



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: March 2, 2021

Title: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Placement of a Manufactured Home at 17365 West El Camino de Tres Arroyos, Located within Regulated Riparian Habitat (District 3)

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 owners, Jimmy and Hanh Nguyen have applied for a floodplain use permit to place a manufactured home on the property located at 17365 West El Camino de Tres Arroyos. The property is impacted by mapped Regulated Riparian Habitat (RRH). The owners purchased the property in 2019, were unaware of the RRH designation and removed the entire area classified as Xeroriparian Class C Habitat. Upon review of the FPUP, staff determined it was over 1/3 of an acre which initiates the requirement for mitigation. The District assisted Mr. and Mrs. Nguyen to create an In-lieu fee mitigation proposal using the appropriate density of vegetation based on a review of historical aerial photography of the property. As a result, Mr. and Mrs. Nguyen are proposing to contribute a fee of 1,723.00 in lieu of on-site planting as a method for mitigation of the disturbance.

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:

\$1,723.00

Board of Supervisor District:

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

Department: Regional Flood Control District

Telephone: 724-4600

Department Director Signature/Date: _____

E. Sheldahl

Deputy County Administrator Signature/Date: _____

[Signature] 2/12/2021

County Administrator Signature/Date: _____

C. Delaney 2/12/21

DATE: February 11, 2021

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 Placement of a Manufactured Home at 17365 West El Camino de Tres Arroyos, Located within Regulated Riparian Habitat (District 3)

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 owners, Jimmy and Hanh Nguyen, have applied for a floodplain use permit (FPUP) to place a manufactured home on the property located at 17365 West El Camino de Tres Arroyos (Exhibit A). The property is impacted by two classifications of mapped Regulated Riparian Habitat (RRH); Important Riparian Area with Underlying Xeroriparian Class C and Xeroriparian Class C Habitat (Exhibit B). The owners purchased the property in 2019 and were unaware of the RRH designation and removed the entire Xeroriparian Class C Habitat area. Upon review of the FPUP, staff determined the disturbance was 0.5 acres thus, over 1/3 of an acre which initiates the requirement for mitigation.

