

From: [Meredith Griffin](#)
To: [Peggy Fry](#)
Subject: FW: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE
Date: Wednesday, February 06, 2013 10:35:53 AM

If this is an exact replica of something I've already sent you, can you let me know and just set it aside?

Thanks Peggy!!

P.S.

Comment period ends Friday – yay for time to catch up finally!

From: Ellen Carr
Sent: Wednesday, February 06, 2013 10:29 AM
To: Meredith Griffin
Subject: FW: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE

From: dgodfrey@blm.gov [<mailto:dgodfrey@blm.gov>] **On Behalf Of** SunValley_Morgan, BLM_AZ
Sent: Wednesday, February 06, 2013 9:11 AM
To: Ellen Carr; Kathleen Depukat; Joseph Incardine
Subject: Fwd: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE

I don't know if this is different from what Mr. [REDACTED] has previously provided us. It came into the project email queue and I'm passing it along.
Dennis

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Feb 5, 2013 at 8:19 PM
Subject: Fwd: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE
To: jincardi@blm.gov, mpool@blm.gov, kdepukat@blm.gov, jvelasco@blm.gov, dgodfrey@blm.gov, nkornze@blm.gov, jhlin@blm.gov, sunvalley-morgan@blm.gov, rojda@azland.gov
Cc: stump-web@azcc.gov, vickman@azland.gov

TO; ALL AT THE BLM AND THE AZ ACC, AND AZ LAND

Dear Joe,

See below and if a study was not done by Diamond ventures and Saddleback Heights and Sun belt Holdings for old and new Vistancia-----regarding the endangered and protected desert tortoise and its habitat on the south side of Rte 74-----
And you did not force them to or have the BLM do one----- then the BLM has to deny the use of the north side by APS-----

It would seem -----that the BLM and the City of Peoria have given special consideration in payment

for a land swap in Tucson and having BLM totally destroy the desert tortoise and its habitat on both the north side and south side of Rte 74-----We are in the process of finding out how much the City of Peoria was paid off for over looking serious violations of federal law and endangered species -be they animal or plants and their habitat.....

There are very serious -possibly the breaking of both Federal law and the State of Arizona law--- regarding these issues that you were responsible to make public and to let the public know in your so called public hearings-----

AND YOU DID NOT-----IN FACT YOU PURPOSELY HID, LIED ABOUT, PLEADED YOU DID NOT KNOW-WHEN BY LAW YOU ARE REQUIRED TO KNOW BY LAW AND IF YOU DO NOT KNOW-TO FIND OUT AND ALLOW THE PUBLIC TO KNOW THE ISSUES FULLY AND HONESTLY----- YOU HID THIS ISSUE AND MANY OTHER ISSUES FROM THE PUBLIC ON PURPOSE AND CONTINUE TO DO SO NOW FOR MONTHS.

YOUR COMMENT PERIOD HAS TO BE EXTENDED UNTIL WE THE PUBLIC GET THE FACTS AND THE TRUTH REGARDING ALL THESE ISSUES-----YOU HAVE THEM ALL AND NEW ONES ALL THE TIME-----AND CERTAINLY BASED ON WHAT WE KNOW AT THIS TIME----- THE BLM MUST DENY THE USE OF BLM LAND ON THE NORTH SIDE OF RTE 74

THERE WILL MUCH MORE COMPELLING FACTS TO CONFIRM THAT THE BLM LAND SHOULD NOT BE USED-----AND ONCE YOU AND THE CITY FOLLOW THE FOIA'S OF BOTH THE FEDERAL GOVERNMENT AND THAT OF THE STATE OF ARIZONA,,,,,,,,,,,,, WE ILL PROVIDE IT TO YOU AND THE BLM-----AS YOU HAVE NOT DONE AND ARE REQUIRED TO BY LAW-----SIMPLE

MORE TO COME, see below and waiting on the City

regards,

█

█

█

--- Begin forwarded message:

From: █
To: Chris <chris.jacques@peoriaaz.gov>
Cc: Steve <Steve.kemp@peoriaaz.gov>

Subject: Fwd: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE
Date: Tue, 5 Feb 2013 18:58:46 -0800

--- Begin forwarded message:

From: Steve Kemp <Steve.Kemp@peoriaaz.gov>

To: [REDACTED]

CC: "Chris Jacques" <Chris.Jacques@peoriaaz.gov>, "Lisa Neely" <Lisa.Neely@peoriaaz.gov>

Subject: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE

Date: Tue, 5 Feb 2013 10:26:59 -0700

Chris Jacques is the City's Planning and Development Director, in that capacity he would oversee application of the Desert Conservation Lands Ordinance which is part of our zoning code. He can be reached by e-mail at Chris.jacques@peoriaaz.gov. I have checked and there is no City of Peoria – Vistancia transaction for the City to purchase any commercial property and therefore no documents exist to provide.

