



Cochise County
Community Development
Planning, Zoning and Building Safety Division

Public Programs...Personal Service
 www.cochise.az.gov

MEMORANDUM

TO: Cochise County Board of Supervisors
FROM: Christine McLachlan, AICP, Planner II
FOR: Daniel Coxworth, AICP, Development Services Director
SUBJECT: Docket CPA 22-01 (Commercial Port)
DATE: March 22, 2022, for the April 5, 2022, Meeting

APPLICATION FOR A COMPREHENSIVE PLAN MAP AMENDMENT

This is a County-initiated request for a minor Comprehensive Plan map amendment. The request consists of forty-five (45) subject parcels that are generally located west of the City of Douglas boundaries between mileposts 359 and 363 along Highway 80 (east-west) and between Highway 80 and the international border (north-south). Subject parcels include the following: 407-68-013A, 407-69-008, 407-69-007, 407-69-006, 407-68-008A, 407-68-008B, 407-68-013B, 407-68-007, 407-68-010, 407-68-009, 407-68-006, 407-69-003, 407-69-002B, 407-69-004B, 407-69-005, 407-69-004A, 408-10-008, 408-10-014, 408-10-016, 408-01-012, 408-10-015, 408-34-009, 407-69-001, 407-69-001, 408-34-011, 408-34-005B, 408-34-008B, 408-34-008A, 408-10-018B, 408-10-020, 408-10-021, 408-01-002D, 408-01-002F, 407-69-002A, 408-10-007, 408-01-002B, 408-10-011, 408-10-022, 408-10-006, 408-34-012, 408-34-013, 408-11-001 (173.8-acre portion of the parcel south of Highway 80 and west of the current growth area limit), 408-11-009, 407-68-011, 407-68-012. The subject parcels total 1,933 acres. They are further described as being situated in Sections 12 and 13 of T24S, R26E and Section 7 of T24S, R27E with the future Port falling on the Section line between Section 24, T24S, R26E and Section 19, T24S, R27E in unincorporated Cochise County, Arizona. The request is to amend the growth area category from "D" to "B" and the land use designation from Rural to Developing on all parcels previously mentioned. This is a County-initiated request, consequently, the applicant is Cochise County, Planning.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: Varies
Zoning: RU-4 (Rural District, one dwelling per 4-acres)
Current Growth Area: D
Proposed Growth Area: B
Current Plan Designation: Rural (R)
Proposed Plan Designation: Developing (DEV)
Area Plan: None
Existing Uses: See Figure 3
Proposed Uses: No changes

Planning, Zoning and Building Safety
 1415 Melody Lane, Building F
 Bisbee, Arizona 85603
 520-432-9300
 520-432-9278 fax
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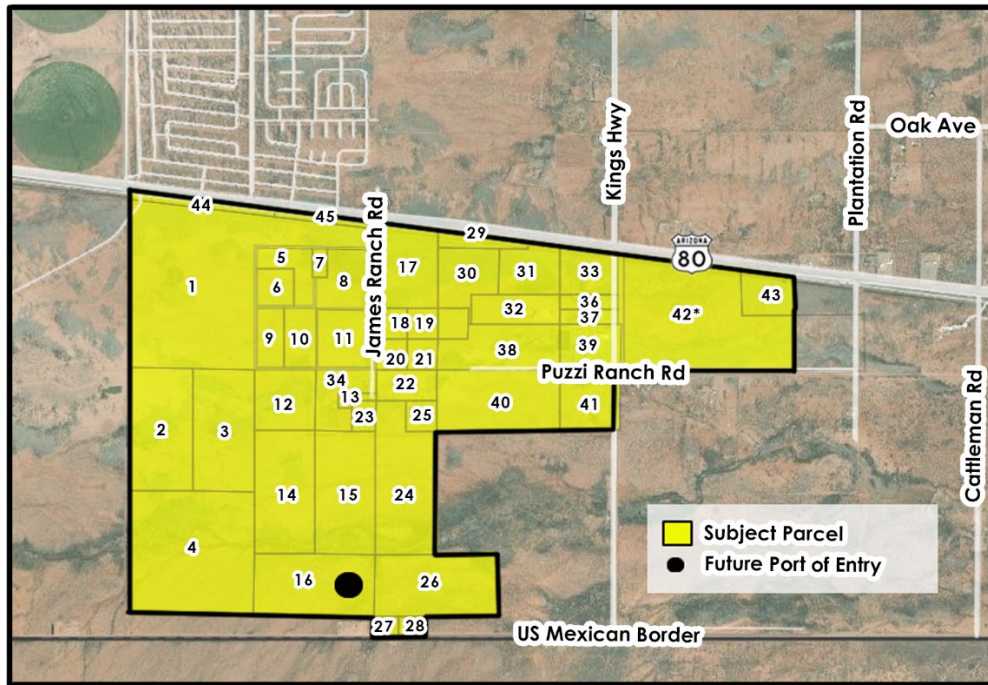
Figure 1: Existing and Proposed Land Use Growth Area and Designation of Parcels Subject to this Request

CPA 22-01:Parcels Subject to the Request

Map Key / Parcel APN	Current Growth Area Category	Proposed Growth Area Category	Current Land Use Designation	Proposed Land Use Designation
1 / 40768013A	D	B	Rural	Developing
2 / 40769008	D	B	Rural	Developing
3 / 40769007	D	B	Rural	Developing
4 / 40769006	D	B	Rural	Developing
5 / 40768008A	D	B	Rural	Developing
6 / 40768008B	D	B	Rural	Developing
7 / 40768013B	D	B	Rural	Developing
8 / 40768007	D	B	Rural	Developing
9 / 40768010	D	B	Rural	Developing
10 / 40768009	D	B	Rural	Developing
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13 / 40769002B	D	B	Rural	Developing
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26 / 40834005B	D	B	Rural	Developing
27 / 40834008B	D	B	Rural	Developing
28 / 40834008A	D	B	Rural	Developing
29 / 40810018B	D	B	Rural	Developing
30 / 40810020	D	B	Rural	Developing
31 / 40810021	D	B	Rural	Developing
32 / 40801002D	D	B	Rural	Developing
33 / 40801002F	D	B	Rural	Developing
34 / 40769002A	D	B	Rural	Developing
35 / 40810007	D	B	Rural	Developing
36 / 40801002B	D	B	Rural	Developing
37 / 40810011	D	B	Rural	Developing
38 / 40810022	D	B	Rural	Developing
39 / 40810006	D	B	Rural	Developing
40 / 40834012	D	B	Rural	Developing
41 / 40834013	D	B	Rural	Developing
42* / 40811001	D	B	Rural	Developing
43 / 40811009	D	B	Rural	Developing
44 / 40768011	D	B	Rural	Developing
45 / 40768012	D	B	Rural	Developing

* Only the 173.8 acre portion of the parcel, as depicted on the application map, is included in this request. All remaining portions of the parcel will retain their current land use designation.

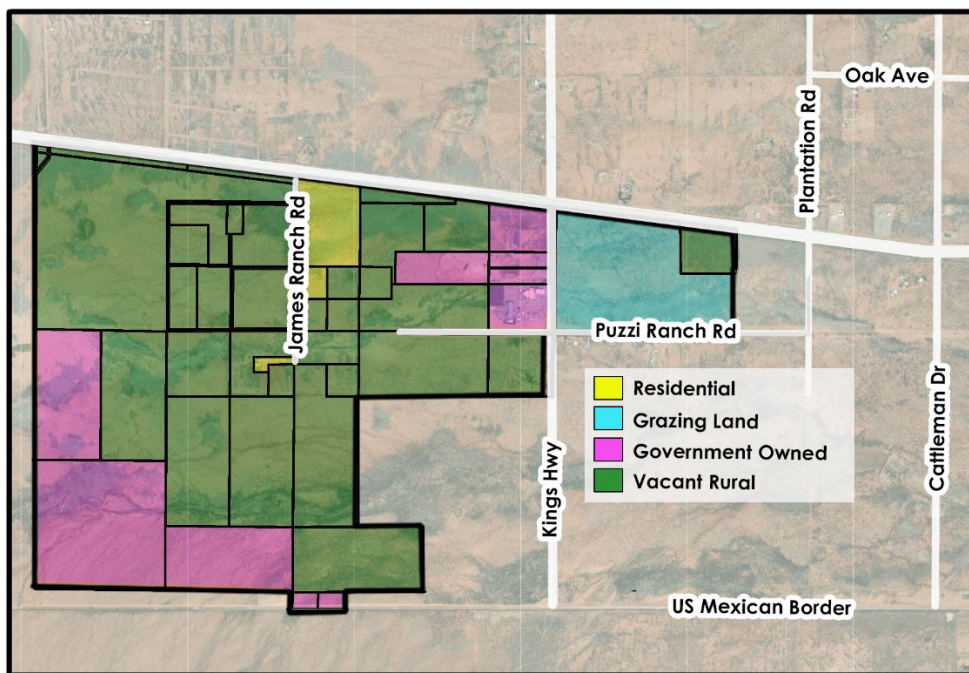
Figure 2: Subject Parcels Map



Land Use Map Amendment Boundaries
CPA 22-01



Figure 3: Existing Use of Land Map



Existing Use of Land
CPA 22-01



II. NATURE OF REQUEST

The applicant (Cochise County, Planning) requests amending the land use designation on all subject parcels indicated in Figures 1 and 2 from Rural (R) to Developing (DEV) and the land use growth area category from D to B. The area directly surrounding the site is primarily undeveloped vacant rural (see Figure 3). The proposed commercial port of entry will be approximately 5.6 miles west of the existing port of entry in Douglas and 2.5 miles east of the Cochise College Douglas Branch.

The federal government has earmarked significant funding towards the development of a new commercial port at the terminus of James Ranch Road. The General Services Administration (GSA), which is the federal agency that owns all the port of entries into the United States, will lead this construction effort. Once constructed, all commercial truck traffic will be shifted to this location, leaving the remaining non-commercial and pedestrian travel to be served by a remodeled port in downtown Douglas. Private development of industrial and commercial businesses in the area, to support the proposed new port, is similarly needed but can only occur if the land use growth area and designation are amended to a category/designation that permits their construction. Per section 402 of the Cochise County Zoning Regulations, general/neighborhood business and light industrial zoning is not permitted within the current "Rural" land use designation but is allowable within the proposed "Developing" land use designation. To reiterate, this is not a site-specific rezoning or development request. It will, however, expedite redevelopment of the parcels subject to the request by permitting a greater variety, and more intense, land use types.

This area and the individual parcels within were selected due to the presence of several key indicators that change may be warranted and beneficial. This includes the following:

- Proximity to International ports of entry
- Recent developer inquiries, including rezoning or special use requests
- Presence of large, undeveloped areas
- Planned infrastructure improvements
- Proximity to incorporated areas and urban services
- Highway access and/or major roadway intersections
- Airport access
- Major employer presence
- Availability of geographically-development incentives (such as opportunity zones and foreign trade zones)

The combination of these factors, including most significantly the development of a future commercial port of entry on the James Ranch Road corridor, suggests this is an area that would benefit from the proposed land use map amendment.

