



**PIMA COUNTY  
REGIONAL FLOOD CONTROL DISTRICT**  
97 EAST CONGRESS STREET, THIRD FLOOR  
TUCSON, ARIZONA 85701-1797

**SUZANNE SHIELDS, P.E.  
DIRECTOR**

(520) 243-1800  
FAX (520) 243-1821

December 12, 2006

Arizona Portland Cement  
Attn: Edward Harrison  
11115 N. Casa Grande Hwy  
Tucson, AZ 85654

**Re: Void Status for Floodplain Use Permit No. 05-736R for Haul Road  
Crossing Davidson canyon Wash, T17S, R17E Section 19 and 30**

Dear Mr. Harrison:

The Regional Flood Control District (District) received your application for a Floodplain Use Permit (FPUP), dated October 25, 2005 for the placement of a haul road at the above-referenced property. Upon review, the District determined that additional information was needed and provided written comments to you on November 10, 2005. To date, no response to these comments has been received and, as such, the District is closing your application file. Your permit application is considered **VOID**.

If you would like to continue to pursue the improvements on your property, you will be required to re-apply for a new FPUP. If you have any questions, or if you would like to schedule a meeting, please contact me at 243-1800.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Shepp". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Eric Shepp, Manager  
Floodplain Management Division



PIMA COUNTY FLOODPLAIN USE PERMIT APPLICATION

PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT  
 201 NORTH STONE AVENUE, 4<sup>TH</sup> FLOOR  
 TUCSON, ARIZONA 85701-1207  
 (520) 740-6350

TO BE FILLED OUT BY APPLICANT (PLEASE PRINT CLEARLY):

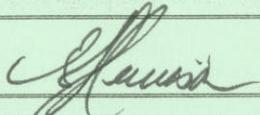
DS ACTIVITY NUMBER

DATE 10-25-05	TOWNSHIP T17S	RANGE R17E	SECTION 19 & 30	TAX CODE 306-15-0550 (19) 306-15-0370 (30)
PROPERTY OWNER'S LAST NAME ARIZONA PORTLAND CEMENT. UNDER LEASE FROM		PROPERTY OWNER'S FIRST NAME STATE OF ARIZONA		PROPERTY OWNER'S PHONE NUMBER 520-682-2221
APPLICANT'S LAST NAME HARRISON		APPLICANT'S FIRST NAME EDWARD		APPLICANT'S PHONE NUMBER 520-616-1388 cell # 820-8150
PROJECT SITE ADDRESS			CITY	STATE
APPLICANT'S MAILING ADDRESS 1115 N. CASAGRANDE HWY.			CITY Rillito	STATE AZ
SUBDIVISION AND LOT NUMBER OR PARCEL LEGAL DESCRIPTION			STATE	ZIP 85654

DESCRIPTION OF WORK (A plot plan DRAWN TO SCALE and showing ALL proposed work must be attached)  
 ROADWAY ACCESS THROUGH DAVIDSON CANYON WASH TO MINERAL LEASE. ACCESS WOULD BE 24ft WIDE.

DESCRIPTION OF SUPPORTING INFORMATION BEING SUBMITTED

By signing this permit application, the undersigned applies for a permit pursuant and subject to the requirements to the FLOODPLAIN AND EROSION HAZARD MANAGEMENT ORDINANCE NO. 1999-FC1 (hereafter Title 16 of the Pima County Code), for Pima County, Arizona, and hereby agrees to faithfully abide by all the Covenants, Conditions, and Restrictions contained or referred to herein and to indemnify, defend, and hold harmless Pima County and the Pima County Regional Flood Control District and their agents from and against any and all suits, claims, or demands associated with the approval of this application.

APPLICANT SIGNATURE 

This application becomes a valid permit only when completed and signed approved by the Regional Flood Control District below and accepted by applicant on reverse. Validated permit is subject to the conditions indicated on the reverse and attachments (if any).

