

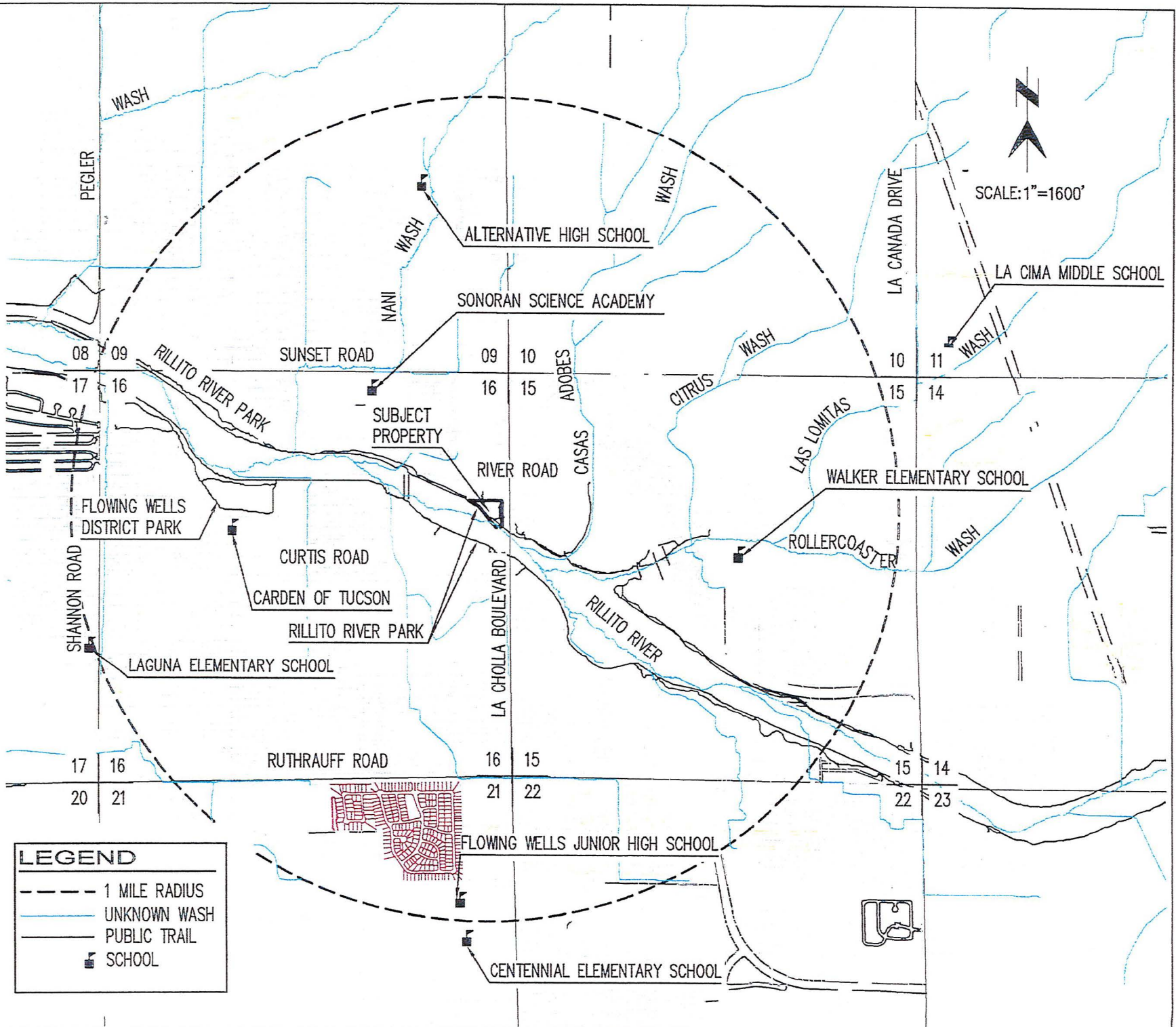
## I-G. RECREATION AND TRAILS

1. Exhibit I-G.1 shows all existing parks, recreation areas, and trails within a one-mile radius of the project site. The Rillito River Park traverses the site and has two additional access points from La Cholla Boulevard and one at the northwest corner of the site.

101-13-015N  
1.74 AC  
SEC 16 T13S R13E

# EXHIBIT I-G.1 RECREATION AND TRAILS MAP

**JAS ENGINEERING**  
P.O. BOX 1888  
TUCSON, ARIZONA 85702  
(520) 590-7920  
stanley19263@gmail.com



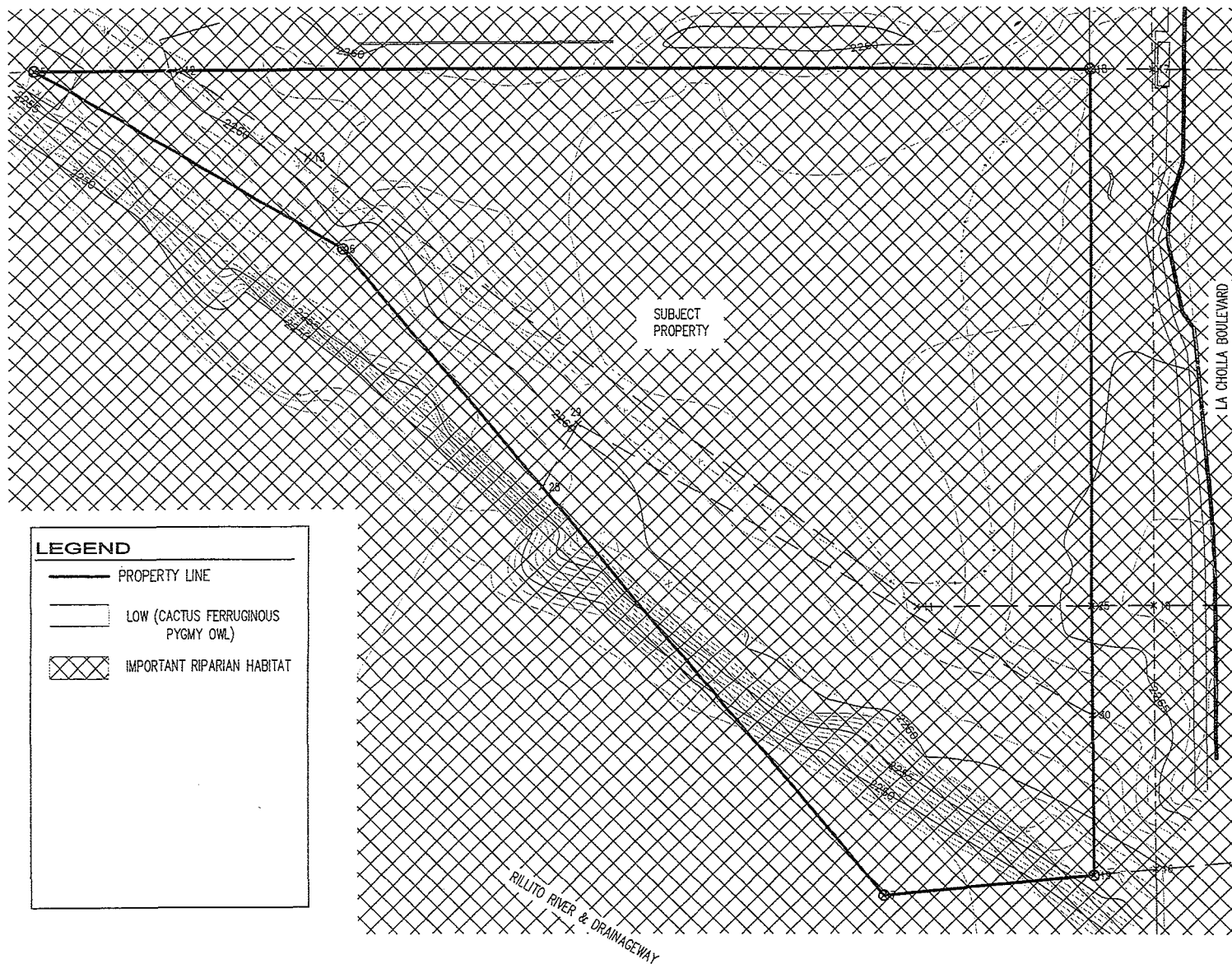
## I-H. CULTURAL RESOURCES: ARCHEOLOGICAL AND HISTORICAL SITES

1. An archaeological site records search will be conducted, if necessary, during the site construction review phase.
2. It is anticipated that no historic properties will be identified in the project area.
3. A field survey has not been conducted for the project area.