III. ANALYSIS OF LAND USE MAP AMENDMENT (MINOR) IMPACTS

Compliance with Land Use Amendment Criteria

The Comprehensive Plan Growth Area Categories and Designations within the Cochise County Comprehensive Plan ("Plan") are designed to provide a measure of protection to the existing character of an area. The Plan may be amended, by minor or major amendment, by interested parties from time to time. An amendment is considered "major" if it results in a substantial alteration of the County's land use mixture or balance. However, because the proposed amendment falls below the threshold for a major amendment, it is a minor amendment.

Section 302A.2. of the Comprehensive Plan provides six criteria used to consider a change in a Plan Designation. All six of the criteria are applicable to this request. The request fully complies all six factors.

Figure 4: Current Land Use Map

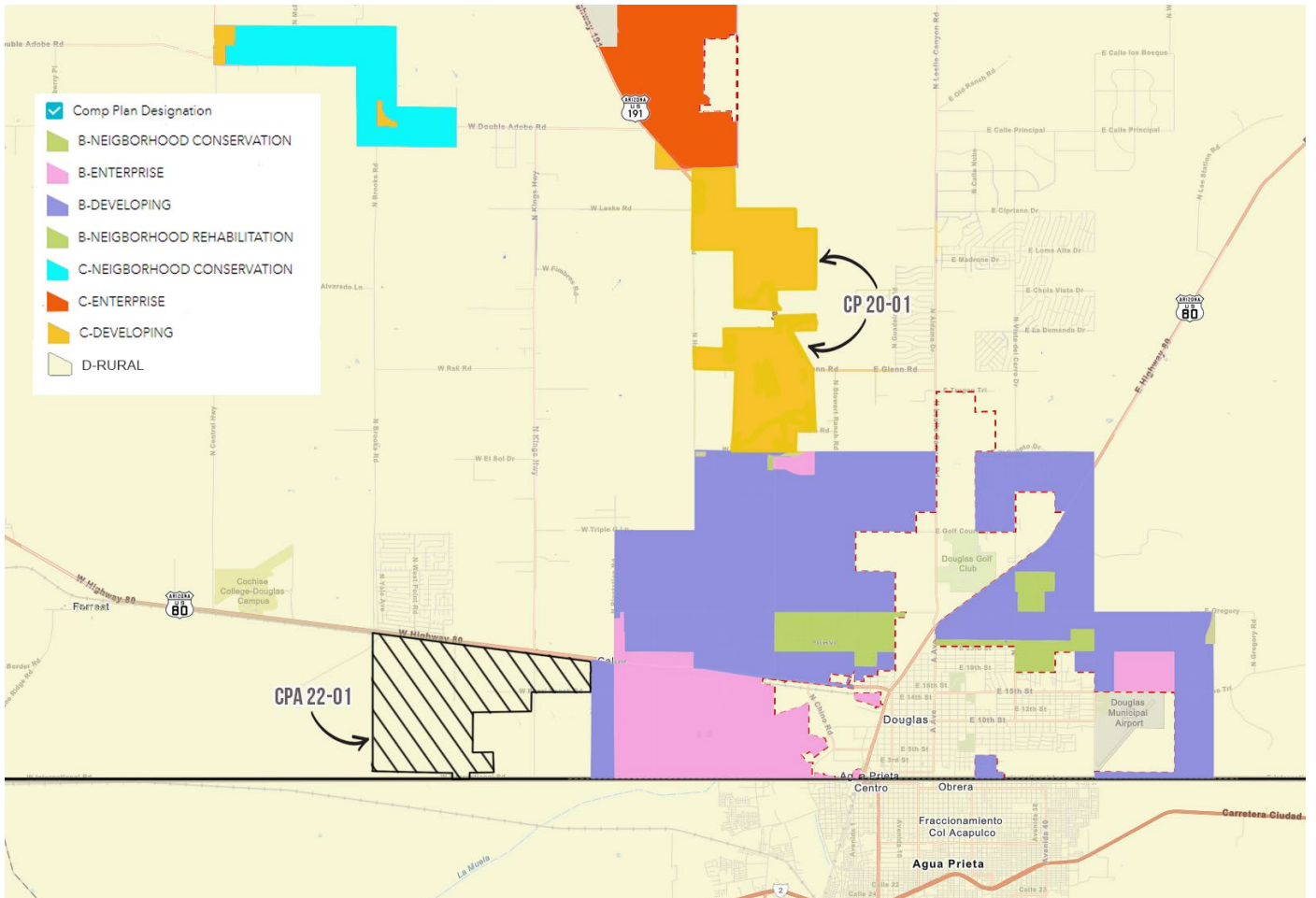
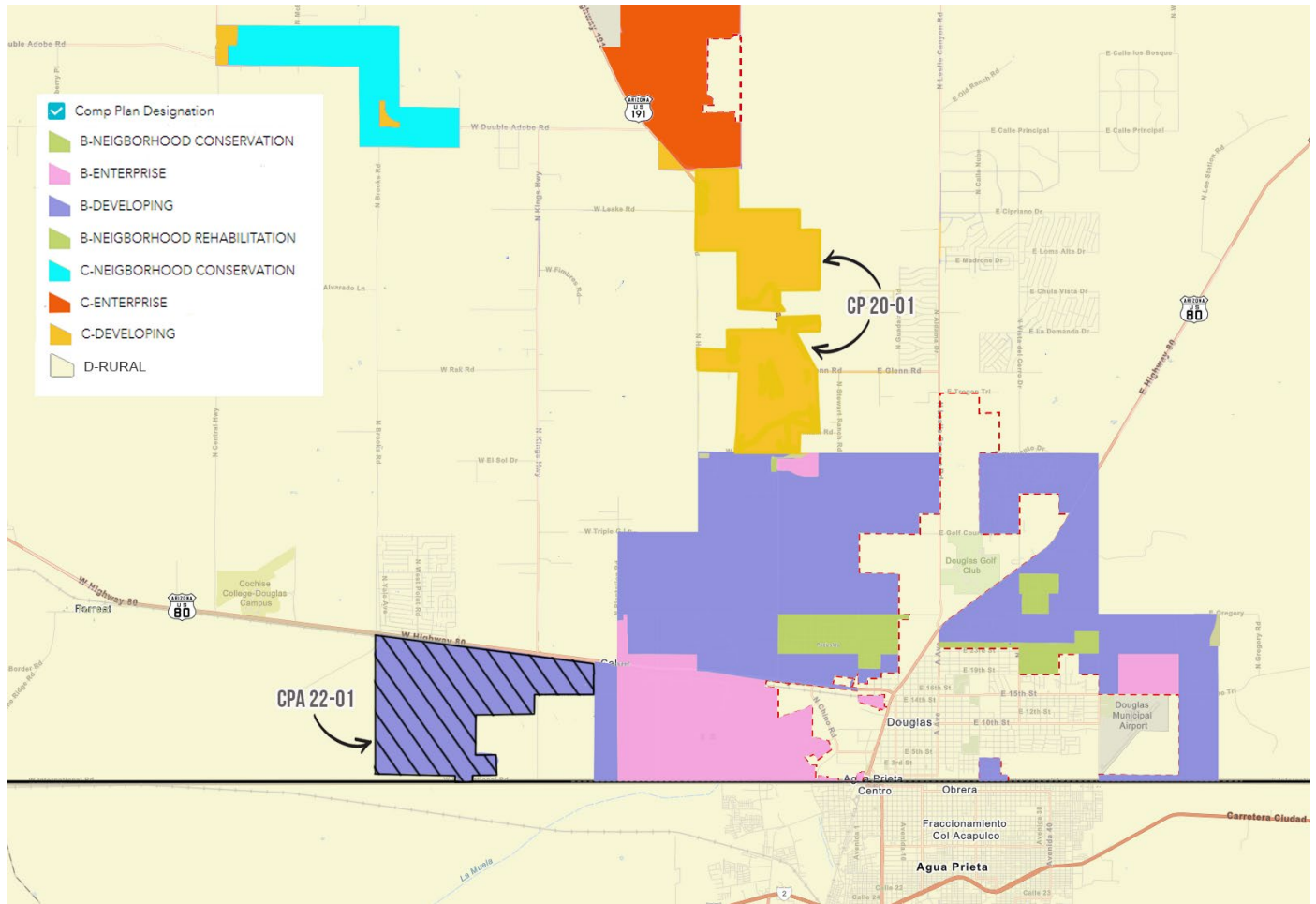


Figure 5: Proposed Land Use Map



1. The Pattern of Growth No Longer Reflects the Type of Growth Expected in the Current Designation - Complies

There are four land use categories and seven land use designations within the Comprehensive Plan.

EXISTING: Rural Designation, "D" Category

Designation: All forty-five subject parcels carry the Rural (R) designation. According to the Comprehensive Plan, this designation is intended for areas "identified as those remaining lands in Category D Rural Areas that are not designated Rural Residential. They are identified by one or more of the following characteristics: sparsely populated; larger lot sizes, agricultural production or grazing, availability of sites large enough for intensive industrial uses that cannot be accommodated in other growth areas, large expanses of private and public lands, and/or have developed and un-developed recreational resources."

Category: In addition, all subject parcels are within Category D - Rural Areas. As stated in the Comprehensive Plan, "This category includes the outlying rural areas between cities and unincorporated communities and characterized by a low rate of growth; unimproved roads; low density, large lot rural residential development; agricultural production; and large tracts of undeveloped private and public lands. Non-residential development is geared toward providing local services, tourism or intensive uses that are not appropriate in more the densely populated parts of the county, such as power plants and feedlots."

PROPOSED: Developing Designation, “B” Category

Designation: The proposed designation of “Developing,” is described by the Plan as follows: “The “Developing” (DEV) plan designation is used to describe areas experiencing non-rural growth rates that are developed with scattered, mixed residential, business or industrial and agriculture-related uses and that ultimately will accommodate future growth as the more populated areas reach build-out. Since these areas are assumed to be in transition, the Planning Department will periodically re-evaluate these areas to determine if the rate of new development warrants a new designation or growth area that is either more or less intense. The Developing designation may occur in Growth Category A, B, and C Areas that do not meet the criteria of the other designations.”

