



Cochise County Engineering & Natural Resources

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JACKIE WATKINS, PE
Director

INTEROFFICE MEMO

Date: January 13, 2022
To: Robert Kirschmann, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: SU- 21-31 (Old Fort Bowie)

Background: The applicant, Mr. Robert Ruisinger of Diamond Mountain, Inc., requests a Special Use Authorization to approve the construction of numerous buildings, monuments, and walking paths. Right-of-Way Staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access via Old Fort Bowie Road
 - Old Fort Bowie is shown on a 1880 Map of Arizona, the 1904 Map of Cochise County and a copy of the 1915 San Simon Quad Map (surveyed in 1914-1915), and Fort Bowie was constructed in 1868. The Board Action to Establish Road, from July 18th, 1905, declared that any open road within the County of Cochise to be public. We know from these early maps and the building of the Fort, that Old Fort Bowie Road was an open road at that time and therefore is a declared public highway at a width of 66 feet.
 - Old Fort Bowie Road is County maintained (MI# 729).

Recommendation:

- Although Fort Bowie Road is a declared public highway, dedication is required in order to perfect the right-of-way.



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Safford Field Office
711 South 14th Avenue, Suite A
Safford, Arizona 85546-3335
www.blm.gov/arizona



January 19, 2022

In Reply Refer To:
2010 (G010)

Robert Kirschmann
Cochise County Community Development
Development Services Department
126 West 5th Street, Suite 4
Benson, AZ 85602

Dear Robert Kirschmann:

Thank you for the opportunity to provide input and recommendations on the Proposed SU-21-31 (Old Fort Bowie) Project. The Bureau of Land Management (BLM) Safford Field Office (SFO) manages the Bowie Mountain Scenic Area of Critical Concern (ACEC), The Fort Bowie National Historic Site and adjacent land to the west and south of the proposed project.

After reviewing the application and associated documents it is BLM's understanding that no part of the proposed project crosses onto BLM federally managed lands. If at any time Diamond Mountain, Inc. needs access through BLM SFO managed lands, they would need to file a Right-of-Way application through our office at the address listed above.

Again, thank you for Cochise County's continued coordination and the opportunity to comment on the proposed project. Please do not hesitate to reach out if there are additional questions that the BLM may help to answer.

Sincerely,

Roberta Lopez
Assistant Field Manager

From: [McGee, Michael S](#)
To: [Kirschmann, Robert](#)
Subject: RE: Transmittal for SU21-31 (Old Fort Bowie)
Date: Monday, January 10, 2022 7:49:12 AM
Attachments: [image001.png](#)

Thanks Robert,


EH will need the following:

1. If they build a new kitchen or expand the existing kitchen, the applicant will need to contact EH for what is needed for permitting the kitchen.
2. Contact EH for sewage disposal requirements for the pilgrimage trail and possibly for the existing or new kitchen as needed.

Mike

From: Kirschmann, Robert <RKirschmann@cochise.az.gov>
Sent: Thursday, January 6, 2022 4:42 PM
To: Solis, Joaquin <JSolis@cochise.az.gov>; Simmons, Bradley A <bsimmons@cochise.az.gov>; Watkins, Jackie <JWatkins@cochise.az.gov>; Brady, Shon <SBrady@cochise.az.gov>; Garcia, Teresa M <TGarcia@cochise.az.gov>; Murphy, Teresa <TMurphy@cochise.az.gov>; Cratsenburg, Diane E <dcratsenburg@cochise.az.gov>; Esparza, Paul <PEsparza@cochise.az.gov>; Correa, Paul <PCorrea@cochise.az.gov>; McGee, Michael S <MMcGee@cochise.az.gov>; Capas, Carol <CCapas@cochise.az.gov>; blm_az_sfoweb@blm.gov; ohlfest@azdhs.gov; Richard B. Obenshain <rbobenshain@azwater.gov>; jgalayda@land.az.gov; mach@vtc.net; pe@azland.gov; azshpo@azstateparks.gov
Cc: Coxworth, Daniel <dcoxworth@cochise.az.gov>; BOS-Supervisors <BOSSupervisors@cochise.az.gov>
Subject: Transmittal for SU21-31 (Old Fort Bowie)

Good afternoon,

We have received an application for an expansion for the Diamond Mountain Campus. Please see transmittal, application, supplemental information attached. The Master Development Plan was too large to include as an attachment. That document and the others attached can be found here:  [SU21-31 \(Old Fort Bowie\)](#)

Comments are due by January 24,2022.

Please let me know if you have any questions.

Please **DO NOT** "Reply ALL".