## I-I. COMPOSITE MAP

Exhibit I-I is a composite map that shows physical constraints and areas that require special evaluation. The following characteristics were addressed and shown if they pertain to the project site:

1. Topography
  - a. There are no restricted peaks and ridges.
  - b. There are not any rock outcrops or talus slopes.
  - c. Site topography is shown, there are not any slopes 15% or greater located on the property except for the Rillito River bank protection.
2. Hydrology
  - a. There is not a 100-year floodplain with discharges greater than 100 cfs on the project site.
  - b. There are not any onsite washes that warrant an erosion hazard setback.
  - c. A 3.4-acre area discharges about 32 cfs into an earthen swale located along the north boundary. Another 1.0-acre watershed discharges 9.4 cfs drains to the northwest corner of the site (see Exhibit I-C.1). The north half of the site combines with the two offsite flows to create a 5.2-acre watershed that discharges about 46 cfs to the northwest corner of the site. The remaining portion of the site (0.9 ac, 4.2 cfs) drains to the south.
  - d. The site is not any onsite sheet flow.
  - e. There is mapped, regulated Important Riparian Hydromesoriparian habitat classifications adopted by the 2005 Floodplain and Erosion Hazard Management Ordinance amendment on the project site.
  - f. There are no areas of lakes, ponds, springs, wetlands, or sources of perennial surface water.
3. Biological Resources
  - a. There are not any saguaro cacti onsite.
  - b. There are not any ironwood trees onsite.
  - b. There is no Pima Pineapple cactus onsite.
  - c. There is not any Needle Spined Pineapple cactus onsite.
  - d. The onsite Important Riparian Hydromesoriparian habitat was previously graded. In Lieu fees will be paid per previous agreement with RFCD.



SCALE: 1"=40'

# LEGEND

- PROPERTY LINE
- - - LOW (CACTUS FERRUGINOUS PYGMY OWL)
- XXXXX IMPORTANT RIPARIAN HABITAT

## EXHIBIT I-1 COMPOSITE MAP

101-13-015N  
1.74 AC  
SEC 16 T13S R13E

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TUCSON, ARIZONA 85702  
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419.629.1234  
419.629.1235

## PART II LAND USE PROPOSAL

### II-A. PROJECT OVERVIEW

1. The property that is the subject of this rezoning will not have multiple zoning districts.
2. Project Description

- a. The proposal is to rezone the project site to CB-2 (General Business Zone) for restaurant (coffee shop and tap room), hair salon, eye brow services, massage, physical therapy, and dance activities uses. The orientation of the buildings was specifically chosen to best fit the characteristics of the site. The following are some characteristics of the proposed project.
- b. There is no particular advantage associated with the triangular shape of the site. However, when the preliminary development plan (PDP) was compiled the building was set up to parallel the Rillito River.

The PDP fits well with the existing site topographic characteristics. In particular the site fits well with the Rillito River and associated paved Rillito River Park.

- c. The proposed uses conform well to the Comprehensive Plan (NAC) area because most of the commercial activity centers on La Cholla Boulevard and River Road. In addition, there is public activity associated with the river park path. The location of this business use promotes bicycle traffic, which occurs in the river park.
- d. Meetings will be held with the neighbors regarding the rezoning of the subject parcel. Neighborhood input will be considered when updating the PDP. All neighbors within 1,000 feet of the site will receive a letter of explanation, a copy of an aerial photograph showing the site within one-quarter mile, a copy of the PDP, and a form upon which to make comment and return in a stamped envelope.
- e. The impact of the development on the existing site will be positive. Development of this site will be good for the area. Market research shows that there is a need for the services provided as part of this project.
- f. The proposed development contributes to the principles of Smart Growth. Although many of the Smart Growth principles are primarily associated with

residential developments, this proposed commercial development does utilize the following principles as referenced at smartgrowth.org:

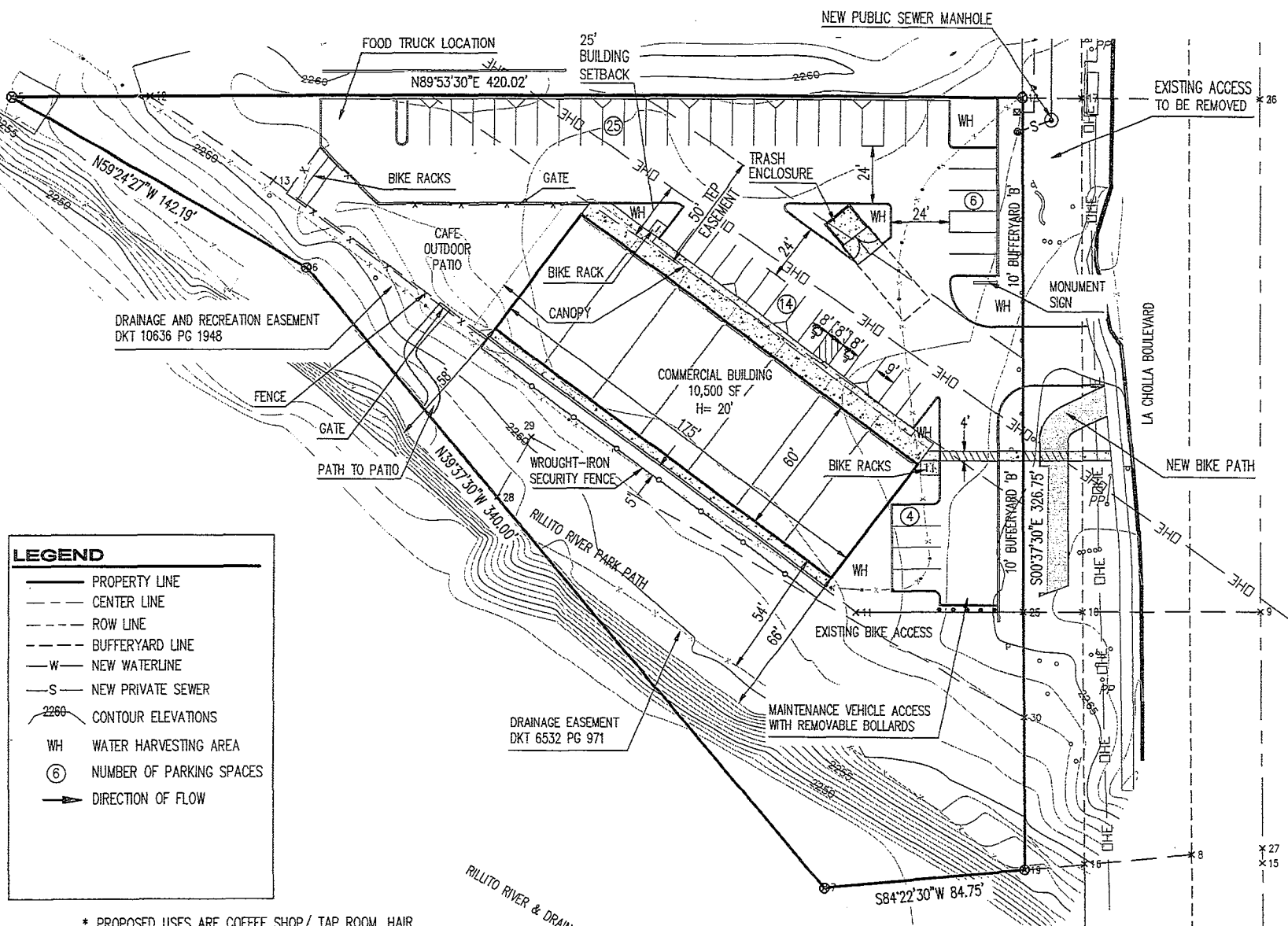
- Encourage community and stakeholder collaboration –Discussions will be held with the neighbors in the area. Mailings and personal contact will be made with the local residents to discuss their concerns with the project. A public meeting will also solicit additional comments. The request is in alignment with the Comprehensive Plan that had public input as well.
- Foster distinctive, attractive communities with a strong sense of place – The proposed development fits well into the natural setting of the area.
- Make development decisions predictable, fair and cost effective – the proposed development will be part of the existing area that includes commercial uses. The project request is fair because it is not for an unreasonable use. The future developer has done market research as part of locating this site and has determined that the proposed uses are cost effective.
- Mixed land uses – The project area includes many residential and some commercial uses. The proposed development extends the mixed-use and Neighborhood Activity Center concept.
- Provide a variety of transportation choices – the project can be accessed by foot, vehicles, and bicycles. Bicyclers in particular will be well received.
- Strengthen and direct development towards existing communities – the proposed development is an infill project. No additional roadways are required. The project is cost effective and has the potential to improve the quality of life. The project creates the opportunity of more jobs and services to the area.

