J-6/Mescal Community Development Organization

TRI-COMMUNITY NEWS

Volume 4 Issue 01

January 2008

CDO BOARD SPEAKS OUT!

Reference: January 4, 2008 Letter from Easter Mountain Ranch, L.L.C., entitled, "One Woman's Diary of Deceit-Well Impacts". This letter was emailed and also sent thru U.S. Post.

The developers are using an age-old strategy of attacking the messenger in order to discredit or distort information from unbiased, reliable sources and divert the attention of our community away from the facts and possible impacts of the proposed rezoning request made by Easter Mountain Ranch for the J-6 Ranch development. The developers' letter personally attacks J-6/ Mescal Community Development Organization Chair Mary McCool. Mary McCool, the CDO Board, and community members will not be intimidated during this important public hearing process.

Even though the P & Z Commission voted 8-0 to recommend denial of the rezoning application, our community must remain vigilant and vocal during this rezoning process. The Easter Mountain rezoning request, if approved by the Board of Supervisors, will set a precedent for higher density development on more than three thousand acres of surrounding state land and large private land holdings. The BOS must consider ALL possible impacts before allowing Easter Mountain to double their current density which includes homes on 1-acre lots.

Their letter attempts to discredit the August 28, 2006 Memo prepared by ADWR hydrologist Andy Kurtz (MEMO) which addresses possible negative well impacts for landowners living within a one-mile radius of Empirita Water Company's well field. The letter also distorts the meaning of the fax cover sheet prepared by Tom Whitmer, ADWR.

The Memo prepared by state hydrologist Andy Kurtz includes several pertinent and disturbing comments:

1. "Impact from the pumping of the production wells are expected to capture what little groundwater flow there is toward the north where the dry-lot subdivisions are found." (Dry-lot subdivisions are land parcels, such as in J-6, with individual wells.)

2. "Impacts to the domestic wells (upwards of 75 wells) found in the vicinity of the well field for the Empirita Water Company will likely experience large impacts due to declines in the groundwater table. Many domestic wells will probably need to be deepened, or will go dry."

The Whitmer Fax sheet calls attention to the absence of an ADWR-specific study of the impacts that might be experienced by pumping of the Empirita Water Company. The cover sheet is hardly the smoking gun that Mr. Lenihan suggests.

There has been no deceit on the part of J6/Mescal CDO or Mary McCool. The Memo was presented to Pima County Supervisor Carroll (Pima County), Arizona Corporation Administrative Law Judge Jane L. Rodda, the ACC Commissioners, and Cochise County Planning Department. These officials are well versed in Arizona laws and the statutory powers of the ADWR and further know the difference between an ADWR data analysis memo and a study as mentioned in Whitmer's fax cover.

The Memo has not been discredited by ADWR as is claimed in Lenihan's email. The Memo is in ADWR's public records and still exists today. The entire Memo can be read on line at cdonewsletter.com or the CDO will make hard copies available upon request. In addition, the fax cover sheet and two documents which reference the Memo will be posted: ACC Kris Mayes Dissent Report and Pima County's report to Cochise County's Planning and Zoning.

Arizona water law will NOT protect existing well owners. The *only governmental* entity which can protect you is your County Supervisors. They have the power and duty to protect your interest and may take into account water impacts, traffic congestion, land values, access to public lands, support for rural values, etc. - all of which apply to this rezoning application.

The CDO is not against development of surrounding areas as long as those developments do not pose a threat to the health, welfare, safety, and quality of life of its members. The system may not be perfect, but we always operate within its bounds.

CDO Board

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BE INFORMED!

BE INVOLVED!

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Call 586-1233 to Volunteer on the production line!!!

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Zoning Regulations Being Reviewed

Revisions to the Cochise County Zoning Regulations adopted in 1996 are being reviewed to make them easier to use, to incorporate modern planning practices or to comply with new State Laws.

On Jan. 19th, a committee of interested citizens will meet with P & Z staff in Bisbee from 9:00 to 4:00 to discuss their comments and concerns.

An overriding concern is language found in Article 3 - 307 under the heading Uses Prohibited. Current language states, "Any use not permitted…. is specifically prohibited". Critics of this language suggest it should be changed to "Any use not specifically prohibited….. is permitted" so that the County is not able to micro manage private properties.

Proposed language would require special use permits for electrical generation plants, airports, heliports, flying fields, golf courses, junkyards, wind turbines, lighted outdoor recreational facilities, and regional sewage treatment plants except in a Planning District. Permitting of billboards will be a topic on Jan. 19th.

Revisions to Article 17 clarifies that building code requirements still apply to non-residential uses even if the dollar value of the improvement is less than the $1,000 exemption for single residential homes. Also new language requires fulfillment of all permit requirements prior to use.