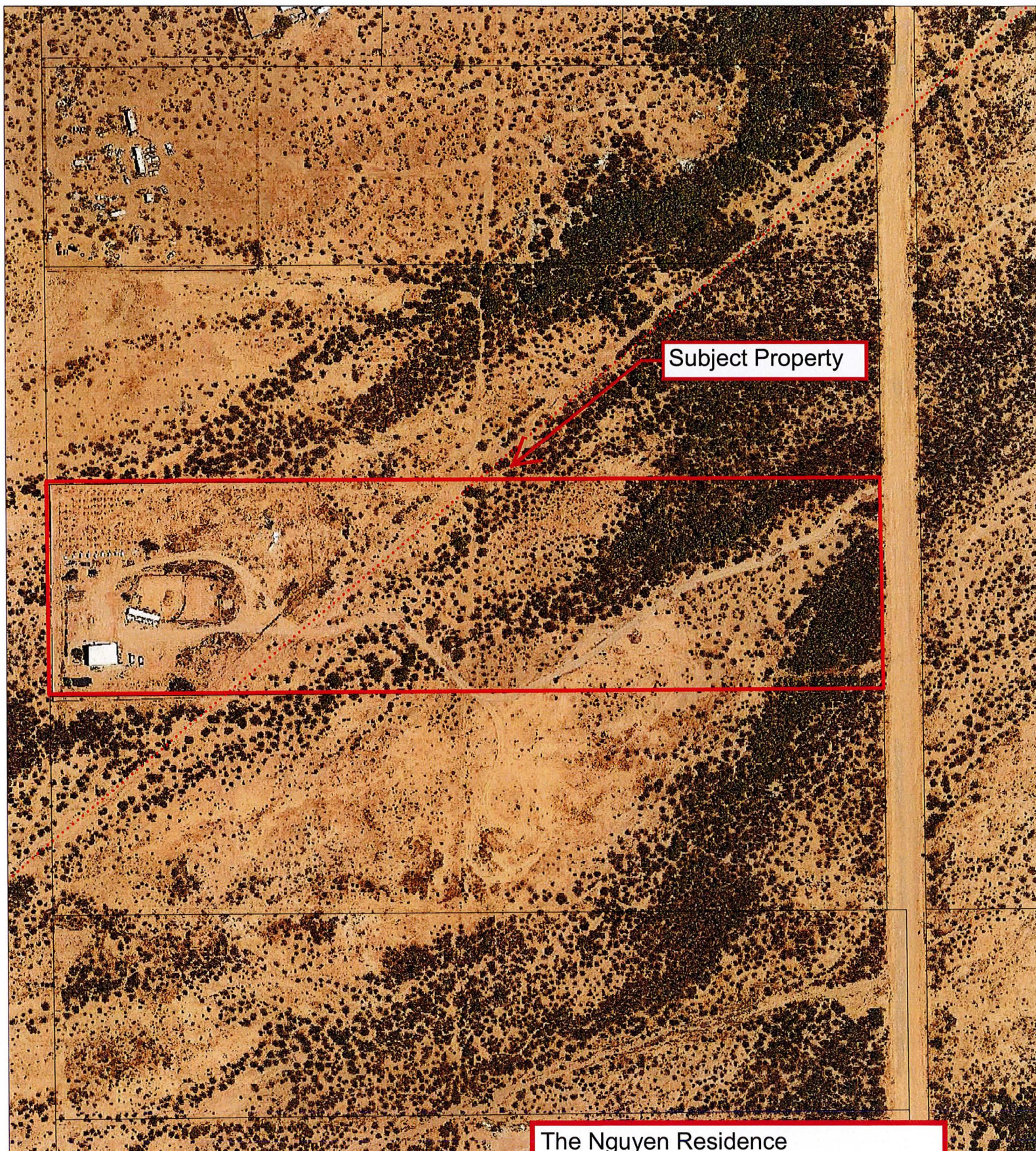
Mr. and Mrs. Nguyen bought the property to plant an orchard and requested to pay a fee in-lieu of on-site plantings. The District supports this method of mitigation and assisted the owners to create an in-lieu fee proposal using the appropriate density of vegetation based on a review of historical aerial photography of the property (Exhibit C). As a result, Mr. and Mrs. Nguyen are proposing to contribute a fee of 1,723.00 in lieu of onsite planting as a method for 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 – Mitigation Banking In-lieu Fee Proposal