Category: Category B– Community Growth Areas is proposed for all subject parcels. This category includes those areas adjacent to Category A Urban Growth Areas as well as the larger unincorporated communities of the County, which are experiencing growth. These are areas in transition from a traditional rural environment to something more urbanized. Category B Community Growth Areas include the areas presently identified as “Category B” and any additional areas that have been determined to meet the following criteria:

- A. The area to be designated has a moderate level of residential and/or non-residential growth.
- B. The area serves as a logical transition between urban growth and rural areas and/or has a distinctive community identity.
- C. The area has adequate water, access, drainage, and sewage disposal capability to accommodate medium to high density development.
- D. In general, residential lot sizes are one acre or less in size but may transition to larger lot sizes at the fringes of the area. Smaller lot sizes have access to sewer and/or water and are commonly found in established subdivisions and manufactured/mobile home parks or historic town sites.
- E. Improved streets designated as arterial or collectors can support limited non-residential development.
- F. There is substantial potential for further development along with opportunities to preserve undeveloped recreational resources, i.e., open space and washes.

To change the land use designation, which more directly relates to zoning and allowable uses, the land use category must also be changed. The “Developing” designation is only allowed in growth categories A, B, C. Permitted zoning districts within the existing designation (Rural) and proposed designation (developing) are as follows:

Designation	Permitted Zoning Districts
Rural (existing)	RU-36, RU-18, RU-10, RU-4, RU-2, SM-36 Acres, SM-18 Acres, SM-10 Acres, SM-174 (4-acres), SM-87 (2-acres), SR-36 Acres, SR-18 Acres, SR-10 Acres, SR-174 (4-acres), SR-87 (2-acres), HI
Developing (proposed)	RU-2, R-36, R-18, R-9, SM-87 (2-acres), SM-36, SM-18, SM-9, SR-87 (2-acres), SR-43, SR-22, SR-12, SR-8, MR-1, MR-2, NB, GB, LI, HI

The most noticeable difference between the two are the allowance of the commercial zoning of General Business (GB) and Neighborhood Business (NB) as well as Light Industrial (LI) within the Developing designation. If this amendment is approved, additional commercial development in this area could be facilitated, which is further supported by the presence of an existing highway, major employers, and future port of entry expansion.

2. Substantial Changes Have Occurred in the Area – Complies

The addition of a new port of entry, and the renovation of the existing port in Douglas, is estimated to bring an additional an \$10.8 - \$20 million per year in revenue to the region. Initially, there will be the need for approximately 110 new employees, which could double within the decade. The improvements are anticipated to increase traffic at

the local Bisbee Douglas International Airport, boost the student population at the nearby Cochise College campus, and increase demand for residential housing in the immediate area. In addition, all the parcels within this docket are considered part of, and eligible to receive the benefits of being considered within an opportunity zone, enterprise zone, and foreign trade zone. These are valuable geographically based federal programs, that are intended to encourage investment and redevelopment. Qualified Opportunity Zones were created by the 2017 Tax Cuts and Jobs Act. These zones are designed to spur economic development and job creation in distressed communities throughout the country and U.S. possessions by providing tax benefits to investors who invest eligible capital into these communities. Taxpayers may defer tax on eligible capital gains by making an appropriate investment in a Qualified Opportunity Fund and meeting other requirements.

Within Foreign Trade Zone (FTZ), merchandise can be brought duty-free for purposes of storing, repacking, display, assembly, or manufacturing. Imports may be landed and stored without full customs formalities. Arizona is the only state that provides an 80 percent reduction in real and personal property taxes for companies qualifying for FTZ or sub-zone designation.

Finally, the Enterprise Zone (EZ) Program is designed to enhance opportunities for private investment by offering property tax benefits, income, or premium tax credits. This, in turn, strengthens property values, and encourage quality job creation to promote the vitality of the local economies.

3. The Extension of Urban Standard Facilities and Services Have Changed the Optimum Type of Appropriate Development –Complies

This criterion is intended to apply to situations where major road improvements, extensions of waste disposal systems and water service have recently occurred. The proposed location for the commercial port is on undeveloped land without roadway or utility infrastructure in place to support the intended purpose. There is no water supply, wastewater treatment or reuse, road right-of-way or road connecting to SR-80, power supply, internet/communication service, or natural gas supply. Studies are currently underway by various agencies to make all the improvements necessary to serve the future port and the surrounding area. In December of 2020, Stantec Engineering completed a “Water and Wastewater Feasibility Report” for the commercial port. All improvements, including substantial right-of-way improvements to James Ranch Road, are anticipated to be in place either prior or in conjunction with the construction of the commercial port of entry. These improvements are designed to serve the future commercial port as well as infill development in the subject area.

4. Substantial Support from Property Owners –Complies

On January 31, 2022, all property owners within a 1,500 feet radius of the subject parcels were sent a letter with information about land use map amendment request. They were provided relevant case information, public hearing dates as well as a form in which they could indicate support or non-support of the request. In addition, a public hearing notice was provided in the Sierra Vista Herald on February 11, 2022. As of March 1, 2022, staff has received nineteen (24) letters in support, which represents the views of at least thirty-one (31) of the property owners in the subject area. Staff received zero (0) letters in opposition to the request. More discussion of this item is included in Section IV of this report.

5. Change in Developing Designation Following a Distinguishable Pattern of Development - Complies

The Douglas port of entry is the second-largest commercial port in Arizona. It is also the sole port of entry between the cities of Douglas, Arizona and Agua Prieta, Sonora. Unlike the San Luis and Nogales ports of entry, where commercial and non-commercial traffic is separated, both modes of traffic most currently compete at the Douglas port. The continual flow of oversized and overweight trucks that support major mining and smelter developments in Cananea, Nacozari de Garcia, and Moctezuma, Sonora, often disrupts cross-border traffic within Douglas and can pose an environmental threat due to the nature of the hazardous materials being transported. Within the Infrastructure

and Investment Jobs Act of 2021, \$216 million of federal funding was dedicated to the development of a new Douglas Commercial Port of Entry. A second commercial port of entry in the Douglas area will improve safety, security, and overall operations at the border. It will simultaneously reduce:

- overcrowding and commercial truck traffic in downtown Douglas;
- queueing times for everyone, heading north or south; and
- conflicts between commercial trucks and non-commercial vehicles, which will increase pedestrian safety.

6. New Designation Provides a Harmonious Transition Between Existing Designations - Complies

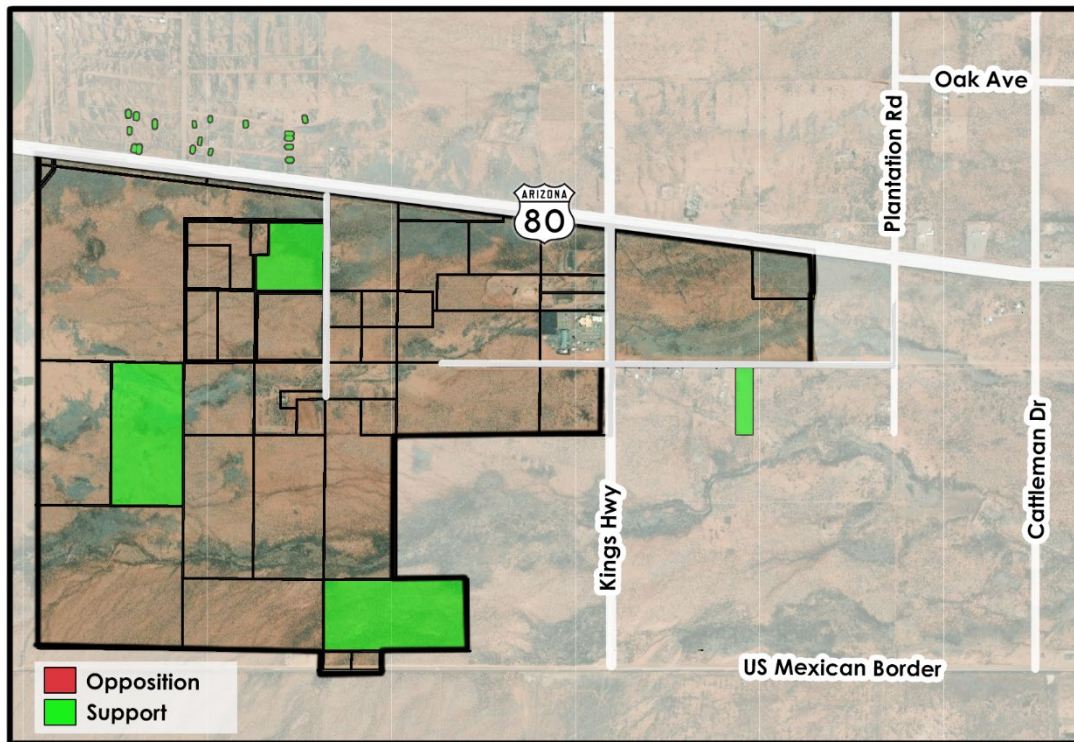
The proposed growth area category of “B” is a logical extension from category “B” area already present to the west of Douglas City boundaries. The parcels subject to this amendment are large parcels, directly south of the Highway 80 corridor. The redesignation of the parcels subject to this amendment, therefore, would create a connection to the existing growth area categories.

The proposed land use designation of “Developing” designation is used to describe areas experiencing non-rural growth rates that are developed with scattered, mixed residential, business. This category seems both more indicative of the current development pattern and would connect the existing pattern of parcels currently designated “Developing” directly to the west of the parcels subject to this amendment. In both the case of the category and designation, their extension is being proposed to include the area that will be most positively impacted by the future commercial port of entry.

IV. PUBLIC COMMENT

In response to County mailings, the case planner has received 24 letters, representing at least 31 property owners, in support and zero letters in opposition to this request. A copy of all correspondence received as of March 22, 2022, is included in the packet and a map of the geographic distribution of responses is included in this section (see Figure 6). The color green indicates support of the property owner, while the color red indicates opposition to the request. The County also received numerous calls requesting additional information.

Figure 6: Public Input Map



Public Support and Opposition
CPA 22-01



V. SUMMARY AND CONCLUSION

The request is a County-initiated minor land use change request, amending the land use designation on all subject parcels from Rural (R) to Developing (DEV) and the land use growth area category from D to B. The request consists of forty-five (45) subject parcels that are generally located west of the City of Douglas boundaries between mileposts 359 and 363 along Highway 80 (east-west) and between Highway 80 and the international border (north-south). Subject parcels include the following: 407-68-013A, 407-69-008, 407-69-007, 407-69-006, 407-68-008A, 407-68-008B, 407-68-013B, 407-68-007, 407-68-010, 407-68-009, 407-68-006, 407-69-003, 407-69-002B, 407-69-004B, 407-69-005, 407-69-004A, 408-10-008, 408-10-014, 408-10-016, 408-01-012, 408-10-015, 408-34-009, 407-69-001, 407-69-001, 408-34-011, 408-34-005B, 408-34-008B, 408-34-008A, 408-10-018B, 408-10-020, 408-10-021, 408-01-002D, 408-01-002F, 407-69-002A, 408-10-007, 408-01-002B, 408-10-011, 408-10-022, 408-10-006, 408-34-012, 408-34-013, 408-11-001 (173.8 acre portion of the parcel south of Highway 80 and west of the current growth area limit), 408-11-009, 407-68-011, 407-68-012. The subject parcels total 1,933 acres.

