Purpose:

To set forth the process under which existing landscaping and native vegetation are documented for restoration during permitted work within the right of way (ROW). All existing landscaping and native vegetation shall be restored to like or better conditions when disturbed, damaged, or removed during work permitted within the ROW. This procedure applies to areas of disturbance within the ROW that are not part of a Capital Improvement Project. This procedure does not apply to work within the paved roadway, graded shoulder, alleyway or legally defined utility easement.

Background:

Landscape and native vegetation are valuable features located within the Pima County. Landscape is typically installed and paid for by Pima County under Capital Improvement Projects and is considered to be a roadway asset. Native vegetation occurring along undeveloped portions of Pima County right of way provide soil stabilization, prevent soil loss from wind and water, prevent the introduction of invasive plants, and ensure the establishment and success of pollinator species. Preservation of landscaping and native vegetation also adheres to the goals set by the Board of Supervisors Climate Change Resolution. This resolution aims to increase tree and vegetation canopy cover from 8% (2017) to 25% in 2025. Replacing and restoring existing landscaping and native vegetation is key to meeting this goal.

Authority:

Arizona State Statute, §28-7023(A)(7) Misuse of Public Highway states that it is both a petty offense and public nuisance to knowingly remove, damage, or destroy a tree or shrub located in a highway ROW.

The following sections of Title 10 of the Pima County Code provide the basis for the restoration of landscaping and native vegetation within the Pima County ROW:

- Section 10.44.010 – Construction in County Right of Way; Authority of engineer
- Section 10.44.030 - Construction in County Right of Way; Liability and work rules
- Section 10.50.060 - Regulations for the Use of the Public Right of Way;
Utility construction in public right of way

Definitions:

1. **Native Vegetation** – All naturally occurring native plants including native grasses, and other understory native plants, in addition to the plants on the [Arizona Department of Agriculture, Protected Native Arizona Plant List](https://www.azagr.gov/plants/native). Includes the full spectrum of pollinator species.

2. **Invasive Vegetation** – Non-native plants that have been determined to be invasive, including: buffelgrass, fountain grass, Russian thistle, Sahara mustard, Johnson grass, London rocket, Bermuda grass, and others.

3. **Landscaping** – Introduced plants, irrigation, decomposed granite, and other hardscape elements, such as decorative paving, rocks, boulders, benches and decorative walls.

4. **Landscape and Native Vegetation Restoration Plan** – Aerial photograph or other depiction showing what measures will be taken to return the right of way to like or better conditions after construction is complete. This may include but not be limited to replacement of existing plants, irrigation systems, seeding, etc.

5. **Irrigation System** – Includes piping, emitters, backflow preventers, controllers, valves and other system appurtenances.

6. **Right-of-Way Use Permit** – Permission to conduct work within the Pima County ROW.

**PROCEDURE**

**Applicant’s Responsibility**

1. **Documentation**: The applicant shall be responsible for determining whether landscaping and native vegetation will be altered or removed during proposed work. The applicant shall document proposed work area with pictures or an aerial photograph. Documentation shall include any areas used for construction access and/or for storing equipment or materials. Documentation shall be submitted with Right-of-Way Use Permit Application to determine level of work required. **See Exhibits 1, 2 and 3.**
- If no existing landscaping or native vegetation will be disturbed, submit aerial photograph showing “No Restoration Needed” with Right-of-Way Use Permit Application. **See Exhibit 1.**

- **Exhibits 2 and 3** show increasingly higher levels of disturbance.

2. **Restoration:** If existing landscaping or native vegetation will be disturbed, a Landscape and Native Vegetation Restoration plan shall be required. The level of effort required will vary depending on the amount of disturbance. All disturbed areas of the right of way shall be restored to like or better condition upon completion of the permitted work.

   - Protected native cacti and succulents shall either be replanted onsite or salvaged and delivered to the Pima County Native Plant Nursery.