Discussion on the 19th should clarify and possibly change a proposed revision that indicates bundling of accessory structures in the main building permit will no longer be allowed so that an individual would need to get a separate permit for each item, such as a garage, a fence, a shed, etc.

Article 18 will also generate much discussion regarding site development standards since the revised language "all uses in all zoning districts must comply" adopts a one size fits all without consideration that what is appropriate for an area around a city might be excessive in a rural area. Businesses previously grandfathered as exempt from parking requirements may find that even a small addition to a business will trigger a need to bring the parking up to current standards for the entire use unless revised language is clarified.

Public input to proposed Outdoor Storage revisions has been so significant that P & Z will consider those components separate from the current process.

Proposed regulations are on the web:

http://www.co.cochise.az.us/P&Z/ZoningRegs/cochise_zoning_regs.html

AREA RESIDENTS LEARN PRUNING TIPS

Local residents joined participants from Pichacho State Park, St. David, Benson, and Sierra Vista on January 12th to learn pruning strategies that would correct problems and protect their trees.

The Community Watershed Alliance partnered with Carmen Miller, Water Wise, to provide techniques and a pruning demonstration before attendees divided into work teams.

Teams selected a project tree, identified potential problems, and then developed a strategy of intervention to remove dead wood, reduce cross branching, opening for increased light, thinning for greater wind resistance to prevent branches from snapping, etc.

Each team reviewed their plan with Carmen Miller and her assistant Owen Meggett before pruning began. With professional supervision, all teams were successful!!

This How-To Workshop is one of three workshops sponsored by CWA to improve the watershed.

The remaining two workshops are

- Rain Harvesting - how to design, build a collection system in conjunction with information in planting native and drought resistant plants.

  Jan. 26th 10 - 2 J-6 area

J-6 residents Judy Wise-Ray and Marleen Jensen get a head start on their team as they discuss a pruning plan for a healthier tree.

- Erosion Control Workshop - how to build gabion baskets and wire-rock structures to slow water to capture sediment and reduce head cutting.

  Feb. 16th 10 - 3 St. David Area

Call 586-2106 or 609-2738 to register.

LOCAL ENVISIONING MEETING SUMMARIZED ON WEB

A summary of our local envisioning meeting held November 17th has just been posted to Cochise County's web site.

Our meeting which included over one hundred participants from Benson, J-6, Mescal, Skyline, St. David, and the County-at-large is one of eight reviewed, leaving five more meetings to be held by Planning and Zoning.

Four questions were asked to which five pages of answers were generated. The following are some of the responses to two of the most challenging questions:

1) What characteristics of the area should NOT be changed?

Local Themes:

- Preservation of natural areas:

  San Pedro River, Kartchner Caverns, Wildlife corridors/habitats
- Open Space
- Dark Night Skies
- Native Vegetation
- Vistas
- Individual Property Rights
- Preservation of historic and archeological sites
- Water Supply

Also Mentioned:

- Rural roads should not become highways
- Recreational opportunities on public lands
- Conservation policies
- Mixed-aged communities
- Positive environment for youth
- Locally owned businesses
- Clean environment - air and water

2) What are your ideas for how the community should change or grow?

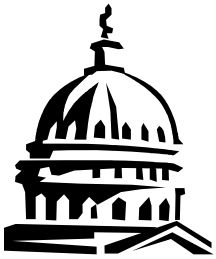
Topics included economic development, residential, roads, zoning, environment, and other ideas.

Economic Development:

- Encourage small businesses
- Clean industry in Benson
- Commercial and Industrial near existing airport
- Retail near intersection of I-10 & 90

Residential:

- Keep County RU-4
- Control leap frog development
- Well planned development
- Cluster development - open space, water companies
- Conservation sub-divisions



STATE LEGISLATORS INTRODUCE WATER BILLS

HB 2126 - tax credit: dual flush toilets -
Sponsors: Representative McClure

HB 2141 - home sales: water supply disclosure
Sponsors: Representatives Ableser, Campbell CH

Makes it unlawful for a licensed real estate broker or salesperson to advertise, promote or sell any residential real property without providing notice of the water supply status of that property as designated by the director of water resources. The designations are limited to "assured water supply", "adequate water supply", "inadequate water supply", and "unknown water supply" for any other property.

HB 2144 - land divisions; water requirements
Sponsors: Ableser, Campbell CH

An attempt to address the lot split issue: The legislative body of a municipality or board of supervisors shall not allow land divisions of five or fewer lots, tracts or parcels without a water supply.

COMMUNITY CALENDAR

JAN. 22nd	6:30 Community Watershed Alliance Annual Meeting Benson City Hall
JAN. 26th	10:00 Rainharvesting Workshop
	Call 586-2106 to register
FEB. 16th	10:00 Erosion Control Workshop

READ THE CLASSIFIEDS FOR OTHER SPECIAL EVENTS HAPPENING IN THE COMMUNITY!