Factors in Favor of Approval

1. The request promotes redevelopment. Private commercial investment along Hwy 80 and James Ranch Road is needed to support the future commercial port of entry.
2. Private commercial investment along Hwy 80 and James Ranch Road is needed to support the future commercial port of entry.
3. It supports other geographically based federal incentives, such as the Opportunity Zone, Enterprise Zone, and Foreign Trade Zone designations. The fact that all the parcels in this amendment are eligible for this important economic development incentives suggests this area is a federal priority for redevelopment.

4. This docket is the result of a focused analysis of the land use pattern within the Douglas area and it provides a much-needed update to the Comprehensive Plan's Growth Areas Map.
5. It satisfies the Balance of Land Use Amendment Analysis - There are six factors to consider in every land use map amendment request. This request complies with all the criteria used to evaluate Comprehensive Map Amendments, including support from surrounding property owners.

As previously elaborated in this memo, this request complies with all six land use amendment factors. Figure 7 lists each criterion and whether the request complies, partially complies, complies with conditions, or does not comply.

Figure 7: Land Use Factor Compliance Table

Criterion	Compliance	Partial Compliance	Compliance with Conditions	Non-Compliance
The Pattern of Growth No Longer Reflects the Type of Growth Expected in the Current Designation (Land Use Factor 1)	✓			
Substantial Changes Have Occurred in the Area (Land Use Factor 2)	✓			
The Extension of Urban Standard Facilities and Services Have Changed the Optimum Type of Appropriate Development (Land Use Factor 3)	✓			
Substantial Support from Property Owners (Land Use Factor 4)	✓			
Change in Developing Designation Following a Distinguishable Pattern of Development (Land Use Factor 5)	✓			
New Designation Provides a Harmonious Transition Between Existing Designations (Land Use Factor 6)	✓			

Factors Against Approval

1. This development of the port is contingent on external Federal funding in cooperation with the Mexican government. These are factors that are not directly under control of County government.
2. Future upgrades to area infrastructure and utilities will be necessary. The cost, timing, and means for their inclusion are currently being studied.
3. Non-residential development in this location will invariably produce higher traffic volumes, noise, odors and increased light levels than the existing uses. This is, in large part, because a substantial amount of the parcels that are vacant/undeveloped. Any potential impacts will be addressed and mitigated through the development review process pending the submittal of site plans for these parcels. Staff is generally supportive of clustering future industrial uses and buffering them from any current or future residential development.

VII. RECOMMENDATION

Staff recommends that the Board consider approving the minor Comprehensive Plan amendment as presented. In addition, the Planning and Zoning Commission unanimously recommended approval of the amendment on March 9, 2022. If approved, the current land use designation will be changed from to Rural (R) to Developing (DEV) and the existing growth area category from D to B on the parcels subject to this request, as illustrated in Figure 5 (Proposed Future Land Map Map) of this report.

VI. ATTACHMENTS

- A. Application
- B. Public Comments
- C. Agency Comments



Cochise County

Development Services
Planning Division

Public Programs...Personal Service
www.cochise.az.gov

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Applicant's Name: _____

Name of All Property Owner(s): _____

Applicant Mailing Address:

Street #	Town	State	Zip code
Subject Property Address (if different than mailing address):			
Street #	Town	State	Zip code

Email Address: _____

Phone Number: _____

Tax Parcel Number(s): _____

Current Growth Area Category: _____

Proposed Growth Area Category: _____

Current Land Use Designation: _____

Proposed Land Use Designation: _____

Area Plan Designation (if applicable): _____

Existing Zoning: _____

Proposed Zoning: _____

Is more than one parcel included in this request? (Select one) Yes No

Major Street or Major Street Intersection: _____

How many acres are included in the amendment? _____

Describe your relationship to this application. (Select one)

- I am the property owner
- I am an authorized agent for the property owner
- This is a County-initiated amendment

If the applicant is not the property owner, please attach a notarized letter of authorization to this application for non-County initiated requests.

The Purpose of Comprehensive Plan Amendments

The Comprehensive Plan Growth Area Categories and Designations contained within the Comprehensive Plan are designed to provide a measure of protection to the existing character of an area. **An amendment must be justified by citing specific examples of existing or future growth patterns that do not support continuing the pattern that is implied by the existing Area Category or Designation. Otherwise, the presumption is in favor of retaining the existing Area Category or Designation.**

What is the Process?

1. Pre-application meeting with County planning staff
1. Public Participation Process (Applicant)
2. Application Notification to relevant organizations (if applicable, major amendments only)
3. Application Submittal
4. Technical review by relevant internal staff and external agencies.
5. Public Hearing – Planning and Zoning Commission (Recommendation to the Board of Supervisors)
6. Public Hearing – Board of Supervisors (Approval or Denial)

Required Submittals

1. This application
2. Map showing the boundaries of the proposed amendment; label streets and other important landmarks such as Township, Range and Section lines. See our website for an example map: <https://www.cochise.az.gov/development-services/amend-comprehensive-plan>
3. Letter of Authorization (for authorized agents, if applicable)
4. Processing Fee

Please state the reason for this request, citing specific examples of existing or future growth patterns, for why this request should be supported.

Describe any changes that have occurred in the area that support your request. Such changes may include the deterioration of surrounding development, a change in character in the area due to capital improvements, non-conforming development by exempt entities, or approval of special uses or rezonings.

Describe any extensions of urban standard facilities and services (including major road improvements and extension of waste disposal systems and water service) in the area have changed the optimum type of development appropriate for the subject parcel(s).

Is there substantial support from property owners for the proposed change? Please indicate yes or no and explain.

Describe the public involvement process associated with this request. Describe how this application has responded to the feedback received.

Does this request include any parcels that currently have the "Developing" Designation? (Select one)

Yes No

Will this request provide a harmonious transition between the existing designations?

The undersigned, do hereby file this application with the Cochise County Planning and Zoning Commission. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Cochise County Planning Department staff to enter the property herein described for the purpose of conducting a field visit.

Applicant Signature

Date

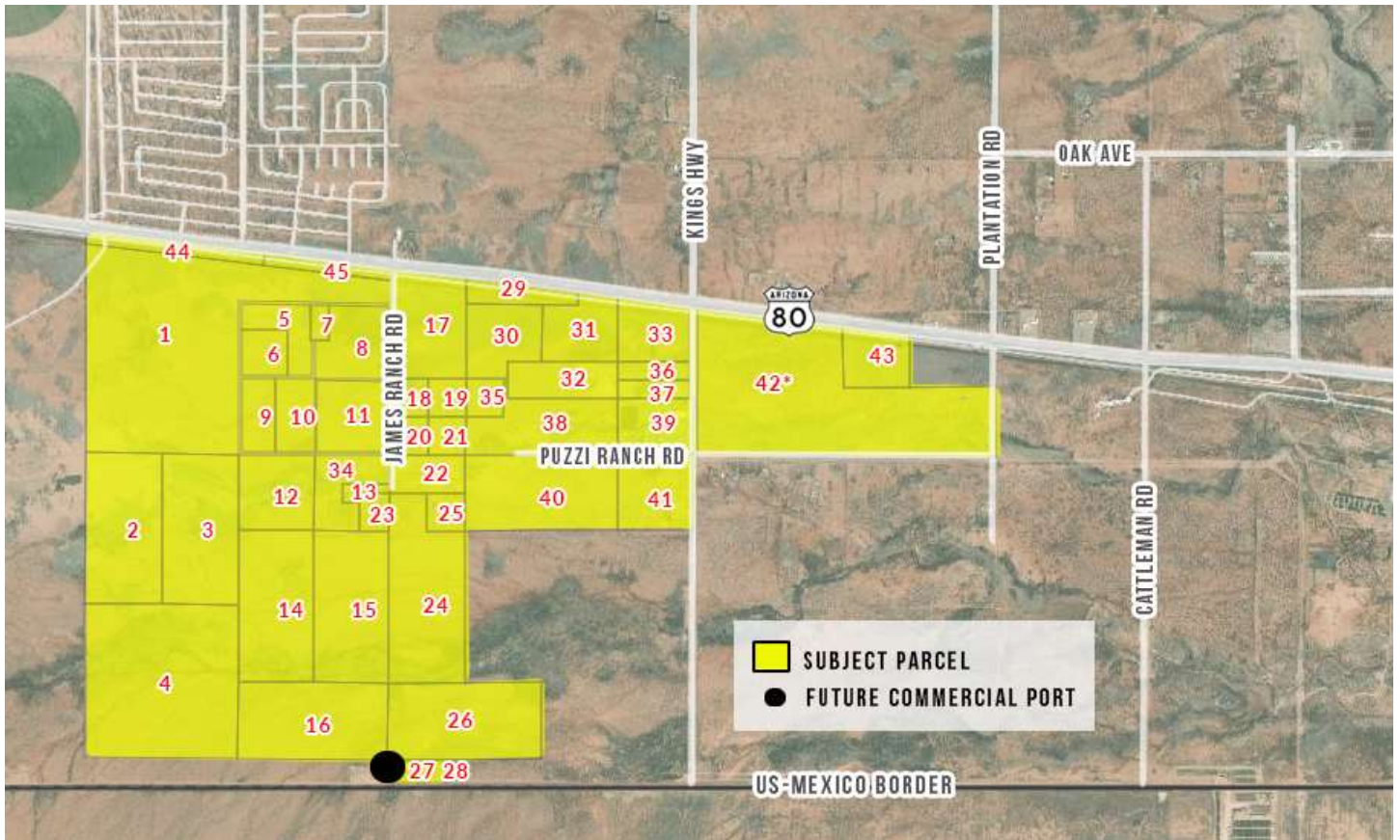
CP 22-01:Parcels Subject to the Request

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26 / 40834005B	D	B	Rural	Developing
27 / 40834008B	D	B	Rural	Developing
28 / 40834008A	D	B	Rural	Developing
29 / 40810018B	D	B	Rural	Developing
30 / 40810020	D	B	Rural	Developing
31 / 40810021	D	B	Rural	Developing
32 / 40801002D	D	B	Rural	Developing
33 / 40801002F	D	B	Rural	Developing
34 / 40769002A	D	B	Rural	Developing
35 / 40810007	D	B	Rural	Developing
36 / 40801002B	D	B	Rural	Developing
37 / 40810011	D	B	Rural	Developing
38 / 40810022	D	B	Rural	Developing
39 / 40810006	D	B	Rural	Developing
40 / 40834012	D	B	Rural	Developing
41 / 40834013	D	B	Rural	Developing
42* / 40811001	D	B	Rural	Developing
43 / 40811009	D	B	Rural	Developing
44 / 40768011	D	B	Rural	Developing
45 / 40768012	D	B	Rural	Developing

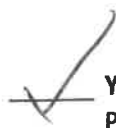
* Only the 173.8 acre portion of the parcel, as depicted on the application map, is included in this request. All remaining portions of the parcel will retain their current land use designation.