   - If irrigation systems will be disturbed, document location and how they will be repaired/replaced. All irrigation lines must be functioning upon completion of construction. The applicant is not required to repair irrigation systems which were non-functional prior to start of project. The applicant is to coordinate all new irrigation to water replacement landscape with Pima County Department of Transportation (PCDOT) staff. As-built plans are available on [Pima County MapGuide](#).

   - If decomposed granite is present, document type, color, size and how it will be preserved or replaced.

   - **See Exhibits 4 and 5** for examples of Landscape and Native Vegetation Restoration Plans. These examples apply in areas of minimal disturbance. A detailed planting plan may be required in areas of extensive vegetation disturbance.

   - The applicant may choose to deviate from the as-built plan/current conditions in restoring the ROW. In this instance, SOP 620.01 shall be followed (Landscape Additions in the Public Road Right-of-Way).

3. **Applying for Right-of-Way Use Permit:** Applicants are to apply through Pima County Development Services for all work in the right-of-way. Refer to website regarding requirements.
Pima County Permitting Review:

1. Application shall be reviewed against latest aerial pictography to verify impacts. If application is incomplete or does not reflect current conditions it shall not be approved.

2. Application shall be screened against “Landscape Median and Shoulder Maintenance” MapGuide layer to determine whether there is an existing irrigation system.

3. The Landscape and Native Vegetation Restoration Plan shall demonstrate that the following minimum standards are met:
   a. Surfacing: Ground surface shall have the minimum or better of the original surfacing material. Pre-existing decorative rock shall be replaced in areas where track out pads were installed.
   b. Irrigation: Pre-existing irrigation systems shall be restored to fully functional condition. The applicant is not required to repair irrigation systems which were non-functional prior to start of project. The applicant is to coordinate all new irrigation to water replacement landscape with PCDOT staff.
   c. Reseeding: All disturbed area shall be reseeded using a seed mix specified by Pima County, based on plants historically present in the project area. The method of hydroseeding shall be per the latest edition of the Pima Association of Governments Standard Specifications for Public Improvements.
   d. If the proposed project is within the zone defined as “Landscape Median and Shoulder Maintenance,” the landscape shall be restored per the as-built landscape plan up to the current conditions. The applicant is not required to replace plants that are no longer present.
   e. If the proposed project is in an area of naturally occurring vegetation and is not in conjunction with an adjacent site development project, the following shall apply:
      i. Native cacti (excluding prickly pear and cholla species) and succulents shall be either replanted onsite or salvaged and delivered to the Pima County Native Plant Nursery.
      ii. Protected native trees shall be replaced per the Native Plant Preservation Ordinance, Chapter 18.72 of the Pima County Code.
iii. If the proposed project is in conjunction with an adjacent site development project, native plants in the right of way shall be mitigated either on the site or in the right of way per the Native Plant Preservation Ordinance, specified in Title 18.72.

Preconstruction Meeting:

1. Review Landscape and Native Vegetation Restoration Plan on-site with the PCDOT landscape architect or other Landscape Maintenance Field Supervisor. Arizona Bluestake markings should be visible on-site.

2. The presence of invasive species will be noted. If present, the applicant shall be required to remove invasive species prior to construction according to Pima County Public Works Departments Standard Operating Procedures, SOP No. 2009-02 - (Buffelgrass).

3. If the proposed work within the ROW is related to adjacent site development, site access will be established and restricted to specific access points per Section 18.81.040K Restriction of Vehicles of the Pima County Code (Grading Standards):

4. Access will be assumed to the permanent access post construction (if applicable).

5. Points of entry to the site shall be restricted.

6. Fencing may be required to prevent vehicles driving over vegetation not shown on the Vegetation Restoration plan.

Project Close-out/Acceptance:

Upon completion of construction, the applicant shall be responsible for restoring the right-of-way to like or better conditions. If the applicant does not repair the right-of-way to like or better conditions after a thirty-day notice of deficiencies, the applicant, by the acceptance of a permit, agrees to be responsible for all cost of completing the repair. In the event suit is necessary, the permit holder agrees to be responsible for all collection costs, including but not limited to court costs and attorney fees (Pima County Code, Liability and Work Rules, Section 10.44.030P)
Exhibits 1, 2, & 3

