



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: July 2, 2019

**Title:** Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for a Sand and Gravel Operation, Located within Regulated Riparian Habitat (District 2)

**Introduction/Background:**

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires mitigation when cumulative disturbance of more than 1/3 acre of mapped riparian habitat occurs. If a project site contains suitable area(s) for mitigation, restoration, or enhancement, then on-site mitigation is required 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 off-site mitigation proposals require Flood Control District Board of Directors review and approval.

**Discussion:**

The applicant Robert Linsell with Granite Construction (Granite) has applied for a floodplain use permit to expand an active sand and gravel pit on property located east of Swan Road and north of Old Vail Connection Road, tax code 140-46-0020. The property is mapped within Regulated Riparian Habitat (RRH) and is classified Xeroriparian Class C Habitat. The expansion will disturb 6.9 acres of the RRH therefore mitigation is required. Mr. Linsell preferred to mitigate through an in-lieu fee offered under the *Regulated Riparian Habitat Offsite Mitigation Guidelines for Unincorporated Pima County*. As a result, Mr. Linsell has prepared a Riparian Habitat Mitigation In-Lieu Fee Proposal and is proposing to contribute a fee of \$85,883.89 in lieu of onsite mitigation.

**Conclusion:**

Acceptance of mitigation banking funds in-lieu of on-site 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 ILF proposal presented conforms with the Ordinance and, as such, the District recommends approval.

**Fiscal Impact:**

\$85,883.89

**Board of Supervisor District:**

- 1                     2                     3                     4                     5                     All

Department: Regional Flood Control District Telephone: 724-4600

Department Director Signature/Date: \_\_\_\_\_ 6/12/19

Deputy County Administrator Signature/Date: \_\_\_\_\_ 6/12/19

County Administrator Signature/Date: C. DeLuca 6/13/19

**DATE:** June 10, 2019

**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 a Sand and Gravel Operation, Located within Regulated Riparian Habitat (District 2)**

### **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 review and approval.

### **Report**

The applicant Robert Linsell with Granite Construction (Granite) has applied for a floodplain use permit to expand an active sand and gravel pit on property located east of Swan Road and north of Old Vail Connection Road, tax code 140-46-0020 (Exhibit A). The property is mapped within Regulated Riparian Habitat (RRH) and is classified Xeroriparian Class C Habitat (Exhibit B).

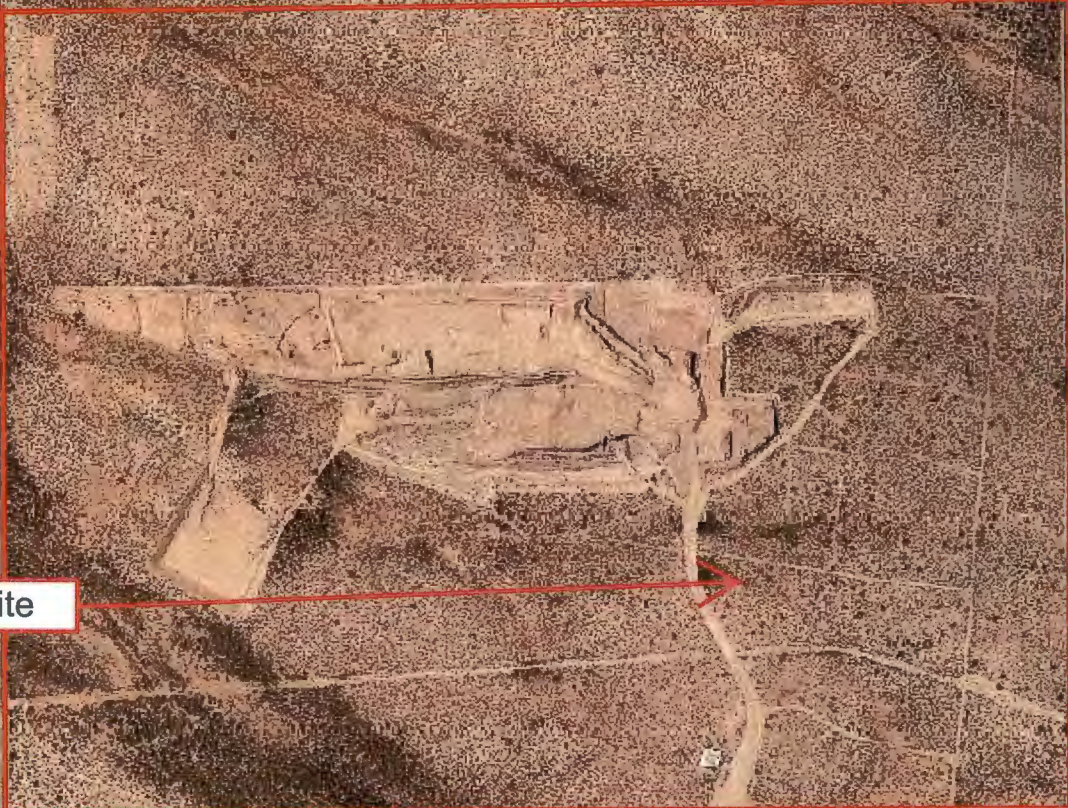
The expansion will disturb 6.9 acres of the RRH (Exhibit C) therefore mitigation is required. It is required that 80% of the on-site mitigation plantings shall survive at the end of 5 years of monitoring. Due to the nature of the operation, Mr. Linsell preferred to mitigate through an in-lieu fee offered under the *Regulated Riparian Habitat Offsite Mitigation Guidelines for Unincorporated Pima County*. As a result, Mr. Linsell has prepared a Riparian Habitat Mitigation In-Lieu Fee Proposal (Exhibit D) and is proposing to contribute a fee of \$85,883.89 in lieu of onsite mitigation.