3. There are a couple of sections/chapters of the zoning code that this rezoning does not comply with. The first is protection of riparian habitat. By prior agreement in lieu fees will be paid to offset onsite grading performed by the previous owner.

The second is potentially parking. Based on the individual uses parking can range up to 72 spaces. However, based on a shopping center the total would be 42. For this project approximately 53 spaces will be provided. In addition, a bicycle parking corral will be provided for about 20 bikes.

## **II-B. PRELIMINARY DEVELOPMENT PLAN**

1. Exhibit II-B.1 is the PDP. Following is a list of items addressed on the PDP.
  - a. Project boundaries and dimensions
  - b. Location and size of the proposed building.
  - c. There will be a ten-foot Bufferyard “D” along the east. Additional landscaping will be placed within all parking lot areas.
  - d. The site will not consist of any specific recreation areas, common areas, or natural open spaces. However, because of the proximity to the Rillito River Park path bicyclists will access and traverse the site. There will be functional open space for water harvesting and landscaping as well as other non-paved areas.
  - e. The land uses for the site are restaurant (coffee shop and tap room), hair salon, eye brow services, message, physical therapy, and dance activities.
  - f. There is a one two-story building within 300 feet of the site.
  - g. There are existing public drainage and drainage and recreation easements on the site
  - h. There are not any Overlay zones that affect the site.
  - i. The existing right-of-way is shown for the adjacent La Cholla Boulevard. There are not any proposed rights-of-way.
  - j. Point of ingress and egress.
  - k. There is an existing transit stops adjacent to the site in the La Cholla Boulevard right-of-way. No new stops are anticipated for this project.
  - l. The only trail adjacent to the site is the Rillito River Park.
  - m. There are no existing drainage features within the proposed development onsite. However, there the Rillito River traverses the site and there are existing earthen drainageways along the northern and western boundaries.
2. Preliminary Development Plan Support Data
  - a. Gross Floor area = 10,500 sq ft
  - b. Building height = 20 feet
  - c. There is one commercial building and no residential units.
  - d. Residential density does not apply to this project.
  - e. Desert landscaping will be used within the bufferyards and water harvesting areas.



**LEGEND**

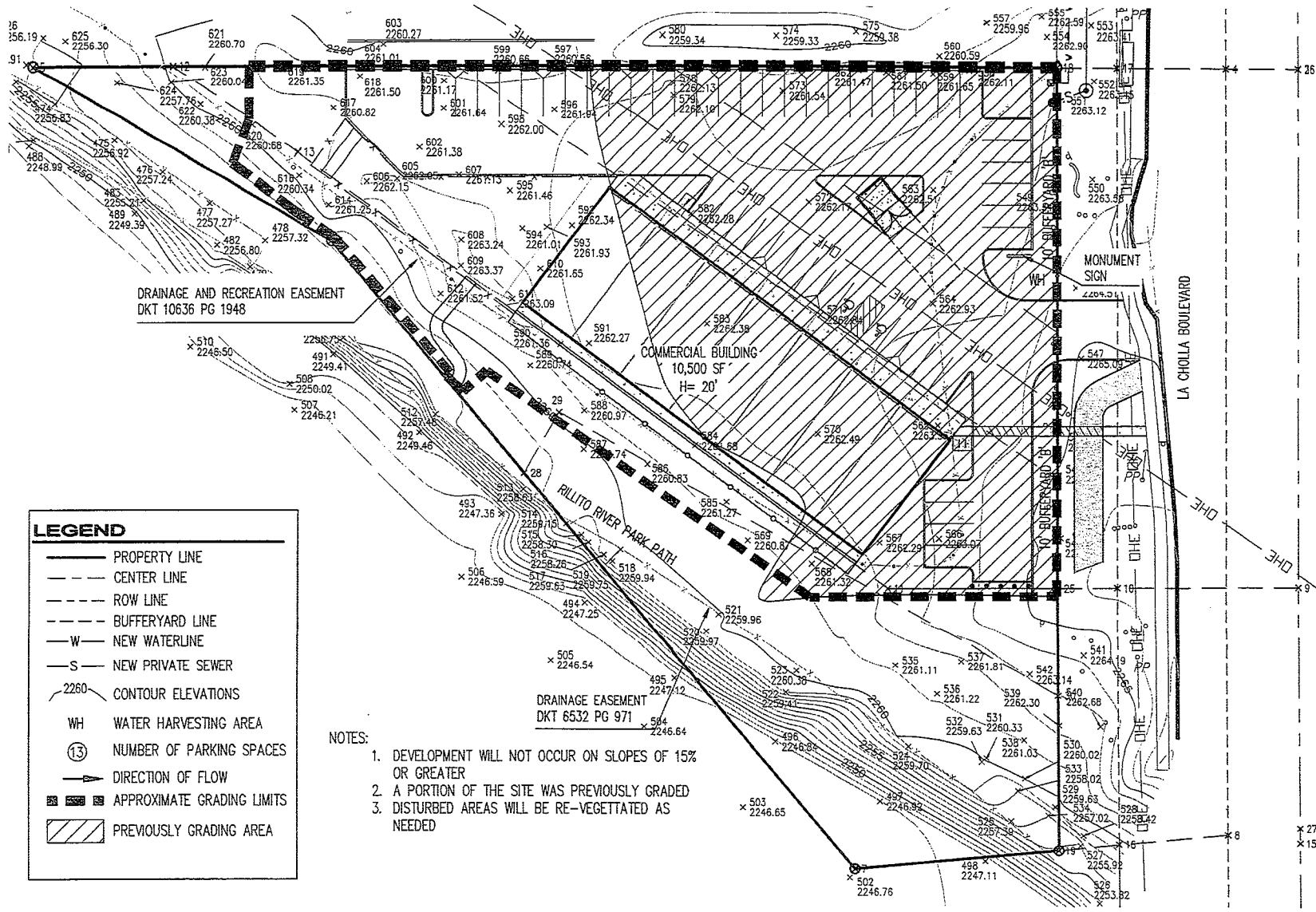
- PROPERTY LINE
- CENTER LINE
- ROW LINE
- BUFFERYARD LINE
- W— NEW WATERLINE
- S— NEW PRIVATE SEWER
- 2260 CONTOUR ELEVATIONS
- WH WATER HARVESTING AREA
- ⑥ NUMBER OF PARKING SPACES
- ➔ DIRECTION OF FLOW

\* PROPOSED USES ARE COFFEE SHOP/ TAP ROOM, HAIR SALON, EYE BROW SERVICES, MASSAGE, PHYSICAL THERAPY, AND DANCE ACTIVITIES



## II-C. TOPOGRAPHY AND GRADING

1. There are not any slopes of 15% or greater on the project site
2. The Hillside Development Zone does not pertain to this project.
3. Exhibit II-C is the Topographic and Grading Map. The grading limits are shown which includes the buildings, parking areas, landscape buffers, and water harvesting areas. Graded areas such as the landscape buffers and water harvesting areas will be re-vegetated in accordance with the approved landscape plans.
4. There will not be any areas where the natural grade will be changed by more than five feet by cut or fill. It is anticipated that the maximum grade change from natural will be less than five feet.