Vegetation Disturbance Documentation

For Submittal with Right-of-Way Use Permit Application
EXHIBIT 1

PROVIDE LOCATION MAP SHOWING NEAREST MAJOR INTERSECTION

NO RESTORATION NEEDED – NO LANDSCAPE OR PLANTS WILL BE DISTURBED
MINIMAL RESTORATION REQUIRED – SEE VIEWPOINTS ON FOLLOWING PAGES
No removal of protected native trees or cacti to occur
EXHIBIT 2

TIE-POINT LOC(042) ON MAP BX-53 SPLICE TO OUTPUT OF TAP

Restoration of rocks and cacti may be required in areas of boring and trenching.

BEGIN 145' NEW UG BORE/TRENCH

15' NEW UG BORE/TRENCH
Rock and ground stabilization required in area of boring and trenching.

BEGIN 871’ NEW UG BORE/TRENCH

END 145’ NEW UG BORE/TRENCH

ASPHALT POTHOLE

No landscape restoration required

CONTINUE 871’ NEW UG BORE/TRENCH
Reseeding may be required in areas of boring and trenching.
BEGIN 45' NEW UG BORE/TRENCH

Minimal landscape restoration may be required

END 871' NEW UG BORE/TRENCH

PLACE LARGE PED (A) OVER EXISTING 4" CUSTOMER PROVIDED CONDUIT

END 45' NEW UG BORE/TRENCH
EXHIBIT 2

BEGIN 549’ PULL THROUGH EXISTING 4” CUSTOMER PROVIDED CONDUIT

Minimal landscape restoration may be required

CONTINUE 549’ PULL THROUGH EXISTING 4” CUSTOMER PROVIDED CONDUIT

No landscape restoration required
REQUIREMENTS:

1) Photo Locations on Map
   a. Provide photographs along the proposed running line approximately every 500 ft. (Photo locations will be closer together where denser vegetation occurs and located farther apart where there is sparse vegetation)

2) Aerial Photo with the following labeled, at a minimum proposed & existing (if applicable)
   b. Street names
   c. Utility Line Location
   d. Location Map
   e. North Arrow
   f. Project Name

[PROJECT NAME]
• Native vegetation disturbed, but not protected vegetation.
• Pruning of overhanging branches will require supervision by certified arborist or other skilled landscape professional.
• Ironwood, palo verde, and saguaro impacted.
• Utility line to be re-routed around protected Native Vegetation or line bored underneath plants
- Pruning of overhanging branches will require supervision by certified arborist or other skilled landscape professional

- No impact shown, but will require ground stabilization in areas where vegetated.
G) Proposed underground utility line

Area of Disturbance Boundaries

- No impact

H) Proposed underground utility line

Area of Disturbance Boundaries

- No impact
Exhibits 4 & 5

Landscape & Native Vegetation Restoration

For Submittal with Right-of-Way Use Permit Application

Examples

Note: These examples apply when right-of-way disturbance is minimal. When more extensive landscape disturbance will occur, a native plant inventory and mitigation plan will be required per Chapter 18.72 Native Plant Preservation of the Pima County Code.
EXHIBIT 4

Native Vegetation Restoration

- Existing native vegetation will be disturbed during this work
- All existing cacti will be replanted on site.
- All existing non-native grasses (i.e. buffelgrass) will be removed.
- All existing native vegetation will be replanted or replaced on site.
- Disturbed areas will be stabilized with a combination of rock mulch and hydoseeding. The seed mix used will be a mixture of native grasses, shrubs, and forbs that are naturally occurring within the project area.
Landscape Restoration

- Existing Landscaping will be disturbed during this work
- Existing decomposed granite in the work area is ¾” brown. The existing decomposed granite will be raked outside of the work area and put back upon completion of construction.
- The plants circled on the below map will be disturbed during construction. They will be either replanted or replaced on-site upon completion of the work.
- Irrigation is present and working at the time of the field review.
- Any irrigation systems that will be disturbed will be replaced in kind and test to be sure they are functioning at the completion of construction.