DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
915 WILSHIRE BOULEVARD, SUITE 930
LOS ANGELES, CALIFORNIA 90017

July 14, 2015

Office of the Commander
and District Engineer

Karen Fogas
Executive Director
Tucson Audubon Society
300 East University Blvd, #120
Tucson, Arizona 85705

Dear Ms. Fogas:

I am writing in response to your letter dated May 19, 2015, regarding El Dorado Benson LLC's (El Dorado) proposed "Villages at Vigneto," formerly referred to as "Whetstone Ranch," community master plan, in the City of Benson, Cochise County, Arizona. You have requested we reexamine the circumstances and conditions of Department of the Army (DA) permit 2003-00826-SDM in accordance with 33 CFR 325.7.

Whetstone Ranch was a 15,550-acre project annexed into the City of Benson in 1993. Whetstone Partners, in conjunction with Pulte Homes, proposed development of an 8,200-acre master planned community within the boundaries of the larger project area. In May 2014, El Dorado purchased all undeveloped land within the larger project area, including the 8,200-acre master-planned community, and renamed the large project area Villages at Vigneto. El Dorado is the transferee of the DA permit. DA permit 2003-00826-SDM, issued in 2006, authorized discharges of dredged or fill material into waters of the U.S. associated with development of the 8,200-acre master-planned community. The time limit for completing the authorized discharges ends on June 30, 2026.

I appreciate your interest in the permit. Under section 404 of the Clean Water Act the U.S. Army Corps of Engineers regulates discharges of dredged or fill material into waters of the United States. Our permit program aims to ensure that adverse effects to aquatic resources resulting from the discharges of dredged or fill material are avoided and minimized to the maximum extent practical and is not contrary to the public's interest. My Regulatory Division staff is in process of gathering information and reviewing the circumstances and conditions of the permit in accordance with applicable laws and regulations, within our Regulatory authority. While I cannot estimate the duration of this review, my staff will notify you once it is complete.

Thank you for your letter. If you have any questions, please contact me at (213) 452-3962, or your staff may contact Sallie Diebolt, Chief of our Arizona Regulatory Branch, at (602) 230-6950 or by email at Sallie.Diebolt@usace.army.mil.

Sincerely,

Dennis P. Sugrue
Lieutenant Colonel, US Army
Acting Commander and Acting District Engineer