

**MINUTES
FLOOD CONTROL DISTRICT ADVISORY COMMITTEE/PUBLIC REVIEW
JANUARY 16, 2013**

Committee Members Present: Keith Brann, Paul Baughman, Paul Jungen, Phil Pearthree, Linwood Smith, Jim Vogelsberg; Mike Zeller

Flood Control District Staff Present: Suzanne Shields, Director; Chris Cawein, Deputy Director; Eric Shepp, Division Manager; Ann Moynihan, Civil Engineering Manager, Dave Stewart, Civil Engineering Assistant; Greg Saxe, Environmental Planning Manager

Others Present: Jennifer Christelman, Town of Marana; John Partridge, Stantec Consulting; Mary Reynolds, Pima County Communication Office

The meeting was held at 97 E. Congress Street, Tucson, Arizona, 3rd Floor Conference Room.

APPROVAL OF MINUTES

The committee approved the December 19, 2012 minutes.

QUERY TO THE AUDIENCE

No business.

NEW BUSINESS

CalPortland Acquisition

Dave Stewart gave a presentation on the *CalPortland Acquisition – Land Use and Planning for El Corazón, Sunset Bridge and Silverbell* (see attached).

404 In-Lieu Fee Program

Chris Cawein reviewed the Regional Flood Control District (RFCD) and Tucson Audubon Society (TAS) 404 In-Lieu Fee Program (ILF) with the committee. The Prospectus is out for public comment and can be found on the U.S. Army Corps of Engineers website at: http://www.spl.usace.army.mil/Portals/17/docs/publicnotices/PCRFCD_TAS%20ILF%20Prospectus%20PN.pdf

Originally identified as a participant in the IRT, the RFCD has determined that the role as local, qualified Southern Arizona ILF Program co-sponsor is more critical to the Southern Arizona Community than the presence of RFCD on the IRT. Additionally, upon detailed analysis of program requirements, we believe that by partnering with the existing Pima County ILF Sponsor, TAS, RFCD is uniquely positioned to develop and implement an ILF program that is fully complementary to, and integrated with, other environmental preservation and restoration activities in the area to meet the goals of a strategy of environmental mitigation that extends into sub-watersheds within the Santa Cruz Basin. Therefore, with Corps concurrence, the RFCD representative resigned from the IRT role and is instead pursuing the role of Program Manager for the RFCD as ILF co-sponsor.

The ILF Program partnership between RFCD and TAS is built on a desire to blend the financial strength, significant land assets, and riparian preservation and management

qualifications of RFCD with the 404 ILF Program and site management experience of TAS. Delineation of specific responsibilities between RFCD and TAS as program partners is being defined in a contractual agreement presently under development.

The primary goal of the proposed RFCD-TAS ILF program is to provide a mechanism for local government and private entities to effectively mitigate for unavoidable losses to aquatic resources in the Santa Cruz Basin within a cohesive, integrated, locally-managed ILF Program. Mitigation activities including preservation, enhancement, and restoration will be planned, implemented and managed at select mitigation sites within the Santa Cruz Basin, identified by the United States Geological Survey as (USGS) Hydrologic Unit Code (HUC) 150503.

Specific objectives for the RFCD-TAS ILF Program include:

- *Selecting multiple sites, within sub-basins and watersheds of the Santa Cruz Basin, so that mitigation will occur in close proximity to impacts where feasible;*
- *Identifying appropriate mitigation sites and projects based upon their location and proximity to uplands and preserves for purposes of continuity and connectivity, their need for protection, the level of degradation observed, as well as the potential for success of restoration activities;*
- *Conducting baseline studies and inventories for each proposed mitigation project site and partnering with experienced local natural resource management entities as appropriate;*
- *Developing site-specific mitigation plans which will begin with land preservation and that may include invasive species removal, environmental enhancements, access restrictions, physical site modifications to enhance ecosystem restoration; and*
- *Developing and implementing effective short and long-term management, monitoring and maintenance activities.*

In progress are the costs and site-specific mitigation plan. The next step is the Instrument and formal approval. The ILF should be in place by summer 2013.

CONTINUING BUSINESS

Senate Bill 1598 – “Regulatory Bill of Rights”

Eric Shepp stated that the District modified the timeframes and the County Attorney is reviewing court cases and legal background.

Suzanne Shields stated that she would put together a white paper and make a presentation at the march 20, 2013 meeting

Regulatory Updates

Detention/Retention Manual – Draft Review

Dave Stewart presented the *Stormwater Harvesting Site Example*.

Ann Moynihan stated that the District incorporated comments from December's meeting and presented a revised draft (see attached). The District will send this draft to the committee today for review. Comments will be sent to Ann Moynihan prior to the February meeting.

Discussions/review will continue.

REPORT FROM FLOOD CONTROL DISTRICT STAFF

BOS Action

December 11, 2012

- ✓ Golda Velez and Harris and Carol Bernstein, to provide an Acquisition Agreement for the purchase of property needed for the Paseo De Las Iglesias River Park, Tax Parcel No. 119-18016F, 1997 Bond Fund, contract amount \$311,137.00 including closing costs. Motion carried to approve (5/0)
- ✓ RESOLUTION NO. 2012 – FC 8, approving an Acquisition and Excavation Agreement and escrow instructions between Pima County, **Pima County Flood Control District**, CPC Southwest Materials, Inc. and CalPortland Company, to provide for the purchase of 616 acres of riparian open space, Flood Control District Tax Levy Fund, contract amount \$4,207,000.00 including closing costs. Motion carried to approve (5/0)
- ✓ RESOLUTION NO. 2012 – 113, approving an Acquisition and Excavation Agreement and escrow instructions between **Pima County**, Pima County Flood Control District, CPC Southwest Materials, Inc. and CalPortland Company, to provide for the purchase of 616 acres of riparian open space, Flood Control District Tax Levy Fund, contract amount \$4,207,000.00 including closing costs. Motion carried to approve (5/0)

December 18, 2012

- ✓ Staff requests approval of a Riparian Habitat Mitigation Plan for 17845 W. Licksillet Lane, located within important riparian area with underlying Xeroriparian Class C Habitat. (District 3). Motion carried to approve (5/0) RA 12-18-12 (2)
- ✓ Psomas, Inc., Amendment No. 1, to provide design engineering services for the Pantano Bank Protection and River Park Phase 3: Tanque Verde Rd. to Glenn St. and Phase 4: Glenn St. to Craycroft Rd. and amend contractual language, Flood Control Tax Levy Fund, contract amount \$33,548.88. Motion carried to approve (5/0)
- ✓ Requisition No. 69401, Sub-award in an amount not to exceed \$175,000.00 to Sonoran Institute, with respect to U.S. Environmental Protection Agency (EPA) Grant No. CD-00T83301 for Wetlands Protection Development – Lower Santa Cruz River. The contract term is 44 months. Funding Source: EPA Grant Fund. Administering Department: Regional Flood Control District. Motion carried to approve (5/0)