SCALE: 1"=40'

**LEGEND**

- PROPERTY LINE
- - - CENTER LINE
- - - ROW LINE
- - - BUFFERLINE
- W- NEW WATERLINE
- S- NEW PRIVATE SEWER
- 2260 CONTOUR ELEVATIONS
- WH WATER HARVESTING AREA
- 13 NUMBER OF PARKING SPACES
- ➔ DIRECTION OF FLOW
- APPROXIMATE GRADING LIMITS
- /// PREVIOUSLY GRADING AREA

- NOTES:
1. DEVELOPMENT WILL NOT OCCUR ON SLOPES OF 15% OR GREATER
  2. A PORTION OF THE SITE WAS PREVIOUSLY GRADED
  3. DISTURBED AREAS WILL BE RE-VEGETATED AS NEEDED



**EXHIBIT II-C  
TOPOGRAPHY  
AND GRADING  
PLAN**

101-13-015N  
1.74 AC  
SEC 16 T13S R13E

## II-D. HYDROLOGY

### 1. Post Development Onsite Hydrology

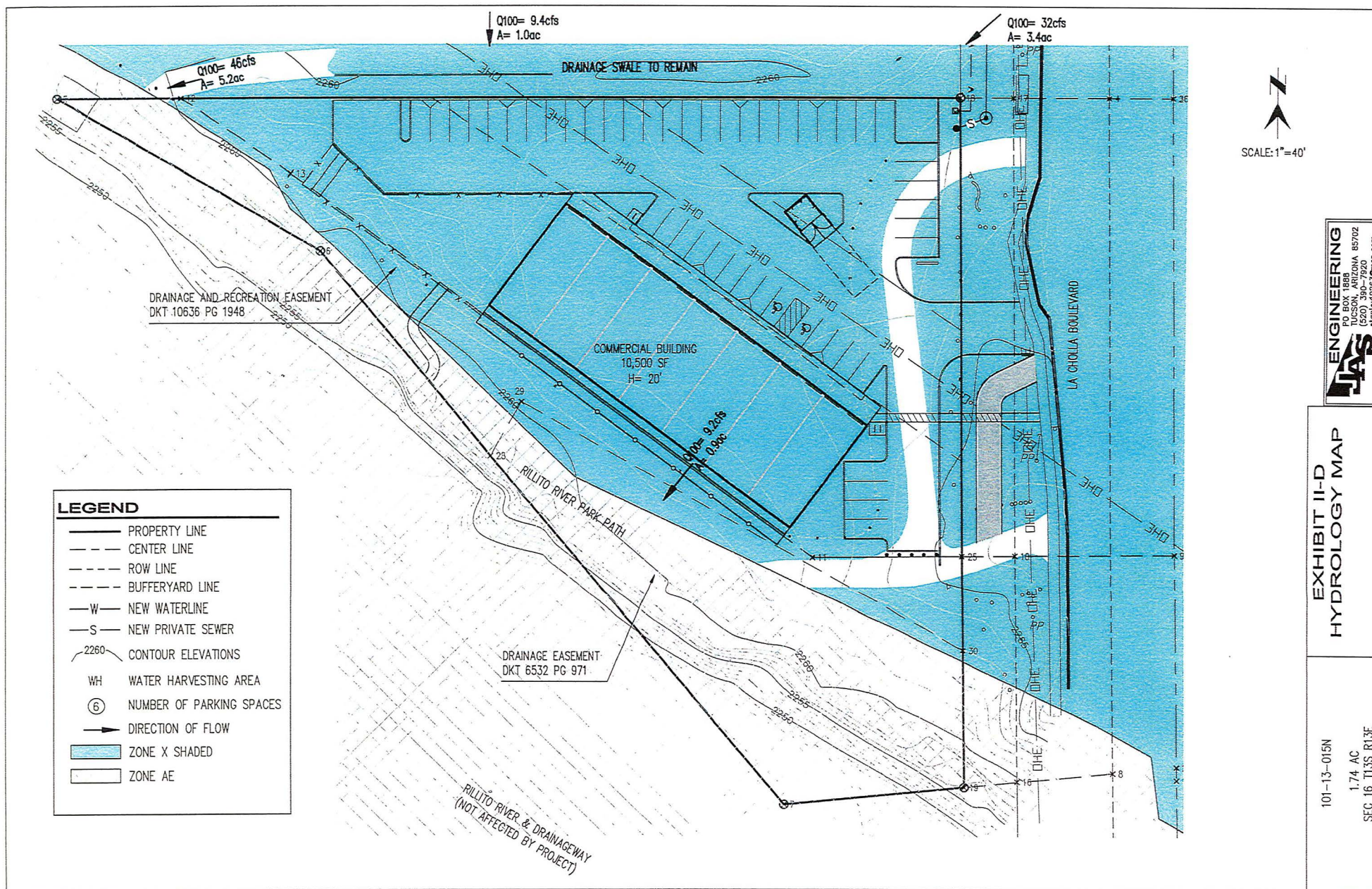
Exhibit II-D shows swales to remain natural, regulatory floodplains, existing drainage easements, and proposed onsite water harvesting areas.

### 2. Preliminary Integrated Water Management Plan

Indoor and outdoor options from Table B – Water Conservation Measures will be utilized such that a minimum point total of 15 will be realized.

### 3. Proposed Hydrology

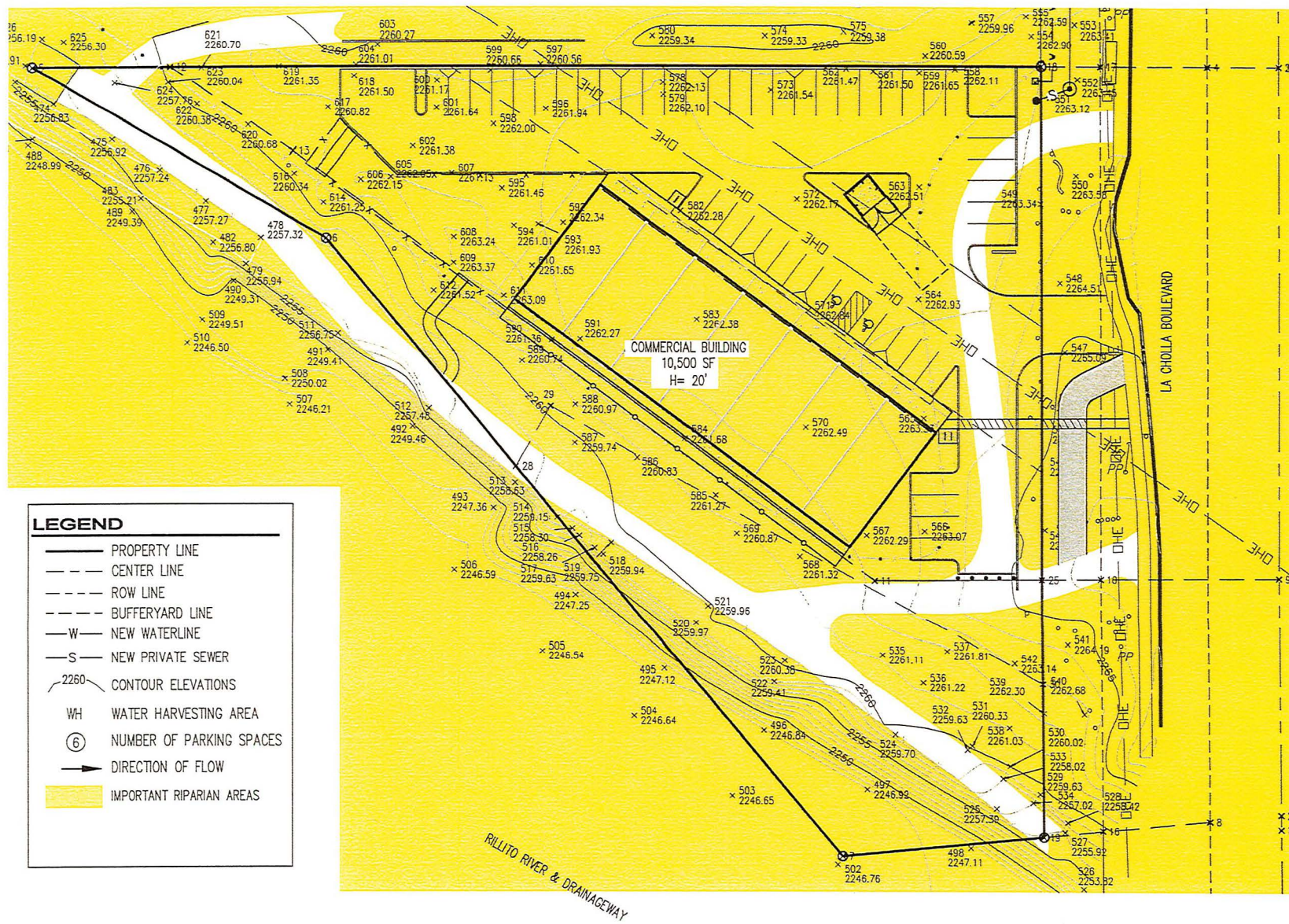
- a. The site is not affected by offsite flows. The Rillito River will remain while the development occurs in the overbank area. First flush and additional water harvesting will be provided.
- b. The site does not encroach into Flood Control Resource Areas. By prior agreement in lieu fees will be paid for previous removal of important riparian habitat by the previous owner.
- c. Flow rates are shown on Exhibit II-D.
- d. First flush water harvesting areas are shown on Exhibit II-D.
- e. The PDP conforms to applicable basin management policies by providing water harvesting at all landscape islands and within the bufferyards. The site is unaffected by offsite flows.



