

AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS, PIMA COUNTY, ARIZONA, ESTABLISHING FEES FOR PROVIDING CERTAIN PRIVATE DEVELOPMENT ACTIVITIES WITH COVERAGE UNDER THE COUNTY'S ENDANGERED SPECIES ACT SECTION 10(a)(1)(B) PERMIT

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, FINDS THAT:

1. The U.S. Fish and Wildlife Service will issue Pima County a Section 10(a)(1)(B) permit under the Endangered Species Act, providing the County with protection in the event of "take" of covered species that may occur incidentally to certain activities covered by the Section 10 permit.
2. Activities covered under the Section 10 permit include maintenance and construction activities carried out by Pima County and the Pima County Regional Flood Control District as well as certain private development activities, covering a maximum of 36,000 acres of disturbance within the permit area for a duration of 30 years;
3. Private development activities included as Covered Activities are limited to ground disturbances subsequent to the County's issuance of a building permit that authorizes grading of 14,000 square feet or more on individual, single dwelling lots and ground disturbances subsequent to the County's issuance of a site construction permit for the development of residential subdivisions and non-residential facilities.
4. Coverage for private development activities is voluntary, and the County is providing this coverage as a service to the private development community, with the fees proposed in this ordinance intended to cover the actual costs of the coverage.
5. The Board of Supervisors has general authority to adopt ordinances under A.R.S § 11-251.05 and has authority under A.R.S. § 11-251.08 to adopt fees to defray the cost of services provided to the public by Pima County.
6. In compliance with A.R.S. § 11-251.13, sixty days' notice has been provided for this proposed new fee, with the Board of Supervisors scheduled to hear this proposal on or after September 20, 2016.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

SECTION 1. The following fees apply only to voluntary coverage of private development activities resulting in ground disturbances after Pima County issues a site construction permit under A.R.S. Title 11, Chapter 6 for the development of residential subdivisions and non-residential facilities:

- A. Certificate of Coverage Application Fee: \$720.00.
- B. Certificate of Coverage Compliance Monitoring Fee: \$2,450.00.

SECTION 2. This ordinance is effective 30 days after it is adopted by the Board.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this ____ day of _____, 2016.

Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM

Clerk of the Board

Deputy County Attorney

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