# BOARD OF SUPERVISORS AGENDA ITEM REPORT



Requested Board Meeting Date: August 19, 2019

Title: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Placement of a Single Family Residence at 24270 East Tonopah Trail, Located within Regulated Riparian Habitat (District 4)

## 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 (Board) review and approval.

## **Discussion:**

The owner, Kenneth Minnich has applied for a floodplain use permit to construct a second residence on his property located at 24270 East Tonopah Trail. The property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class C Habitat. Upon review of the floodplain use permit, staff determined that portions of the RRH had been partially disturbed by clearing undergrowth (grasses and shrubs) and removing some trees. The disturbance amount, 0.54 acres exceeds the 1/3 threshold therefore, a Riparian Habitat Mitigation Plan is required. Mr. Minnich wants to leave the disturbed areas free of vegetation rather than mitigating the RRH to be undisturbed and natural because of this the in-lieu fee option was the best alternative to onsite mitigation. Mr. Minnich is proposing to contribute a fee of \$1,940.10 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 Impac	et:								
\$1,940.10									
Board of Su	pervisor Distric	et:							
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Department: Regional Flood Control District Telephone: 724-4600									
Department Director Signature/Date: Swanne Shuldr 7/30/19									
Deputy County Administrator Signature/Date: 7/30/19									
County Admi	inistrator Signati	ire/Date:	. Dulu	lang	7/30/19				





DATE: July 30, 2019

FROM: Suzagne,

Directør

## **TO:** Flood Control District Board of Directors

## SUBJECT: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Placement of a Single Family Residence at 24270 East Tonopah Trail, Located within Regulated Riparian Habitat (District 4)

## 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 (Board) review and approval.

## Report

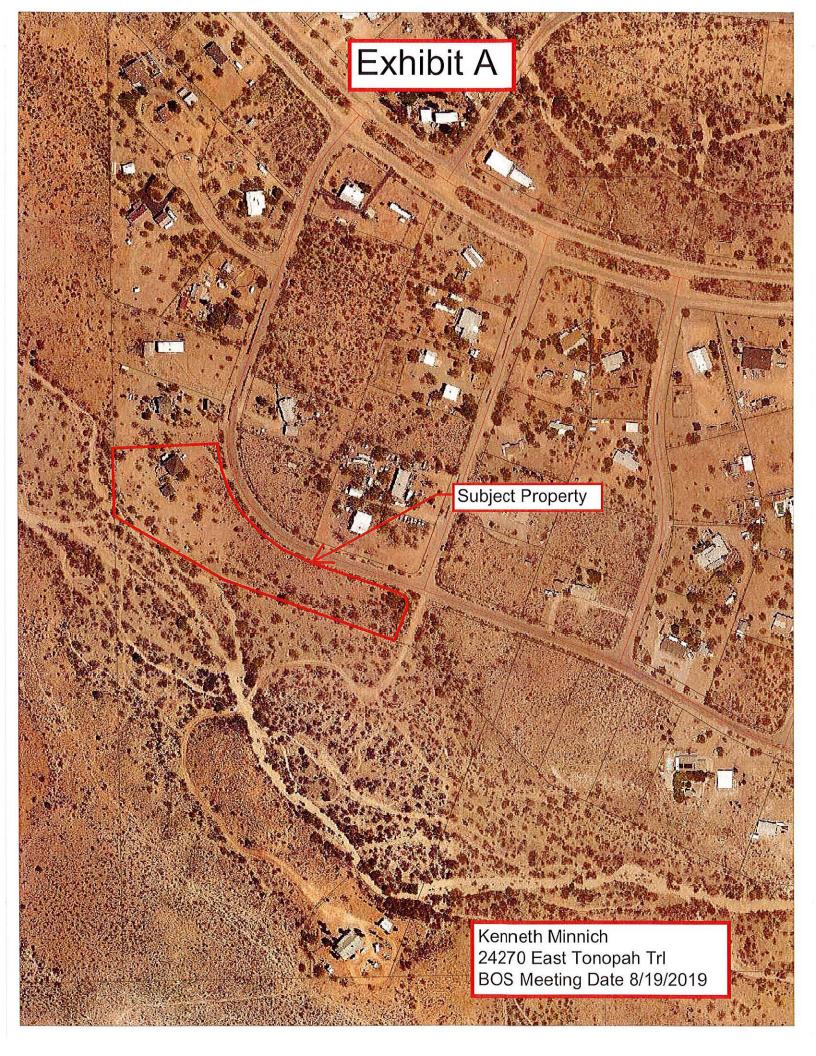
The owner, Kenneth Minnich has applied for a floodplain use permit to construct a second residence on his property located at 24270 East Tonopah Trail (Exhibit A). The property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class C Habitat (Exhibit B). Upon review of the floodplain use permit, staff determined that portions of the RRH had been partially disturbed by clearing undergrowth (grasses and shrubs) and removing some trees. The disturbance amount, 0.54 acres exceeds the 1/3 threshold therefore, a Riparian Habitat Mitigation Plan (RHMP) is required.