## **II E. BIOLOGICAL RESOURCES**

1. Exhibit II-E is a Biological Resources Map that shows that there are no impacts to the resources identified in Section I-D. The following is a summary of that impact.
  - a. There is a Conservation Lands System designator onsite for IRA. Because of the removal of some IRA in lieu fees will be paid.
  - b. There are not any saguaros onsite.
  - c. There are not any Ironwood trees onsite.
  - d. There is not any Pima pineapple cactus.
  - e. Needle-spined pineapple cactus does not exist on the site.





  
 SCALE: 1"=40'

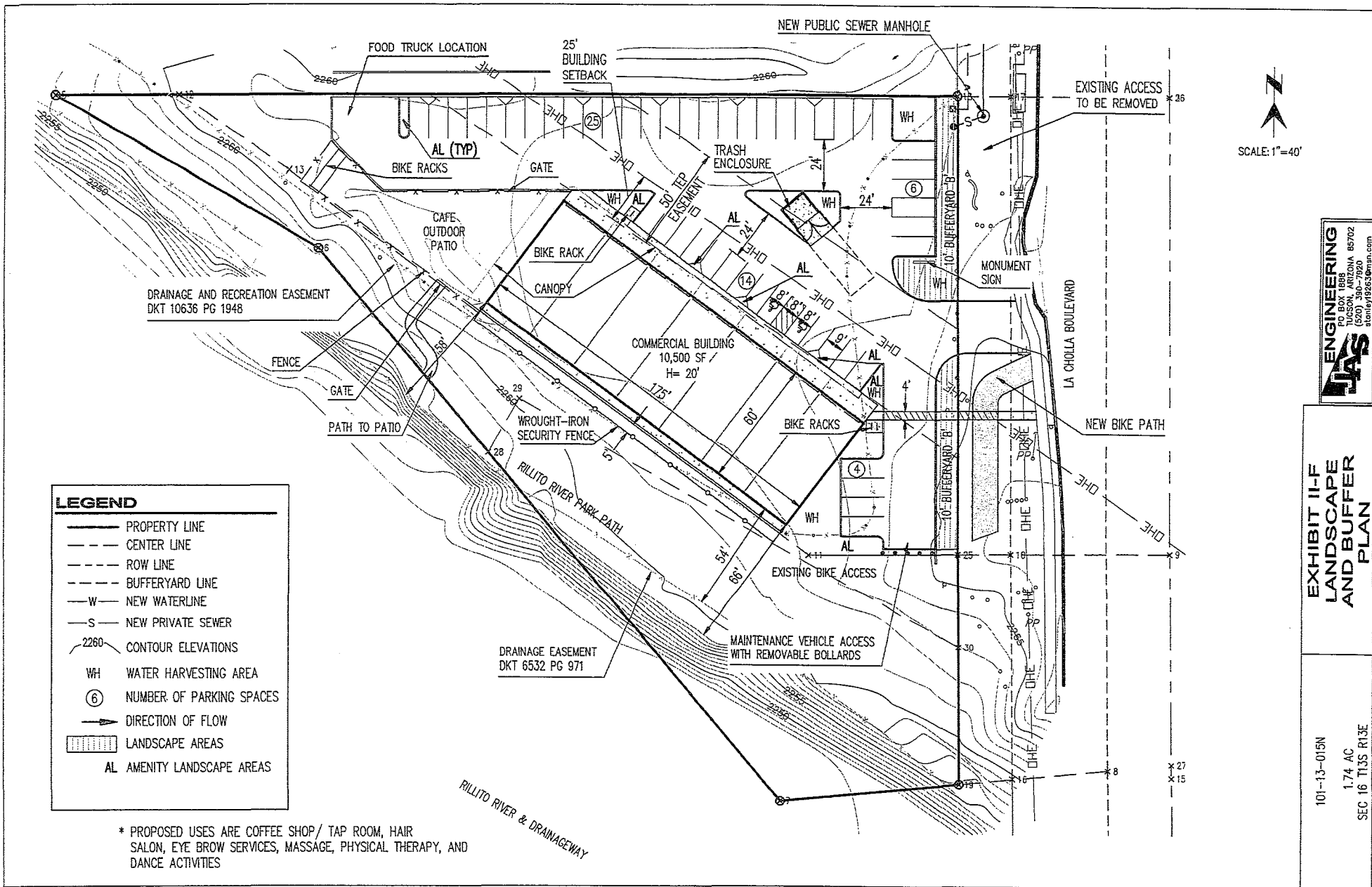
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 (520) 300-7920  
 stanley1926@man.com

**EXHIBIT II-E**  
**BIOLOGICAL**  
**RESOURCES MAP**

101-13-015N  
 1.74 AC  
 SEC 16 T13S R13E

## II-F. LANDSCAPE AND BUFFER PLAN

1. Exhibit II-F is the Landscape and Buffer Plan. A 10-foot wide Bufferyard B with 40-inch Decorative Masonry Wall will be used on the east side of the site.
2. The exhibit includes all existing easements and setbacks that affect the site.
3. There is no onsite vegetation that can be transplanted and moved into the bufferyards.
4. Bufferyard plantings will be the screening mitigation measure.
5. There is no significant onsite vegetation.





## II-G. TRANSPORTATION

1. Exhibit II-G is the developed condition Transportation Map. The eastern ingress/egress point was chosen because it is south of an existing bus stop. The new ingress/egress location promotes safer entering and exiting of vehicles from the site onto La Cholla Boulevard.
2. Exhibit II-G includes distances to the nearest edge of existing driveways and access easements.
3. The PDP does not depend on future off-site roadway improvements. There are three southbound travel lanes in La Cholla Boulevard. Roadway improvements for La Cholla (plan number 4LCITR) were completed in December of 2011.
4. The proposed development will not adversely affect ADT or the level of service in La Cholla Boulevard, River Road, and/or Ruthrauff Road. The level of service (LOS) for all three roadways exceeds LOS D. Below are tables indicating the site generated ADT and the LOS for the three main roadways.