THIS PORTION AND REVERSE TO BE COMPLETED BY PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT  
 received by David W. aa

PREP BY	AREA 4	PERMIT NUMBER 05-736	CODE MIS	ZONE A	PANEL/DATE 3475K/02-08	ENGINEERING INCLUDED IN FILE	
AS BUILT		FLD PRF CERT	ELEVATION CERTIFICATE	COVENANTS R A B S		YES	NO
REQ'D	COMP	REQ'D	COMP	REQ'D	COMP	REQ'D	COMP
							RIPARIAN HABITAT
							H A B C I P

STATUS	DATE
REC'D	10-25-05
VOID	12/2/06

VOID

APPROVED	DATE
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GENERAL CONDITIONS (applicable to floodplain use permits)

Applicant agrees to comply with all conditions and restrictions as stated in Pima County Floodplain and Erosion Hazard Management Ordinance No. 1999-FC1 (hereafter Title 16 of the Pima County Code), as recorded in the office of the Pima County, Recorder, Pima County, Arizona, as Title 16 at Docket 1149, Pages 1805 - 1858.

This permit shall be valid for a period of one (1) year from the date of approval. This permit can be revoked subject to the provisions of Title 16 at 16.20.060.

Applicant assumes responsibility for engineering, design, construction, inspection and maintenance associated with all improvements and facilities covered by this permit and hereby certifies that any and all federal, state, and other local permits required for the activity covered by this permit, including but not limited to any and all permits required under the Clean Water Act, have been obtained. Natural drainage shall not be altered, disturbed or obstructed, other than as allowed under this permit.

By the issuance of this permit, Pima County Regional Flood Control makes no representation regarding applicant's authority or permission to enter into and upon the lands of third parties. It is the responsibility of the applicant to obtain any and all rights of entry or easements from any or all third party landowners which may be necessary to effectuate the conditions of this permit.

Uses allowed under this permit shall be confined to those described in the application on reverse and shall conform to the limits shown on the plot plan, EXHIBIT A, attached hereto and incorporated by reference herein.

APPLICANT ACCEPTANCE SIGNATURE

DATE

February 8, 2005



PIMA COUNTY  
REGIONAL FLOOD CONTROL DISTRICT  
201 NORTH STONE AVENUE, FOURTH FLOOR  
TUCSON, ARIZONA 85701-1207

SUZANNE SHIELDS, P.E.  
DIRECTOR

(520) 740-6350  
FAX (520) 740-6749

November 10, 2005

Edward Harrison  
Arizona Portland Cement  
11115 N. Casa Grande Hwy  
Rillito, AZ 85654

**Subject: Haul Road Crossing at Davidson Canyon Wash, T17S, R17E, Sections 19 and 30, Floodplain Use Permit #05-736R.**

Dear Mr. Harrison:

This letter is in response to your Floodplain Use Application for the placement and maintenance of a haul road across the Davidson Canyon Wash for access to the easternmost State Mineral Leases 11-35596 and 35597. After further research, it was found that the proposed road crosses two regulatory washes, the Davidson Canyon Wash and one additional unnamed wash located between Davidson Canyon Wash and Old Sonoita Highway. In addition to the regulatory washes mentioned above, the road will cross a Special Flood Hazard Area (SFHA), Zone A, as shown on the Flood Insurance Rate Map (FIRM), Community-Panel No. 040073-04019C-3475K and a mapped Important Riparian Area, as shown on the *Riparian Habitat Classification Maps*, October, 2005. In order to continue processing your permit, Pima County Regional Flood Control District will require the following additional information:

1. Written approval from the U.S. Army Corps of Engineers that the work to be completed for the portion of the haul road traversing the Davidson Canyon Wash does not require a Section 404 permit.
2. Grading limits of the road with an assessment of the amount, in square feet, of Important Riparian Habitat that will be disturbed.
3. Location and dimensions of any cuts and fill for the portion of the road that traverses the regulatory washes and FEMA Zone A floodplain.
4. A roadway profile depicting the existing and proposed grades of the wash crossings, which include the wash channel, banks and an additional fifty feet beyond the banks of the wash.
5. A description of the proposed maintenance schedule.
6. A description of the roadway material, covering or treatment.

If you have any questions concerning our request, please contact our office at (520) 740-6350. Thank you.

Sincerely,

Marisa Trevino, Hydrologist  
Floodplain Management Section

MT/vr/ap

Attachments: Locations of regulatory washes, Riparian Habitat map, FEMA Zone A floodplain map

**Marisa Trevino**

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**From:** Harrison, Ed [eharrison@calportland.com]  
**Sent:** Tuesday, November 01, 2005 12:41 PM  
**To:** marisa.trevino@dot.pima.gov  
**Cc:** Fred Brost  
**Subject:** Arizona Portland Cement Company

Marisa,

Included is the proposed roadway through the Davidson Canyon Wash it is a large PDF file but you can zoom in or out to get the big picture. If there is any additional information that you need please feel free to call.