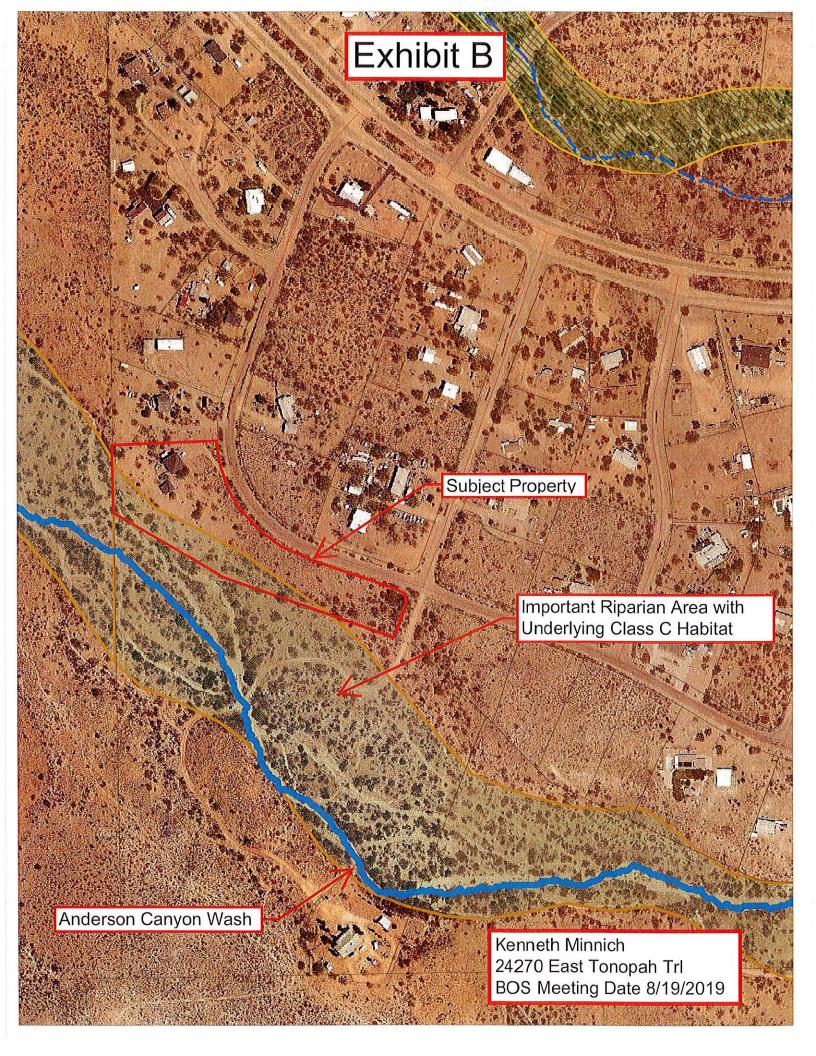
Mr. Minnich hired Jennifer Patton with Wilder Landscape Architects to prepare a RHMP (Exhibit C). Mr. Minnich wants to leave the disturbed areas free of vegetation rather than mitigating the RRH to be undisturbed and natural because of this the in-lieu fee option was the best alternative to onsite mitigation. Ms. Patton conducted a survey of the disturbance and prepared an in-lieu fee cost estimate in accordance with the *Pima County Regulated Riparian Habitat Off-Site Mitigation Guidelines*. As a result Mr. Minnich is proposing to contribute a fee of \$1,940.10 in lieu of onsite mitigation.