### **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 – Riparian Classification Map  
Exhibit C – Disturbance Exhibit  
Exhibit D – Mitigation Banking In-lieu Fee Proposal

# Exhibit A



Subject Site

Granite Construction  
Tax Code 140-46-0020  
BOS Meeting Date 7/02/2019

An aerial photograph of a landscape with various overlays. A large, irregularly shaped area is outlined in yellow, representing 'Xeroriparian Class C Habitat'. This area contains several smaller, irregularly shaped regions with a green diagonal hatching pattern. A large red rectangle is drawn over a central portion of the map, with two red arrows pointing from its corners towards the 'Subject Site' label. The 'Subject Site' is a small, rectangular area within the hatched region. The background is a brownish, textured aerial view of the ground, showing some roads and buildings. The text 'Granite Construction Tax Code 140-46-0020 BOS Meeting Date 7/02/2019' is located in a white box at the bottom right. The text 'Exhibit B' is in a white box at the top center. The text 'Xeroriparian Class C Habitat' is in a white box on the right side. The text 'Subject Site' is in a white box on the right side. The text 'Granite Construction Tax Code 140-46-0020 BOS Meeting Date 7/02/2019' is in a white box at the bottom right. The text 'Exhibit B' is in a white box at the top center.

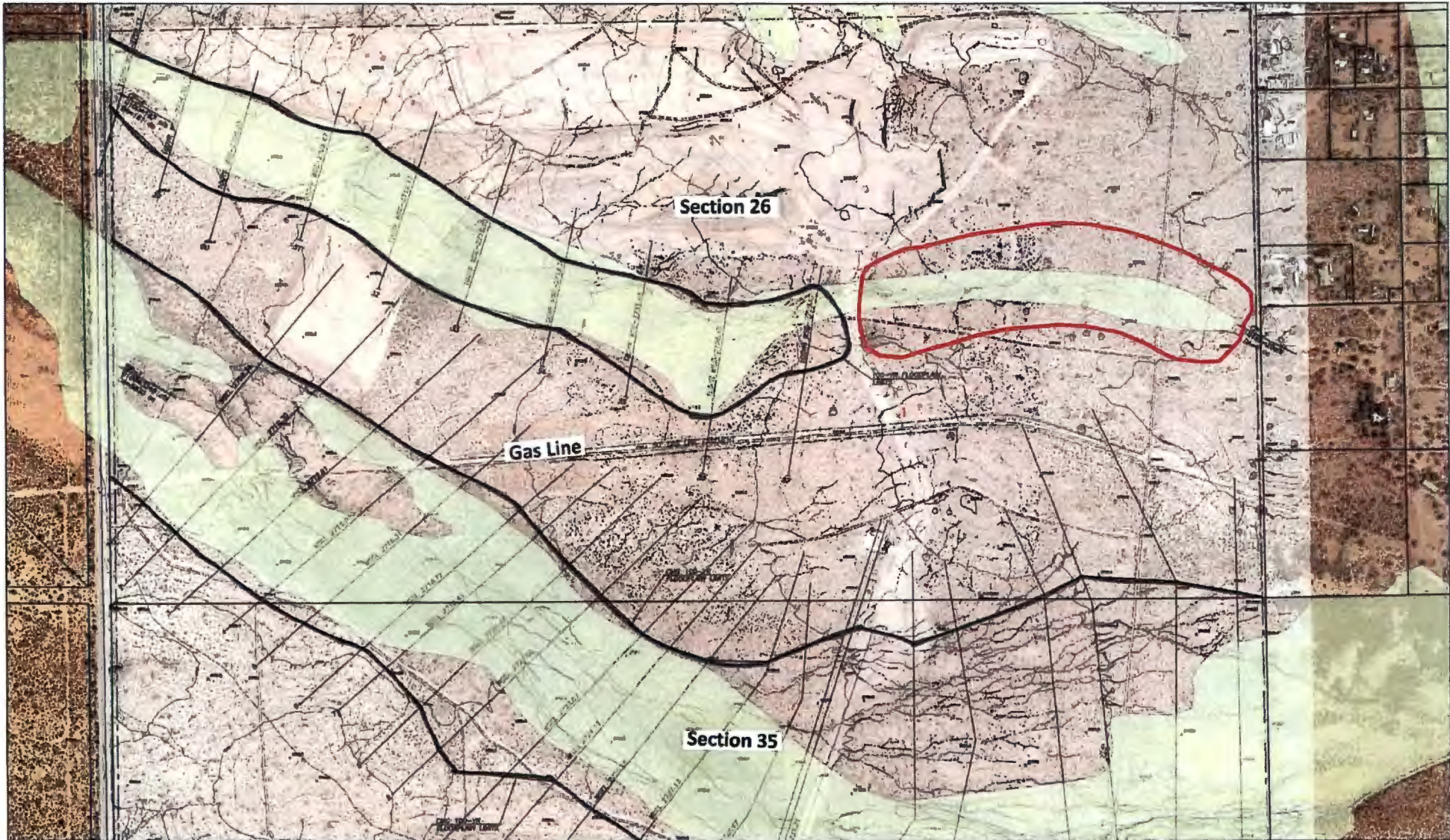
Exhibit B

Xeroriparian Class C Habitat

Subject Site

Granite Construction  
Tax Code 140-46-0020  
BOS Meeting Date 7/02/2019

# Exhibit C



N



0 200 400 800 Feet

Floodplain Limits



Proposed Disturbance Area



GRANITE NORTH PIT ON SWAN RD  
2018 ORTHOPHOTO (BASE)  
2005 REGULATED RIPARIAN HABITAT (GREEN)  
100-YEAR FLOODPLAIN BY CMG DATED SEPTEMBER 2009

## Calculating In-Lieu Fee Costs for Commercial and Subdivision Development

Shaded fields are editable - Enter value in Acres

Exhibit D

Option to basic requirement (Xeroriparian)\*\*\*

<b>Xeroriparian Class A Habitat (XA)**</b>					
Total mapped habitat onsite			Acre(s)		
Area of disturbed RRH			Acre(s)		
% of mapped habitat disturbed		#DIV/0!	Acre(s)		
Area of mitigation			0.00 Acre(s)		
Total number of trees required (75 trees/ac)			0 Trees	0	Trees