As for details the roadway will be 24ft in width. And modification to the topography will be at a minimum. Any deviation to the roadway would be due to reasonable avoidance of any mature trees or vegetation.

Regards,

Ed Harrison  
Chief Mining Engineer  
California Portland Cement Company  
(626)691-2227

**MINERAL DEVELOPMENT REPORT**

**Mineral Leases 11-35596, 11-35597, 11-79816, & 11-79817**

**Sections 19 & 30, T17S, R17E  
Pima County, Arizona**

**Arizona Portland Cement Company**  
Division of  
**California Portland Cement Company**

P.O. Box 338  
Rillito, Arizona 85654  
(520) 682-2221

Prepared By:

Mining & Environmental Consultants, Inc.  
9314 W. Willowbrook Drive  
Sun City, Arizona 85373  
(623) 376-6435

For:

Minerals Section  
Natural Resources Division

Arizona State Land Department

October, 2004

3.21.1 Existing. The only improvement located on the Leases is the access road.

3.21.2 Planned. Only temporary, mobile facilities such as office, maintenance and storage facilities are planned.

### 3.22 Transportation.

3.22.1 Infrastructure. Access to the Leases from State Route 83 is via Old Sonoita Highway, an unpaved county-maintained dirt road. State Route 83 is a paved, county-maintained two-lane highway. The distance from the State Route 83 turnoff to the Leases is less than one mile.

3.22.2 Local Traffic Conditions. Traffic on State Route 83 is moderate. State Route 83 is classified by the Arizona Department of Transportation (ADOT) as a Major Collector (Rural), the function of which is to provide service to larger communities, industrial, agricultural and mining areas not directly served by higher road systems.

3.22.3 Operational Requirements. APC will transport approximately 16 to 48 loads of marble per day (depending on the production rate) from the Leases to its Rillito plant. Hauling will be done on weekdays during daylight hours only. A water truck will make up to three trips per day. In addition, there will be contractor, employee, vendor and visitor traffic. Total trips (to and from the Leases) per day for vehicles of all types are estimated to be from 48 to 112. Hauling contractors will be contractually obligated to keep their speed under 20 mph on dirt roads and under the speed limit on other public roads.

3.22.4 Transportation Issues. The intersection of Old Sonoita Highway and State Route 83 may require modification and/or signage to provide improved safety for turning trucks and other vehicles. Before commencing site development, APC will consult with ADOT regarding modification or possible relocation of this intersection.

Crossing of Davidson Canyon may not be practical during periods of runoff from precipitation. Hauling operations from the eastern quarry will be halted when water is flowing in Davidson Canyon. All traffic will be halted whenever the depth of flow is six inches or greater. When the flow is less than six inches, drivers will be encouraged to use discretion before crossing. Towing cables will be kept at the quarries to be used if vehicles become stuck in Davidson Canyon (or elsewhere).

Cattle may wander onto the road and could be struck by vehicles traveling to and from the quarries. Signs will be posted at appropriate locations to warn drivers of the presence of cattle and the speed limit. In the event that livestock should be injured or killed, the owner will be notified and the animal will be paid for by the responsible party.

### 3.23 Planning & Zoning.

3.23.1 Current Planning & Zoning. Current Pima County zoning in the area is RH (Rural Homestead), which permits a variety of rural activities including sand and gravel mining as a conditional use. Mining of marble and other minerals is exempt from county zoning restrictions under ARS 11-830. ARS 11-380 stipulates that counties can not "...prevent, restrict or otherwise regulate the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general agricultural purposes, if the tract concerned is five or more contiguous commercial acres." This exemption is codified in the Pima County Code Chapter 18.01.030.C.1.



