



# Cochise County Board of Supervisors

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Clerk of the Board

**PEGGY JUDD**  
Supervisor  
District 3

October 16, 2017

Department of the Army  
Los Angeles District, U.S. Army Corps of Engineers  
Regulatory Division  
ATTN: Kathleen Tucker  
3636 N. Central Avenue, Suite 900  
Phoenix, Arizona 85012-1939  
Emailed to: [Kathleen.A.Tucker@usace.army.mil](mailto:Kathleen.A.Tucker@usace.army.mil)

RE: Villages at Vigneto Reinstatement of The Clean Water Act, Section 404 Permit

Ms. Tucker,

The Cochise County Board of Supervisors supports reinstatement of the 20-year Department of Army permit issued effective June 21, 2006 pursuant to Section 404 of the Clean Water Act for discharge of fill associated with development of a master planned community, now named Villages at Vigneto, in Benson, Arizona.

The County has reviewed development plans and discussed the project with City of Benson officials, El Dorado Benson L.L.C., and other land owners. The County believes El Dorado's planned development conforms to all original terms of the permit; El Dorado is committed to, and capable of, mitigating environmental impact; upstream water recharge projects constructed since the original permit issued are positioned to improve water conditions in the San Pedro River; and revocation of the permit would cause significant economic harm to the region.

Cochise County is a regional leader in water conservation, regulation, and recharge. While the proposed development is within Benson city limits, El Dorado's agents have been consulting with the County and other partners to develop water management strategies, including water recharge basins, for implementation in the project to minimize impacts on surface flows and ground water levels. The County has a history of successful collaborations with private and municipal partners, having created a network of conservation sites and successfully operating storm water and effluent recharge projects in the Sierra Vista Subwatershed to the south of the proposed development. In 2016, six sites in the network enabled the conservation of approximately 3,000 acre feet of water and aquifer recharge of 2,700 acre feet. Through our interaction with El Dorado's agents and review of their develop plans, we are confident of their capacity to help the County successfully manage our water resources and maintain natural habitats along the San Pedro River into the future.

Additionally, the developer has been working with the County, State, and Federal agencies to provide new access points to existing forest land west of the development. This is important to our region, as it promotes recreation by providing safe, unrestricted public access to trail systems and forested areas.

If the permit is suspended or modified in a manner which would further delay the project, the economic costs to the

1415 Melody Lane, Building G  
Bisbee, Arizona 85603  
520-432-9200  
520-432-5016 fax  
[board@cochise.az.gov](mailto:board@cochise.az.gov)

developer and the community will be significant. In Cochise County, our population, job growth, and property values have been in decline for eight years. Despite this declining economy and the corresponding reduction of 200 jobs in County government, we have assisted the City of Benson with plan review for this proposed project. Our sunk costs, however, are minimal in comparison to the City's and the developer's. All costs were incurred to move the project forward after the original 20-year permit issued.

In the past, the Board of Supervisors has not voiced uniform support for a development within the municipal boundaries of a community. In this instance, the Board feels strongly the developer is working in good faith to ensure all conditions of the 20-year Department of the Army permit previously issued pursuant to Section 404 of the Clean Water Act are met. We are confident the Villages at Vigneto project will enrich our community and exist in harmony with the natural environment that makes Cochise County an incredible place to live, work, and recreate.

Sincerely,

Ann English  
Chairman

Patrick G. Call  
Vice-Chairman

Peggy Judd  
Supervisor

Cc:  
Southeast Arizona Economic Development Group