



FLOODPLAIN USE PERMIT NOTICE OF SUBSTANTIVE DEFICIENCY RESPONSE FORM

**Background:**

Arizona Revised Statutes §48-3645 requires that the District review any application for a license within a maximum timeframe. In addition, this Statute prescribes a process which limits the District’s ability to comment on these applications and an applicant’s ability to respond. Specifically, the District is limited to a single comprehensive *Notice of Substantive Deficiency* letter that includes all substantive deficiencies. Similarly, the applicant is limited to one formal response to this letter. If, after the formal response, any deficiencies remain, the District is obligated to deny projects rather than to continue a dialogue with the applicant.

In order to continue to have a constructive dialogue with the applicant without the burden of issuing a denial for otherwise approvable but incomplete applications, the District has developed this form, which is used to by the applicant to indicate when they wish to formally respond to the *Notice of Substantive Deficiency* letter. This approach allows an applicant to have a back and forth dialogue with District staff, or to respond to individual deficiencies as they are addressed without the concern of denial. This will also assist the District to ensure that it is compliant with its mandatory licensing timeframe.

See Technical Procedure TECH 109 for more information. <http://rfcd.pima.gov/rules/pdfs/tech109.pdf>

Acknowledgment:

The receipt of inadequate or incomplete information in response to a *Notice of Substantive Deficiency* letter will result in the denial of the application by the District. As such the District **recommends working with the area hydrologist to ensure a successful response to each deficiency that was identified in the *Notice of Substantive Deficiency* letter.** This dialogue should occur prior to completion and submittal of this form.

TO BE COMPLETED BY APPLICANT:

The completion and submittal of this form indicates that this is the formal response to the *Notice of Substantive Deficiency* letter for Floodplain Use Permit (FPUP) # _____ dated _____. Per A.R.S. § 48-3645, **if this response does not adequately address the deficiencies, the District is required to deny my FPUP application** unless the substantive review timeframe is extended by mutual written agreement.

I, (print name) _____, am requesting that the District resume the substantive review of my FPUP application. The completion and submittal of this form restarts the District’s Substantive Review clock.

Signed: _____

Date: _____

As a courtesy, the reverse side of this form contains space for specific responses to the deficiencies that were identified in the *Notice of Substantive Deficiency* letter. Use is not required but may be helpful if there are numerous deficiencies.

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

To be completed by District staff
Date received: _____
Received by: _____

This section is provided for the convenience of customers to document when and how each specific deficient item was addressed.

1) RESPONSE DATE: _____ RESPONSE: _____

2) RESPONSE DATE: _____ RESPONSE: _____

3) RESPONSE DATE: _____ RESPONSE: _____

4) RESPONSE DATE: _____ RESPONSE: _____

5) RESPONSE DATE: _____ RESPONSE: _____

6) RESPONSE DATE: _____ RESPONSE: _____

7) RESPONSE DATE: _____ RESPONSE: _____

8) RESPONSE DATE: _____ RESPONSE: _____

9) RESPONSE DATE: _____ RESPONSE: _____

10) RESPONSE DATE: _____ RESPONSE: _____