Name: MT FAGAN  
 Date: 6/4/2004  
 Scale: 1 inch equals 2000 feet

Location: 031° 56' 00.86" N 110° 38' 50.84" W  
 Caption: Arizona Portland Cement Co.  
 State Mineral Leases  
 11-79816, 79817, 35596, 35597. T17S R17E





**PIMA COUNTY**  
**DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL DISTRICT**  
201 NORTH STONE AVENUE, FOURTH FLOOR  
TUCSON, ARIZONA 85701-1207

KURT WEINRICH, P. E.  
DIRECTOR

(520) 740-6410  
FAX (520) 620-1933

August 9, 2004

Fred B. Brost, P.E., President  
Mining & Environmental Consultants, Inc.  
9314 W. Willowbrook Drive  
Sun City, AZ 85373

**Re: Road Across Davidson Canyon Floodplain, T17S, R17E, Sections 19 and 30**

Dear Mr. Brost:

This is in response to your letter dated June 4, 2004 regarding permit requirements for improving and maintaining an existing road across Davidson Canyon Wash for access to the easternmost State Mineral Leases 11-35596 and 35597.

The road you are referring to crosses a Special Flood Hazard Area (SFHA), Zone A, as shown on the Flood Insurance Rate Map (FIRM), Community-Panel No. 040073-04019C-3475K, effective date February 8, 1999. Because it is a FEMA-regulated flood zone, a Floodplain Use Permit will be required. An Army Corps of Engineers 404 Permit may also be required depending upon the proposed improvements at wash crossings.

Davidson Canyon Wash may not be the only wash along the access route that this office regulates. Any watercourse with a 100-year discharge of 100 cubic feet per second (cfs) or more is considered regulatory. Details of any proposed improvements to the existing road at all wash crossings will be necessary.

The road also crosses a Class B XeroRiparian Habitat, as shown on the *Riparian Habitat Classification Maps*, April 1995. Disturbance of one third of one acre (14,550 square feet) or more of this habitat as a result of the proposed improvements and subsequent maintenance to the road will require a Floodplain Use Permit and a Mitigation Plan, per Chapter 16.54 of the Pima County Floodplain and Erosion Hazard Management Ordinance No. 1999-FC1.

Please advise this office regarding the type and method of improvements and scheduled maintenance you plan to employ on the entire stretch of road providing access to the proposed quarries on State Mineral Leases 11-79816, 79817, 35596 and 35597.

Sincerely Yours,

A handwritten signature in cursive script that reads "Andy Seiger".

Andy Seiger, Civil Engineer  
Floodplain Management Section

AS/sja

MINING & ENVIRONMENTAL CONSULTANTS, INC.  
9314 W. Willowbrook Drive  
Sun City, AZ 85373  
(623) 376-6435  
[www.miningengineering.com](http://www.miningengineering.com)

June 4, 2004

Pima County Flood Control District  
County-City Public Works Center - 4<sup>th</sup> Floor  
201 N. Stone Ave.  
Tucson, AZ 85701

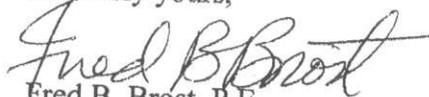
Dear Sirs:

Our client, Arizona Portland Cement Co. (APC) plans to operate marble quarries on State Mineral Leases 11-79816, 79817, 35596 and 35597 off State Route 83 south of I-10 in Pima County. The planned quarries are located in T17S, R17E, Sections 19 and 30, as shown on the enclosed map.

