

Pima County Regional Flood Control District
In-Lieu Fee Submittal Checklist

Applicability: Pursuant to Chapter 16.30.050.A of the Pima County Floodplain and Erosion Hazard Management Ordinance No. 2010-FC5 (Ordinance), if an applicant demonstrates to the satisfaction of the District that alteration of regulated riparian habitat (RRH) cannot reasonably be avoided, a riparian habitat mitigation plan (RHMP) shall be submitted to the District for approval when more than 1/3 acre (14,520 square feet) of RRH is disturbed (16.30.040).

Additionally, if the 1/3 acre (14,520 square feet) disturbance lies within either an Important Riparian Area (IRA) or Hydroriparian/Mesoriparian (Class H) habitat, and exceeds 5% of the total RRH on the property, the RHMP will require Pima County Board of Supervisors (Board) approval (16.30.050.B).

If the RHH has been avoided and/or minimized to the maximum extent practicable, but a RHMP is still required, onsite mitigation shall be performed to compensate for disturbance. If it is shown, to the satisfaction of the District, that onsite mitigation is not feasible, an offsite mitigation option is allowed per Chapter 16.30.050.D of the Ordinance. The most commonly used offsite mitigation option is the in-lieu fee (ILF), which requires Board approval.

Submittal Requirements: The ILF proposal shall be prepared in accordance with 16.30.050.C and follow the requirements outlined in the *Regulated Riparian Habitat Offsite Mitigation Guidelines for Unincorporated Pima County* (Offsite Mitigation Guidelines), which can be viewed at: <http://rfcd.pima.gov/wrd/riparian/guidelines/pdfs/offsite-guidelines.pdf>

In-lieu fee (ILF) proposal submittal requirements:

- The plan must be drawn at a measurable, standard engineering scale of 1" = 100' or larger.
- Scale and north arrow.
- Label the plan "Riparian Habitat Mitigation In-Lieu Fee Proposal".
- Indicate the FPUP number, project number, project name, owner/developer name, parcel ID number, and parcel address, as applicable.
- Avoidance justification (16.30.040.A.1). If the property contains developable areas outside of the RRH, but improvements are encroaching into RRH, evidence that no reasonably practicable alternative exists to the proposed impacts and evidence that the impact has been minimized to the maximum extent practicable will be requested at the time of ILF proposal submittal. The applicant shall provide justification regarding why habitat could not be avoided (TECH-024). Examples of why habitat could not be avoided include site constraints, such as steep slopes which are regulated under the Zoning Code, allowance for legal use of the property requiring encroachment into riparian habitat or public health and safety considerations such as traffic control (driveway access relative to major roadways) and fire safety zones. Additionally, the applicant shall provide justification for inability to provide onsite mitigation. The justification shall be provided as a written statement, either on the exhibit or as a separate sheet of paper (8 1/2" x 11").
- Provide photographs of RRH to be disturbed. Photographs shall adequately show plant species composition and structure of RRH to be removed (16.30.040.A.3).
- Please provide an exhibit that includes a recent aerial photograph with limits of RRH as shown on the 2005 Riparian Classification Maps or site specific RRH limits delineated in accordance with Appendix F and G of the *Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines* (as applicable), and limits of disturbance. Limits of disturbance shall include grading limits for all existing and proposed improvements including utility lines,

driveways, and septic systems (TECH-107). If your local fire district requires the creation of defensible space around the structure, extend the grading limits to show the additional area of disturbance. As part of the submittal, provide documentation of the defensible space requirement from the local fire district. With documentation, this area can be subtracted from the total disturbance calculation.

- Use the following line type and legend descriptions on the exhibit to describe RRH:

| <u>Line Type Description</u> | <u>Legend Description</u> |
|--|--|
| IRA | Important Riparian Areas (with underlying class...)* |
| H | Class H habitat* |
| XA, XB, XC, XD | Xeroriparian Class (A, B, C, or D) habitat* |
| *add (rectified or field verified) as applicable | |

- Provide the following calculations on the exhibit:

1. Total area of RRH on the project site, by class of habitat
2. Area of disturbed RRH, by class of habitat
3. Percent of total mapped RRH disturbed (provide calculation for Class H or IRA habitat only)
4. Area of mitigation, by class of habitat (area of disturbance x mitigation ratio; 1:1 for Xeroriparian Class A-D and 1.5:1 for Class H and IRA), and
5. Acreage of habitat to be mitigated for as an in-lieu fee (only include this calculation if the proposal is part of an onsite RHMP).

Disturbance and mitigation calculations shall be in acres, to the nearest hundredth (ex., 0.33 acres).

- Provide an ILF cost estimate. Methods for calculating the ILF can be found in the Offsite Mitigation Guidelines: <http://rfcd.pima.gov/wrd/riparian/guidelines/pdfs/offsite-guidelines.pdf> and include: 1) flat fee table, 2) Appendix F – ILF calculation spreadsheet, or 3) cost estimate provided by a qualified professional. If submitting the ILF proposal in combination with an onsite RHMP (i.e., partial onsite mitigation and partial ILF), provide a separate section on the RHMP or a separate sheet (8 1/2" x 11") that documents the amount of disturbance and plant quantities that will be compensated for by the ILF. When the ILF is part of an onsite RHMP, information noted above will be addressed in the RHMP.