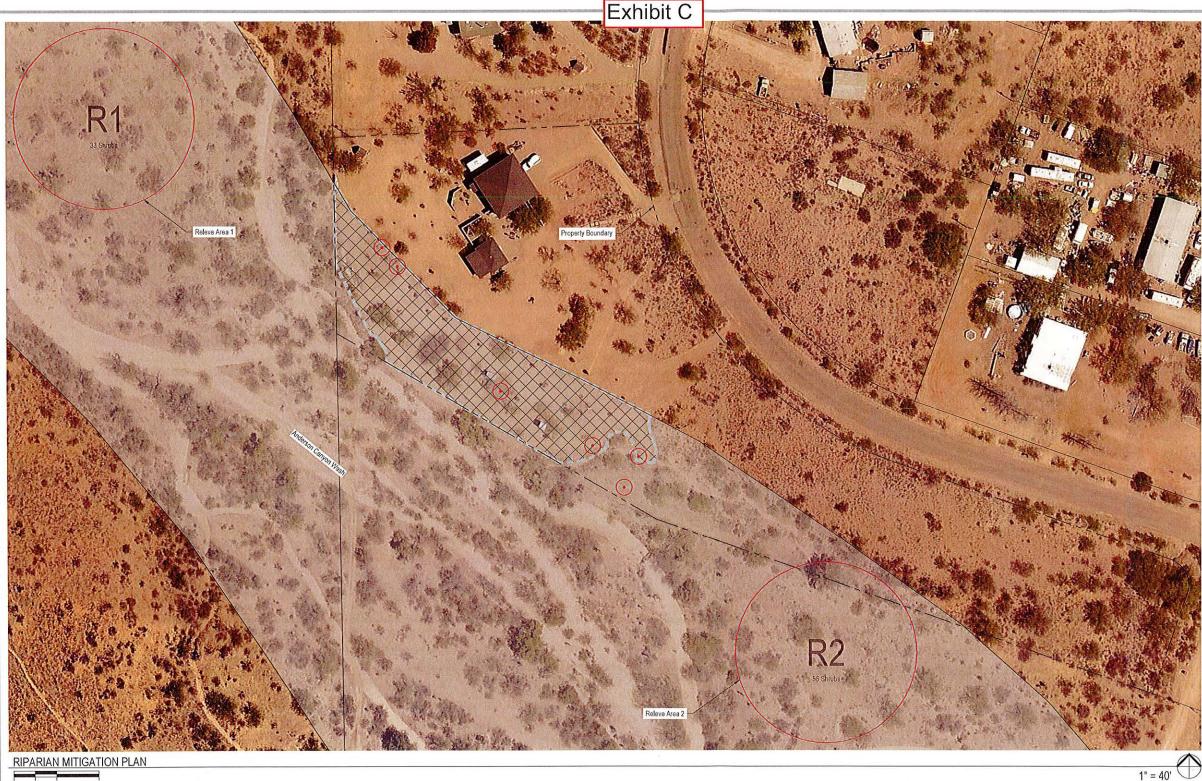
### Recommendation

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 – Project Site – Riparian Classification Map Exhibit C – Riparian Habitat Mitigation Plan







#### **RIPARIAN MITIGATION PLAN**

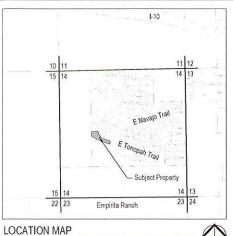
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LEGEND



### In-Lieu Fee Cost for Single-lot Development - IRA Xeroriparian C Habitat Total mapped habitat onsite: 0.99 AC Area of disturbed regulated riparian habitat: 0.54 AC

Total Cost				\$1,940.10
5-year maintenance (70% of disturbed area)	0.38	AC	\$610.00	\$231.80
Irrigation System (materials and labor for install)	0.38	AC	\$1,500.00	\$570.00
Hydroseed (70% of disturbed area)	0.38	AC	\$885.00	\$336.30
Total number of shrubs required (1 gallon)	16	EA	\$6,00	\$96.00
Total number of shrubs required (5 gallon)	17	EA	\$23.00	\$391.00
Total number of trees required (5 gallon)	3	EA	\$25.00	\$75.00
Total number of trees required (15 gallon)	3	EA	\$80.00	\$240.00
Description	Qty	Unit	Unit Cost	Cost



A parcel located in the southwest quarter of Section 14, Township 17 South, Range 18 East, Gila and Salt River Meridian, Benson, Pima County, Arizona

#### **PROJECT OVERVIEW**

Unmitigated riparian disturbance to Important Riparian Area (IRA) Xeroriparian C mapped habitat has occurred at 24270 E. Toncpah Trail, Benson, AZ 85602 (tax code parcel 306-20-354B), an approximately 3.6-acre site. The riparian disturbance vicilations were noted by Pima County Regional Flood Control District (PCRFCD) upon application to permit a new building on site.

3" = 1 Mile

A site visit was conducted on July 18, 2019 to determine extent of riparian disturbance. Site conditions are substantially unchanged from the 2018 aerial shown on Plan.

Parcel lines and property boundary shown on plan were obtained through Pima Maps. No on-site survey was performed.

The project site is within the Semidesert Grassland Biotic Community. • Prevalent tree species are the velvet mesquite (Prosopis velutina),

- catclaw acacia (Senegalia greggii), western soapberry (Sapindus saponaria), desert willow (Chilopsis linearis) and hackberry (Celtis reticulata).
- The dominant shrubs are catclaw acacia (Senegalia greggii), littleleaf the offinant shock are calculated activity of the standard of
- aspera), The dominant succulent is soaptree yucca (Yucca elata), Limited barrel cactus (Ferocactus wislizeni), cholla (versicolor) and prickly pear (Opuntia species) are present.