**Table II.G.4a: Average Daily Traffic\***

Land Use	ITE Code	Units	#Units	Rate	Daily Trips
Restaurant	932	1000	2.25	127.15	286
Hair Salon	918**	1000	1.5	8.91	13
Eye Brow Service	918**	1000	1.5	8.91	13
Message	720	1000	1.5	8.91	13
Physical Therapy	720	1000	3.0	8.91	27
Dance Activities	492***	1000	1.5	32.93***	49
					Total = 401

\* Reference – Institute of Transportation Engineering Manual

\*\* No trip data provided. Conservatively used medical factor (8.91)

\*\*\* Used factor for health/fitness

**Table II.G.4b: Level of Service\***

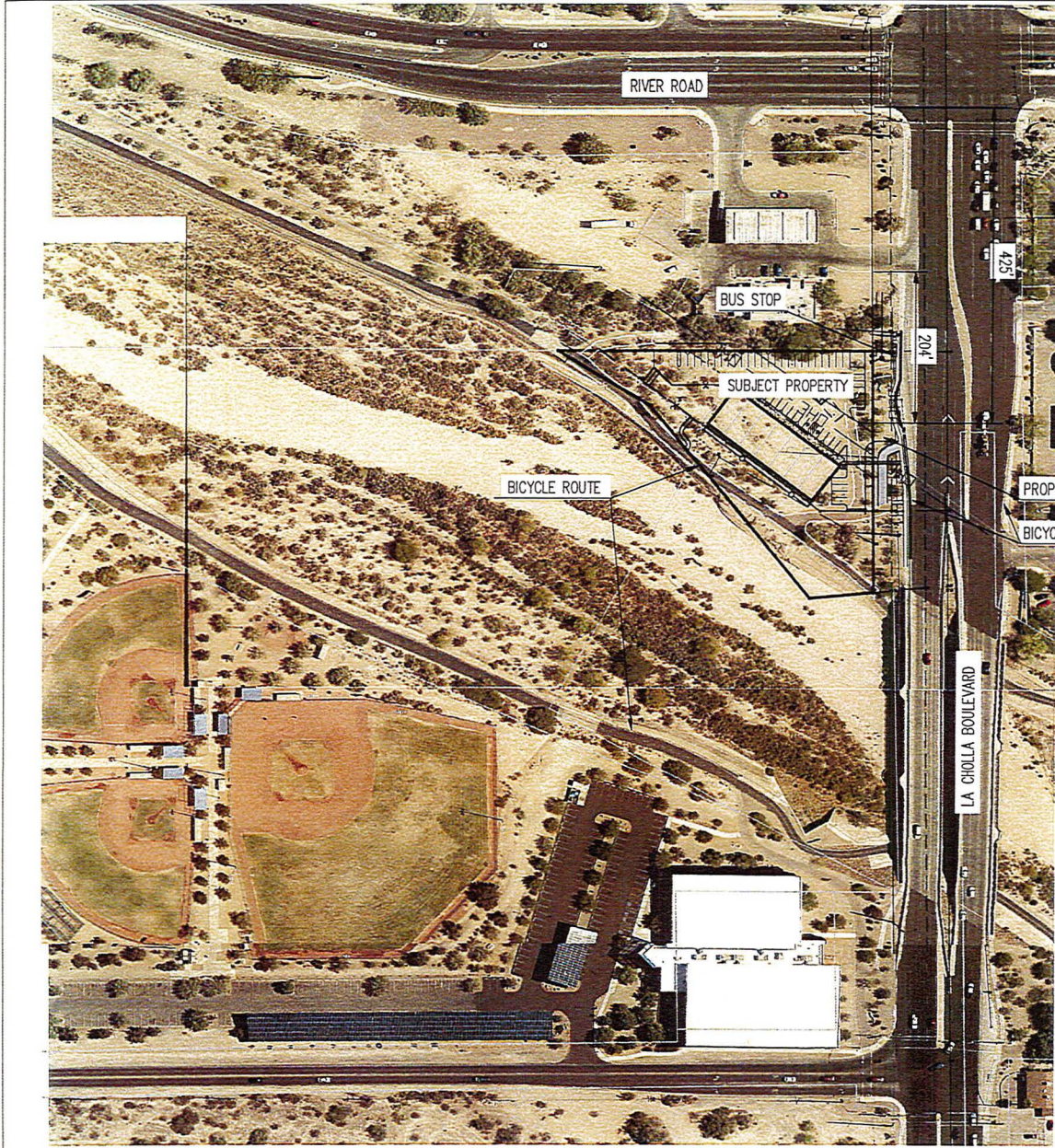
Street	Speed Limit	Travel Lanes**	ADT (LOS D)	Adjusted ADT***	Actual ADT	LOS
La Cholla Blvd	45	6	59,900	56,905	28,430	D+
River Road	45	4	39,800	37,810	34,035	D+
Ruthrauff Road	45	4	39,800	37,810	26,438	D+

\* Reference – FLDOT QLOS Handbook Tables for LOS

\*\* Divided with Median or with Two-Way Left Turn Lane

\*\*\* Adjustments: -10% for Non-State Signalized, +5% for Median and Turn Lanes

5. Major streets and routes were evaluated within a 1-mile radius of the project site as part of the Transportation Concurrency Analysis. La Cholla Boulevard (ADT 28,430), River Road (ADT 34,305), and Ruthrauff Road (ADT 26,438) are all operating below capacity. The existing ADT with the addition of traffic from this proposed development will continue to operate below capacity. This project is not projected to contribute to the over capacity of the adjacent roadway network and there are no Transportation Concurrency Concerns. The proposed project meets the concurrency requirements.
6. As is shown on Exhibit II-B.1 Preliminary Development Plan, bicycle and pedestrian pathways within the proposed development connect to the regional system (Rillito River Path). There will be safe pedestrian walk and biking areas within the development. There will be a heavy use of bikes, which will reduce automotive dependency. Reduction will occur because of the direct connection from the river path to the coffee shop/tap room. Avid bicyclers were part of the design and overall recognition of the lack facilities of this nature. Because of the access provided for both bicyclists and pedestrians it is expect that these customers will not drive to the site. Consequently, the number of vehicles arriving at the site is expected to be less than the calculated ADT.
7. There are no proposed on-site rights-of-way.
8. The anticipated ADT is potentially 401 vehicles per day, which is far below the 10,000-vehicle threshold for a TIS.



SCALE: 1"=150'

PHOTO DATE: 2018

## II-H. ON-SITE WASTEWATER TREATMENT AND DISPOSAL

1. Onsite wastewater treatment and disposal will not be utilized for this project.

## II-I. SEWERS

This commercial project will use a direct connection to a new public sewer line extension that will be built as part of this project. The connection point is shown on Exhibit II-I.

## II-J. WATER

A commitment will be made by the developer to adhere to a Preliminary Integrated Water Management Plan. A score of at least 15 will occur upon development. A will serve water letter, provided by Metropolitan Water, is included in the Appendix.

## II-K. SCHOOLS

This section does not apply to this commercial project.

## II-L. RECREATION

1. This commercial project will not provide for recreation and trails. However, bike and pedestrian paths will be provided.
2. The Rillito River Path is under the ownership of Pima County and will remain on the site.

## II-M. CULTURAL RESOURCES: ARCHAEOLOGICAL AND HISTORIC SITES

1. An archaeological site records search will be conducted, if necessary, during the site construction review phase.
2. It is anticipated that no historic properties will be identified in the project area.
3. A field survey has not been conducted for the project area.