CP 22-01:Parcels Subject to the Request



Cochise
County
FEB 11 2022
Development
Services

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S):

Cindy Huang & Pa L Ma LP

SIGNATURE(S):

~~40768-0077~~
Cindy Huang

YOUR TAX PARCEL NUMBER: 40768-0077 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Christine McLachlan, AICP, Planner II
Cochise County Planning Department
1415 Melody Lane, Building F
Bisbee, AZ 85603
(Or scan and email to: cmclachlan@cochise.az.gov)

Cochise
County
FEB 09 2022
Development
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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): Ronald Swartz (Son)

SIGNATURE(S): Katie Swartz (Descendant)
Ronald Swartz

YOUR TAX PARCEL NUMBER: 407-78-34603 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S): JESUS S. NAVARRO

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: 407-78-20607 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
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FEB 15 2022

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): MARINE VANDERLIND

SIGNATURE(S): Marine Vanderlind

YOUR TAX PARCEL NUMBER: 407-18-03002 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

Cochise
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FEB 15 2022
Development
Services

YES, I SUPPORT THIS REQUEST
Please state your reasons:

*I believe in reducing overcrowding and
commercial truck traffic*

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): Rod Sewell (deceased) Sharon Sewell (wife)

SIGNATURE(S): Sharon Sewell

YOUR TAX PARCEL NUMBER: 40774133 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
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FEB 15 2022
Development
Services

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

I am supporting this request because I feel that when the border wall came to a halt the economy took a big hit. I am hoping this port will help stimulate the economy a little.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S):

JOE RENDON

SIGNATURE(S):

Joe Rendon

YOUR TAX PARCEL NUMBER: 468-33-007D8 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

Cochise
County
Development
Services
FEB 15 2022

YES, I SUPPORT THIS REQUEST
Please state your reasons:

*I see this as positive action and
am pleased to know this area will
be developed with help from the federal
government.*

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): MERILOU EFFINGER

SIGNATURE(S): *Merilou Effinger*

YOUR TAX PARCEL NUMBER: 407-78-313 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
County
FEB 15 2022
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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): Phyllis Clausen

SIGNATURE(S): Phyllis Clausen

YOUR TAX PARCEL NUMBER: 407-78-31500 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
County
FEB 15 2022
Development
Services

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S):

Jean Tracey / Robert Deceased

SIGNATURE(S):

Jean Tracey

YOUR TAX PARCEL NUMBER: _____ (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
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Development
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FEB 15 2022

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

X YES, I SUPPORT THIS REQUEST
Please state your reasons:

_____ NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): RON BOWERS

SIGNATURE(S): RON BOWERS
Mary Jalisco

YOUR TAX PARCEL NUMBER: 407-74-27500 407-74-22603 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

Cochise
County
FEB 14 2022
Development
Services

X YES, I SUPPORT THIS REQUEST
Please state your reasons:

_____ NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): Susan Schwan Shroy

SIGNATURE(S): Susan Schwan Shroy

YOUR TAX PARCEL NUMBER: 40778311 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

X

YES, I SUPPORT THIS REQUEST
Please state your reasons:

COCHISE COUNTY, AZ PROPERTY TAX 2012

PROPERTY

PARCEL #

407-74-13007

407-74-06708

407-74-06605

407-74-12905

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S):

PETER H JUMP HARRIGTON E JUMP

SIGNATURE(S):

[Handwritten signature]

YOUR TAX PARCEL NUMBER: SEE ABOVE

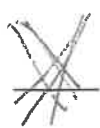
(the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
County
FEB 23 2022
Development
Services

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)



YES, I SUPPORT THIS REQUEST
Please state your reasons:

*We support the land use designation to "Developing"
This will provide economic benefit to the residents
of Cochise County and provide employment and opportunity -*

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S):

MICHAEL ANTONOVICH MARY CHRISTINE ANTONOVICH

SIGNATURE(S):

Michael Antonovich
Mary Ant

YOUR TAX PARCEL NUMBER: 408-34-005B7 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

Cochise
County
Development
Services
FEB 23 2022

X YES, I SUPPORT THIS REQUEST
Please state your reasons:

Stimulate the economy. Bring jobs to Douglas

____ NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): Reynaldo & Marissa Gonzalez

SIGNATURE(S): [Handwritten Signature]
[Handwritten Signature]

YOUR TAX PARCEL NUMBER: 401-74-207-08 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

LL YES, I SUPPORT THIS REQUEST
Please state your reasons:

I would like to hear, that something good is happening to that land. I am unable to travel anymore. So here is my agreement for a part of entry.

____ NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S):

Logan Oliver & Lola Logan

SIGNATURE(S):

Oliver Logan Deceased
Lola Logan Trustee for estate

YOUR TAX PARCEL NUMBER: 407-72-02003 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Feb. 2021

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

Cochise County
FEB 18 2022
Development Services

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Harvey Lattreel passed away 2001
Shirley Lattreel passed away 2017
Mary Fisher - Has nothing to do with
this - Thank you - please send nothing
more to this address,

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Mary Fisher

PRINT NAME(S):

SIGNATURE(S):

YOUR TAX PARCEL NUMBER: _____ (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise
County
Development
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FEB 24 2022

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

X

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Good For AREA

_____ NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S):

JAVIER V Sanchez

SIGNATURE(S):



YOUR TAX PARCEL NUMBER: 40778235 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): STEVEN H. MEYERS

SIGNATURE(S): Steven H. Meyers

YOUR TAX PARCEL NUMBER: 40739007 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

Cochise
County
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FEB 24 2022

X YES, I SUPPORT THIS REQUEST
Please state your reasons:

_____ NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): SARA JANE HAUFF

SIGNATURE(S): *Sara Jane Hauff*

YOUR TAX PARCEL NUMBER: 407-78-048-5 (the eight-digit identification number found on the tax statement from the Assessor's Office)

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*Lamin Arrejo at
return address from
the end of October to the
middle of April yearly.
April to October address
is Box 295
Merrill, Iowa
51038*

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

PRINT NAME(S): HARGRAVE, ELSIE TRUSTEE/SUSAN ANN JACOBSON EXECUTOR

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: 40774206 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **5 PM on Monday, March 1, 2022** to be included in the staff report to the Commission, and by **Thursday, March 24, 2022** to be included in the staff report to the Board of Supervisors. You may also personally make a statement at the **public hearing on March 9, 2022 for the Planning and Zoning Commission and April 5, 2022 for the Board of Supervisors**. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting - your cooperation is greatly appreciated.

RETURN TO: Christine McLachlan, AICP, Planner II
Cochise County Planning Department
1415 Melody Lane, Building F
Bisbee, AZ 85603
(Or scan and email to: cmclachlan@cochise.az.gov)

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

PROPERTY OWNER

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S):

MARTHA CHOQUETTE Gilbert L. Choquette

SIGNATURE(S):

Martha C. Choquette
Gilbert L. Choquette

YOUR TAX PARCEL NUMBER:

407 78-05701
40706-78-14307

(the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **5 PM on Monday, March 1, 2022** to be included in the staff report to the Commission, and by **Thursday, March 24, 2022** to be included in the staff report to the Board of Supervisors. You may also personally make a statement at the **public hearing on March 9, 2022 for the Planning and Zoning Commission and April 5, 2022 for the Board of Supervisors**. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting - your cooperation is greatly appreciated.

RETURN TO:

Christine McLachlan, AICP, Planner II
Cochise County Planning Department
1415 Melody Lane, Building F
Bisbee, AZ 85603

(Or scan and email to: cmclachlan@cochise.az.gov)

Cochise
County
MAR 02 2022
Development
Services

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

 YES, I SUPPORT THIS REQUEST

Please state your reasons:

- own A small parcel
- Hope the development will benefit us all.

 NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S):

^{GRANT} John Major / ^{ANN} Sheryll Major

SIGNATURE(S):

John Grant Major
Sheryll Ann Major

YOUR TAX PARCEL NUMBER: 407-78-16707 (the eight-digit identification number found on the tax statement from the Assessor's Office) Roll #109731

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **5 PM on Monday, March 1, 2022** to be included in the staff report to the Commission, and by **Thursday, March 24, 2022** to be included in the staff report to the Board of Supervisors. You may also personally make a statement at the **public hearing on March 9, 2022 for the Planning and Zoning Commission and April 5, 2022 for the Board of Supervisors.** NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting - your cooperation is greatly appreciated.

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Cochise County Planning Department
1415 Melody Lane, Building F
Bisbee, AZ 85603
(Or scan and email to: cmclachlan@cochise.az.gov)

Cochise
County
Development
Services
MAR 21 2022

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

This change supports the highest and most valuable use of the land.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PRINT NAME(S):

Melby Jones agent for Mr

SIGNATURE(S):

Melby Jones agent for Mr

YOUR TAX PARCEL NUMBER: 40778025 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **5 PM on Monday, March 1, 2022** to be included in the staff report to the Commission, and by **Thursday, March 24, 2022** to be included in the staff report to the Board of Supervisors. You may also personally make a statement at the **public hearing on March 9, 2022 for the Planning and Zoning Commission and April 5, 2022 for the Board of Supervisors**. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting - your cooperation is greatly appreciated.

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Cochise County Planning Department
1415 Melody Lane, Building F
Bisbee, AZ 85603
(Or scan and email to: cmclachlan@cochise.az.gov)

Comprehensive Map Amendment Docket CP-22-01 (Commercial Port)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

Cochise
County
MAR 14 2022
Development
Services

_____ **NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons:

PRINT NAME(S):

SIGNATURE(S):



YOUR TAX PARCEL NUMBER: 407-74-229 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **5 PM on Monday, March 1, 2022** to be included in the staff report to the Commission, and by **Thursday, March 24, 2022** to be included in the staff report to the Board of Supervisors. You may also personally make a statement at the **public hearing on March 9, 2022 for the Planning and Zoning Commission and April 5, 2022 for the Board of Supervisors**. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting - your cooperation is greatly appreciated.

RETURN TO: Christine McLachlan, AICP, Planner II
Cochise County Planning Department
1415 Melody Lane, Building F
Bisbee, AZ 85603
(Or scan and email to: cmclachlan@cochise.az.gov)



Cochise County

Community Development

Planning, Zoning and Building Safety Division

Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Christine McLachlan, AICP, Planner II
FOR: Daniel Coxworth, AICP, Development Services Director
SUBJECT: Docket CPA 22-01 (Commercial Port) Agency Comments Summary
DATE: March 1, 2022 for the March 8, 2022 Meeting

DRT AND AGENCY COMMENTS DOCKET CPA 22-01

On March 2, 2022, the Development Review Team for the County and relevant external agencies was transmitted case information for their review. Reviewers were given until March 25, 2022 to respond. At that time, they were notified that a failure to respond by that date would result in an automatic approval by their agency/Department. The following is a summation of all the comments that were received by that date.

