



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 11/1/2022

*\*= 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 Unpermitted Disturbance at 13620 East Camino La Cebadilla

**\*Introduction/Background:**

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires a riparian habitat mitigation plan (RHMP) for mapped riparian habitat disturbances greater than 1/3 acre. The RHMP requires a Flood Control District Board of Directors (Board) approval when disturbance of Important Riparian Area exceeds 1/3 of an acre and is more than 5 percent of the habitat on the property. 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.

**\*Discussion:**

The owner Mr. Matt Levin currently has a violation for clearing an area without a permit to exercise and ride their horses at his property located at 13620 East Camino La Cebadilla. Most of the property is mapped within Regulated Riparian Habitat (RRH) (4.94 acres). The 0.6 acres of unpermitted disturbance to the RRH is over 5% of the RRH on the property. Mr. Levin hired John Hucko a registered landscape architect to prepare a Riparian Habitat Mitigation In-Lieu Fee Proposal and is proposing to contribute a fee of \$4,957.11 in lieu of onsite mitigation, based on the a vegetative survey.

**\*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:**

\$4,957.11

**\*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: \_\_\_\_\_

Date: \_\_\_\_\_

Deputy County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**DATE:** September 27, 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 Unpermitted Disturbance at 13620 East Camino La Cebadilla, Located within Regulated Riparian Habitat (District 4)

### Background

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires a riparian habitat mitigation plan (RHMP) for mapped riparian habitat disturbances greater than 1/3 acre. The RHMP requires a Flood Control District Board of Directors (Board) approval when disturbance of Important Riparian Area exceeds 1/3 of an acre and is more than 5 percent of the habitat on the property. 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.

### Report

The owner Mr. Matt Levin currently has a violation for clearing an area without a permit to exercise and ride their horses at his property located at 13620 East Camino La Cebadilla (Exhibit A). Most of the property is mapped within Regulated Riparian Habitat (RRH) (4.94 acres) and is classified as Important Riparian Area with an Underlying Classification Hydromesori-riparian Habitat (Exhibit B). The 0.6 acres of unpermitted disturbance to the RRH is over 5% of the RRH on the property. Mr. Levin hired John Hucko a registered landscape architect to prepare a Riparian Habitat Mitigation In-Lieu Fee Proposal (Exhibit C) and is proposing to contribute a fee of \$4,957.11 in lieu of onsite mitigation, based on the a vegetative survey which is allowed under the guidance provided in 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

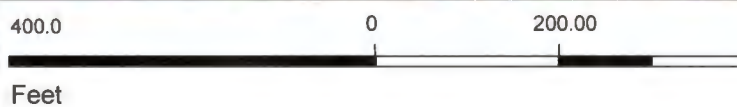


## Legend



**13620 East Camino La Cebadilla**

9/27/2022



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



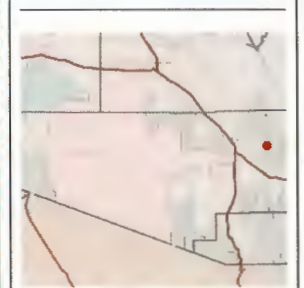
# Exhibit B



## Legend

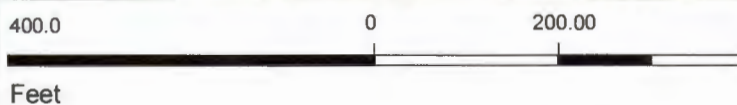
Riparian Habitat - Pima  
Effective 10/20/2005

- 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



13620 East Camino La  
Cebadilla

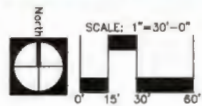
9/27/2022



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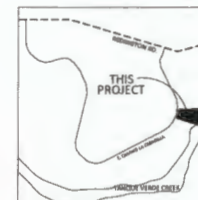
# Exhibit C



2020 AERIAL PRE - DISTURBANCE

NO.	DATE	REVISION DESCRIPTION	BY	OWNER
				MATT LEVIN
 <p>JOHN HUCKO - LANDSCAPE ARCHITECT 5236 N. STONEHOUSE PL. TUCSON, ARIZONA 85750 P: (520) 400-8529 E: jhucko709@comcast.net PROJECT NO: 22-01 DATE: 09-26-22</p>				SITE ADDRESS
<p>APR 205-45-0510</p>				13620 E. CAMINO LA CEBADILLA PRE - DISTURBANCE - RIPARIAN HABITAT EXHIBIT





LOCATION MAP  
1" = 1 MILE

#### GENERAL NOTES:

THE LOT SIZE IS 6.99 ACRES  
TOTAL AMOUNT OF REGULATED HABITAT ONSITE = 4.94 ACRES  
AMOUNT REGULATED RIPARIAN HABITAT DISTURBED ONSITE BY THIS PROJECT = 0.80 ACRES - 26,000 S.F.

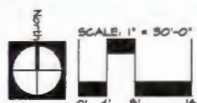
#### CALCULATIONS:

RIPARIAN AREA DESIGNATION: XERORIPARIAN AREA "CLASS 1RA-H"  
MINIMUM REQUIRED MITIGATION AREA = 26,000 S.F.  
MITIGATION AREA TO BE PROVIDED BY IN-LIEU FEE  
PLANT CALCULATIONS:  
TREES REQUIRED - 22 MESQUITE TREES REMOVED

#### RHMP LEGEND

- DISTURBED RIPARIAN AREA
- XERORIPARIAN "1RA-H" LIMITS
- ⊗ 22 - TREES REMOVED/DESTROYED
- ⊙ TREES PRESERVED IN PLACE

2022 AERIAL POST DISTURBANCE



ILF Calculation		
15-gallon trees	22	\$1,637.78
5-gallon trees	0	\$0.00
5-gallon shrubs	0	\$0.00
1-gallon shrubs	0	\$0.00
Hydroseed	0.80 Acre(s)	\$2,091.00
Irrigation	0.80 Acre(s)	\$491.33
5-year maintenance	Acre(s)	\$737.00
Monitoring Report	5 each yr for 5 yrs	\$0.00
<b>Total Cost</b>		<b>\$4,957.11</b>

NO.	DATE	REVISION DESCRIPTION	BY	OWNER
				MATT LEVIN
				<b>SITE ADDRESS</b> 13620 EAST CAMINO LA CEBADILLA TUCSON, ARIZONA 85749
JOHN HUICKO - LANDSCAPE ARCHITECT 5236 N. STONEHOUSE PL. TUCSON, ARIZONA 85750 P: (520) 400-8579 E: jhuicko789@comcast.net PROJECT NO: 22-51 DATE: 08-26-22				
APR 205-45-0510				<b>13620 E. CAMINO LA CEBADILLA</b> <b>POST DISTURBANCE EXHIBIT</b>