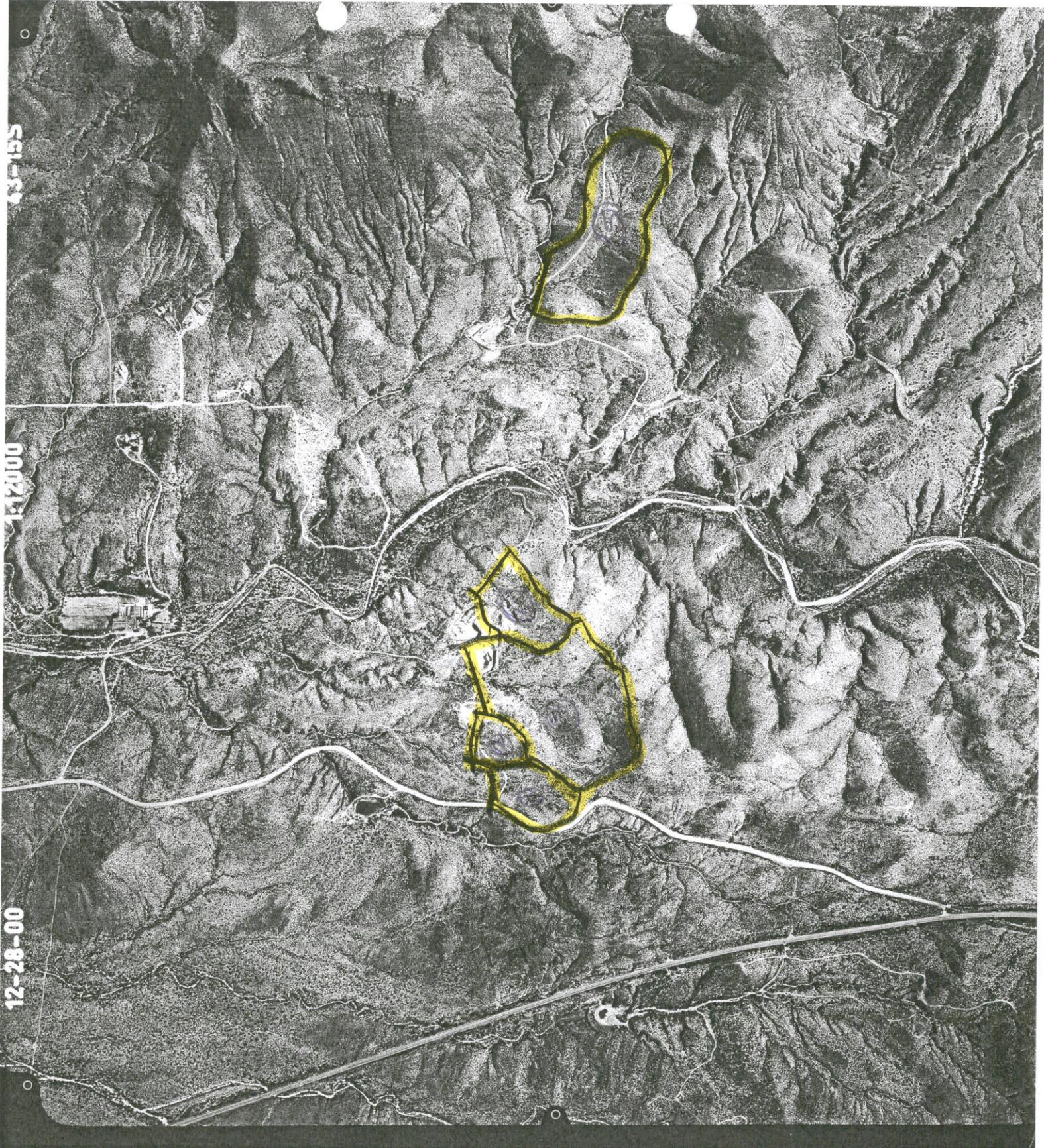
The quarries and overburden dumps will be located on upland areas outside of the 100 year floodplain, as depicted on your on-line maps. Access to the easternmost leases will be via an existing road that crosses Davidson Canyon wash. This road will be improved and maintained as required. This reach of Davidson Canyon Wash lies between reaches identified as 100 year floodplain, although the reach itself is identified as undetermined 100 year floodplain status. ←

Please advise us if we will require a permit to improve and maintain the road across Davidson Canyon.

Sincerely yours,

  
Fred B. Brost, P.E.  
President

Cc: Mr. Richard Ahern, Arizona State Land Department  
Mr. Ed Harrison, Arizona Portland Cement Co.