Cochise County, Floodplain:

1. This parcel is located within FEMA Zone A & X. However, there may also be regulatory discharge greater than 500cfs. therefore, a FPUP will be required.
2. Prior to construction start-up (and disturbed construction area is more than one (1) acre):
3. A Stormwater Pollution Prevention Plan (SWPPP) may have already been required from the Arizona Department of Environmental Quality (ADEQ). This will also include a Notice of Intent (NOI) to clear land. A copy of the NOI must be submitted to Cochise County. For more information, please contact: <https://azdeq.gov/AZPDES/CGP>
4. A Clearing Permit may have already been obtained from Cochise County Development Services. Please contact: <https://www.cochise.az.gov/development-services/home>
5. A Notice to Clear Native Plants may have already been obtained from the Arizona Department of Agriculture and a copy submitted to Cochise County. For more information, please contact: <https://agriculture.az.gov/plantsproduce/native-plants>
6. A Drainage Analysis may have already been required. This includes, but not limited to, Grading Plans, Site Plans, and Drainage Reports prepared by an Arizona Registered Civil Engineer. Please contact the Cochise County Engineering and Natural Resources Department for a copy of the Floodplain Regulations for Cochise County (December 2015).
https://www.cochise.az.gov/sites/default/files/highway_and_floodplain/FLOOD_REGS_2015.pdf

Planning, Zoning and Building Safety

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

- A. As a part of the Drainage Analysis, the engineer needs to show that no adverse impacts to the property, property boundaries, or adjacent properties, will occur as a result of this proposed development. Refer to Section 5.1.D of the Floodplain Requirements.
- B. The hired consultant should be familiar and comfortable with working interchangeably between English and Metric units as offsite watersheds may impact the site from Sonora.

7. When these items are submitted, then the review process will continue.

Cochise County ROW: No comments received.

Cochise County Engineering: No comments received.

Cochise County Building: No comments received.

Cochise County Attorney's Office: No comments received.

Cochise County Environmental Health: Any septic systems will need to go through EH.

Cochise County Sheriff's Office: No comments received.

Sulfur Springs Valley Electric Cooperative: No comments received.

Southwest Gas: SWG has no concerns with this proposal.

El Paso Gas: El Paso Natural Gas owns and operates three high pressure natural gas pipelines within this Amendment Project Area. EPNG does not object to the Development status of the parcels changing, however, I would like to be included on the distribution list for the more specific Site Plan/Development reviews on properties within this area so that we can ensure that any new developments are compatible with the safe operation of the existing pipelines serving the community.

Arizona Department of Transportation: No comments received.

Arizona Game and Fish: See attached.

National Resources Defense Council: No comments received.

Arizona Department of Environmental Quality: No comments received.

State Lands Department: No comments received.

Arizona Department of Water Resources: No comments received.



March 7, 2022

Christine McLachlan
Cochise County, Development Services Department
1415 Melody Lane, Building F
Bisbee, AZ 85603

Electronically submitted to: cmclachlan@cochise.az.gov

Re: Review of the CPA 22-01 Commercial Port Land Use Amendment project

Dear Ms. Christine McLachlan:

The Arizona Game and Fish Department (Department) reviewed your Project Evaluation Request dated February 2, 2022, regarding application to amend the land use growth area category and designation from Rural to Developing on forty-five (45) subject parcels that are generally located west of the City of Douglas, to support future development associated with the development of a commercial port at the border. The parcels, totaling 1,1956 acres, are situated within semi-desert grassland and Chihuahuan desert scrub vegetation.

For any development that occurs within the 45 parcels, the Department offers the following general recommendations:

- Minimize impacts to vegetation during project construction. Staging areas should be located in previously disturbed sites, and kept as small as possible. Implement erosion and drainage control measures during the project to prevent the introduction of sediment-laden runoff into adjacent surface waters, and to prevent impacts to surface water quality. Stabilize exposed soils, particularly on slopes, with native vegetation as soon as possible to prevent excess erosion.
- If proposed ground disturbance (both temporary and permanent) will meet or exceed 0.25 acre in areas with native vegetation, please ensure the project complies with [Arizona Native Plant Law](#) regulations¹. A Native Plant Inventory may need to be conducted to identify, record, and coordinate plant salvage efforts for species that are Protected under the Arizona Native Plant Law. In addition, one or more land management agencies (e.g. BLM, USFS, ASLD) or private restoration practitioners could be consulted regarding guidelines for revegetation efforts.

¹ <https://agriculture.az.gov/plantsproduce/native-plants>

- Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. Please review the Arizona Department of Agriculture’s website for a list of prohibited and restricted [noxious weeds](#)² and the [Arizona Native Plant Society](#)³ for recommendations on control methods. To view a list of documented invasive species or to report invasive species in or near your project area visit [iMapInvasives](#)⁴ - a national cloud-based application for tracking and managing invasive species.
 - To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select “See What’s Here” for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.
- To further limit the spread of non-native, invasive plant species, the Department recommends landscaping with drought-tolerant species that are native to Arizona. Landscaping with native plants can help support wildlife and pollinator species that inhabit rural and urbanized areas. Visit the [Arizona Native Plant Society’s website](#)⁵ for information on preferred native plants to utilize in landscaping.
- If trenching will occur, trenching and backfilling crews should be close together to minimize the amount of open trenches at any given time. Avoid leaving trenches open overnight. Where trenches cannot be back-filled immediately, escape ramps should be constructed at least every 90 meters. Escape ramps can be short lateral trenches or wooden planks sloping to the surface. The slope should be less than 45 degrees (1:1). Trenches that have been left open overnight should be inspected and animals removed prior to backfilling.
- Artificial lighting could impair the ability of nocturnal animals to navigate (e.g., owls, migratory birds, amphibians, reptiles, bats, and other nocturnal mammals), and may affect wildlife behavior and populations ([Davies et. al. 2013](#))⁶. Consider using only the minimum amount of light needed for safety, especially in areas immediately adjacent to open space or undeveloped lands. Motion sensing lighting and narrow spectrum bulbs are best and the Department encourages their use as often as possible to lower the range of species affected by lighting. Also, please consider shielding, canting, or cutting all lighting, where possible, to ensure that light reaches only areas needing illumination. This will minimize impacts to nocturnal wildlife.
- The Department recommends that a qualified biologist conduct a survey for nesting birds within the project area prior to removal or trimming of trees/vegetation, if the removal or trimming occurs during the breeding season. The trees and/or vegetation within the project area may provide nesting opportunities for avian species that are regulated under the

² <https://agriculture.az.gov/pestspest-control/agriculture-pests/noxious-weeds>

³ <https://aznps.com/invas>

⁴ <https://imap.natureserve.org/imap/services/page/map.html>

⁵ <http://aznps.com/invasives/GrowNative/invasives.html>

⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3657119/>

Migratory Bird Treaty Act (MBTA) and protected under state law. Breeding season for birds is generally March through late August, depending on the species and habitat, and for raptors it is generally January through late June. If it is anticipated the project will not be in compliance with MBTA, the Department also recommends that you contact the [U.S. Fish and Wildlife Service](#)⁷ (USFWS) for their Technical Assistance. The USFWS will provide options to comply with the MBTA.

- The Department recognizes riparian and wash habitats as areas of critical environmental importance to wildlife, and actively encourages management practices that will result in the conservation and protection of riparian/wash habitat, such as the two unnamed drainages that flow west-east through the project area. Alterations of the floodplain and the riparian habitat should be minimized to the extent possible to preserve the historic hydrologic regime and the wildlife the area supports. The Department recommends the following best management practices:
 - Riparian areas are important movement corridors for wildlife. See the [Department's guidelines](#)⁸ on how to plan for wildlife and preserve wildlife corridors.
 - To the extent possible a buffer of 100 feet should be maintained around the riparian/wash areas. Riparian and xeric-riparian areas buffer waterways against excessive runoff from upland activities, whether natural or human induced, which can degrade water quality. Alterations of the waterway should be minimized and controls to minimize stormwater runoff should be employed to preserve water quality.
 - Natural disturbance such as periodic flooding and scouring are the primary processes that promote the diverse plant structure along riparian areas, necessary for riparian dependent species. Natural disturbance regimes should be maintained to the extent possible. For example minimizing using concrete channels.
 - Preserve riparian areas to reduce fire risk and the spread of invasive species. Riparian areas are resilient to fire and assist recovery of the landscape after fire.

The Department appreciates the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with the CPA 22-01 Commercial Port Land Use Amendment project. The report created for you (attached) on Arizona's Online Environmental Review Tool should provide general recommendations and additional contact information. If you have any questions regarding this letter, please contact me at (623) 236-7615, and visit our [website](#)⁹ for additional guidelines.

Sincerely,

Cheri Bouchér

Cheri Bouchér
Project Evaluation Program Specialist, Habitat Branch
Arizona Game and Fish Department
AZGFD# M22-02022138

⁷ <https://www.fws.gov/office/arizona-ecological-services/contact-us>

⁸ <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>

⁹ <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>

Arizona Environmental Online Review Tool Report



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

CPA-22-01 Commercial Port land use category change

Project Description:

The federal government has dedicated significant funding towards the development of a new commercial port at the terminus of James Ranch Road. The General Services Administration (GSA), which is the federal agency that owns all the port of entries into the United States, will lead this construction effort. Once constructed, all commercial truck traffic will be shifted to this location, leaving the remaining non-commercial and pedestrian travel to be served by a remodeled port in downtown Douglas. Private development of industrial and commercial businesses in the area, to support the proposed new port, is similarly needed but can only occur if the land use growth area and designation are amended to a category/designation that permits their construction. Per section 402 of the Cochise County Zoning Regulations, general/neighborhood business and light industrial zoning is not permitted within the current "Rural" land use designation but is allowable within the proposed "Developing" land use designation. To reiterate, this is not a site-specific rezoning or development request. It will, however, expedite redevelopment of the parcels subject to the request by permitting a greater variety and more intense land use types.

