailable, replacement species from the approved plant list may be selected based upon availability. Of the 12 species, 4 shall be shrubs, 4 shall be annuals/perennials/vines, and 4 shall be grasses.
3. Mitigation areas to be irrigated using a automated drip irrigation system.
4. Once plants have established, supplemental irrigation will be decreased in accordance with Appendix C of the Guidelines.
5. 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 Riparian Habitat Mitigation Standards and Implementation Guidelines.
6. Riparian Habitat Mitigation plan implementation shall be completed by the first growing season following completion of construction, which is projected to be March–May, 2013.
7. 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. 11–351RP & 11–352ER and send submittals to the following address:  
Pima County Regional Flood Control District  
ATTN: Water Resources Division Staff  
97 E. Congress Street, 2nd floor  
Tucson, AZ 85701
8. 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.

## PLANT SCHEDULE

**TREES** 100% AT NO MORE THAN 75% OF TREES USED  
15 GALLON CAN BE OF A SINGLES SPECIES.

\*See existing tree species below

**SHRUBS** 50% 5 GALLON NO MORE THAN 35% OF SHRUBS USED  
50% 1 GALLON CAN BE OF A SINGLE SPECIES.

Lycium Berlandieri	Berlandier's Wolfberry	Moderate
Justicia candicans	Arizona water willow	Moderate
Celtis pallida	Desert hackberry	Low
Anisacanthus thurberi	Desert honeysuckle	Moderate
Rhus glabra	Smoothe sumac	Moderate

## SEED MIX SHALL INCLUDE:

SEEDING METHOD TO BE BROADCAST AND RAKED INTO SEEDBED COVER WITH STRAW OR APPROVED MULCH

CONDALIA WARNOCKII – WARNOCK CONDALIA  
GARRYA WRIGHTII – WRIGHT'S SILKTASSEL  
LYCIUM ANDERSONI – ANDERSON WOLFBERRY  
RHUS TRILOBATA – THREE LEAFED SUMAC

MAURANDYA ANTIRRHINIFLORA – SNAPDRAGON VINE  
BRICKELLIA COULTERI – BRICKELBUSH  
EPILOBIUM CANUM – HUMMINGBIRD TRUMPET  
PENSTEMON PSEUDOSPECTABILIS – DESERT PENSTEMON

DISTICHLIS STRICTA – DESERT SALTGRASS  
LEPTOCHLOA DUBIA – GREEN SPANGLETOP  
MUHLENBERGIA RIGENS – DEERGRASS  
SPOROBOLUS AIROIDES – ALKALI SACATON

## CALCULATIONS

THIS SITE CONTAINS IMPORTANT RIPARIAN AREAS WITH UNDERLYING CLASS H HABITAT  
CLASS H HABITAT  
AREA OF LOT : 196,484.13 SQ. FT. = 4.51 ACRES  
TOTAL GRADED AREA ON SITE = 103.237 SQ. FT. = 2.37 ACRES  
TOTAL REGULATED RIPARIAN HABITAT ON SITE = 4.37 ACRES  
AREA OF DISTURBED RIPARIAN HABITAT = 2.37 ACRES  
AREA OF MITIGATION = 2.37 ACRES x 1.5 = 3.56 ACRES  
TOTAL REQUIRED AREA OF MITIGATION = 3.56 ACRES x 70 % = 2.49 ACRES  
(1.70 ACRES ON SITE AND 0.79 ACRES AS IN–LIEU FEE)  
TOTAL # OF TREES REQUIRED = 36 PER ACRE = 128 TREES  
128 TREES – 85 PROVIDED ON SITE = 43 REQUIRED OFF SITE (IN LIEU FEE)  
TOTAL # OF SHRUBS REQUIRED = 55 PER ACRE = 196 SHRUBS  
196 SHRUBS–131 PROVIDED ON SITE = 65 REQUIRED OFF SITE (IN LIEU FEE)

## MITIGATION AREAS

ON SITE and IN LIEU			
<b>AREA 1</b> ON SITE	0.65 ACRE 38 % OF 1.70 ACRES	32 TREES REQUIRED 81 TREES EXISTING 0 TREES NEW	50 SHRUBS REQUIRED 50 SHRUBS NEW
<b>AREA 2</b> ON SITE	0.41 ACRE 24 % OF 1.70 ACRES	20 TREES REQUIRED 34 TREES EXISTING 0 TREES NEW	31 SHRUBS REQUIRED 31 SHRUBS NEW
<b>AREA 3</b> ON SITE	0.28 ACRE 16 % OF 1.70 ACRES	14 TREES REQUIRED 14 TREES EXISTING 0 TREES NEW	21 SHRUBS REQUIRED 21 SHRUBS NEW
<b>AREA 4</b> ON SITE	0.25 ACRE 15 % OF 1.70 ACRES	13 TREES REQUIRED 47 TREES EXISTING 0 TREES NEW	20 SHRUBS REQUIRED 20 SHRUBS NEW
<b>AREA 5</b> ON SITE	0.11 ACRE 11 % OF 1.70 ACRES	6 TREES REQUIRED 15 TREES EXISTING 0 TREES NEW	9 SHRUBS REQUIRED 9 SHRUBS NEW
<b>TOTAL</b> ON SITE	1.70 ACRES 100 %	85 TREES REQUIRED 191 TREES EXISTING 0 TREES NEW	131 SHRUBS REQUIRED 131 SHRUBS PROVIDED
<b>ILF</b> OFF SITE	0.79 ACRE 32 % OF 2.49 ACRES	43 TREES REQUIRED 43 TREES PROVIDED OFF SITE	65 SHRUBS REQUIRED 65 SHRUBS PROVIDED OFF SITE