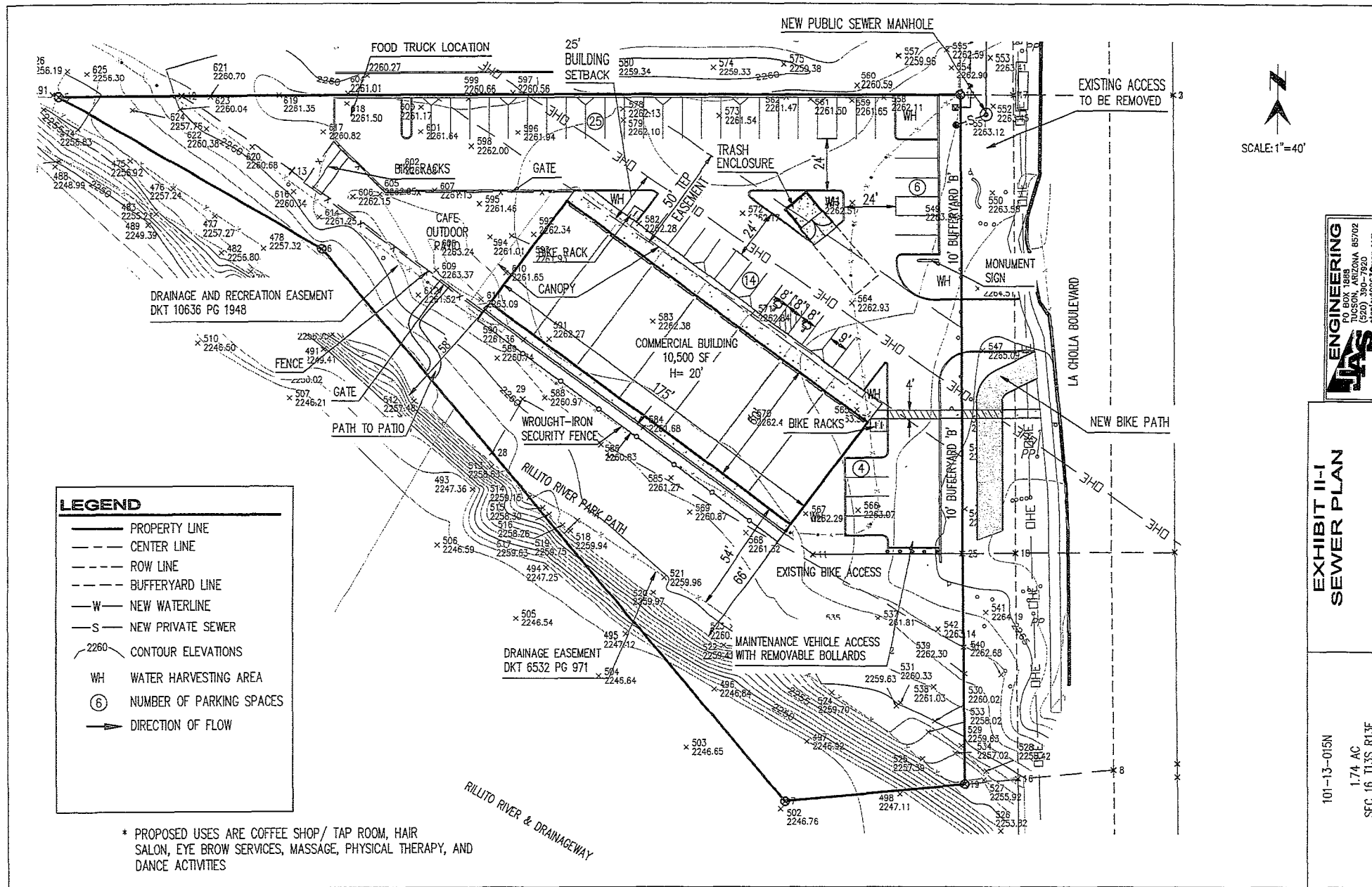
## II-N. ENVIRONMENTAL QUALITY

1. For this project dust control will be accomplished by the use of water during grading operations. Other Stormwater Pollution Prevention Plan (SWPPP) measures will be used as needed to prevent sediment from leaving the site. Upon completion of the grading operations all graded areas will be stabilized by pavement, concrete, or ground cover per landscape requirements.

## II-O. AGREEMENTS

No agreements have been made as a part of this project.







## APPENDIX





In Email

August 22, 2019

Jeffrey A. Stanley, P.E.  
JAS Engineering  
P.O. Box 1888  
Tucson, AZ 85702

**Re: 5341 N. La Cholla Boulevard (APN 101-13-015N)  
CAP19-05**

Dear Mr. Stanley,

The Metropolitan Domestic Water Improvement District (MDWID) is certified to provide water to the above referenced development and is designated as having a 100-year assured water supply.

Any onsite or offsite requirements deemed necessary to provide the domestic and fire flow water supply will be determined at the time of improvement plan submittal or whenever application for water service is received, and will be the financial responsibility of the owner or those developing the property. Pipe sizing and system augmentation, if necessary, will be based on calculated demand for both domestic and fire flows as needed to adequately supply this area.

If an improvement plan has not been submitted within 2 years after the date of this letter, a reevaluation and reissuance of this will-serve letter will be necessary.

Please let me know if you have any questions or concerns at 575-8100.

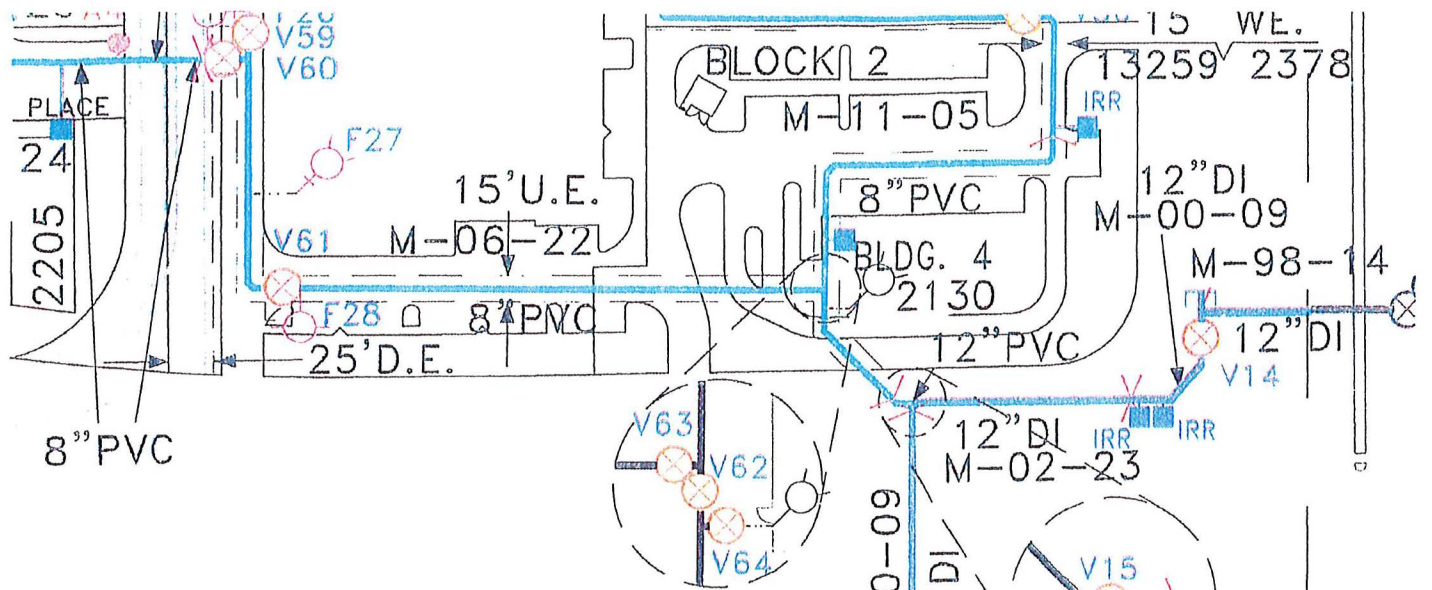
Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy Dinkel", is written over a horizontal line.