Project Type:

Development Outside Municipalities (Rural Development), Public & Community Facilities (school, library, church) and associated infrastructure, New construction

Contact Person:

Kendra Loubere

Organization:

Arizona Game and Fish Department

On Behalf Of:
COCHISE

Project ID:
HGIS-15631

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

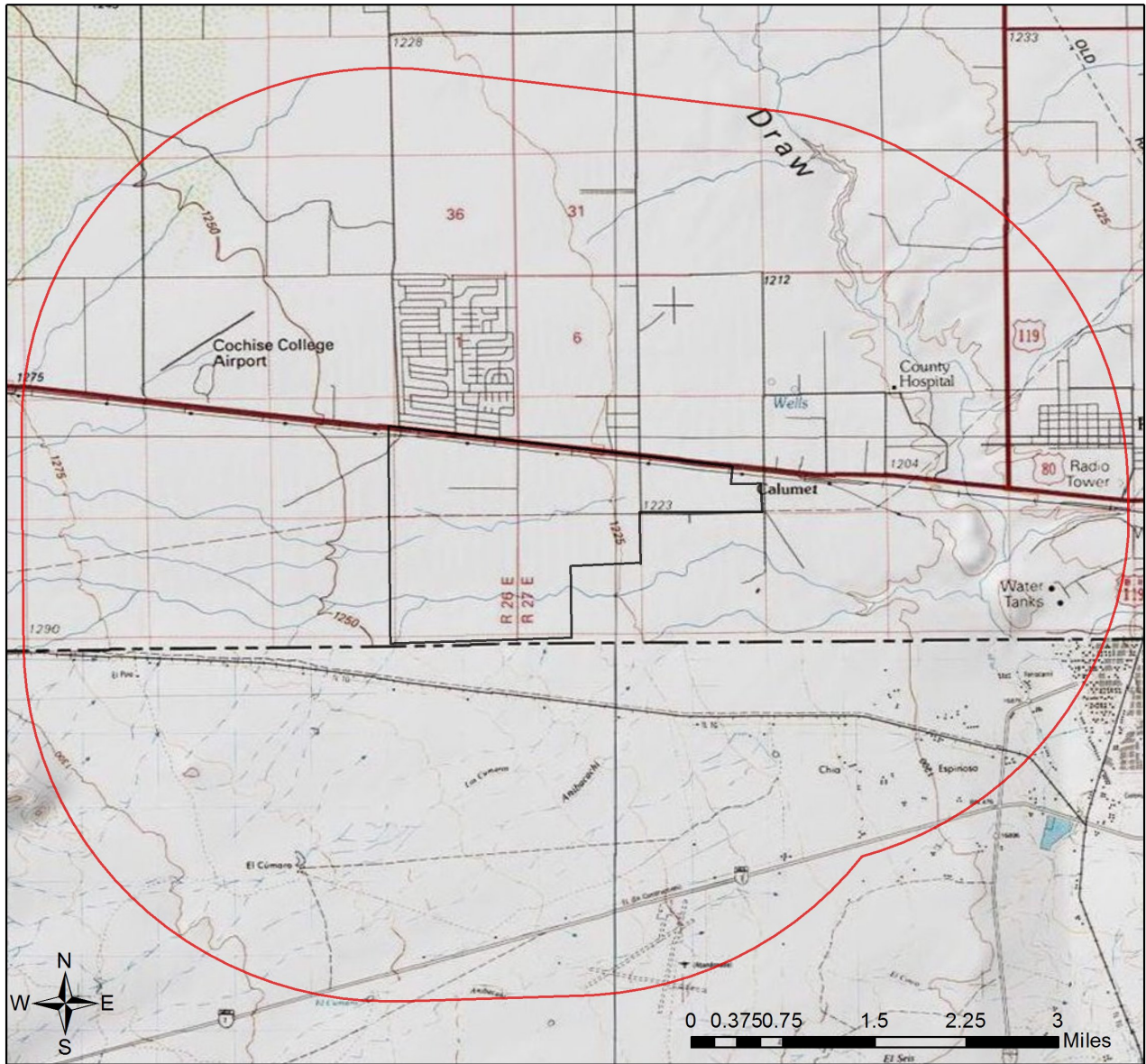
Locations Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

CPA-22-01 Commercial Port land use category change USA Topo Basemap With Locator Map



- Project Boundary
- Buffered Project Boundary

Project Size (acres): 2,208.33

Lat/Long (DD): 31.3480 / -109.6468

County(s): Cochise

AGFD Region(s): Tucson

Township/Range(s): T24S, R26E; T24S, R27E

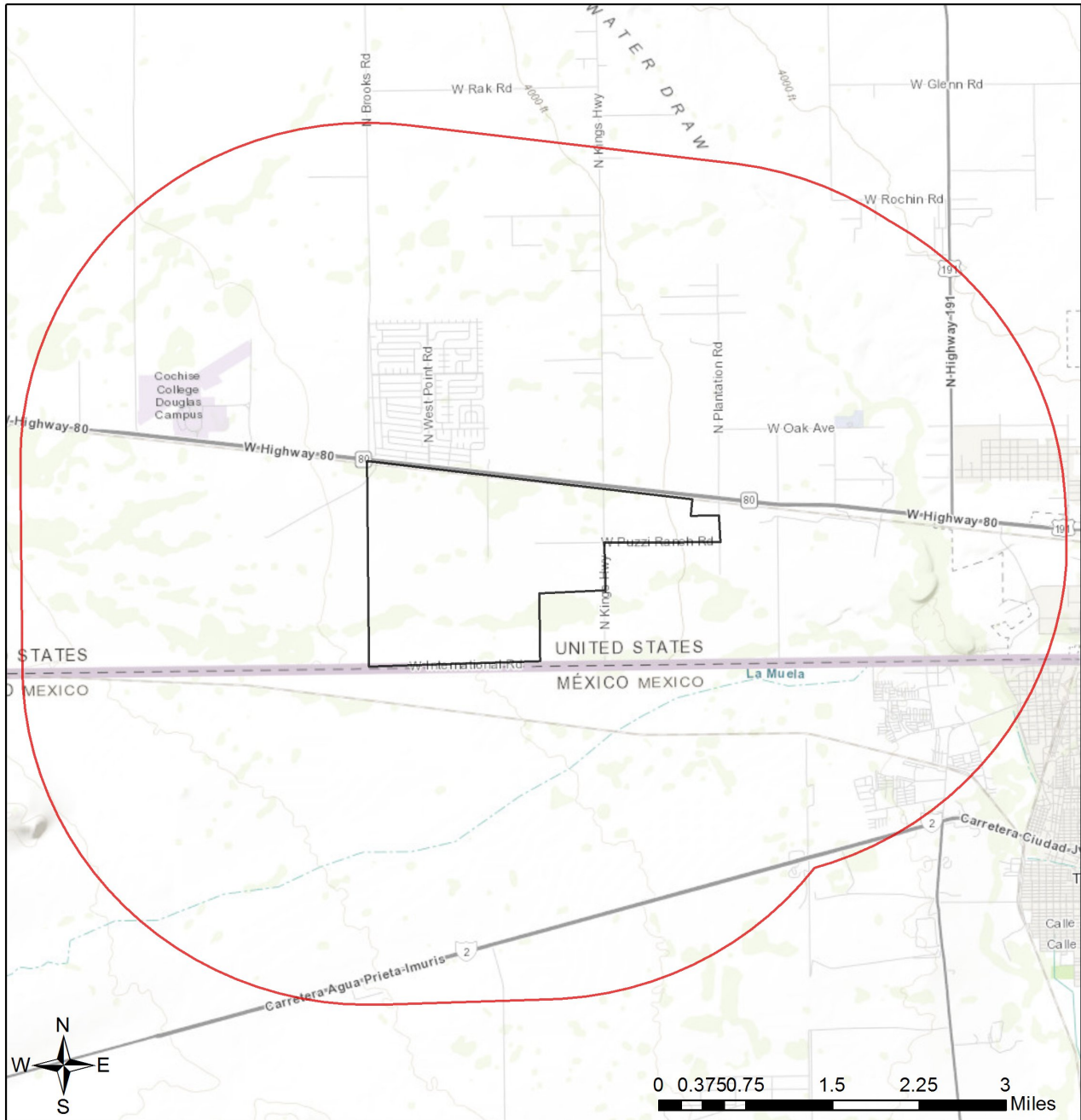
USGS Quad(s): DOUGLAS; PAUL SPUR

Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap



CPA-22-01 Commercial Port land use category change

Web Map As Submitted By User



- Project Boundary
- Buffered Project Boundary

Project Size (acres): 2,208.33

Lat/Long (DD): 31.3480 / -109.6468

County(s): Cochise

AGFD Region(s): Tucson

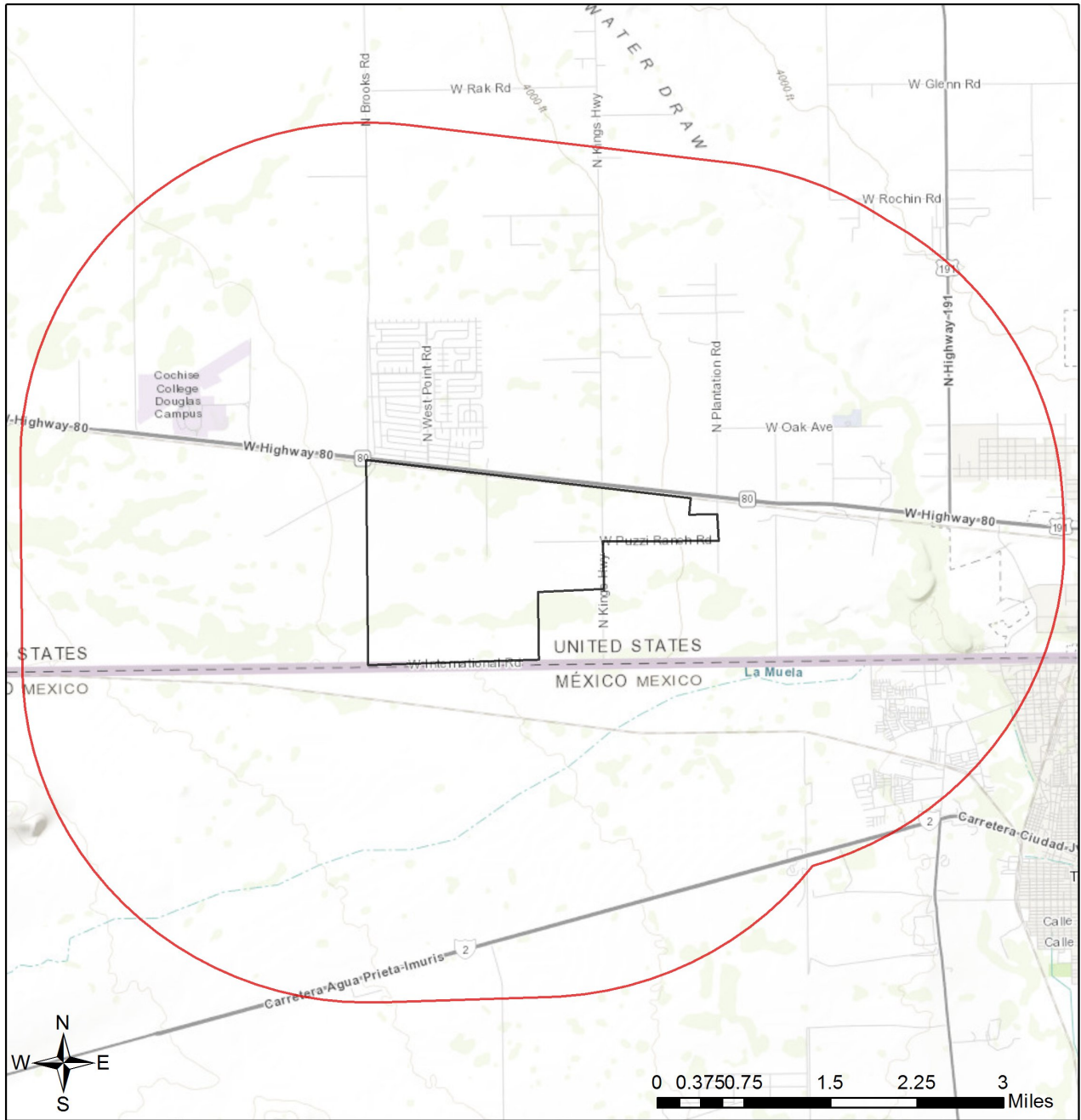
Township/Range(s): T24S, R26E; T24S, R27E