Steve Kemp, City Attorney

City of Peoria, Arizona

(623) 773-7330

Steve.kemp@peoriaaz.gov

PUBLIC RECORDS INFORMATION

Under Arizona Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, contact this office by phone or in writing.

LEGAL DISCLAIMER

THIS MESSAGE CONTAINS INFORMATION SUBJECT TO THE ATTORNEY CLIENT PRIVILEGE AND/OR THE ATTORNEY WORK PRODUCT DOCTRINE. IT IS INTENDED TO BE COMMUNICATED ONLY TO THE CLIENT. IT ALSO RELATES TO ACTIONS TAKEN BY COUNSEL, OR AT THE DIRECTION OF COUNSEL, IN CONNECTION WITH PREPARATION FOR PENDING OR REASONABLY ANTICIPATED LITIGATION. THE INADVERTENT OR UNINTENDED DISCLOSURE OF THIS INFORMATION DOES NOT CONSTITUTE A WAIVER OF ANY OTHERWISE APPLICABLE PROTECTIONS. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS COMMUNICATION, PLEASE DESTROY IT AND NOTIFY THE SENDER AT (623) 773-7331. ANY FORM OF REPRODUCTION, DISSEMINATION, COPYING, DISCLOSURE, MODIFICATION, DISTRIBUTION AND/OR PUBLICATION OF THIS E-MAIL MESSAGE IS PROHIBITED. THANK YOU.

From: [REDACTED]

Sent: Monday, February 04, 2013 8:50 PM

To: Steve Kemp

Subject: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE

Dear Mr. Kemp,

Please provide information about who Mr. Jacques is, what his responsibilities are or the department he works in and how to contact him about the information we are requesting.

Thank you,

[REDACTED]

[REDACTED]

[REDACTED]

--- Steve.Kemp@peoriaaz.gov wrote:

From: Steve Kemp <Steve.Kemp@peoriaaz.gov>

To: [REDACTED]

Subject: RE: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE

Date: Mon, 4 Feb 2013 15:56:52 -0700

Dear Mr. [REDACTED]: Arizona law does not require an Environmental Impact Study or Analysis for private land. The developer is required to determine if there is any historic sites on the land. If there are protected species on the land, developer may be required to provide the US Department of the Interior with a mitigation plan on how they will be protected. That is between the developer and the department of the interior. The City may not have such a study unless the lands have been designated under our desert conservation ordinance. You can contact Mr. Jacques to see if such designation exists.

Steve Kemp, City Attorney

City of Peoria, Arizona

(623) 773-7330

Steve.kemp@peoriaaz.gov

PUBLIC RECORDS INFORMATION

Under Arizona Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, contact this office by phone or in writing.

LEGAL DISCLAIMER

THIS MESSAGE CONTAINS INFORMATION SUBJECT TO THE ATTORNEY CLIENT PRIVILEGE AND/OR THE ATTORNEY WORK PRODUCT DOCTRINE. IT IS INTENDED TO BE COMMUNICATED ONLY TO THE CLIENT. IT ALSO RELATES TO ACTIONS TAKEN BY COUNSEL, OR AT THE DIRECTION OF COUNSEL, IN CONNECTION WITH PREPARATION FOR PENDING OR REASONABLY ANTICIPATED LITIGATION. THE INADVERTENT OR UNINTENDED DISCLOSURE OF THIS INFORMATION DOES NOT CONSTITUTE A WAIVER OF ANY OTHERWISE APPLICABLE PROTECTIONS. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS COMMUNICATION, PLEASE DESTROY IT AND NOTIFY THE SENDER AT (623) 773-7331. ANY FORM OF REPRODUCTION, DISSEMINATION, COPYING, DISCLOSURE, MODIFICATION, DISTRIBUTION AND/OR PUBLICATION OF THIS E-MAIL MESSAGE IS PROHIBITED.

THANK YOU.

From: [REDACTED]
Sent: Wednesday, January 30, 2013 5:50 AM
To: Steve Kemp; Lisa Neely
Cc: jincardi@blm.gov; dgodfrey@blm.gov
Subject: WAS AN EIS STUDY DONE REGARDING THE ENDANGERED PROTECTED DESERT TORTOISE

Hello,

Was an EIS study-----Environmental Impact Study done for the property just north of present day Vistancia going north to RTE 74 --encompassing the properties of Saddleback Heights and the new Vistancia???????? This would include all properties of Diamond ventures and Sun Belt Holdings running along the south side of RTE 74 and all property south ----east and west-----to Blackstone and present day Vistancia.????????????

Please provide a copy of the complete EIS done by the City of Peoria and / or the developers and land owners and if it was filed with the United States Government regarding the desert tortoise as an endangered species and is protected by the Federal government and the agencies responsible.

Also-----was this EIS study===if done----- shared with the BLM offices both locally, in Utah and in Washington D.C. ---and if it was -when and to whom and what offices.....???? If not done and was not shared a simple no will suffice

thank you

[REDACTED]