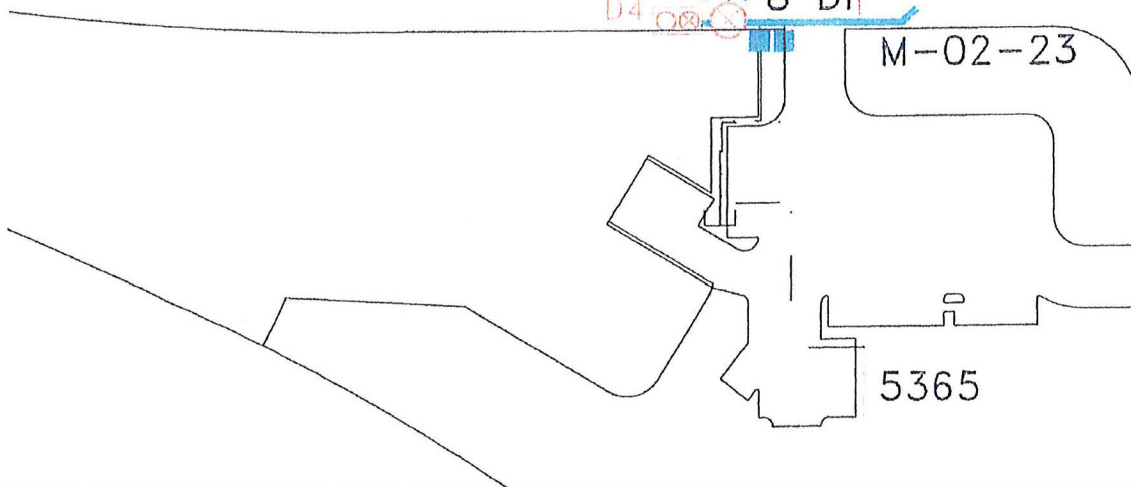
Timothy Dinkel, P.E.  
Civil Engineer

Enclosure

c: Project File



RIVER ROAD



**SITE**

LA CHOLLA BLVD



April 22, 2016

Novak Environmental, Inc.  
4574 North First Avenue  
Suite 100  
Tucson, AZ 85718  
Tel 520.206.0591  
Fax 520.882.3006

Mr. Eric Shepp P.E. Deputy Director  
Pima County Regional Flood Control District  
201 N. Stone Ave  
Tucson, AZ 85701

Subject: In-lieu Fee Proposal for Parcel 101-13-105N (Southwest Corner of River Road and La Cholla)

Dear Eric:

This letter provides a proposal to determine an in-lieu fee amount for existing impacts to regulated riparian habitat on the approximately 2 acre property near the southwest corner of River Road and La Cholla, on the north bank of the Rillito Creek.

This proposal is non-traditional, in that we seek to get an agreement with the Regional Flood Control District (RFCD) on the amount of an in-lieu fee ahead of the purchase of this property by Mr. David Lee, who then intends to rezone and subsequently submit a development plan for the property.

**Background:**

At the request Mr. Lee, the prospective buyer of this property, I met with staff from RFCD, including Suzanne Shields, P.E., Director and Patricia Gilbert, as well as staff from Development Services, Sherry Ruther, and a representative from the Sonoran Desert Coalition, Carolyn Campbell, in August of 2015 to discuss this property relative to the Riparian Ordinance. The majority of the property is mapped Important Riparian Area (IRA), but also had substantial areas with no vegetation. The initial request was to see if the boundaries of the IRA could be modified. I was informed the boundaries of IRA cannot be modified, as they are also contained as part of the County's Conservation Land System (CLS). Therefore, the only option a property owner has to comply with the Riparian Ordinance in a case like this is to present field data documenting the existing vegetation and base mitigation on that data. We understood and accepted this.

I also asked about the CLS goal of 95% open space for IRA areas. This goal can be applied to a property during a rezoning. Since most all of the subject property is IRA, the application of a 95% preservation criteria would render the property unsuitable for the purposes for which it would be purchased, specifically, rezoning to a commercial zone and development as such.

Both Ms. Ruther and Ms. Shields indicated that while this is an overall goal for IRA areas, this (95% preservation) would not be made a rezoning condition for this property, as they understood the impact this would have on the subject property, essentially making it undevelopable. They both said the Riparian Ordinance would be the governing regulation for this property relative to the existing mapped area.

Staff from RFCD then explained that since there had been previous disturbance of the Regulated Riparian Habitat (RRH) on the property, any new owner seeking development plan approval would be

Eric Shepp

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responsible for mitigating not only any impacts from a new development proposal, but for past impacts as well. It did not matter whether the impacts were permissible based on the ownership and use at that time or not.

We are proposing an "in-lieu fee" to mitigate the previous disturbance on the property, regardless of when or who caused this disturbance, while understanding that any future disturbance caused by his proposed development will still required mitigation under the Riparian Ordinance.

In a letter dated December 2, 2015 Suzanne Shields provided information on the estimated disturbance. In order to expedite a resolution to this issue, we have based this proposal on those numbers.

**Proposal and Basis of Calculation of In-Lieu Fee:**

1. The amount of disturbance that needs to be mitigated due to prior disturbance is .48 acres (based the Dec 2, 2015 letter from Suzanne Shields).
2. The habitat that was disturbed is considered IRA/Xeroriparian C
3. Karen Cesare, RLA, President of Novak Environmental, Inc. has developed a cost estimate, based on the RFCD's "Option 3" approach, to determine the amount of the in-lieu fee.

The Cost Estimate is as follows:

Mitigation Ratio Due to IRA Status	1.5:1
Basic Trees/Acre Required	45
Basic Shrubs/Acre Required	100
Weighted Trees/Acre Required	68
Weighted Shrubs/Acre Required	150

Item	Items/Ac.	Total	Unit Price	Total Cost
50% 15 gallon trees	34	16	\$70.00	\$1,134.00
50% 5 gallon trees	34	16	\$29.00	\$469.80
50% 5 gallon shrubs	75	36	\$29.00	\$1,044.00
50% 1 gallon shrubs	75	36	\$8.00	\$288.00
Hydroseeding (unit price based on sf)	0.48	20909	\$0.08	\$1,672.70
Sub-total				\$4,608.50
Irrigation system	0.48		\$830.00	\$830.00
5 years of Maintenance		1	\$1,200.00	\$1,200.00
Total				\$6,638.50

Eric Shepp

Page 3

4. If acceptable, this fee will be paid to the RFCD after the property is rezoned - at the time of development plan. The .2 acres of regrowth area noted in the Dec 2, 2015 letter is not deducted from the disturbance limits and shall be considered mitigated by the payment of this in-lieu fee. (In other words, a future development plan can disturb the same .2 acres again without accruing additional mitigation requirements.)
5. Any future disturbance of RRH by a future development not located within the .48 acres will be required to comply with the Riparian Ordinance at the time of development plan. This may include on-site or off-site mitigation at the sole discretion of the applicant/owner.

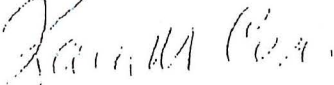
We understand that the Board of Supervisors has the final approval of any in-lieu fee proposal. But they typically follow the staff recommendation. We are looking for an agreement on this now in order for the prospective buyer of the property to be able to complete the purchase with the certainty of the amount of fee that will be required to mitigate for the past disturbances.

We also want to confirm that there will not be a rezoning condition requiring 95% preservation of the IRA on site.

Thank you for this opportunity to work on this issue with you. Please let me know if you have any questions or comments,

If this is acceptable, please indicate by signing below.

Sincerely,



Karen M. Cesare, RLA  
President



Accepted:

Name/Title/Date

FOUNDATION ADMINISTRATOR

4/27/16





WASTEWATER RECLAMATION  
201 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701-1207

JACKSON JENKINS  
DIRECTOR

PH: (520) 724-6500  
FAX: (520) 724-9635

July 29, 2019

Jeffrey Stanley  
JAS Engineering  
3710 E Calle Cortez  
Tucson, Arizona 85716

**Capacity Response No. 2019-166 Type II**

RE: **Plaza de Luna, Parcel 10113015N**  
**Estimated Flow 7,580 gpd (ADWF).**  
**P19WC00166**

Greetings:

The above referenced project is tributary to the Tres Rios Wastewater Reclamation Facility via the North Rillito Interceptor.

Capacity is currently available for a project size in the public sewer G-2002-074, downstream from manhole 2358-01.

This letter is not a reservation or commitment of treatment or conveyance capacity for this project. It is not an approval of point and method of connection. It is an analysis of the system as of this date. Allocation of capacity is made by the Type III Capacity Response.

If further information is needed, please feel free to contact us at (520) 724-6642.

Reviewed by: Kurt Stemm, CEA Sr.