USGS Quad(s): DOUGLAS; PAUL SPUR

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

CPA-22-01 Commercial Port land use category change

Important Areas



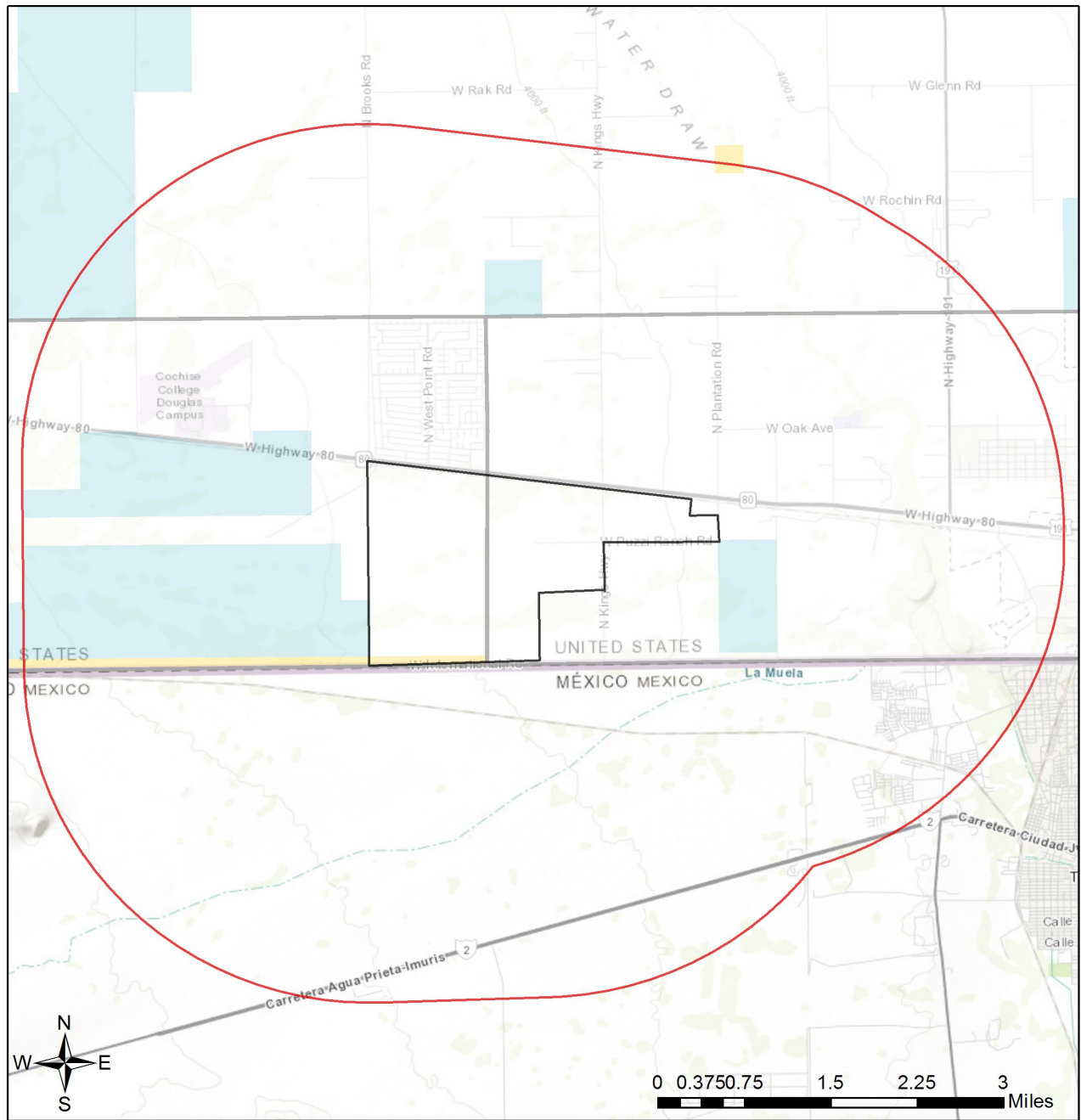
- Project Boundary
- Buffered Project Boundary
- Wildlife Connectivity
- Important Connectivity Zones
- Pinal County Riparian
- Critical Habitat
- Important Bird Areas

Project Size (acres): 2,208.33
 Lat/Long (DD): 31.3480 / -109.6468
 County(s): Cochise
 AGFD Region(s): Tucson
 Township/Range(s): T24S, R26E; T24S, R27E
 USGS Quad(s): DOUGLAS; PAUL SPUR

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

CPA-22-01 Commercial Port land use category change

Township/Ranges and Land Ownership



- | | |
|---------------------------|------------------------|
| Project Boundary | Military |
| Buffered Project Boundary | Mixed/Other |
| Township/Ranges | National Park/Mon. |
| Land Ownership | |
| AZ Game & Fish Dept. | State & Regional Parks |
| BLM | State Trust |
| BOR | US Forest Service |
| Indian Res. | Wildlife Area/Refuge |

Project Size (acres): 2,208.33
 Lat/Long (DD): 31.3480 / -109.6468
 County(s): Cochise
 AGFD Region(s): Tucson
 Township/Range(s): T24S, R26E; T24S, R27E
 USGS Quad(s): DOUGLAS; PAUL SPUR

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Special Status Species Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Danaus plexippus	Monarch	C		S		
Lithobates blairi	Plains Leopard Frog			S		1A
Lithobates chiricahuensis	Chiricahua Leopard Frog	LT				1A

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/>

No Special Areas Detected

No special areas were detected within the project vicinity.

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Amazilia violiceps	Violet-crowned Hummingbird		S			1B
Ammodramus savannarum ammolegus	Arizona grasshopper sparrow		S	S		1B
Ammodramus savannarum perpallidus	Western Grasshopper Sparrow					1B
Ammospermophilus harrisii	Harris' Antelope Squirrel					1B
Anthus spragueii	Sprague's Pipit	SC				1A
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		1B
Buteo regalis	Ferruginous Hawk	SC		S		1B
Buteo swainsoni	Swainson's Hawk					1C
Callipepla squamata	Scaled Quail					1C
Calypte costae	Costa's Hummingbird					1C
Coccyzus americanus	Yellow-billed Cuckoo (Western DPS)	LT	S			1A
Coluber bilineatus	Sonoran Whipsnake					1B
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1B
Cynanthus latirostris	Broad-billed Hummingbird		S			1B
Cynomys ludovicianus	Black-tailed Prairie Dog	CCA		S		1A
Dipodomys spectabilis	Banner-tailed Kangaroo Rat			S		1B
Empidonax wrightii	Gray Flycatcher					1C
Euderma maculatum	Spotted Bat	SC	S	S		1B
Eumops perotis californicus	Greater Western Bonneted Bat	SC		S		1B
Falco peregrinus anatum	American Peregrine Falcon	SC	S	S		1A
Heloderma suspectum	Gila Monster					1A
Hypsiglena sp. nov.	Hooded Nightsnake					1B
Incilius alvarius	Sonoran Desert Toad					1B
Lampropeltis nigrita	Mexican Black Kingsnake					1B
Lasiurus blossevillii	Western Red Bat		S			1B
Lasiurus xanthinus	Western Yellow Bat		S			1B

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Leopardus pardalis	Ocelot	LE				1A
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1A
Lepus alleni	Antelope Jackrabbit					1B
Lithobates blairi	Plains Leopard Frog			S		1A
Melanerpes uropygialis	Gila Woodpecker					1B
Melospiza lincolni	Lincoln's Sparrow					1B
Melospiza aberti	Abert's Towhee		S			1B
Micrathene whitneyi	Elf Owl					1C
Micruroides euryxanthus	Sonoran Coralsnake					1B
Myiarchus tyrannulus	Brown-crested Flycatcher					1C
Myotis occultus	Arizona Myotis	SC		S		1B
Myotis velifer	Cave Myotis	SC		S		1B
Myotis yumanensis	Yuma Myotis	SC				1B
Notiosorex cockrumi	Cockrum's Desert Shrew					1B
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					1B
Oreoscoptes montanus	Sage Thrasher					1C
Oreothlypis luciae	Lucy's Warbler					1C
Panthera onca	Jaguar	LE				1A
Passerculus sandwichensis	Savannah Sparrow					1B
Peromyscus nasutus	Northern Rock Deermouse					1B
Peucaea botterii arizonae	Arizona Botteri's Sparrow			S		1B
Phrynosoma solare	Regal Horned Lizard					1B
Setophaga petechia	Yellow Warbler					1B
Sphyrapicus nuchalis	Red-naped Sapsucker					1C
Spizella atrogularis	Black-chinned Sparrow					1C
Spizella breweri	Brewer's Sparrow					1C
Sturnella magna	Eastern Meadowlark					1C
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B
Terrapene ornata	Ornate Box Turtle					1A
Vireo bellii arizonae	Arizona Bell's Vireo					1B
Vulpes macrotis	Kit Fox	No Status				1B

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Callipepla squamata	Scaled Quail					1C
Odocoileus hemionus	Mule Deer					
Patagioenas fasciata	Band-tailed Pigeon					1C

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

Project Type: Development Outside Municipalities (Rural Development), Public & Community Facilities (school, library, church) and associated infrastructure, New construction

Project Type Recommendations:

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found at: <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select “See What’s Here” for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<http://azstateparks.com/SHPO/index.html>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefauna (snakes, lizards, tortoise) from entering ditches.

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the Wildlife Friendly Guidelines portion of the Wildlife Planning page at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (<https://new.azwater.gov/>).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (<http://www.usace.army.mil/>)

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife at PEP@azgfd.gov or at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/> and <https://www.azgfd.com/Wildlife/LivingWith>.

Project Location and/or Species Recommendations:

HDMS records indicate that **Chiricahua Leopard Frogs** have been documented within the vicinity of your project area. Please review the Chiricahua Leopard Frog Management Guidelines found at: <https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/FINALLithchirHabitatGdlns.pdf>

HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <http://www.fws.gov/southwest/es/arizona/> or:

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