## PROPERTY ADDRESS:

4001 N. SOLDIER TRAIL  
TUCSON, ARIZONA

## PROPERTY OWNER:

WADE BUNTING  
P.O. BOX 50542  
TUCSON, AZ. 85703

## LEGAL DESCRIPTION:

SYCAMORE FALLS LOT #3  
TUCSON, ARIZONA  
SEC.30 T13 R16  
PARCEL TAX ID 205–36–2031S & Q

## CODE CHECK:

ZONING: SR– PIMA COUNTY  
AREA OF LOT (PREVIOUS):  
193,598.6 SQ. FT. 4.44 ACRES  
DOCKET 10934 PAGE 420

AREA OF LOT (REVISED):  
196,484.13 SQ. FT. 4.51 ACRES

MIN. SETBACKS: 50'–0" FRONT YARD  
40'–0" REAR YARD  
10'–0" SIDE YARD

## FPUP #'S

11–351 RP  
ARENA, CORRAL, HAY STORAGE &  
BARN W/ STABLES.  
11–352 ER  
STORAGE BUILDING

## LEGEND

IMPORTANT RIPARIAN AREAS --- IRA/H  
W/ CLASS H HABITAT–IRA/H  
FEMA FLOODPLAIN100 YR LOMR  
FEMA FLOODPLAIN  
FLOODWAY  
EROSION HAZARD SETBACK  
LIMITS OF GRADING  
FENCE OPEN WIRE (BARB)  
FENCE OPEN PICKET 4'–0" h  
PHOTO MONITORING POINT

## EXISTING TREES PER AREA / TYPE \*

AREA	COTTONWOOD	ARIZONA ASH	Netleaf HACKBERRY	DESERT WILLOW	WALNUT	MESQUITE	PALO VERDE	CAT CLAW	TOTALS PER AREA
<b>AREA 1</b>	2	2	4	10	0	27	1	35	81
<b>AREA 2</b>	1	5	19	0	1	2	0	6	34
<b>AREA 3</b>	1	2	4	0	0	6	0	1	14
<b>AREA 4</b>	0	3	11	9	0	3	0	21	47
<b>AREA 5</b>	2	0	1	5	0	2	2	3	15
<b>TOTALS PER TYPE</b>	6	12	39	24	1	40	3	66	

## STRUCTURE DESCRIPTION

- 1 MAIN RESIDENCE 16'–0" HIGH AT RIDGE
- 2 STORAGE BUILDING 14'–0" HIGH RIDGE, 708 SQ. FT. (NON ANIMAL USE)
- 3 COVERED HAY STORAGE 10'–0" HIGH AT ROOF, 448 SQ. FT. (NON ANIMAL USE)
- 4 BARN W/ OPEN RUNS 16'–0" HIGH AT RIDGE, 1200 SQ. FT. (ANIMAL USE)
- 5 EXISTING CONCRETE SLAB ON GRADE.
- 6 CORRAL (PROPOSED) – OPEN PICKETS 4'–0" h 7,668 SQ. FT. (ANIMAL USE)
- 7 DIRECTIONAL FENCE – OPEN PICKETS 4'–0" h DIRECTIONAL FENCING ONLY.
- 8 RESTORED DRAINAGE CHANNEL TO BE 4'–0" – 5'–0" WIDE SLOPED TO SOUTH.
- 9 NEW POST & BEAM SHADE STRUCTURE (PROPOSED), NO WALLS, 200 SQ. FT.
- 10 EXISTING OPEN WIRE (BARB) FENCE AT PERIMETER OF PROPERTY.

24	19 ROGER ROAD ALIGNMENT	19	20
25	30	30	29
25	30	30	29
36	31	31	32

## LOCATION MAP

SEC.30 T13 R16



**BUNTING RESIDENCE**  
4001 N SOLDIER TRAIL  
TUCSON, ARIZONA

RHMP PLAN

**RH1**  
9-16-12

**ALLEVA DESIGN STUDIO**  
architects  
2222 E 3rd St  
Tucson, Arizona 85719  
520-240-5154

## RIPARIAN HABITAT MITIGATION PLAN

1" = 50'-0"

# Exhibit D



Area = 10,679 sq ft  
Area = 0.25 Acres

Tree and Shrub Calculation  
 $(0.25 \text{ ac} * 90 \text{ trees}) * 1.5 = 33.75 \text{ trees}$   
 $(0.25 \text{ ac} * 100 \text{ shrubs}) * 1.5 = 37.5 \text{ shrubs}$   
34 trees and 38 shrubs is required within  
this area with the required seeding

FPUP # 11-351RP  
4001 N. Soldier Trail