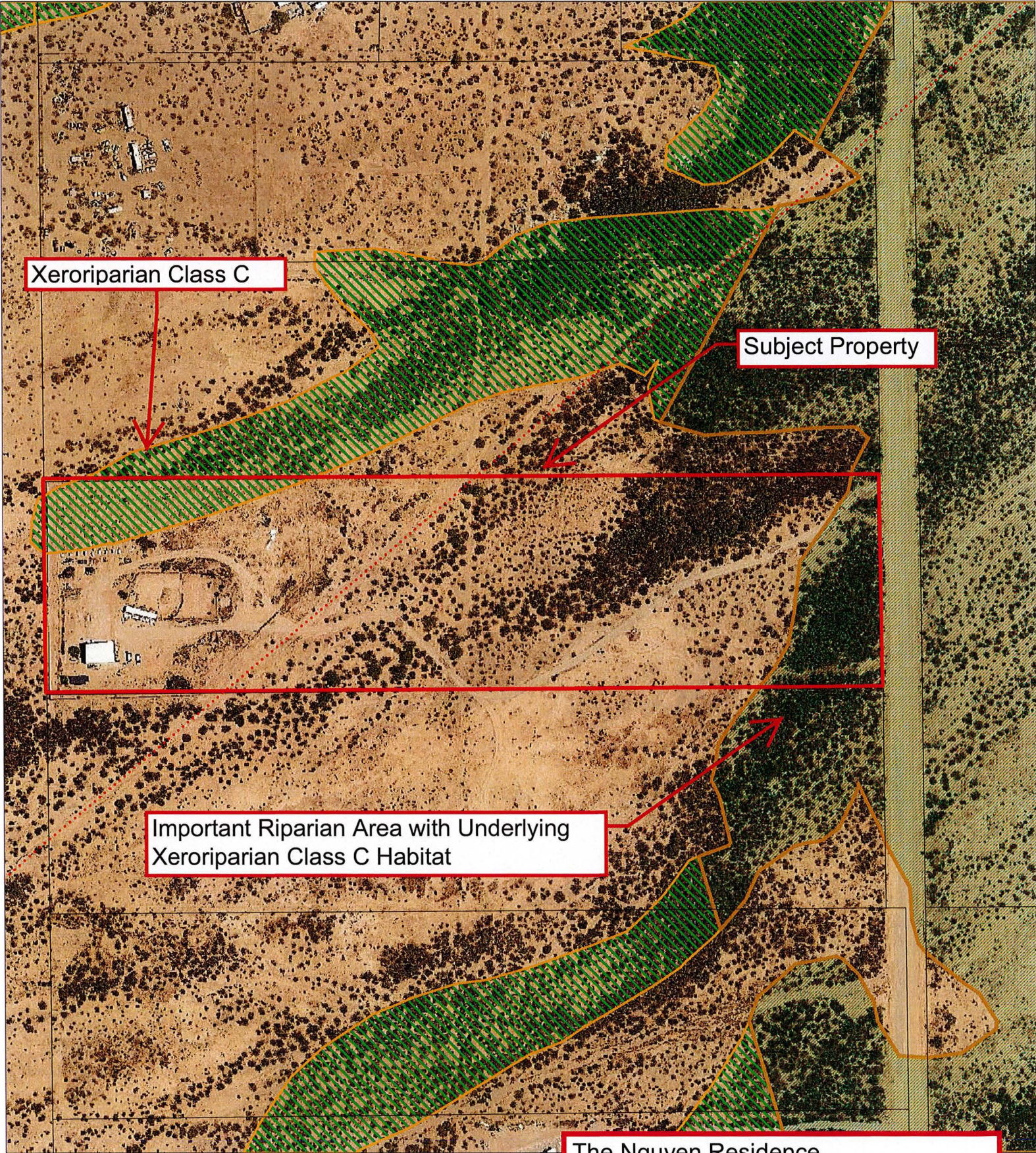
Exhibit A



Subject Property

The Nguyen Residence
17365 W. El Camino De Tres Arroyos
BOS Meeting Date 3/2/2021

Exhibit B



The Nguyen Residence
17365 W. El Camino De Tres Arroyos
BOS Meeting Date 3/2/2021

Exhibit C

Calculating In-Lieu Fee Costs for Single-lot Development

Shaded fields are editable - Enter value in Acres

			Option to basic requirement (Xeroriparian)*	Option to basic requirement (Class H)**	
Class H or IRA w/ Underlying Class H Habitat (H or IRA/H)**					
Total mapped habitat onsite		0.00 Acre(s)			
Area of disturbed RRH		0.00 Acre(s)			
% of mapped habitat disturbed		#DIV/0! Acre(s)			
Area of mitigation		0.00 Acre(s)			
Total number of trees required (90 trees/ac)	88	0 Trees	na	0	Trees
Total number of shrubs required (100 shrubs/ac)	98	0 Shrubs	na	0	Shrubs
IRA w/ Underlying Xeroriparian Class A Habitat (IRA/XA)**					
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)	75	0 Trees	0	na	Trees
Total number of shrubs required (90 shrubs/ac)	90	0 Shrubs	0	na	Shrubs
IRA w/ Underlying Xeroriparian Class B Habitat (IRA/XB)**					
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	na	Trees
Total number of shrubs required (80 shrubs/ac)		0 Shrubs	0	na	Shrubs
IRA w/ Underlying Xeroriparian Class C Habitat (IRA/XC)**					
Total mapped habitat onsite		0.00 Acre(s)			
Area of disturbed RRH		0.00 Acre(s)			
% of mapped habitat disturbed		#DIV/0! Acre(s)			
Area of mitigation		0.00 Acre(s)			
Total number of trees required (45 trees/ac)	10	0 Trees	0	na	Trees
Total number of shrubs required (70 shrubs/ac)	15	0 Shrubs	0	na	Shrubs
IRA w/ Underlying Xeroriparian Class D Habitat (IRA/XD)**					
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 (30 trees/ac)		0 Trees	0	na	Trees
Total number of shrubs required (x shrubs/ac)*		0 Shrubs	0	na	Shrubs