Total number of shrubs required (90 shrubs/ac)			0 Shrubs	0	Shrubs

<b>Xeroriparian Class B Habitat (XB)**</b>					
Total mapped habitat onsite			Acre(s)		
Area of disturbed RRH			Acre(s)		
% of mapped habitat disturbed		#DIV/0!	Acre(s)		
Area of mitigation			0.00 Acre(s)		
Total number of trees required (60 trees/ac)			0 Trees	0	Trees
Total number of shrubs required (80 shrubs/ac)			0 Shrubs	0	Shrubs

<b>Xeroriparian Class C Habitat (XC)**</b>					
Total mapped habitat onsite			120.00 Acre(s)		
Area of disturbed RRH			6.90 Acre(s)		
Area of mitigation			6.90 Acre(s)		
Total number of trees required (45 trees/ac)	45		311 Trees	248	Trees
Total number of shrubs required (70 shrubs/ac)	70		483 Shrubs	386	Shrubs

<b>Xeroriparian Class D Habitat (XD)**</b>					
Total mapped habitat onsite			Acre(s)		
Area of disturbed RRH			Acre(s)		
Area of mitigation			0.00 Acre(s)		
Total number of trees required (30 trees/ac)			0 Trees	0	Trees
Total number of shrubs required (x shrubs/ac)*			0 Shrubs	0	Shrubs

<b>ILF calculation</b>		
15-gallon trees	248	\$18,462.22
5-gallon trees		\$0.00
5-gallon shrubs	386	\$8,712.57
1-gallon shrubs		\$0.00
Hydroseed	4.80 Acre(s)	\$16,728.00
Irrigation	4.80 Acre(s)	\$8,152.44
5-year maintenance	4.80 Acre(s)	\$12,228.66
Monitoring Report	3 at years 1, 3 & 5	\$21,600.00
<b>Total Cost</b>		<b>\$85,883.89</b>

Average Costs (Costs shown for plants are installed costs)	15-gallon tree	5-gallon tree	5-gallon shrub	1-gallon shrub	Hydroseed (per ac)	Irrigation (per acre) <sup>1</sup>	5-year maintenance (per acre) <sup>2</sup>	5-year monitoring (per acre per year)
	\$74	\$27	\$23	\$12	\$3,485	see notes	see notes	\$1,500

\*determined by onsite plant survey.

\*\*Guideline plant density requirements have been provided. The applicant may choose to perform an onsite plant survey in accordance with TECH-116 to determine plant

\*\*\*Option to basic requirement for Xeroriparian Classes A-D: Reduce total plant quantity by 20% if 100% 15 gallon trees and 100% 5 gallon shrubs are used.

<sup>1</sup>Irrigation calculated as 30% the cost of plant material (trees and shrubs)

<sup>2</sup>Maintenance calculated as 45% the cost of plant material (trees and shrubs)