Best regards,

Robert Kirschmann

Planner II
Cochise County Community Development
Development Services Department
126 West 5th Street, Suite 4
Benson, AZ 85602
520-432-9248 Direct
520-432-9300 Main
520-432-9278 fax

GIS Online Map: [INFOMap](#)

APPLY ONLINE: [CITIZEN SERVE](#)

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From: [Caroline Klebacha](#)
To: [Kirschmann, Robert](#)
Subject: Transmittal for SU21-31 (Old Fort Bowie)[2022-0029]
Date: Tuesday, January 18, 2022 1:30:09 PM

CAUTION: EXTERNAL EMAIL*

Good afternoon,

SHPO recommends that a Class I (literature review) and possibly Class III (intensive, pedestrian) survey of the property should be conducted to determine if historic properties are present. The County or Applicant can use this link <https://statemuseum.arizona.edu/crm> to obtain a list of qualified consultants or request a records search. If the project has a federal or state nexus, consultation with SHPO is required. If there is no state or federal nexus, we are happy to conduct a non-mandated (voluntary) review.

Thank you,

--

Caroline Klebacha, M.A.
Archaeological Compliance Specialist
State Historic Preservation Office
A Division of Arizona State Parks & Trails
Please use azshpo@azstateparks.gov for all consultation!

1110 West Washington Street, Suite 100

Phoenix, AZ 85007-2957

Phone: 480-714-6843

Email: cklebacha@azstateparks.gov

Web: <http://AZStateParks.com/SHPO>

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From: [Caroline Klebacha](#)
To: [Correa, Paul](#); [Kirschmann, Robert](#); [Coxworth, Daniel](#)
Subject: Followup
Date: Wednesday, January 19, 2022 3:13:44 PM
Attachments: [SHPO Archaeology Consultants 02-23-21 \(1\).pdf](#)

CAUTION: EXTERNAL EMAIL*

Good afternoon, gentlemen,

Thank you for reaching out. As we discussed the project is located on private land and will be privately funded. There is no state or federal nexus to obligate the applicant to conduct a cultural resources survey, however, we do recommend a Class I literature review or Class III pedestrian survey be conducted. I've attached a list of CRM firms, that can be of assistance to you. We recommend contacting a few of them for quotes.

The project is subject to the Arizona Burial Statute for private land, ARS 41-865. (There is a separate statute for state, county, and municipal land.) The statute is described here: <https://statemuseum.arizona.edu/crm/private-land-requirements> and other information about cultural resource management law is here: <https://statemuseum.arizona.edu/crm>

I will inquire about indirect effects to a National Historic Landmark by a development on private property.

We would like to stay involved in the progress of this project. Please let me know if you have any further questions. I'm happy to discuss with you further.

Thank you,

--

Caroline Klebacha, M.A.
Archaeological Compliance Specialist
State Historic Preservation Office
A Division of Arizona State Parks & Trails
Please use azshpo@azstateparks.gov for all consultation!

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Cochise County Comments

Environmental Health:

Environmental Health does not have any issues with the proposed plans. Applicant will need to contact EH for plan review submittal requirements and septic requirements prior to any construction.

Building:

Permits are required for the stupas due to size and proximately to public.

ROW:

1. Dedication of ROW will be required for Old Fort Bowie, 66'.
2. Label all buildings in site plans.
3. Please place a North Arrow on your plan sets.
4. Sight Distance Triangles must be identified for all driveways. Verify no conflict with proposed landscaping.
5. Need a traffic statement. Concerns with pedestrian crossings due to campus being on both sides of Old Fort Bowie Road. Specifically, pedestrians crossing to access the Welcome Center after bus drop-offs.

Floodplain:

1. A Drainage Analysis must be submitted from an Arizona Registered Civil Engineer. Refer to the Cochise County Floodplain Regulations (Section 10) for more information regarding drainage development requirements at https://www.cochise.az.gov/sites/default/files/highway_and_floodplain/FLOOD_REGS_2015.pdf
2. This parcel lies within FEMA Zones X. A Flood Plain Use Permit (FPUP) and Elevation Certificates (EC) requiring finished floor elevations for residential/ commercial structures or the bottom of the lowest structural members (if mobile offices or manufactured homes) to be elevated a minimum of one foot above the determined 100-yr water surface elevation. EC's are required for all buildings located within areas of Regulatory Floodplains (where $Q_{100} > 500\text{cfs}$).
3. The difference of the volume of runoff for the Q_{100} , between the existing conditions and post-development conditions, must be detained/retained onsite. This volume must drain within 24 hours.
4. An Erosion Hazard Setback (EHSB) from the primary banks of washes, will be required for all buildings that are located near washes that have $Q_{100} > 500\text{cfs}$.
5. The cumulative amount of improvements (include previous improvements) will require a Land Clearing Permit since the accumulative area of clearing is one acre or greater (Cochise County Planning Department at <https://www.cochise.az.gov/development-services/home>), Other permits include the Arizona Department of Environmental Quality ADEQ for the Stormwater Pollution Prevention Plan (SWPP) at <https://azdeq.gov/AZPDES/CGP>, and Arizona State Department of Agriculture (for native plants removal) at <https://agriculture.az.gov/download-forms>. These permits must be submitted prior to any construction start-up. Refer to the associated websites for more information.