ILF Calculation		
15-gallon trees	2	\$160.00
5-gallon trees	2	\$50.00
5-gallon shrubs	2	\$46.00
1-gallon shrubs	1	\$6.00
Hydroseed	0.06 Acres(s)	\$55.76
Irrigation system (materials and labor for installation)***	0.00 Acres(s)	\$0.00
5-year maintenance for Xeroriparian****	0.00 Acres(s)	\$0.00
5-year maintenance for H and/or IRA****	0.00 Acres(s)	\$0.00
Total Cost		\$317.76

Average Costs (Costs shown for plants do not include installation costs)	15-gallon tree	5-gallon tree	5-gallon shrub	1-gallon shrub	Seeding (per acre)	Irrigation (per acre)	Class H 5-year maintenance (per acre)	Xeroriparian 5-year maintenance (per acre)
	\$80	\$25	\$23	\$6	\$885	\$1,500	\$1,050	\$610

*Density 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 density.

***Irrigation costs are calculated as a percentage of the plant material costs

****Average cost based on annual plant water requirements, plant replacement @ 5% over five years, and invasive species control (cost for herbicide only).

*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.

**Option to basic requirement for Class H: Increase total plant quantity by 20% if 50% 15 gallon/50% 5 gallon trees are used and 100% 1 gallon shrubs are used.

Calculating In-Lieu Fee Costs for Single-lot Development

Shaded fields are editable - Enter value in Acres

Option to basic
requirement
(Xeroriparian)*

Xeroriparian Class A Habitat (XA)**

Total mapped habitat onsite		Acre(s)		
Area of disturbed RRH		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

Xeroriparian Class B Habitat (XB)**

Total mapped habitat onsite		Acre(s)		
Area of disturbed RRH		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

Xeroriparian Class C Habitat (XC)**

Total mapped habitat onsite		Acre(s)		
Area of disturbed RRH		Acre(s)		
Area of mitigation		0.00 Acre(s)		
Total number of trees required (45 trees/ac)		0 Trees	0	Trees
Total number of shrubs required (70 shrubs/ac)		0 Shrubs	0	Shrubs

Xeroriparian Class D Habitat (XD)**

Total mapped habitat onsite		0.00 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

ILF Calculation

15-gallon trees	8	\$640.00
5-gallon trees	9	\$225.00
5-gallon shrubs	5	\$115.00
1-gallon shrubs	6	\$36.00
Hydroseed	0.44 Acre(s)	\$389.40
Irrigation system (materials and labor for installation)***	Acre(s)	\$0.00
5-year maintenance****	Acre(s)	\$0.00
Total Cost		\$1,405.40

Average Costs (Costs shown for plants do not include installation costs)	15-gallon tree	5-gallon tree	5-gallon shrub	1-gallon shrub	Seeding (per acre)	Irrigation (per acre)	5-year maintenance (per acre)
	\$80	\$25	\$23	\$6	\$885	\$1,500	\$610

*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 density.

***Irrigation costs are calculated as a percentage of the plant material costs

****Average cost based on annual plant water requirements, plant replacement @ 5% over five years, and invasive species control (cost for herbicide only).

*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.