#### PROPOSED MITIGATION

- Mitigation for xeroriparian habitat disturbance shall be via in-lieu fee.
- No on-site mitigation is proposed. The amount of riparian habitat on site that has been disturbed is 0.54 AC.
- The in-lieu fee has been calculated using the In-Lieu Fee Calculation Spreadsheet for single-lot development provided in Appendix F of the Regulated Riparian Habitat Offsite Mitigation Guidelines. Per direction
- from PCRFCD, mitigation requirements are based on the following: 4.1. Total number of mitigation trees (6 EA) is equal to number of
- Total number of more set of the s
- Total number of mitigation shrubs (33 EA) was determined by conducting two releves at locations shown on Site Plan (it was not possible to determine shrubs removed from comparing aerial maps as was done for trees). Releve locations were selected that appeared to be previously undisturbed, and that had similar vegetation to the project site. Each releve covered an area 200' in diameter. Total number of shrubs within each releve were counted, and the numbers averaged to determine shrub density per acre.
- 4.4. Irrigation cost is calculated per the Spreadsheet as a percentage of plant material cost.
- 4.5. Hydroseed and Maintenance costs are calculated per the Spreadsheet for 70% of the disturbed area.
- 5. Fee for In-Lieu Mitigation is \$1,940.10.



Section 14, T17S, R18E,

MINNICH RESIDENCE

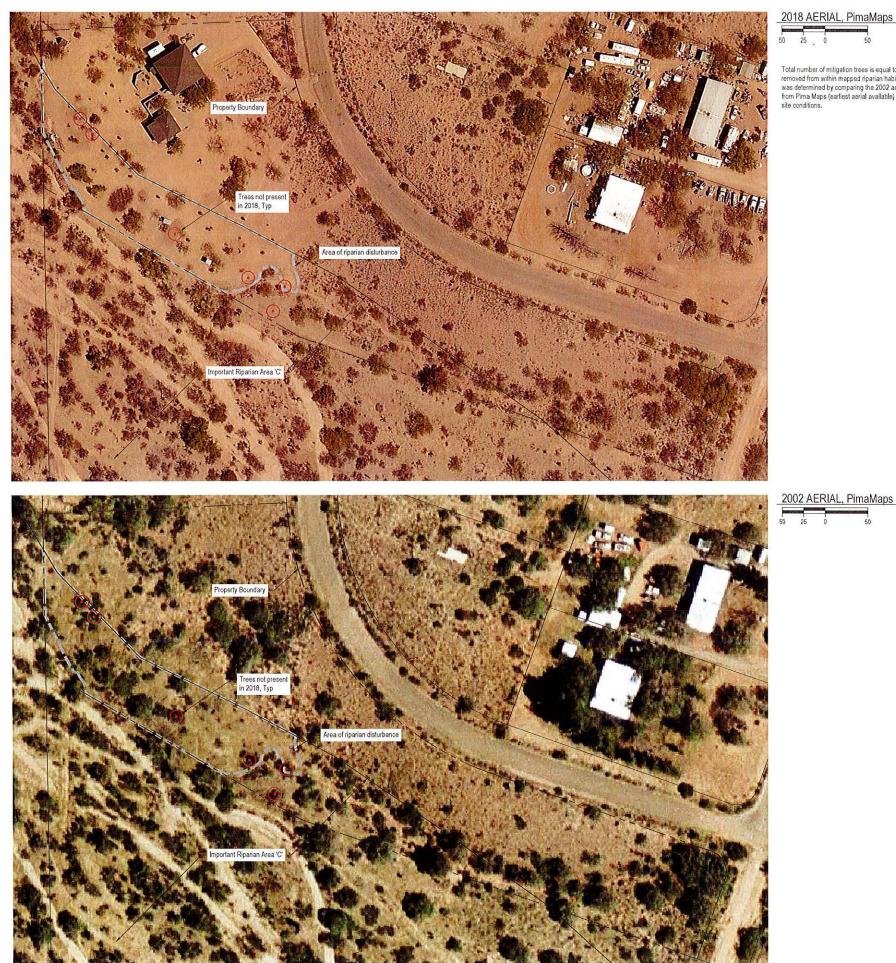
24270 E. TONOPAH TRAIL BENSON AZ 85602

**RIPARIAN MITIGATION PLAN** 

ENNIFER PATTON

G & S.R.M. Pima County, Arizona

1 of 2



1" = 50'

Total number of mitigation trees is equal to number of trees removed from within mapped riparian habitat. This number was determined by comparing the 2002 aerial available from Pima Maps (earliest aerial available) to the existing site conditions.

1" = 50'

