

My name is Matt Clark, and I am here representing the Tucson Audubon Society. Back in December of last year, I attended and spoke at a similar planning and zoning hearing to represent the concerns of our organization and our membership. In our verbal and written comments, we have emphasized that the approval of a Final CMP is premature until after key federal consultations and permitting processes are completed and their outcomes fully integrated into the CMP. Seven months later, these same crucial federal permitting processes and studies are no closer to being completed, and yet the Final CMP is before you for your consideration. For this reason, Tucson Audubon and our partner organizations take the position that the CMP is far from ready for final approval.

Tucson Audubon urges the Planning and Zoning Commission to recommend the City Council that it not adopt the CMP, until, at a minimum:

- 1) Phase III USGS hydrogeologic model is completed and used to inform decision making processes related to the development of groundwater resources and associated impacts to the community and ecosystem (draw-downs of private wells, projected subsidence, loss of springs and seeps, impacts to river base-flows, etc).
- 2) The Army Corps of Engineers has re-evaluated and/or re-approved the Section 404 permit for Vigneto and has formally consulted with the U.S. Fish and Wildlife Service regarding impacts to threatened and endangered species;
- 3) Federal and state agency consultations, recommendations and mitigation plans have been fully integrated into Vigneto's scale, design and configuration.

Vigneto's enormous size and sensitive location near the San Pedro River and the Whetstone Mountains causes serious concern over the project's potential to negatively impact a bird migration corridor of hemispheric importance, habitat for numerous threatened and endangered species, vital conservation mitigation lands, the wet cave system of Kartchner Caverns State Park, and the sustainability of human communities in the San Pedro River Valley. These major public and private investments in conservation will be put at serious risk by unsustainable development proposals such as Vigneto.

In 2008, the City of Benson was issued a 100-year water adequacy determination by the Arizona Department of Water Resources (ADWR) that would ostensibly cover Vigneto. However, ADWR does not consider the health of a nearby river when they make their 100-year water adequacy determination. Nor do they take into account impacts to federal

reserved water rights, which is the basis for the lawsuit challenging the water adequacy determination issued to the proposed Tribute development in Sierra Vista. Therefore, by relying solely on the 2008 adequacy determination, the City of Benson has also failed to take in to consideration the health of the river.

A recent hydrological study conducted by Integrated Hydro Systems found that the amount of groundwater pumping proposed by Vigneto will lower the water table at St. David Cienega by 1.5 feet, independent of drought and climate change. Not only could St. David Cienega be dried up by Vigneto's groundwater pumping, this extensive pumping is also projected to significantly decrease base flows of the San Pedro River itself. Given these facts, Tucson Audubon does not believe the proposed Vigneto CMP is consistent with the City of Benson's General Plan.

The Water Element of Benson's General Plan States: "The San Pedro River corridor has been identified as one of the City of Benson's key amenities, and its protection is viewed as one of the community's highest priorities."

However, in the development of the Vigneto CMP, we do not see that Benson has made the protection of the river's water a high priority. In fact, there has been a disturbing level of inaction on this crucial topic on the part of Benson officials. Despite legitimate concerns raised from across a wide range of community stakeholders, Benson officials have not taken any tangible steps to ensure the extensive groundwater mining proposed by Vigneto will not dry up the San Pedro River: its key community resource.

At Tucson Audubon, we are very concerned that without immediate action and major changes to reduce the huge water footprint of this proposal, the San Pedro River is doomed to suffer the same fate as the Santa Cruz River has: highly degraded, dewatered, and effluent-dominated. Is this really the legacy we want to leave for future generations? At this juncture, our question to Benson officials is this: How do you intend to reconcile the Vigneto CMP with Benson's General Plan, when the development proposal as currently conceived is projected to significantly diminish the community's "key" resource and a congressionally-designated National Riparian Conservation Area?