MESCAL FIRE RECEIVES

$ 44,647 GRANT

Homeland Security's Federal Emergency Management Agency (FEMA) has awarded MFVD monies under the Assistance to Firefighters Grant program.

Sue Dupree, MFVD Chair, said the grant will be used to purchase equipment such as fire hoses, a backup generator for a radio repeater, and a new Jaws of Life extrication tool.

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Sat. Jan. 26th - KARAOKE with Terrioke

Sat. Feb. 22nd - KENY TEMPLETON - Live

Sun. Feb. 3rd - SUPER BOWL PARTY - Free Munchies, Raffles and Give-Aways - Drink Specials - Come watch on our big screen PLASMA TV!!

Sat. Feb. 9th - JEFF VALDEZ - Live

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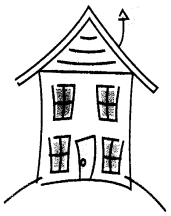

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Sat.	**Jan. 26th**	**Wash.**	**1:00**
Sun.	**Feb. 10th**	**Az. St.**	**12:30**
Thurs.	**Feb. 14th**	**Ca.**	**6:30**
Sat.	**Feb. 16th**	**Stanford**	**1:30**

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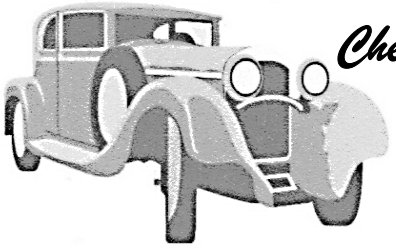

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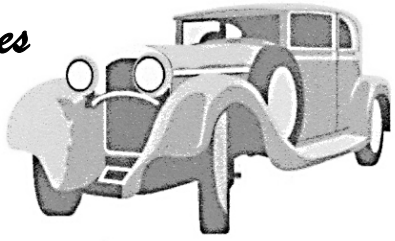

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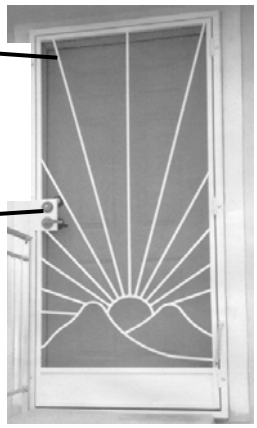

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Contact: Dawn Allen 586-4748
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OF A PERSONAL NOTE!

We would like to give recognition to three very hard working folks from the J6/Mescal Community who, once a week, willingly take a full day to give of themselves to benefit the Benson area needy. Larry Martinez, Marilyn Fox and Dorothy Everett all are active volunteers with the Community Food Pantry of Benson. Every Wednesday these three join 5 to 7 Benson volunteers to organize and distribute locally donated food. On the 3rd Wed. of each month, the Pantry receives commodities from the State. Larry, the group's president, also drives around collecting donations from local stores and individuals. Once a month Marilyn works with others to pack up and deliver boxes of food to seniors living in the Ramona Morales Apts. The Food Pantry is located at the end of Easy Street in Benson. Monetary donations help pay the cost for rent of the building and the utilities. If you would like to help, donations can be sent to Community Food Pantry, P.O. Box 623, Benson, Az. 85602.

Congratulations to Bernard "Bernie" Fierro of Wrong Mountain Road in Mescal for being accepted into the prestigious 2008 Empire 100 Western Art Show. This juried exhibition of nationally recognized artists from throughout the US benefits the Empire Ranch Foundation. Bernie's painting "Ranch Bunch" can be viewed with the other 99 works of art at the Northern Trust Bank in Tucson from January 22 to February 29.

Want to recognize someone's special birthday, anniversary, kind deed, or accomplishment? Let us Know!

TRI-COMMUNITY NEWS

Contents Include: CDO BOARD SPEAKS OUT, Proposed Zoning Revisions, Envisioning Meeting Summary on Web, New Water Bills Introduced, Local Watershed Workshops, Classifieds and Business Specials

Volume 4 Issue 01

JANUARY ISSUE

J6/Mescal CDO
3111 Clark Road
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J-6/Mescal Community Development Organization

Membership Form - Calendar Year 2008

Name of members for given address:

_____

_____

_____

_____

Physical Address:

_____

_____ZIP_____

Email Address:

_____

Phone: _____

All residents and property owners within the J-6, Mescal, Skyline and surrounding areas are eligible to join.

Households may have more than one member. Each member must be at least 18 years old.

Each membership is $ 10.00

Each member is entitled to cast 1 vote for meeting action items.

MEMBERSHIP DUES PAY FOR:

- Operating expenses such as copies, postage, printing, phone bills, and office supplies
- Production costs for Tri-Community Newsletter

Bring to next meeting or mail to : Nancy Upp, 412 S. Many Winds Rd., Benson, Az 85602