



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: October 18, 2016

Title: Fee Ordinance for Private Coverage under County's Endangered Species Act Section 10 Permit

Introduction/Background:

Fees are proposed to cover staff time and services required to administer certain elements of the Certificate of Coverage Program which provides private landowners the opportunity to receive coverage under Pima County's Section 10 permit.

Discussion:

The Certificate of Coverage Program (Program) is a voluntary program that provides private development projects with the same benefits and certainty in complying with the Endangered Species Act as County and Regional Flood Control District projects. The proposed fees will apply only to those subdivision or commercial or industrial facility developments that require a site construction permit from Pima County Development Services and which voluntarily participate in the Program via the "Opt-in" process. Fees are to be assessed once per-project as part of the authorization process and are not dependent upon project acreage. The authorization process for development projects on individual private lots that voluntarily participate in the Program via the "Opt-out" process is automated and requires little to no staff time to administer, therefore, fees are not proposed for these types of development projects. Proposed fees are:

1. Application Fee: Assessed for each application for the "Opt-in" process; the proposed fee amount of \$720.00 is based on the County's cost to review and process an application.
2. Compliance Monitoring Fee: Assessed in addition to the application fee when the project has certain natural open space set-asides that will be used as Section 10 permit mitigation land. The proposed fee amount of \$2,450.00 is based on the County's cost to establish and monitor these lands in accordance with Section 10 permit requirements.

Conclusion:

If approved, fees will apply only to subdivision or commercial or industrial facility developments that require a site construction permit from Pima County Development Services and which apply for a Certificate of Coverage via the "Opt-in" process. These fees allow the County to recover the cost of providing Section 10 permit coverage to these types of private development and are consistent with the County's authority under A.R.S. § 11-251.08 and §11-251.05.

Recommendation:

OSC recommends approval of the Ordinance as proposed to establish fees for service of providing certain private development activities with coverage under the County's Endangered Species Act Section 10(a)(1)(b) permit.

Fiscal Impact:

No cost to County is anticipated. As this new program is entirely voluntary, revenue projections are not easily quantified, but conservative estimates may range from \$8,640 to \$16,000 annually. Any revenues collected will be used to offset OSC staff time, reducing our General Fund allocation.

Board of Supervisor District:

1 2 3 4 5 All

Board of Supervisor District:

Department: Office of Sustainability & Conservation

Telephone: 520-724-6940

Department Director Signature/Date:

Laura Mayo 9/27/2016

Deputy County Administrator Signature/Date:

John H. ... 9/27/16

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