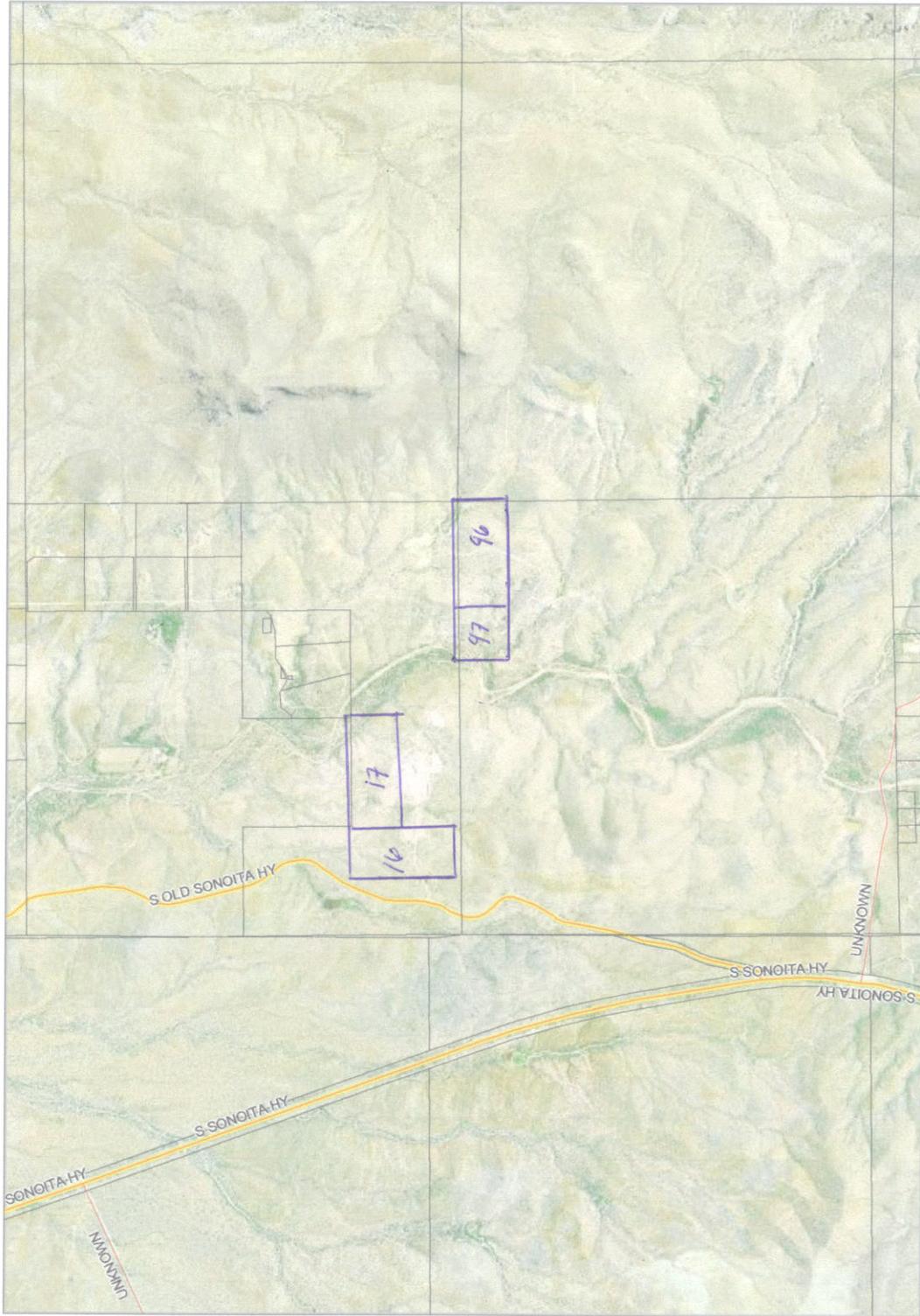
① 6.226  
5.877

② 3.126

③ 25.332  
25.179

④ 7.529  
7.540

⑤ 19.955  
19.913



SCALE 1 : 24,000

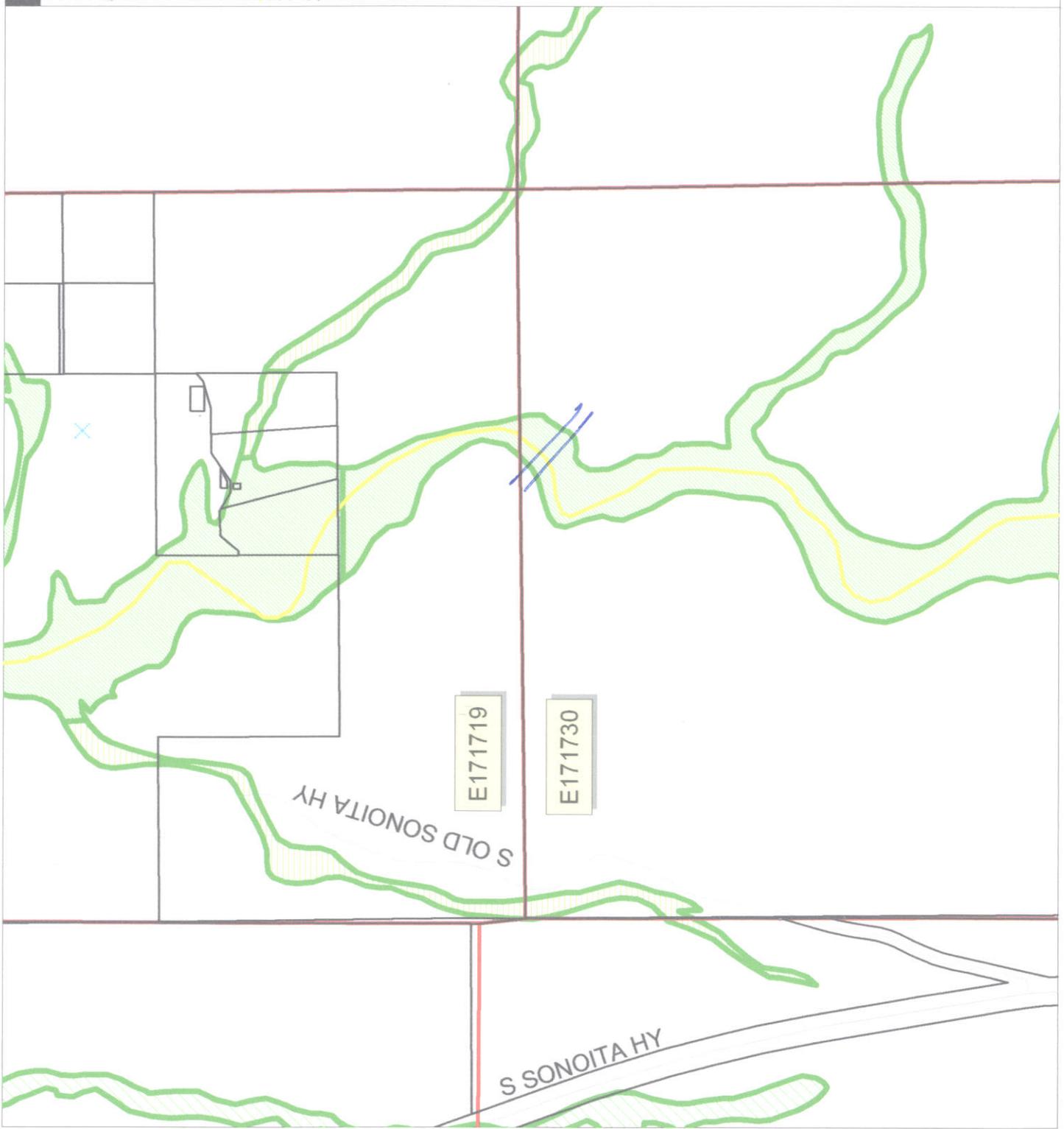


PIMA COUNTY

Parcel Query System

Legend:

- Parcel Query System
- Street Network
- Administrative Boundaries
- MARANA
- ORO VALLEY
- PASCUA YAGUI NATION
- PIMA COUNTY
- SAHUARITA
- SOUTH TUCSON
- TOHONO O'ODHAM NATION
- TOHONO O'ODHAM NATION SAN XAVIER DISTRICT
- TUCSON
- Approximate Mapping
- Approximate Mapping
- Elevation 1.5 feet
- Elevation 2 feet
- Additional analysis needed
- Special Studies Floodplain Delineations
- Wash Network
- Unknown
- 100-500 CFS
- 500-1000 CFS
- 1000-2000 CFS
- 2000-10,000 CFS
- 10,000 - 25,000 CFS
- > 25,000 cfs
- Lot#
- PROPERTY
- STRUCTURE
- LOMR Boundary
- Springs
- Riparian Classifications - effective 10/13/05
- Important Riparian Areas
- Hydroplan or Mesoriparian
- Xerophilan A
- Xerophilan B
- Xerophilan C
- Xerophilan D



99 - Xerophilan B  
 2005 - Important  
 Riparian Area.

1" = 1000.00 feet

General of  
 = Area of  
 Road Crossing,  
 Davidson Canyon Wash



SCALE 1 : 3,600



2005-Important Riparian Habitat

